

## James Castaneda - Letter to San Mateo Planning Commission - Ascension Heights

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**From:** Sheila Shea <>  
**To:** "Planning-Commission@smcgov.org" <Planning-Commission@smcgov.org>  
**Date:** 2/25/2015 00:03  
**Subject:** Letter to San Mateo Planning Commission - Ascension Heights  
**CC:** "jcastaneda@smcgov.org" <jcastaneda@smcgov.org>, "dpine@smcgov.org" <dpi...  
**Attachments:** Letter to San Mateo Planning Commission\_Feb 24 2015.docx

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Dear Members of the San Mateo Planning Commission,

I am submitting the attached letter to express my concerns regarding the Ascension Heights Project.

Thank you for your time.

Sincerely,  
Sheila Shea  
San Mateo Baywood Resident

February 24, 2015

Dear Members of the San Mateo Planning Commission,

My family and I live at 1526 Parrott Drive, directly in front of the proposed Ascension Heights development. As residents, we are deeply concerned about the safety and well-being of our neighborhood.

At the January Hillsdale High meeting we hoped to obtain answers to many of the critical questions posed by the community of Baywood neighbors but we still feel very strongly that several key points *have not been addressed* properly by the EIR, including:

- 1) No detailed engineering analysis to examine the impact of the steep lots, several of which are up to more than 40% slope. What are the potential long-term liabilities for the county and for homeowners?
- 2) No truck route has been specified during the heavy grading period. Furthermore, the EIR determined the impact as “not significant.” However, there will be an increase of 28% of traffic during the day, which would clearly impact pedestrian safety. We are deeply concerned about pedestrian safety along any potential truck routes including streets such as Parrott Drive where there are no sidewalks. Parrott Drive is a busy street with CSM drivers, commuters, as well as pedestrians such as elderly, parents with strollers, and young students walking home daily. Pedestrians on Parrott Drive must walk on the street (rather than sidewalk) and carefully dodge traffic throughout the day. Once grading begins, pedestrians will also need to avoid the onslaught of trucks during the lengthy construction period.
- 3) No buffers provided between proposed lots and houses on Parrott Drive in the current plan. Families on Parrott Drive would experience immediate and clear loss of privacy. Any new trees planted would take roughly 25 years to provide an effective screen.
- 4) Finally we were very dismayed to learn that Baywood Neighbors would have no input on the design of the development project, once approved. How will we know what these homes will look like? How many of these will be 3 stories, hovering over our backyards? Will these homes fit in with existing homes?

We urge members of the San Mateo Planning Commission to carefully weigh these and the many significant concerns that Baywood Neighbors have expressed over the years. Clearly the majority of Baywood Neighborhoods are opposed.

Respectfully,

Sheila Shea and Family

## James Castaneda - Ascension Heights Correspondence

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**From:** Heather Hardy  
**To:**  
**Date:** 2/25/2015 06:52  
**Subject:** Ascension Heights Correspondence  
**CC:** James Castaneda  
**Attachments:** 20150225\_Ascension\_Correspondence\_20150224night\_only.pdf

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Good morning Dennis,

Please see the attached correspondence which I sent to the Commission this morning. Thank you,

Heather

**Heather Hardy**  
Management Analyst  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)



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455 County Center, 2nd Floor  
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**From:** Lilly Won < >  
**To:** <planning-commission@smcgov.org>  
**CC:** <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <cgroom@google.com>  
**Date:** 2/24/2015 9:21 PM  
**Subject:** Concerns about Watertank Hill Proposal

Dear Members of the San Mateo County Planning Commission,

I am writing to you to express my strong opposition to the Ascension Heights Subdivision Project as proposed and detailed in the Final Environmental Impact Report from 12/2014. I ask that you reject this proposal. The proposal was not developed in the cooperative manner that the Commission laid out when the previous proposal was rejected in 2009. It is still too aggressive for the land and for the surrounding, existing neighborhood.

I find issue with many aspects of the FEIR. By far, however, the issue that upsets me the most is the projected air pollution. The FEIR states the air pollution will be projected to be 470% above the EPA National 24 hour standard. How can this be acceptable? The Commission cannot accept this proposal and endanger its most vulnerable and innocent residents.

Some additional issues I find with the FEIR are as follows:

-- Noise abatement. This appears to be addressed by proposing that construction activities take place within stated work hours. So unacceptable noise levels are allowed as long as they occur within the 'restrictions' of 7AM - 6PM Monday-Friday and 9AM - 5PM Saturdays? The only days that construction will not occur will be Sundays, Christmas and Thanksgiving. So the existing neighborhood will live with construction noise levels of 90dB for 6 out of 7 days a week, all day long. I cannot fathom how this is not "Less than Significant" for those of us living near the proposed site.

-- Dust complaints. The FEIR states that any dust complaints can be made by calling a posted number and must be addressed within 48 hours. This is laughable. So if I have a complaint about immediate dust conditions, I have to wait up to 2 full days for the situation to be addressed? What do you advise neighbors to do -- shut our windows for 2 days and wait?? I find this completely unacceptable.

-- Impact to SMFC School District. The FEIR concludes there are no significant impacts on the SMFC School District based on communications with representatives of the School District. These communications cite multiple references to the passage of Measure P as a means to deal with overcrowding in district and local schools. Measure P failed in November 2013. Overcrowding in the District and the impact to both Highlands and Borel is therefore incorrectly evaluated. The information in the FEIR is out of date and incorrect. This is a major issue in San Mateo and this aspect of the FEIR is unacceptable and incomplete.

In conclusion, I would like to reference the San Mateo General Plan, which calls for development to "Encourage improvements which minimize the dangers of natural and man-made hazards to human safety and property." I hope you agree that the Ascension Heights Subdivision proposal as it is currently drawn up, does not fit with the General Plan. I implore you to please vote AGAINST the Ascension Heights Subdivision on Wednesday night.

Sincerely,

Lilly Won

**From:** Craig Nishizaki < >  
**To:** "planning-commission@smcgov.org" <Planning-Commission@smcgov.org>  
**Date:** 2/24/2015 9:58 PM  
**Subject:** Fwd: Ascension Heights Development

Wanted to touch base with the upcoming meeting regarding the Ascension Heights Development. I wanted to reiterate the points I made below in my letter of January 27, 2015.

1. \*Environmental Concerns\*. Damaging the hill through excessive grading. Risking both property and life of existing and future neighbors.
2. \*Density\*. The proposed development is significantly more dense than the existing neighborhood. This is unnecessary and damages the character of the neighborhood. Towering structures three stories above current residents is unacceptable. \*Building codes are in place to protect neighbors from infringing on each other's normal and typical use of their property through development\*.
3. \*Quality of Life\*. Increased noise, traffic, and pollution due to excessive development. Permanent decrease in sunlight and privacy.

Please read my original email that discusses these points more fully. I fully hope and expect these plans to be put on hold permanently until a more responsible and reasonable plan can be put in place. We hope you recommend specifics to the developer such as reduced number of units, decreased excavation work, and a larger set back from the Parrott Drive neighbors, considering the daylight plane issues.

\*Mary Anne Payne, CPA\*

\*Payne Financial Consulting, Inc.\*

\*1900 So. Norfolk Street, Suite 215 \*| \*San Mateo, CA 94403\*

\*650-372-0113 <650-372-0113> office \*| \*650-372-0115 <650-372-0115>  
fax \*| \*www.pfconsulting.net  
<<http://www.pfconsulting.net/>>\*

\*From:\* Mary Anne Payne, CPA [mailto: ]  
\*Sent:\* Tuesday, January 27, 2015 12:48 PM  
\*To:\* 'jcastaneda@smcgov.org'; 'dpine@smcgov.org'; 'cgroom@smcgov.org'; '  
\*Subject:\* Ascension Heights Development

My neighbors have brought to my attention the building project to be done in the Ascension Heights Development.

My family and I are concerned with this on a number of levels, most importantly, long-term safety and enjoyment of our neighborhood.

1. \*Dangerous Excavation:\* Tremendous excavation and grading work is to be done on this project. Because of the high water table and delicate nature of our hill, this could destabilize existing properties and increase the likelihood of avalanche like what happened a few years ago. This is dangerous to the new owners, but also to the existing property owners whose

houses will now be BELOW the new construction. This cannot be allowed.

2. \*Character of Neighborhood:\* Size and height of the homes. Our neighborhood on Parrott is predominantly one-story ranchers, with a few two story properties. They are gracefully arranged on 80' or 100' lots. The new development is packed very tightly together on narrow lots, and the homes rise THREE stories above ground level. This changes the nature of our neighborhood unnecessarily when more generous lots and lower profiles could be utilized.

3. \*Reduced Property Values: \*Because of the size and massive nature of the proposed development, existing homeowners will experience a decrease in the values of their homes. The new construction to be built behind Parrott Drive towers above those properties, significantly reducing the resale value and enjoyment of the property. Again, this is unnecessary when more gracious lots and lower profiles could be utilized.

4. \*Quality of Life: \*Finally, the quality of life in our neighborhood will be reduced permanently. Partially, this is due to the extended construction period (26 months). More importantly, our neighbors will experience a significant decrease in sunlight and privacy in their own homes.

\*We strongly recommend against this project as it currently stands. We recommend the developer explore alternative proposals reducing grading, reducing building height, reduced units, and taking into consideration the concerns his neighbors have raised. Again, most important is the long-term safety and enjoyment of our current and future residents.\*

\*Mary Anne Payne, CPA\*

\*Payne Financial Consulting, Inc.\*

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**From:** Sheila Shea <>  
**To:** "Planning-Commission@smcgov.org" <Planning-Commission@smcgov.org>  
**CC:** "jcastaneda@smcgov.org" <jcastaneda@smcgov.org>, "dpine@smcgov.org" <dpine@smcgov.org>, "cgroom@smcgov.org" <cgroom@smcgov.org>, "watertankhill2013@gmail.com" <watertankhill2013@gmail.com>  
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We urge members of the San Mateo Planning Commission to carefully weigh these and the many significant concerns that Baywood Neighbors have expressed over the years. Clearly the majority of Baywood Neighborhoods are opposed.

Respectfully,

Sheila Shea and Family

RE: Ascension/Watertank Hill Project

February 19, 2015

Dear Planning Commission,

I have been diligently trying to understand the storm drainage system and how the system will implement the requirement stated by the county that the project generate ZERO NET NEW INFLOW to the existing storm drainage system.

The problems encountered so far:

1) The **EIR AND FEIR are at odds with the county staff report** in that the specified system in the EIR and FEIR is a 20-tank system. The county report is a 23-tank system. I am assuming the latter is the correct system, as it seems to be the better documented.

The **EIR and FEIR were also missing the crucial diagram (Figure 3.4)** on the stormwater system that would show the system planned. We received the county report one week before the 1st planning commission meeting giving us virtually no time to understand the system assuming that is the system to be built. However, even the county report did not specify key characteristics of the system. **Neither the FEIR nor staffs report showed the Hydrology report, which would confirm the requirements were actually met.**

**CEQA textbook handbook [http://www.ucop.edu/ceqa-handbook/chapter\\_03/3.3.html](http://www.ucop.edu/ceqa-handbook/chapter_03/3.3.html) states that EIRs should requires planning for 100yr events and calculate increases in stormwater runoff from the proposed project.**

2) When questioned about the sizing and flow rate calculations we were referred to the engineering company, which said, they had produced such a report. The staff report simply stated as fact but did not show the work that the system envisioned actually achieved the objective as required by CEQA. Jim Toby of the engineering company employed by the applicant said it had done the requisite work.

When we asked the county which should have included the more detailed report in the EIR and FEIR and **which James Castenada thought was in the FEIR we discovered it was not.**

I asked James for the report that Jim Toby had said was done but finally I was only able to get a copy from the engineering company well after the planning commission meeting. When I finally got the report for which there was no explanation why it was not included in the FEIR I discovered it **only covers 40,000 sq ft of the 90,000 sq ft of impervious area being created** by the project. It is less than half the required report. The explanation is that the system has been sized to compensate for the flow expected from the other 60% of the impervious area, however, this is a method that I have not seen in any other hydrology report. It is not clear that there is sufficient water to be collected at the houses to compensate for the road or that the pattern of road runoff would not cause problems for the drainage system or increase net inflow at certain points in the storm.

It is clear after reading the Hydrology report that the system is designed for a particular type of storm of a certain intensity and duration. It is clear that other storms would yield potentially very different results with considerable increase in runoff. There are assumptions in the report that are not justified for instance the Tc of 10minutes seems a guess. They refer to frictional assumptions but never show calculations how they arrive at Tc=10min. For a construction project that has impact on 600 residents it is interesting that the developer is allowed such leeway in doing the

hydrology study and what appears any lack of critical assessment. A peer report is clearly called for as was done for instance at Laurel Way in Redwood city and other high impact projects.

In other words the **hydrology report DOES NOT show that the system will achieve the requirements of the project to achieve ZERO NET INFLOW as stated in the staff report and FEIR.**

This contrasts with several other EIRs I have found in the area done recently which have full hydrology reports for all impervious land done for 100 yr storms and included in the EIRs. These include precise sizing and calculations of runoff from all structures. The project at Laurel Way, Redwood City includes a detailed 82-page report calculating all the flows from the impervious structures and a peer review study of the drainage system by an independent group. The systems are similar to the ones proposed for this project but do not include a ZERO Net inflow requirement and DO NOT have 90,000 sq ft of impervious structure. I have included several EIR reports below with full hydrology calculations.

A final point is that the novel way they have for compensating for the road by overbuilding the housing system is not something I have seen in other hydrology reports and would be a separate additional good reason to have a peer report from another independent Engineering firm or firms picked by someone other than the applicant.

3) When asked to provide "comparable" projects we could see that had 90,000 sq ft or larger new impervious land, ZERO NET INFLOW requirement, on 40% slopes on type C land or worse we were told there were loads of comparables. Hundreds even thousands of use cases. However, after 14 days of repeated requests no comparables have been forthcoming. I have to conclude that this has never been tried before or at least the **county or applicant has no experience of or knowledge of any comparable project** utilizing this system involving storing hundred(s) of thousands of gallons on hillsides.

4) All the EIRs in the area including Menlo Park, City of San Mateo, Laurel Way that I have found include 100-year storm planning. I have looked at a dozen EIR's now and they all include planning for 100-year and sometimes 500-year storms and include detailed storm water calculations with specific sizing of the systems when such systems were called for.

The county has asked for only 10-year storm planning. When the community asked for 100-year storm planning we were met with resistance. Yet, we got a 10-year storm just a month ago and with global warming we may get more storms larger than 10-year storms more often. How can this be reasonable policy? CEQA guidelines seem to clearly specify that 100-year planning is required for water storms. **In fact I have not found ANY EIRs which use only 10 year storm planning.**

Jim Toby told us that the county told him NOT to run a 100-year hydrology report. Interesting. Maybe these reasons are why the report was not included in the FEIR as required by CEQA since the report was incomplete and was for 10 years not 100 years.

CONCLUSION

It is hard to understand how the FEIR can be considered adequate since it doesn't meet a key requirement set forth in the EIR and the project guidelines to provide zero net inflow to the existing stormwater system.

We don't know the environmental consequences from the existing system in either a 10-year event other than the single event studied or 100-year event in contradiction to CEQA standards.

It is disturbing that since the community called out for more transparency and information in the EIR comments 6 months ago that the FEIR is completely vacant when it comes to more detail, omits key documentation that is referenced in the FEIR, that documents such as the incomplete hydrology report were not included as required.

Whether these omissions were by accident or on purpose is unclear but it is clear that we called for such information, the county had some of the information and in every case we were rebuffed, provided the information late after we insisted and even when the information was finally provided it turns out to be 40% of the required information.

I would respectfully ask the planning commission to deny approval of this project for the 5 reasons below:

- 1) Case Studies or Examples of similar system implemented which requires the storage of 100(s) of thousands of gallons of water on slopes not provided.
- 2) A complete hydrology report with all calculations for all impervious land, sizing and flow rate calculations prior and after the buildout was not done.
- 3) An analysis for 10-year and 100-year events was not done.
- 4) A peer review report of the system was not done.
- 5) Confirmation of zero net inflow requirements to existing drainage system is not possible with the report.

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Yours respectfully,

John Mathon

Documents referenced above:

Here is the Laurel Way report:

<http://www.redwoodcity.org/phed/planning/laurel/pdf/StormDrainageReports/StormDrainageReportof5-30-08.pdf>

and the peer review report:

<http://www.redwoodcity.org/phed/planning/laurel/pdf/StormDrainagePeerReviews/PeerReviewofApplicantsStormDrainageReportbyBalance%20.pdf>

Other EIRs with much more detailed storm calculations and longer term planning than 10 years:

hermosa beach 100yr storm

<http://www.hermosabch.org/modules/showdocument.aspx?documentid=4303>

Menlo Park - 100yr storm plan <http://www.menlopark.org/DocumentCenter/View/412>

Los angeles 100 and 500yr planning exposition metro

line [http://www.buildexpo.org/phase2/Phase%20%20FEIR%20Documents/03-10\\_Hydrology-WaterQuality\\_FEIR.pdf](http://www.buildexpo.org/phase2/Phase%20%20FEIR%20Documents/03-10_Hydrology-WaterQuality_FEIR.pdf)

Apple Campus II in Cupertino 10 and 40yr planning, although calabezas creek improvements would provide 100yr storm coverage

<https://s3.amazonaws.com/Apple-Campus2->

[DEIR/Apple Campus 2 Project EIR Public Review 5g-Hydrology.pdf](https://s3.amazonaws.com/Apple-Campus2-DEIR/Apple_Campus_2_Project_EIR_Public_Review_5g-Hydrology.pdf)

## James Castaneda - Water Tower Hill development

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**From:** "jradov" <>  
**To:** <Planning-Commission@smcgov.org>  
**Date:** 2/25/2015 07:22  
**Subject:** Water Tower Hill development  
**CC:** "James Castaneda" <jcastaneda@smcgov.org>, "Supervisor Dave Pine" <d...>

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Dear Planning Commission members;

I'd like to start by thanking you for your attention to the proposed development of Water Tower Hill. I appreciated your review of the proposal and your questions for the developer and his team at the January 28<sup>th</sup> session at Hillsdale High. I attended this meeting with others from my neighborhood, Baywood Heights. You asked thoughtful, informed questions. My name is J. Radov Martin and live at 2054 King's Lane.

Though I will attend today's hearing at 9:00, I'll be unable to stay if the hearing of this issue is delayed. I'm sending this letter to ensure my opinion is expressed.

My view is this: if further development in the hilly neighborhoods were possible, it would've happened long ago. Please uphold the original plan to leave this rocky promontory, Water Tower Hill, alone. The underground drainage, 3-story homes and steep streets are NOT reasonable concepts.

I also want to comment on the tactics of the developer: he has not been completely truthful in his communications and proposals. An example: his plan, reviewed on January 28, stated that walking trails would be created on Water Tower Hill. Your questioning on this date revealed the complete truth: these trails will NOT be accessible to the community because they are surrounded by privately-owned homes.

There is real risk associated with this development, and his proposal is to shift responsibility for inevitable unplanned mishaps to the homeowners' association created for Water Tower Hill homes. Again, this is not responsible. He paid very little for this land due to the ruling that it could not be developed. Please uphold the original ruling that further development in hilly neighborhoods is NOT reasonable or possible.

Thank you,

J. Radov Martin

San Mateo, CA 94402

**From:** Mikulic < >  
**To:** Dave Pine <dpine@smcgov.org>, Carole Groom <cgroom@smcgov.org>, James Ca...  
**CC:** Craig Nishizaki < >, Marian <s ...  
**Date:** 02/25/2015 16:21  
**Subject:** Today's meeting

Hello All,

I am appalled that Dennis Thomas said he wasn't aware he had to fill out a slip in order to speak. After all these meetings , he had the audacity to say that! He spoke at the last meeting...and all prior meetings.

We were not allowed to have the same people speak again.

The facts haven't changed. The hill is not a magic mountain that changes its properties on his section of land. He is dragging out the inevitable.....we are a persistent educated large group of homeowners who care deeply about our neighborhood and have the facts on our side. He cannot, should not be allowed to sweet talk his way out of this .

Please help support our positions,

Sincerely,

Dr. And Mrs. Stephen A. Mikulic

Sent from my iPad

**From:** Marie O'Rourke < >  
**To:** <Planningcommission@smcgov.org>, <jcastaneda@smcgov.org>, <dpine@smcgov....>  
**Date:** 02/26/2015 10:23  
**Subject:** Water tank hill  
**Attachments:** San Mateo County Planning Commission. response to 2-25-15 meet.doc; Part.002

Response to both the meeting on Feb. 25, 2015 and the Mercury news article. Please take note of the response as from several of us on CSM Drive.

Additionally, we agree that the proposed 19 homes on that fragile site (and it is - contrary to Mr. Thomas' imperfect analysis). It "is still too big." commissioner Laurie Simonson felt that there could be a development of lesser magnitude but worried about "unlawful taking of private property." What are the parameters of "eminent domain"? Mr. Thomas' reluctance to meet the criteria for the FEIR, EPA etc standards, a veiled threat of a lawsuit, and unwilling to scale down the project - show he is resistant to "working with the community". Big Business does have a responsibility to the community - if it wants to stay in business - that IS what business/trade is all about.

## San Mateo County Planning Commission

February 25, 2015

We residents who were prohibited from attending the 9:00am meeting today (jobs, etc) were waiting this evening with hope to hear that the Board would decide that the developers of Water tank Hill had not provided anywhere near enough factual information to make a decision on the property- which would protect the property itself and the surrounding neighborhoods.

We understand that there are also multiple interests to be considered:

- the atmosphere that would welcome business into San Mateo County and the tax base that would ensue;
- the health (physical and mental) and well-being of the residents who are your constituents;
- the use and maintenance of our shrinking open space;

These are in conjunction with all the past presentations of options. Today, the protocol was established that there could only be new speakers, new evidence/facts and a redirect on the issues the Board sought about erosion. Apparently, there was a 'breach' of this and the project staff was able to 'sweet talk' the Board (reporter's viewpoint to us) with ideas/pleas but no real facts during the phase of voting. This lack of protocol caused much consternation among the residents who respected the directions of the Board and abided by them. And to add to the community's last report with: *All the major issues which will adversely affect our health, our safety, and our property remain. We **DISAGREE** with the developer and the Final Environmental Impact Report that the hillside stability, risky storm water drainage system, air pollution, and the dangerous "blind spot" intersection at Bel Aire are **LESS THAN SIGNIFICANT. (the developer has not addressed these to the extent past home neighborhoods were required to meet)***

*Finally, there was much concern about the liability that the new homeowners association (19 members or less) will be saddled with if there is a landslide, erosion, or failure of the storm water drainage system. What happens if this new homeowners association cannot pay for these huge repair costs? Additionally, how long will it take/years for the completion of this projects' independently built homes? (without recourse from the residents or the Planning Board) Therefore, how long before there is a*

cohesive HOA to take responsibility for their property [and any damage to ours?](#)

As stated by residents who have impressive, professional credentials to support their facts (equal or surpassing the developer's consultants) the presentations by the developer do NOT come close to satisfying even the base line government requirements for a Civil Engineering project of this magnitude. It truly feels like a "snatch and grab" of land for the enrichment of a few at the cost to the residents of San Mateo County - supported by today's report from those there. It was frustrating. Please review the facts and lack of facts/homework by the developer. Demand that there be a complete, accurate and environmentally supportive civil engineering report from the project group. There is not any rush to completion, but there is a NEED to have whatever is done to this property be the best it can be! Why have a shoddy and dangerous site when the site can be truly a prize that would reflect careful, detailed planning by the Planning Commission? And also protect the existing residents – Of course, the continued use of the property – "as is" would be the best choice. In lieu of that, you are in the position to DEMAND that the details be completed BEFORE the Board calls any more decisions on this.

**From:** Dennis Thomas <  
**To:** Lisa Aozasa <laozasa@smcgov.org>  
**CC:** James Castaneda <JCastaneda@smcgov.org>, Alan Talansky <  
**Date:** 02/28/2015 09:25  
**Subject:** Re: Ascension

Lisa,

Thanks very much for getting back to me. We could meet Thursday morning anytime after 9:00 am if that works for you.

Much appreciate your work.

Dennis Thomas  
San Mateo Real Estate, Inc.

> On Feb 27, 2015, at 6:22 PM, Lisa Aozasa <laozasa@smcgov.org> wrote:

>

> Hi Dennis --

>

> It looks like the earliest we could meet will be the end of next week -- James is off for a few days. How does your schedule look on Thursday 3/5 or Friday 3/6? Let me know and I'll see what I can work out. Thanks and have a great weekend --

>

> Lisa

>

> >>> Dennis Thomas < 2/27/2015 7:35 AM >>>

> Lisa and James,

>

> I would like to come in as soon as possible to discuss the project with you.

>

> One of the items I do not understand is the request of the Planning Commission to the Planning Department for findings of a rejection. How can you find issues with the plan when it meets all the regulations?

>

> I would like to discuss the next steps and how I can respond. Please let me know the earliest date you are available.

>

> Thank you.

>

> Dennis Thomas

> San Mateo Real Estate, Inc.

>

**James Castaneda - Ascension Project - PLN 2002-00517**

---

**From:** laurel stanley <  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**Date:** 3/4/2015 12:08  
**Subject:** Ascension Project - PLN 2002-00517

---

Hi James: Any idea when the next PC meeting will be to consider the project? Are you now anticipating denial? Any info you can provide will be, as always, welcome.  
Laurel

LAW OFFICES OF LAUREL S. STANLEY

Laurel S. Stanley  
P.O. Box 1183  
Lafayette, California 94549-1183  
Phone: 925-934-2536  
Facsimile: 925-954-8289  
Email:

Please Note: This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

## James Castaneda - RE: Ascension Follow Up

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**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**Date:** 3/9/2015 16:19  
**Subject:** RE: Ascension Follow Up  
**Attachments:** Beeken\_2013\_SMUHSD\_CoverLetter.pdf; Beeken\_2013\_SMUHSD\_Letter.pdf

---

Ooops, looks like you mis-typed my email, forgot the "s" in Wilson so they go to the boss. I will have a cost to you tomorrow. Been a rough couple of days.

The multiple surveys were brought up in the first hearing and it would be a good idea to provide a staffing report that gives the whole picture. Because the nature of identifying species, even if surveys were conducted every year for 10 years, there still needs to be a final survey before construction unless it just isn't possible for the species to be present. We can add this information to the existing setting of the biological discussion.

Measure P looks like a bond measure but we state in the analysis that while the personal communication from the district states that the project would not impact schools (and the district brought up Measure P) we explicitly state that the Impact Fee will reduce impacts and that in the discussion of the existing setting we note that "Government Code §65996 states that the development fees authorized by SB 50 are deemed to be "full and complete school facilities mitigation." So we don't rest on conclusion on Measure P. Both districts flat out states in our personal communication that the project would not impact the school district. The City district does state that cumulatively schools could be beyond capacity. But as stated above, that is what the mitigation impact fees are for. Measure P was a bond measure to borrow money to speed up the process, but the developer is covered from impacts by paying the impact fees. We will update this section with the most recent information and discussion and expand upon the impact fee discussion.

The alternatives discussion is pretty straight forward; the no action alternative (alternative A) would be the environmental superior alternative because there would be no construction on the site. Alt C would be the environmentally superior development action, since only 6 lots would be developed. Maybe the Commissioner mistook seeing Alternative A as meaning the Proposed Project instead of as the first alternative to the Proposed Project? Here is the text from the EIR:

"Generally, the environmentally superior alternative is the alternative that would cause the least damage to the biological and physical environment. Since implementation of the No Project Alternative would result in the fewer adverse environmental effects than would occur under the Proposed Project and other alternatives, Alternative A - No Project/No Development Alternative would be considered the environmentally superior alternative. However, the No Project/No Development Alternative would not achieve any of the project objectives.

If the No-Project Alternative is the environmentally superior alternative, CEQA *Guidelines* Section 1526.6(e)(2) requires identification of an environmentally superior alternative among the other alternatives considered in the EIR. When comparing the remaining development alternatives, Alternative C, the Alternative Design Alternative, is the most environmentally superior alternative. Under Alternative C, development of fewer housing units on larger lots with increased open space would achieve some of the project objectives. Development of Alternative

C would result in lesser impacts than the Proposed Project in six issue areas, similar impacts to the Proposed Project in three issue areas, and greater impacts in one issue area.

**TRENTON WILSON**  
**ANALYTICAL ENVIRONMENTAL SERVICES**  
Senior Project Manager | [twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
[www.analyticalcorp.com](http://www.analyticalcorp.com)

---

**From:** David Zweig, P.E.  
**Sent:** Thursday, March 05, 2015 2:42 PM  
**To:** Trenton Wilson  
**Subject:** FW: Ascension Follow Up

---

**From:** James Castaneda [<mailto:jcastaneda@smcgov.org>]  
**Sent:** Thursday, March 05, 2015 2:35 PM  
**To:** [twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)  
**Subject:** Ascension Follow Up

Good afternoon Trent,  
Based on some of our initial conversations internally and with the applicant, I have a few things I wanted to check in with you and give you an idea of what we're looking at so far.

After speaking to Dennis, we don't expect too many changes other than minor altering to the entrance to the site (to provide some more space from Mr Mathon's property). He did indicate that he's having the biologist go out there right now to do another survey, so we can expect that to coming in the next few weeks.

For what we need now concerning the EIR, we have so far the following items/areas that we think will need to be address/edited:

1. Biological Resources- According the applicant's biologist, there were more surveys conducted that weren't reflected in the EIR. I asked them to provide all the previous surveys in additional to the one they're conducting as we speak. We'll need to include their surveys the help with the analysis (which I suspect will result in the same conclusion).
2. School Impacts- Per the feedback regarding Measures P, we'll need to make sure we need to clarify the impact absent of that measure using all current assumptions. We'll be working with the applicant to figure out what the estimated fees will be that he'll be obligated to pay as part of developing and clarifying the requirement. But for the purposes of the EIR, we'll need to have that discussion revised.

3. Environmentally Superior Alternative- Per the Commission's comments, we'll need to clarify this a bit more. If not as part of the EIR text, perhaps as part of some proposed language staff can use within a report when we return back to the Planning Commission.

That's all I had regarding possible edits/additions to the EIR, and of course any you identified as well. Aside from the EIR, I think our approach the next time is having as much information to provide clarity on the issues we were anticipating to answer in person within a report. So, I think we'll need to help in providing clarification in the areas commonly mistaken not to be addressed (air quality for example), and documents utilized to make an adequate environmental assessment.

What we'll need is an estimate of time and cost to perform these. Right now, the best estimate we have June for the next Planning Commission hearing.

If you want to chat about it over the phone, I'm available Monday after 8am. Thanks Trent.

James

**James A. Castañeda, AICP**

Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
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1. Please confirm if this is correct or edit as necessary: Aragon High School, located at 900 Alameda de las Pulgas in the City of San Mateo, serves the project site and surrounding area.

Yes, Aragon High School would be the assigned school.

2. What is the current enrollment at Aragon High School (or whichever high school that serves the project area)? Is enrollment below, above, or at capacity?

The current enrollment at Aragon is 1,444 students. The school is at capacity.

2a. If SMHUSD high schools are above capacity, what measures does the District employ to address this issue?

Below is some of the verbiage for Board Policy 5116-School Attendance Boundaries, which addresses what the Superintendent or designee does every year to review the capacity for the district.

The District Board Policy 5116 states "The Superintendent or designee shall periodically review school attendance boundaries and, as necessary make recommendations to the Board for boundary adjustments. When reviewing school attendance boundaries, the Superintendent or designee may consider the following factors to ensure boundaries align with approved facility capacity. 1) School enrollment data 2 ) Facility capacity and design, including potential commercial and residential developments 3 ) School feeder patterns 4) Federal, state, or court mandates 5) Community input 6) Student safety 7) Transportation capacity 8) Community and neighborhood identity 9) Geographic features of the district 10) Educational programs 11) Other factors. In order to alleviate overcrowding, the Superintendent or designee shall place some students in a school outside of their attendance area. Parents/guardians of students who are attending schools outside of their attendance area shall be notified of the school their child will be attending as soon as possible. (To read more on Board Policy 5116-School Attendance Boundaries go to the district website and on the homepage click on "Board Policies."

3. Are there any current plans to upgrade, improve, and/or expand Aragon High School (or whichever high school serves the project area)? Would these plans increase capacity?

Aragon High School, as well as all the district high schools, has had upgrades and improvements. There are no plans to expand Aragon High School.

4. Based on the above description of the proposed project, will serving the residents of the proposed project have a significant impact on the SMUHSD?

No, it will not have significant impact on the San Mateo Union High School District.

5. In addition to addressing project-specific impacts to SMUHSD, the EIR will also address cumulative impacts to SMUHSD. We are in the process of compiling a list of reasonably foreseeable development in the County. Table 1, Related Projects List, includes a list of some of the other major, reasonably-foreseeable approved development in the County in proximity to the proposed project's location. However, additional projects will likely be added to the list as our research continues. Can the Department accommodate the demand for SMUHSD associated with the development of these projects in conjunction with the proposed project?

We are seeing severe growth in the southern part of the district and we are anticipating the growth by expanding three high schools, Burlingame High School, Hillsdale High School and San Mateo High School, to accommodate the increase.

6. Do you have any recommendations that might help reduce any potentially significant impacts to the SMUHSD generated by the proposed project?

No, we do not have any recommendations.

7. Please confirm if this is correct or edit as necessary: As of July 1, 2012, the SMUHSD will collect School Impact (also known as Developer) Fees for the San Mateo-Foster City School District. The fees are \$1.28 per square foot for residential construction.

Yes, this information is correct. The SMUHSD collects Developer Fees for the San Mateo/Foster City School District at \$1.28 per square foot for residential construction.

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**Date:** 03/11/2015 10:35  
**Subject:** RE: RE: Ascension Follow Up  
**Attachments:** AES Proposal\_FEIR Revisions andAdditional Hearings\_Ascension Heights.pdf

Here you are.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com

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

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, March 11, 2015 7:50 AM  
To: Trenton Wilson  
Subject: Re: RE: Ascension Follow Up

I would just to be on the safe side, but just make sure to itemize in case we elect not to.

>>> Trenton Wilson <twilson@analyticalcorp.com> 03/10/15 16:06 PM >>>  
One bit of clarification, should the cost estimate include another Planning Commission Hearing?

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager |  
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916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: Trenton Wilson  
Sent: Tuesday, March 10, 2015 4:04 PM  
To: 'James Castaneda'  
Subject: RE: Ascension Follow Up

Sorry, day got away from me. Will get the cost to you first thing in the morning, no later than 9am.

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Thursday, March 05, 2015 2:35 PM  
To: twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
Subject: Ascension Follow Up

Good afternoon Trent,  
Based on some of our initial conversations internally and with the applicant, I have a few things I wanted to check in with you and give you an idea of what we're looking at so far.

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weeks.

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If you want to chat about it over the phone, I'm available Monday after 8am. Thanks Trent.

James

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department Program Coordinator - SFO  
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**TO:** Lisa Aozasa, Acting Deputy Director  
James Castañeda, Planner III  
San Mateo County  
Planning & Building Department  
455 County Center  
Redwood City, CA. 94063  
laozasa@smcgov.org  
jcastaneda@smcgov.org

**FROM:** Mr. Trenton Wilson, Senior Project Manager

**DATE:** March 11, 2015

**RE: Cost Estimate for Continued CEQA Compliance Services**

---

In accordance with the *Agreement Between the County of San Mateo and Analytical Environmental Services* dated May 7<sup>th</sup>, 2013 (Agreement), AES completed an Environmental Impact Report (EIR) for the Ascensions Heights Subdivision Project (County File number PLN2002-0517) and attended the Planning Commission Hearing on January 28, 2015 for the potential approval of the EIR and other project-related planning considerations. Due to the length of time spend on public comment, the hearing was adjourned and set to reconvene on February 25, 2015. AES Senior Project Manager attended the reconvened Planning Commission Hearing on February 25<sup>th</sup>, 2015; however, no final decision on the EIR or Applicant's requests was made. Based on the Commissioners' comments at the February 25<sup>th</sup> Hearing, AES understands the Applicant has made minor changes to the project and that there now exists an opportunity to address some of the Commissioners' comments in the Final EIR since the document has yet to be certified.

The County has requested AES present a budget to revise the Final EIR (and subsequent revised Draft EIR contained there within) based on comment received from the Planning Commission (subsequently several of the comments are driven by those presented by the General Public). Each issue area is presented as a line item cost to allow the County to determine the exact level of effort for AES to revise the Final EIR. In addition, AES has included line items to attend a future Planning Commission hearing and a Board of Supervisors meeting.

#### **COST ESTIMATE FOR ADDITIONAL CEQA COMPLIANCE SERVICES**

1. Air Quality-AES will revise the discussion of the Health Risk Assessment results to address commenters' concerns regarding the results presented in the discussion in the Draft and Final EIR for a not to exceed time and materials cost of **\$980**.
2. Traffic-AES will revise the discussion of construction traffic to clarify the assumptions utilized in determining the number of construction vehicle trips to address commenters concerns regarding traffic safety. This task will be completed for a not to exceed time and materials cost of **\$555**.
3. Biology-AES will add to the discussion of the history of site surveys conducted on the site as well as include results from recent surveys to address commenters' concerns regarding impacts to biological species presented in the discussion in the Draft and Final EIR. AES will also expand upon the reasoning for the mitigation to clarify that mitigation is not being deferred. These tasks will be completed for a not to exceed time and materials cost of **\$1,080**.
4. Public Services, School Impacts-AES will revise the discussion of impacts to schools emphasizing that the payment of impact fees mitigates the projects impacts in accordance with State law to address commenters' concerns that the significance statement in the discussion of impacts to schools in the

Draft and Final EIR relied on a failed proposition. This task will be completed for a not to exceed time and materials cost of **\$720**.

5. Environmentally Superior Alternative-AES will revise the discussion of the Environmentally Superior Alternative in accordance with comments provided by the Planning Commission for a not to exceed time and materials cost of **\$540**.
6. AES will prepare a Revised Final EIR and submit to the State Clearinghouse to follow the distribution cycle conducted on the previous Final EIR for a not to exceed time and materials cost of **\$1,020**
7. AES will attend a Planning Commission hearing at a time and place to be determined for a not to exceed time and materials cost of **\$1,980**.
8. AES will attend a Board of Supervisors meeting at a time and place to be determined for a not to exceed time and materials cost of **\$1,980**.

#### Assumptions

- The applicant will not alter the site plan in such a manner that would result in a new significant impact that wasn't identified in the Final EIR or increase the severity of a significant impact identified in the Final EIR.
- An attendance requirement of four (4) hours is anticipated for each event.
- Each meeting will be attended by the Senior Project Manager. Additional staff can attend if requested at an additional cost.
- The County will provide AES with a determination of the tasks above to be implemented and AES will provide a final cost estimate based on the selection of tasks.

**James Castaneda - Public Records Act Request re Ascension Heights Subdivision, 3-24-15**

---

**From:** "Sean P. Mulligan" <Mulligan@smwlaw.com>  
**To:** "countyclerk@smcare.org" <countyclerk@smcare.org>  
**Date:** 3/24/2015 11:34  
**Subject:** Public Records Act Request re Ascension Heights Subdivision, 3-24-15  
**CC:** "jcastaneda@smcgov.org" <jcastaneda@smcgov.org>, Winter King <king@smwla...>  
**Attachments:** Ltr to M. Church re PRA Request 3-24-15.PDF

---

Dear Mr. Church:

Please find attached a letter from Winter King regarding the above referenced matter. A hard copy has been sent to your office via U.S. Mail. If you have any questions please do not hesitate to contact our office. Thank you.

Sean Mulligan  
Shute, Mihaly & Weinberger LLP  
396 Hayes Street  
San Francisco, CA 94102  
Tel: (415) 552-7272  
Fax: (415) 552-5816  
[mulligan@smwlaw.com](mailto:mulligan@smwlaw.com)

SHUTE MIHALY  
& WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102  
T: (415) 552-7272 F: (415) 552-5816  
www.smwlaw.com

WINTER KING  
Attorney  
king@smwlaw.com

March 24, 2015

**Via E-Mail and U.S. Mail**

Mark Church  
County Clerk  
San Mateo County  
555 County Center, First Floor  
Redwood City, CA 94063-1655  
[countyclerk@smcare.org](mailto:countyclerk@smcare.org)

Re: Public Records Act Request for Ascension Heights Subdivision Project

Dear Mr. Church:

This firm represents Baywood Park Homeowners' Association ("Baywood") with respect to the proposed Ascension Heights Subdivision Project ("Project"), which is currently under consideration by the County Planning Commission. Pursuant to the California Public Records Act,<sup>1</sup> we are seeking to review the County's non-privileged files related to the Project to ensure that Baywood has a complete record of relevant materials. Thus, we hereby request that the City provide us with copies of, or make available for copying, all documents listed below that are not already available on the County's website for the Project (<http://planning.smcgov.org/ascension-heights-subdivision-project>).

1. Any and all correspondence, memoranda, email communications, and other records or writings prepared, owned, used, referenced or retained by the County in connection with the Project. This request includes, but is not limited to, all documents, records or writings presented by the Project applicant to the Planning and Building Department since February 25, 2015. This request also includes, but is not limited to, any draft findings in support of the Planning Commission's denial or approval of the Project that have been presented to the Planning Commission.

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<sup>1</sup> See Gov't Code § 6250 *et seq.*; Cal. Const. art. 1, § 3.

For the purposes of this request, the term “records or writings” includes any “handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.” Gov’t Code § 6252(g). A “record or writing” also includes all appendices and exhibits referred to in the document. The term “or” means “and/or.”

Pursuant to Government Code section 6253(c), please make a determination on and respond to this request within 10 days of your receipt of it. If you determine that any of the information is exempt from disclosure under the Public Records Act, we ask that you ensure that your determination is consistent with Proposition 59, enacted on November 3, 2004. Proposition 59 amended the state Constitution to require that all exemptions from disclosure of public records be “narrowly construed.” Cal. Const. art. I, § 3(b)(2).

If you nonetheless determine that the requested records are subject to an exemption that remains valid after enactment of Proposition 59, we further request that: (1) you exercise your discretion to disclose some or all of the records notwithstanding the exemption; and (2) pursuant to Government Code section 6257, with respect to records containing both exempt and non-exempt content, you redact the exempt content and disclose the rest.

Finally, should you deny part or all of this request, you are required, pursuant to Government Code section 6255, to provide a written response describing the legal authority or authorities on which you rely. If such a response is necessary, please also address how your claim of exemption is consistent with Proposition 59.

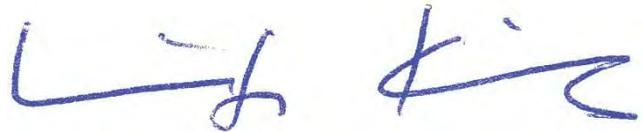
If we can provide any clarification that will help expedite your attention to this request, please contact us at (415) 552-7272. **Please do not perform any duplication before notifying us and allowing us to review the documents, so that our client may decide which records should be copied.** If you maintain any of these documents in an electronic format (e.g., e-mails, PDFs, excel spreadsheets), please provide them to us in that format.

Mark Church  
March 24, 2015  
Page 3

Thank you for your attention to this request.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

A handwritten signature in blue ink, appearing to read "Winter King", written in a cursive style.

Winter King

cc: James Castaneda, San Mateo County Planning and Building Dept.

666290.1

**James Castaneda - FW: Ltr re Ascension Heights Subdivision Project, 3-24-15**

---

**From:** "Sean P. Mulligan" <Mulligan@smwlaw.com>  
**To:** "jcastaneda@smcgov.org" <jcastaneda@smcgov.org>  
**Date:** 3/24/2015 11:57  
**Subject:** FW: Ltr re Ascension Heights Subdivision Project, 3-24-15  
**CC:** Winter King <king@smwlaw.com>  
**Attachments:** Ltr to Planning Commission reProposed Denial of Ascension Heights Subdivision Project, 3-24-15.PDF; Draft Ascension Heights Denial Findings (3-16).DOCX

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**From:** Sean P. Mulligan  
**Sent:** Tuesday, March 24, 2015 11:37 AM  
**To:** 'planning-commission@smcgov.org'  
**Cc:** Winter King  
**Subject:** Ltr re Ascension Heights Subdivision Project, 3-24-15

Dear Honorable Members of the San Mateo County Planning Commission:

Please find attached a letter with attachment from Winter King regarding the above referenced matter. A hard copy has been sent to your office via U.S. Mail. If you have any questions please do not hesitate to contact our office. Thank you.

Sean Mulligan  
Shute, Mihaly & Weinberger LLP  
396 Hayes Street  
San Francisco, CA 94102  
Tel: (415) 552-7272  
Fax: (415) 552-5816  
[mulligan@smwlaw.com](mailto:mulligan@smwlaw.com)

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www.smwlaw.com

WINTER KING  
Attorney  
king@smwlaw.com

March 24, 2015

**Via E-Mail and U.S. Mail**

San Mateo County Planning Commission  
400 County Center  
Board Chambers  
Redwood City, CA 94063  
[planning-commission@smcgov.org](mailto:planning-commission@smcgov.org)

Re: Proposed Denial of Ascension Heights Subdivision Project

Honorable Members of the San Mateo County Planning Commission:

This firm represents Baywood Park Homeowners' Association ("Baywood") with respect to the proposed Ascension Heights Subdivision Project ("Project"). We submit these supplemental comments in support of the Commission's stated intention to deny the Project as it is currently proposed. The issues you raised at the hearings on this Project reflected the community's serious environmental and safety concerns. In response to staff's suggestion that the Commission include findings along with a resolution denying the Project, we have also prepared draft findings, based on evidence in the administrative record, and attach them to this letter.

Environmental Impacts and Safety Concerns. During the February 25 hearing, Commissioners raised a number of fundamental concerns about the Project. For example, several Commissioners noted that the Project is too dense for the site and surrounding community. As Commissioner Hansson noted, the proposed layout fails to conform to the contours of the hillside. Bel Air is not safe under current conditions and would become even more treacherous with the addition of a blind entrance to the new development. And there is inadequate information in the EIR about the availability of water to serve this new development and the existing community. Commissioner Kersteen-Tucker correctly noted that there is far too little detail about the Project design or proposed mitigation measures to judge what the impacts will be or whether mitigation will be effective, and the EIR failed to adequately analyze the Project's impacts to schools. In addition, several Commissioners noted the potential aesthetic impacts of developing 36-ft-high homes on top of a steep hillside. These impacts will undoubtedly

be significant and cannot be mitigated through tree-planting and landscaping alone. Baywood and other members of the community have raised similar concerns and agree with the Commissioners on all of these points.

The EIR Is Inadequate and Cannot Be Certified. Baywood also continues to have serious concerns about the adequacy of the EIR for the Project. Of course, if the Commission moves forward with a denial of the Project, it need not certify the EIR. *See* Pub. Res. Code § 21080(b)(5) (projects that are denied by a lead agency are not subject to California Environmental Quality Act (CEQA)). In this instance, however, the Commission *cannot* legally certify the EIR because that document contains numerous, substantial flaws, including illegal deferral of analysis and mitigation, unsupported conclusions, and a general failure to adequately describe the Project’s significant environmental impacts. *See* Letter from Winter King to Planning Commission (Feb. 24, 2015); Hearing Audio File (Commissioner Simonson noting that the FEIR is lacking basic mitigation measures and adequate analysis, especially in the chapters discussing biological resources and alternatives); *see also* DEIR at 4.3-20 – 21 (analysis of the extent and severity of impacts to special status species and Mission blue butterfly deferred; mitigation measures 4.3-1 and 4.3-2 direct Applicant to perform focused surveys *after* project approval); DEIR at 4.10-27 (stating that the sewer pipelines that would serve the proposed Project are already over capacity; mitigation measure 4.10-3 generically states that the applicant shall offset the increase in sewer flow by reducing the amount of infiltration and inflow (I & I), but fails to provide any details on how this will be accomplished or whether it is feasible).

Inconsistency with Natural Hazards Policies in General Plan. After conducting additional review of the materials presented to the Commission at the February 25 hearing, we have concluded that the Project is also inconsistent with several of the General Plan Policies found in Chapter 15 (Natural Hazards). In 2009, the Commission concluded that an earlier version of the Project was inconsistent with these policies, which direct the County to avoid siting structures “in areas where they are jeopardized by geotechnical hazards, where their location could potentially increase the geotechnical hazard, or where they could increase the geotechnical hazard to neighboring properties.” Policy 15.20 (a). This policy also directs the County to “avoid construction in steeply sloping areas (generally above 30%)” “wherever possible.” Policy 15.20(b).

In its January 28, 2015 report to the Commission, staff reversed course, stating that this conclusion was “incorrect.” Staff Report at 9. Staff now believes that (1) these policies only apply to projects proposed in formally identified “geotechnical hazard

areas” and (2) the Project is not located within such an area because it is not within the Alquist Priolo Hazard Zone. *Id.*

Staff’s new conclusion is inconsistent with the plain meaning of the General Plan. While policies 15.20(a) and (b) are both under the heading “Review Criteria for Locating Development in Geotechnical Hazard Areas,” it does not appear that this heading was intended to preclude the application of these policies outside areas that are formally designated as “Geotechnical Hazard Areas.” In fact, if the County had intended the heading to have such an effect, the language in Policy 15.20(c) specifying that it applies only to roads and trails “into or through geotechnical hazard areas” would be entirely redundant.

Moreover, staff’s suggestion that “geotechnical hazard areas” include only those areas within the Alquist-Priolo Hazard Zone also conflicts with the General Plan. In fact, the General Plan defines “geotechnical hazards” as “non-seismic unstable conditions, including but not limited to landsliding, cliff retrenchment, erosion, subsidence, soil creep . . .”. It then defines “geotechnical hazard areas” as “areas that meet the definition of geotechnical hazards, *including but not limited to* . . . [t]he areas illustrated on the Natural Hazards map as Alquist-Priolo Special Studies Zones, Tsunami and Seiche Flooding Areas, Coastal Cliff Stability Areas and Areas of High Landslide Susceptibility.” General Plan Policy 15.9 (emphasis added).

Reading these policies together, it appears that the County was right the first time: Policies 15.20(a)-(b) *do* apply to the Project because the Project site is subject to geotechnical hazards, including significant erosion, and some of the proposed residences would be located on lots with slopes greater than 30%. In addition, the County’s landslide map depicts several areas of existing landslides in the immediate vicinity of the Project site. *See* San Mateo County Hazards, Existing Landslides, *available at* <http://planning.smcgov.org/documents/san-mateo-county-hazards-existing-landslides>. The Project’s inconsistency with these policies provides another basis for denying the proposed tentative map.

Denying This Project Does Not Prohibit All Development. Finally, denying this Project as it is currently proposed does not mean that the Commission is prohibiting any and all development on the Project site. This Project first came before the Commission in 2008-2009. At that point, the Commission gave the Applicant clear direction about changes that would have to be made to develop this severely constrained property: “1) provide more moderate-sized housing, 2) address the concerns about avoiding building on the steep south facing slope, and 3) develop a new design that could

minimize negative impacts.” Jan. 28, 2015 Staff Report, Attachment E, p. 2. Additionally, Commissioner Slocum shared a conceptual map with the Applicant, on which she indicated the need for a trail and/or buffer between the proposed development and existing homes on Parrott Avenue.

With the exception of reducing the number of units from 25 to 19, the Applicant has not followed these directions. The proposed Project still has four units on the south-facing slope of the Project site (with three more on the southern edge of the ridgeline); the houses are still 36 feet high and cover up to 40% of each lot;<sup>1</sup> the design continues to force a square-grid layout on top of extremely steep and irregular land, requiring tens of thousands of cubic yards of cut and fill, and; there is no buffer between the proposed development and existing Parrott Avenue homes. The Commission can and should require the Applicant to address these issues.<sup>2</sup>

In sum, Baywood strongly supports the Commission’s stated intention to deny the proposed tentative map for all of the reasons identified by you and the public. To assist the Commission in finalizing its decision, we are attaching proposed findings, based on evidence in the record, that would support Project denial.

---

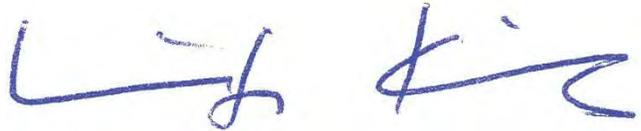
<sup>1</sup> Neither the Project Description chapter of the EIR nor the staff report informs the public of how many square feet each of the proposed houses could be. However, with lots varying in size from 7,500 square to nearly 16,000 square feet, the resulting houses could be enormous. For example, a three story house built on 40% of a 7,500 square foot lot would be close to 9,000 square feet. Performing the same calculation on the 16,000 square foot lot results in a 19,000 square foot residence.

<sup>2</sup> The Applicant also failed to follow the Commission’s clear direction to work with the community to develop a more suitable design. Although there have been public meetings on this Project, the Applicant has made it clear to those in attendance that he had no intention of modifying the Project in response to the community’s concerns.

San Mateo County Planning Commission  
March 24, 2015  
Page 5

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

A handwritten signature in blue ink, appearing to read "Winter King", written in a cursive style.

Winter King

Attachment

666422.1

**Ascension Heights Subdivision:**  
**Recommended Findings in Support of Project Denial**

Regarding the Environmental Review, Find:

1. That a project denial is not subject to California Environmental Quality Act (CEQA), and therefore the request to certify the EIR is also denied. *See* Pub. Res. Code § 21080(b)(5). In addition, the Commission has reviewed the Final Environmental Impact Report (FEIR), and has found that it is inadequate in the following ways:

(a) It does not include adequate analysis of the Project’s potential impacts to biological resources. Rather than conducting the required analysis now, it defers the analysis until after Project approval and likewise defers development of mitigation measures. This deferred analysis appears in other chapters of the EIR as well, including:

- Aesthetics. *See* RDEIR at 4.1-14 (noting that the Landscape Plan and Tree Replacement Plan—the only proposed mitigation for the project’s aesthetic impacts—need not be developed until after project approval).
- Geology and Soils. *See* RDEIR at 4.4-12 and 4.4-13 (deferring the development of an erosion control plan and the adoption of specified “erosion control BMPs” until after project approval and failing to provide any substantial evidence that these measures would mitigate erosion impacts to a less than significant level).
- Hydrology. *See* RDEIR at 4.10-27 (failing to provide any details about how the project applicant will achieve sufficient reduction in infiltration and inflow in order to mitigate the effect of increased discharge to an already over-burdened sewer line).
- Traffic. *See* RDEIR at 4.11-10 (proposing a handful of non-mandatory design suggestions to mitigate the traffic impacts associated with a hazardous intersection).

(b) The EIR incorrectly concludes that the Project will not have a significant aesthetic impact even though the photo simulations plainly show the impacts will be significant from nearby public streets. The Commission has not been presented with a landscape plan and thus has no basis to conclude that landscaping alone will reduce these impacts to a level of insignificance.

(c) Members of the public have identified additional flaws in the EIR, including repeated instances of the failure to adopt enforceable mitigation measures. For example, the requirement of a 250-foot buffer around active raptor nesting sites is unenforceable because it can be disregarded if the buffer is “impractical” or “unfeasible.” In some instances, the FEIR fails to support its findings of less than significant impacts with substantial evidence, for example, by basing its analysis of biological impacts on poorly timed and inadequate surveys of existing biological conditions. The document likewise

contains inadequate analysis and mitigation of impacts to geology and soils, air quality and greenhouse gas emissions, hydrology, noise, and traffic.

Regarding the Major Subdivision, Find:

2. That the proposed map is inconsistent with the applicable County general and specific plans. According to the EIR, the subdivision will cause significant adverse impacts to wildlife and associated habitat, such as impacts to raptor nesting and foraging sites and impacts to special status species such as the Mission blue butterfly. As noted above, the EIR fails to identify adequate, enforceable, and concrete mitigation measures for these impacts. As a result, the proposed subdivision violates General Plan Policies 1.23 (Regulate Development to Protect Vegetative, Water, Fish and Wildlife Resources), 1.24 (Regulate Location, Density and Design of Development to Protect Vegetative, Water, Fish and Wildlife Resources), 1.25 (Protect Vegetative Resources), 1.27 (Protect Fish and Wildlife Resources), 1.28 (Regulate Development to Protect Sensitive Habitats). For the same reason, the proposed subdivision would also cause severe, unmitigated impacts to the area's hydrology and soils. These impacts violate the following General Plan Policies: 2.17 (Regulate Development to Minimize Soil Erosion and Sedimentation), 2.23 (Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion), 2.25 (Regulate Topsoil Removal Operations Against Accelerated Soil Erosion), 2.29 (Promote and Support Soil Erosion Stabilization and Repair Efforts); and 16.2 (Reduce Noise Impacts Through Noise/Land Use Compatibility and Noise Mitigation). Finally, the proposed map would permit development of large residences on steeply sloped lots subject to severe erosion in direct violation of General Plan Policies 15.20(a) and (b). *See* General Plan Policy 15.20(a) (avoiding siting structures in areas where they are jeopardized by geotechnical hazards or where they could increase the geotechnical hazard to neighboring properties); 15.20(b) (avoid construction on steeply sloping areas in Geotechnical Hazard Areas).
3. That the site is physically not suitable for the type and density of residential development proposed there. Although the site is physically suitable for some residential development, it is not physically suitable for the density or size of residences proposed. The site is constrained by severely sloped hillsides and the Project, as proposed, would require extensive grading. The Commission has reviewed the Project, the site, and the materials in the record (including the alternatives analysis in the EIR), and believes that a less dense development could be proposed that would fit more naturally within the contours of the site and require far less grading. This reduced grading will also reduce construction-related impacts, including truck traffic on the already congested Bel Aire Avenue, the admittedly significant noise impacts, etc. A reduced density alternative would also reduce the amount of new impervious surface created on the Project site, and thus would reduce the Project's stormwater runoff, water quality, and erosion impacts.
4. That the design of the subdivision is likely to cause substantial environmental damage, or substantially and avoidably injure wildlife and its habitat. As described above (in the EIR findings), the Commission finds that the EIR does not identify enforceable or effective mitigation measures for all of the Project's potentially significant impacts, and

thus, without such mitigation measures, the Project would likely cause substantial environmental damage or injure wildlife.

5. That the design of the subdivision is likely to cause serious public health problems. As members of the public have commented, the Project will create significant noise impacts during construction and could have significant air quality impacts on neighboring communities and schools. Again, a reduced density alternative designed to fit on the contours of the site could require less grading and thus reduce these public health impacts.

Regarding the Grading Permit, Find:

6. That this project, even as conditioned, will have a significant adverse effect on the environment. As described above, the Commission has reviewed the EIR for the Project and considered comments by the public and Applicant. The EIR does not contain adequate, concrete, and enforceable mitigation measures for all of the Project's potentially significant impacts. As a result, it will have a significant, adverse effect on the environment. For example, the EIR concludes that the Project could have significant impacts related to erosion and sedimentation. DEIR at 4.4-12. Mitigation Measure 4.4-1b defers analysis of feasibility of measures to control surface runoff and prevent pollution of site runoff due to erosion and sedimentation. DEIR at 4.4-13. The EIR also concludes there could be significant impacts to surface and groundwater quality from project-related increased stormwater. DEIR at 4.6-11. While Mitigation Measures 4.6-1 includes a list of potential BMPs that could be applied to reduce these impacts, the measure does not require any specific BMPs to be included, much less demonstrate their sufficiency.
7. That this project, as conditioned, fails to conform to the criteria of the San Mateo County Grading Ordinance and is inconsistent with the General Plan for the reasons stated above in Finding Number 2.

666746.2

## James Castaneda - Fwd: Ltr re Ascension Heights Subdivision Project, 3-24-15

---

**From:** Heather Hardy  
**To:** James Castaneda; Lisa Aozasa; Steve Monowitz  
**Date:** 3/24/2015 11:53  
**Subject:** Fwd: Ltr re Ascension Heights Subdivision Project, 3-24-15  
**Attachments:** Ltr re Ascension Heights Subdivision Project, 3-24-15

---

Dear Honorable Members of the San Mateo County Planning Commission:

Please find attached a letter with attachment from Winter King regarding the above referenced matter. A hard copy has been sent to your office via U.S. Mail. If you have any questions please do not hesitate to contact our office. Thank you.

Sean Mulligan  
Shute, Mihaly & Weinberger LLP  
396 Hayes Street  
San Francisco, CA 94102  
Tel: (415) 552-7272  
Fax: (415) 552-5816  
[mulligan@smwlaw.com](mailto:mulligan@smwlaw.com)

**James Castaneda - Ascension Hills Project Additional Comments for Planning Commission**

---

**From:** John Mathon <  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**Date:** 4/1/2015 10:00  
**Subject:** Ascension Hills Project Additional Comments for Planning Commission

---

Dear James, can you make sure that this is distributed and acknowledge back to me it will be distributed.

Dear San Mateo County Planning commission and staff,

RE: Ascension Hill project

I have reviewed the plans regarding the house construction and come to the inescapable conclusion that the applicant has seriously underestimated the amount of soil that has to be removed from the site.

9 of the houses are on pitched lots in excess of 30% slope. Considering the size of the lots and the possible configuration of houses I come to the inescapable conclusion that each of these houses will require substantial soil removal to be built. My calculations show that it is quite likely that each of these houses would require about 400-800 cubic yards of soil removed from the site to support these houses.

This amounts to somewhere near 7000 cubic yards of soil total and is a significant increase in total soil removed from the site. As a result all the traffic estimates, pollution, noise and air, duration of impact of the most intense construction are in error by possibly as high as 25%.

I am also not clear if the other landing pads for the other 10 houses need grading that is not specified or counted in the proposal. It doesn't seem reasonable that the project could be approved without considering ALL that would be necessarily impacted by the project not just the road. This includes any additional retaining walls that might have to be built to support those houses.

Even if the builder does not want to specify the exact houses to be built on each lot it seems to me conditions have to be placed so that the overall project does not exceed the EIR conclusions which means upper bounds need to be placed on design factors around the houses regarding excavation, retaining walls, other impervious decks, driveways or secondary structures that could impact the conclusions of the EIR.

I think you see that omitting the additional soil removal for the houses themselves substantially invalidates all the conclusions of the EIR or requires a complete reassessment of all impacts. How could any other conclusion be possible?

Regards, John Mathon  
1450 Parrott Dr  
San Mateo, Ca 94402

rgds, John follow me:



## James Castaneda - Ascension Heights CPRA request

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**From:** Tim Fox  
**To:** Winter King  
**Date:** 4/2/2015 16:42  
**Subject:** Ascension Heights CPRA request  
**CC:** Heather Hardy; James Castaneda; Lisa Aozasa  
**Attachments:** 44588.PDF

---

Please see the attached letter.

Tim

Timothy Fox  
Deputy County Counsel  
County of San Mateo  
400 County Center, 6th Fl.  
Redwood City, CA 94063  
(650) 363 4456  
[tfox@smcgov.org](mailto:tfox@smcgov.org)

## COUNTY COUNSEL

JOHN C. BEIERS

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JOHN D. NIBBELIN  
PAUL A. OKADA  
DAVID A. SILBERMAN

## LEAD DEPUTIES

CLAIRE A. CUNNINGHAM  
JUDITH A. HOLIBER



# COUNTY COUNSEL

## COUNTY OF SAN MATEO

HALL OF JUSTICE AND RECORDS • 6<sup>TH</sup> FLOOR  
400 COUNTY CENTER • REDWOOD CITY, CA 94063-1662  
TELEPHONE: (650) 363-4250 • FACSIMILE: (650) 363-4034

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NIRIT S. ERIKSSON  
ADAM W. ELY  
PETER K. FINCK  
TIMOTHY J. FOX  
BRIAN E. KULICH  
DAVID A. LEVY  
GLENN M. LEVY  
KIMBERLY A. MARLOW  
JUSTIN W. MATES  
KRISTINA M. PASZEK  
MONALI S. SHETH  
TIM SHIMZU  
JENNIFER A. STALZER  
DANIEL J. VALIM  
BRIAN J. WONG

*Please respond to: (650) 363-4456*

April 2, 2015

*Via E-Mail (king@smwlaw.com)*

Winter King  
**SHUTE, MIHALY & WEINBERGER LLP**  
396 Hayes Street  
San Francisco, CA 94102

*Re: Public Records Act Request for Ascension Heights Subdivision Project*

Dear Ms. King:

We are in receipt of your letter dated March 24, 2015 and understand it to be a request for records under the California Public Records Act. I am the designee of the head of the agency (in this case, the Department of Planning & Building) for purposes of your request. By this written notice, I am hereby extending the time limit prescribed in Cal. Gov't Code § 6253. The reason for the extension is the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request. *See* Cal. Gov't Code § 6253(c)(2). A determination is expected to be dispatched on or before April 17, 2015.

Very truly yours,

JOHN C. BEIERS, COUNTY COUNSEL

By:   
TIMOTHY FOX, Deputy

JCB:TF/tjf

**James Castaneda - Re: Biologist Survey**

---

**From:** Dennis Thomas <  
**To:** James Castaneda <[jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)>  
**Date:** 4/7/2015 08:12  
**Subject:** Re: Biologist Survey

---

James,

OK, thank you very much.

Jim Toby has completed a neighborhood parcel survey that defines the number of units per acre of the surrounding lots. They run from 5 to over 7 units to the acre. Doing the math on my piece, we are .70 units to the acre. Obviously density is not a valid reason to deny this project. I will create a power point presentation which illustrates this.

I have hired a landscape architect which will create a 3D image of the site and I have secured an artist that will paint some water color imagery. These two images will help show that the road does follow the contours of the land and it will demonstrate the impact of tree screening to protect each other's property from visual impacts. Examples of houses will also be included to illustrate the lack of large, looming houses in the development.

I have run some financial calculations of the impact on the schools even though this should not be considered as per State regulation. I will present that information as well.

I believe my next presentation will address all the concerns brought up at the last meeting. I am very interested in learning the findings of the Planning Dept. for the negative vote theory. I would like to have that information as soon as possible.

I would also like to have my attorney discuss the issues with the County Counsel in advance to the meeting. Fortunately, your department reminded the Planning Commission that I needed an opportunity to speak. I want to be certain the proper rules of order are followed and all legal aspects of the project are adhered to in the meeting.

Thank you very much for your continued effort on the project.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, Ca 94402  
Office (650) 578-0330  
Fax (650) 578-0394

On Apr 7, 2015, at 7:40 AM, James Castaneda <[jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)> wrote:

Dennis, got your message, and just wanted to confirm we'll look into this week to see how we'll incorporate the recent survey conducted. Ill keep you posted as soon as I get some direction.

James

**James A. Castañeda, AICP**

Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
[planning.smcgov.org](http://planning.smcgov.org) | [sforoundtable.org](http://sforoundtable.org)

## James Castaneda - Biology report

---

**From:** <  
**To:** <jcastaneda@co.sanmateo.ca.us>  
**Date:** 4/13/2015 14:39  
**Subject:** Biology report  
**CC:** <laozasa@smcgov.org>

---

James,

The biological report with updates is available now from Patrick Kobernus. I would like to submit it to be included with the EIR. No additional biological issues have been found.

How does this report get added to the EIR?

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402  
(650) 578-0330  
DRE #01011262  
CA #581591

**James Castaneda - Re: Biology report**

---

**From:** Dennis Thomas <  
**To:** James Castaneda <[jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)>  
**Date:** 4/14/2015 09:47  
**Subject:** Re: Biology report  
**CC:** Lisa Aozasa <[LAozasa@smcgov.org](mailto:LAozasa@smcgov.org)>

---

Thank you very much. So far, green light on all issues raised by Planning Commissioners.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, Ca 94402  
Office (650) 578-0330  
Fax (650) 578-0394

On Apr 14, 2015, at 7:44 AM, James Castaneda <[jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)> wrote:

Dennis,  
I'm meeting with Lisa later this morning to go over a few things on your project. Ill get back to you a little later today with some more information regarding the biologist report being added to the Final EIR. I was waiting on some information from the consultant.

James

>>> On 4/13/2015 at 14:38, < > wrote:

James,

The biological report with updates is available now from Patrick Kobernus. I would like to submit it to be included with the EIR. No additional biological issues have been found.

How does this report get added to the EIR?

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402  
(650) 578-0330  
DRE #01011262  
CA #581591

**James Castaneda - Re: Biology report**

---

**From:** Dennis Thomas <  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**Date:** 4/14/2015 12:29  
**Subject:** Re: Biology report  
**CC:** Lisa Aozasa <LAozasa@smcgov.org>

---

James and Lisa,

Thursday 9:00 am works, see you then.

Thank you.

Dennis Thomas  
 San Mateo Real Estate, Inc.

On Apr 14, 2015, at 12:26 PM, James Castaneda <[jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)> wrote:

Hi Dennis. So the we were wondering if you had an opportunity this Thursday morning to stop in so we can update you on the EIR revisions/additions (to obviously include the latest biologist report), but also get an update on the issues you wanted to try and resolve. We want to get our timeline in order to look at upcoming Planning Commission hearings. Both Lisa and I are available Thursday either at 9am or 10am, but unfortunately won't be available till the Monday 27th after that. Let me know. Thanks.

James

>>> On 4/14/2015 at 09:47, Dennis Thomas < > wrote:

Thank you very much. So far, green light on all issues raised by Planning Commissioners.

Dennis Thomas, President  
 San Mateo Real Estate, Inc.  
 1777 Borel Place, Suite 330  
 San Mateo, Ca 94402  
 Office (650) 578-0330  
 Fax (650) 578-0394

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Dennis,  
 I'm meeting with Lisa later this morning to go over a few things on your project. Ill get back to you a little later today with some more information regarding the biologist report being added to the Final EIR. I was waiting on some information from the consultant.

James

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wrote:

James,

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Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402  
(650) 578-0330  
DRE #01011262  
CA #581591

## James Castaneda - Re: Plans Progress

---

**From:** <  
**To:** <jcastaneda@smcgov.org>  
**Date:** 5/11/2015 15:18  
**Subject:** Re: Plans Progress

---

James,

We are working on the plans and have most of it ready just trying to tie up a few loose ends.

One of those loose ends is that I never received a new proposal for the Butterfly Condition. You had presented one at the 2/25/15 meeting I offered one back but then I never got an approval or a modified version back. Do you have a new proposal?

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402  
(650) 578-0330  
DRE #01011262  
CA #581591

In a message dated 5/11/2015 12:02:15 P.M. Pacific Daylight Time, jcastaneda@smcgov.org writes:

Good afternoon Dennis, just a quick status check on your materials. If you can, give us a heads up so we can make sure we're still on track for July and we're ready for it. Thanks.

James

## James Castaneda - Landscape Plan

---

**From:** <  
**To:** <jcastaneda@co.sanmateo.ca.us>  
**Date:** 5/13/2015 09:58  
**Subject:** Landscape Plan  
**Attachments:** 150409\_AscensionsketchB-enlargement.pdf; 150414\_AscensionHtsSketchC.pdf

---

James,

Here is the Landscape Plan with a new trail added. Low water usage plants are shown on the plan. A second attachment shows a blow up of the early part of the walking trail near the water tank which is ADA compliant. Yes, a wheelchair can be used to access the first part of the trail.

I am getting a letter from Cal Water saying they have the water available.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402  
(650) 578-0330  
DRE #01011262  
CA #581591

**PRELIMINARY PLANT PALETTE**

-  EXISTING VEGETATION TO REMAIN
-  PINUS PINEA - Italian Stone Pine
-  OLEA EUROPEA - Olive Tree
-  AGAVE AMERICANA - Agave
-  ACACIA LONGIFOLIA - Golden Wattle  
or QUERCUS AGRIFOLIA - Coast Live Oak
-  HETEROMELESE ARBUTIFOLIA - Toyon  
ROMNEYA COULTERI - Matilija Poppy  
with MUHLENBERGIA RICENS - Deer Grass  
at 4'-0" on center from 1' plugs
-  PINUS PINEA - Italian Stone Pine  
OLEA EUROPAEA - Olive Tree  
JUNIPERUS CHINENSIS 'TORULOSA' - Hollywood Juniper  
NERIUM OLEANDER - White Oleander  
COTONEASTER SPECIES - Cotoneaster  
HETEROMELESE ARBUTIFOLIA - Toyon
-  ARCTOSTAPHYLOS - Manzanita  
LEUCODENDRON SPECIES - Conebush  
LEPTOSPERMIUM SPECIES - New Zealand Tea Tree





## James Castaneda - Grading Facts

---

**From:** <  
**To:** <jcastaneda@co.sanmateo.ca.us>  
**Date:** 5/13/2015 10:23  
**Subject:** Grading Facts

---

James,

If you want to use this fact in your recommendation, the Emerald Estates Subdivision which was approved and built had 8,800 cubic yards of off haul for 7 houses or 1,257 yds per house. Based on Ascension 19 lots we would have 23,883 cubic yards to be at parity. We are at 26,510 which is right in there with the Emerald Estates off haul.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402  
(650) 578-0330  
DRE #01011262  
CA #581591

**James Castaneda - Ascension Project PLN 2002-00517**

---

**From:** laurel stanley <  
**To:** James Castaneda <jcastaneda@smcgov.org>, James Castaneda <jcastaneda@co...  
**Date:** 5/15/2015 14:15  
**Subject:** Ascension Project PLN 2002-00517  
**CC:** Paul Mcgeown < Chris James < c...>

---

Hi James: Hope you have been well. Mr. Thomas attorney has inferred that the date of July 8th has been set for the Planning Commission's final hearing on the project. Please let me know if that is correct? Thanks again and have a nice weekend. Laurel

**LAW OFFICES OF LAUREL S. STANLEY**

Laurel S. Stanley  
P.O. Box 1183  
Lafayette, California 94549-1183  
Phone: 925-934-2536  
Facsimile: 925-954-8289  
Email:

Please Note: This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

## James Castaneda - Re: School Impact

---

**From:** <  
**To:** <jcastaneda@smcgov.org>  
**Date:** 5/18/2015 11:21  
**Subject:** Re: School Impact  
**Attachments:** School Tax Calculation.xlsx

---

James,

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 DRE #01011262  
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	Projected Assessed Value			
	\$47,500,000.00			
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57,000 sq. ft. @ \$1.50 Per foot		\$0.00	\$85,500.00	100%
<b>Total School Revenues</b>		\$8,049.19	\$444,267.50	

## James Castaneda - Density Study

---

**From:** <  
**To:** <jcastaneda@co.sanmateo.ca.us>, <laozasa@smcgov.org>  
**Date:** 5/19/2015 11:41  
**Subject:** Density Study  
**Attachments:** 2010135LotDensity(11-22-10topo) 2.xlsx; 2010135NeighboringDensityCalcs-NS3-10-15.xlsx; 2010135NeighboringDensityExhibit-NS3-10-15.pdf

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James and Lisa,

The issue of density was raised at the Planning Commission meeting stating that the project was "too dense". I had Lea and Braze do a study of the nearby lots to the subdivision and we compare the nearby properties with the density of Ascension Heights.

The nearby properties have a lot density between 4.16 and 4.71 units to the acre. I have attached a table that shows the calculations performed by Lea and Braze. The lot density for Ascension Heights is 1.64 units to the acre and I have attached another table that shows the calculations for that. Clearly, the project is not "too dense" in fact it is substantially less dense than the nearby properties. On average it is only about 36% as dense as the nearby properties.

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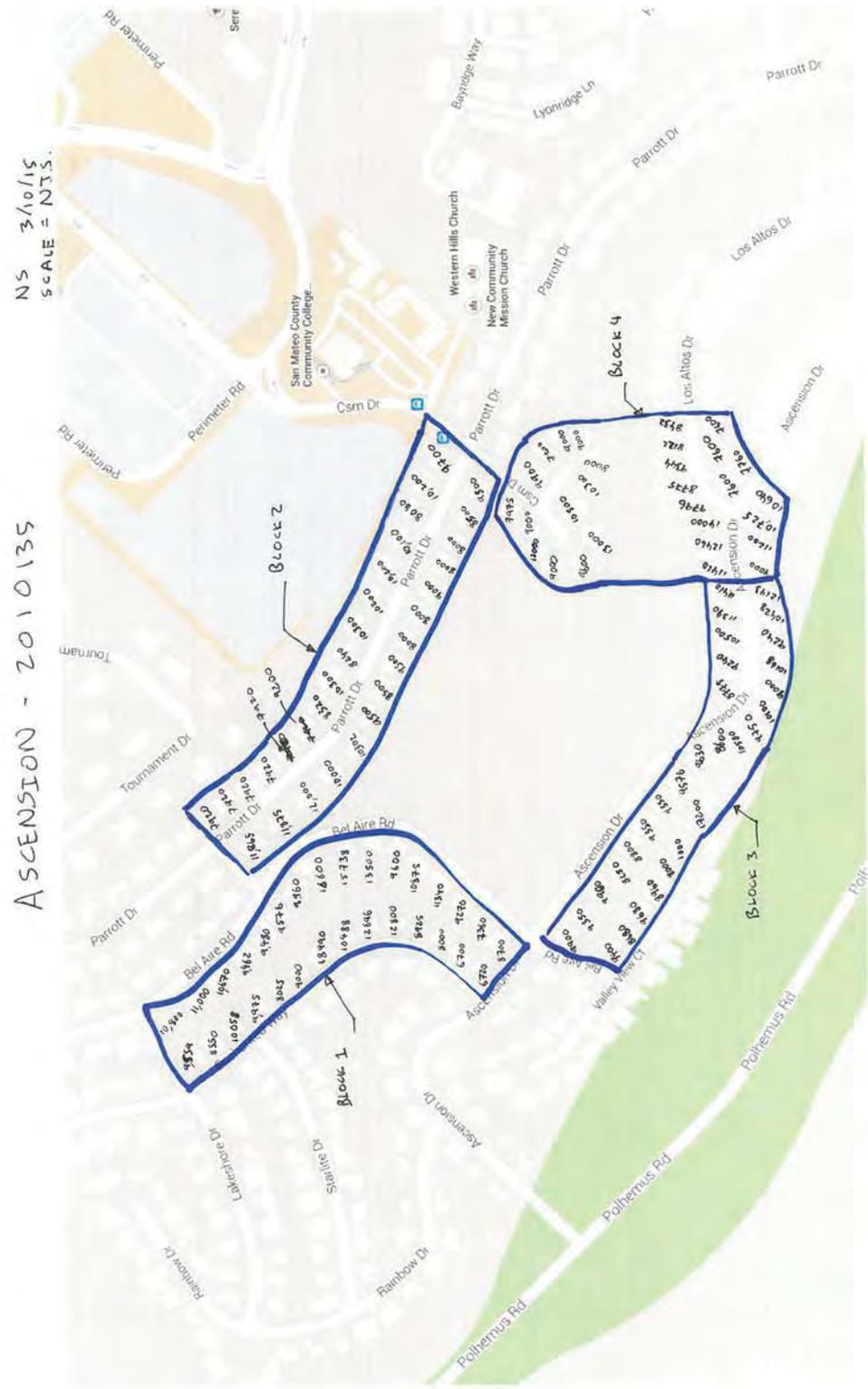
<u>Lot #</u>	<u>Gross SF</u>	<u>Net SF</u>
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7	7942	
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12	9714	
13	9466	
14	9500	
15	8669	
16	9123	
17	9403	
18	9376	
19	9674	
Total Area	178813	173666
Average lot area	<b>9411.21</b>	<b>9140.32</b>
Lot Density =	<b>4.63</b>	<b>Units per Acre</b>

326618

<u>Lot #</u>	<u>Gross SF</u>	<u>Net SF</u>
1	9827	
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13	9466	
14	9500	
15	8669	
16	9123	
17	9403	
18	9376	
19	9674	
A	326618	
Total Area	505431	173666
Average lot area	<b>26601.63</b>	<b>9140.32</b>
<b>Lot Density =</b>	<b>1.64</b>	<b>Units per Acre</b>

## House Denisty Calculation

House Number	Block 1	Block 2	Block 3	Block 4
1	10800	7920	9900	7975
2	11000	7920	9350	9000
3	10670	7920	9900	12000
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5	9480	7920	8800	9600
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12	10875	10200	9240	8000
13	11340	10100	10500	10300
14	9270	8080	11340	11410
15	7360	10200	11410	12460
16	8700	9700	12193	14000
17	6720	9500	10428	9796
18	6700	8500	9240	8775
19	8000	8000	10168	9344
20	8925	8000	9000	8122
21	12800	9000	10100	8432
22	12696	8000	9750	7600
23	10488	8000	10500	7600
24	18990	9500	17200	7600
25	9000	8500	1000	7760
26	8025	9500	8000	10640
27	9975	10302	8960	10725
28	10058	10000	9680	11200
29	8550	12000	8680	9000
30	9559	11875	9400	
31		11865		
<b>Total Lot Size (sq. ft.)</b>	314417.00	286982.00	288270.00	278939.00
<b>Total Lot Size (Acre)</b>	7.22	6.59	6.62	6.40
<b>House Density (Houses/Acre)</b>	4.16	4.71	4.53	4.53
<b>Average House Density (Houses/Acre)</b>	<b>4.48</b>			



NS 3/10/15  
SCALE = N.T.S.

ASCENSION - 2010135

Block 2

Block 1

Block 4

Block 3

## James Castaneda - Slope Analysis

---

**From:** <  
**To:** <jcastaneda@co.sanmateo.ca.us>, <laozasa@smcgov.org>  
**Date:** 5/19/2015 13:43  
**Subject:** Slope Analysis

---

James and Lisa,

Forgive me if I have already discussed this with you but I could not find an email where I brought some numbers forward on the slope of the lots relative to the surrounding neighborhood slopes.

The average slope of the Ascension Heights lots are 34.93%. and the range for them is between 12-48%. The range for the nearby properties goes from 1% to 64% with varying degrees in between. None of the Ascension lots come close to the max slope of the nearby lots of 64%.

There is no San Mateo County ordinance that requires lots to be less than a certain slope to be buildable. All lots are considered buildable relative to their slope no matter how steep. The surrounding lots are strong evidence of this practice in effect with lots as steep as 64%.

The subdivision has been designed by Lea and Braze Engineering to conform to all existing codes and ordinances in effect. These lots are right in the middle range of the neighboring properties and are actually superior in their design. Specifically, the soil or lack of it for these lots makes them better than the neighboring properties as it is hard bedrock. They can withstand steeper grades than the other existing lots because they are solid rock. This makes them more desirable and safer to build on than neighboring lots.

I hope this information is useful for you. The sources of this information is Lea and Braze Engineering and Michelucci and Associates.

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## James Castaneda - Timeline

---

**From:** <  
**To:** <jcastaneda@co.sanmateo.ca.us>, <laozasa@smcgov.org>  
**Date:** 5/19/2015 15:09  
**Subject:** Timeline

---

James and Lisa,

Jim Toby is still working on some road issues and he has indicated he will be able to get me them this week.

I will have some renderings of the subdivision but the artist has said he can't get them to me until June 3rd. You don't have to do anything with those, they are really just for display.

My attorney will have some remarks for the HOA letters and I will ask him to work on those as well.

When will I get the information on the Findings for Denial? And of course, let's not forget the Butterfly Condition.

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## James Castaneda - Re: Plans Progress

---

**From:** <  
**To:** <jcastaneda@smcgov.org>  
**Date:** 5/11/2015 15:18  
**Subject:** Re: Plans Progress

---

James,

We are working on the plans and have most of it ready just trying to tie up a few loose ends.

One of those loose ends is that I never received a new proposal for the Butterfly Condition. You had presented one at the 2/25/15 meeting I offered one back but then I never got an approval or a modified version back. Do you have a new proposal?

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In a message dated 5/11/2015 12:02:15 P.M. Pacific Daylight Time, jcastaneda@smcgov.org writes:

Good afternoon Dennis, just a quick status check on your materials. If you can, give us a heads up so we can make sure we're still on track for July and we're ready for it. Thanks.

James

## James Castaneda - Landscape Plan

---

**From:** <  
**To:** <jcastaneda@co.sanmateo.ca.us>  
**Date:** 5/13/2015 09:58  
**Subject:** Landscape Plan  
**Attachments:** 150409\_AscensionsketchB-enlargement.pdf; 150414\_AscensionHtsSketchC.pdf

---

James,

Here is the Landscape Plan with a new trail added. Low water usage plants are shown on the plan. A second attachment shows a blow up of the early part of the walking trail near the water tank which is ADA compliant. Yes, a wheelchair can be used to access the first part of the trail.

I am getting a letter from Cal Water saying they have the water available.

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**PRELIMINARY PLANT PALETTE**

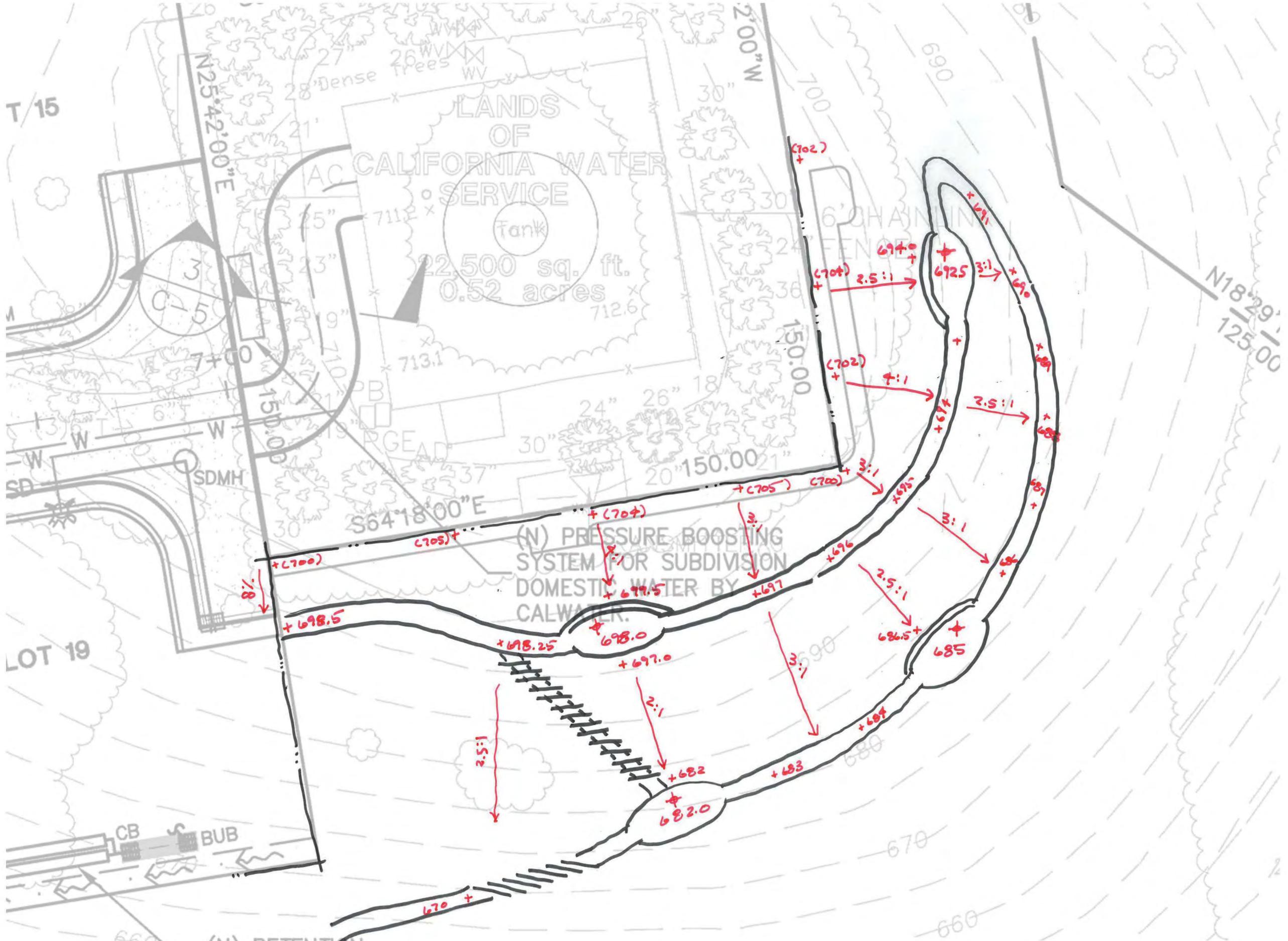
-  EXISTING VEGETATION TO REMAIN
-  PINUS PINEA - Italian Stone Pine
-  OLEA EUROPEA - Olive Tree
-  AGAVE AMERICANA - Agave
-  ACACIA LONGIFOLIA - Golden Wattle  
or QUERCUS AGRIFOLIA - Coast Live Oak
-  HETEROMELESE ARBUTIFOLIA - Toyon  
ROMNEYA COULTERI - Matilja Poppy  
with MUHLENBERGIA RIGENS - Deer Grass  
at 4'-0" on center from 1" plugs
-  PINUS PINEA - Italian Stone Pine  
OLEA EUROPAEA - Olive Tree  
JUNIPERUS CHINENSIS 'TORULOSA' - Hollywood Juniper  
NERIUM OLEANDER - White Oleander  
COTONEASTER SPECIES - Cotoneaster  
HETEROMELESE ARBUTIFOLIA - Toyon
-  ARCTOSTAPHYLOS - Manzanita  
LEUCODENDRON SPECIES - Conebush  
LEPTOSPERMUM SPECIES - New Zealand Tea Tree

**ASCENSION HEIGHTS - PRELIMINARY SKETCH 'C'**

SCALE: 1" = 40'-0"

APRIL 14, 2015





ASCENSION HEIGHTS SKETCH B - ENLARGEMENT PLAN  
 SCALE: 1/16" = 1'-0"  
 APRIL 9, 2015

## James Castaneda - Grading Facts

---

**From:** <  
**To:** <jcastaneda@co.sanmateo.ca.us>  
**Date:** 5/13/2015 10:23  
**Subject:** Grading Facts

---

James,

If you want to use this fact in your recommendation, the Emerald Estates Subdivision which was approved and built had 8,800 cubic yards of off haul for 7 houses or 1,257 yds per house. Based on Ascension 19 lots we would have 23,883 cubic yards to be at parity. We are at 26,510 which is right in there with the Emerald Estates off haul.

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**James Castaneda - Ascension Project PLN 2002-00517**

---

**From:** laurel stanley <  
**To:** James Castaneda <jcastaneda@smcgov.org>, James Castaneda <jcastaneda@co....  
**Date:** 5/15/2015 14:15  
**Subject:** Ascension Project PLN 2002-00517  
**CC:** Paul Mcgeown < Chris James < c...>

---

Hi James: Hope you have been well. Mr. Thomas attorney has inferred that the date of July 8th has been set for the Planning Commission's final hearing on the project. Please let me know if that is correct? Thanks again and have a nice weekend. Laurel

**LAW OFFICES OF LAUREL S. STANLEY**

Laurel S. Stanley  
P.O. Box 1183  
Lafayette, California 94549-1183  
Phone: 925-934-2536  
Facsimile: 925-954-8289  
Email:

Please Note: This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

## James Castaneda - Re: School Impact

---

**From:** <  
**To:** <jcastaneda@smcgov.org>  
**Date:** 5/18/2015 11:21  
**Subject:** Re: School Impact  
**Attachments:** School Tax Calculation.xlsx

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326618

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19	8000	8000	10168	9344
20	8925	8000	9000	8122
21	12800	9000	10100	8432
22	12696	8000	9750	7600
23	10488	8000	10500	7600
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25	9000	8500	1000	7760
26	8025	9500	8000	10640
27	9975	10302	8960	10725
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The average slope of the Ascension Heights lots are 34.93%. and the range for them is between 12-48%. The range for the nearby properties goes from 1% to 64% with varying degrees in between. None of the Ascension lots come close to the max slope of the nearby lots of 64%.

There is no San Mateo County ordinance that requires lots to be less than a certain slope to be buildable. All lots are considered buildable relative to their slope no matter how steep. The surrounding lots are strong evidence of this practice in effect with lots as steep as 64%.

The subdivision has been designed by Lea and Braze Engineering to conform to all existing codes and ordinances in effect. These lots are right in the middle range of the neighboring properties and are actually superior in their design. Specifically, the soil or lack of it for these lots makes them better than the neighboring properties as it is hard bedrock. They can withstand steeper grades than the other existing lots because they are solid rock. This makes them more desirable and safer to build on than neighboring lots.

I hope this information is useful for you. The sources of this information is Lea and Braze Engineering and Michelucci and Associates.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402  
(650) 578-0330  
DRE #01011262  
CA #581591

## James Castaneda - Timeline

---

**From:** <  
**To:** <jcastaneda@co.sanmateo.ca.us>, <laozasa@smcgov.org>  
**Date:** 5/19/2015 15:09  
**Subject:** Timeline

---

James and Lisa,

Jim Toby is still working on some road issues and he has indicated he will be able to get me them this week.

I will have some renderings of the subdivision but the artist has said he can't get them to me until June 3rd. You don't have to do anything with those, they are really just for display.

My attorney will have some remarks for the HOA letters and I will ask him to work on those as well.

When will I get the information on the Findings for Denial? And of course, let's not forget the Butterfly Condition.

Dennis Thomas, President  
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(650) 578-0330  
DRE #01011262  
CA #581591

## James Castaneda - New Civil Plan

---

**From:** [REDACTED]  
**To:** <jcastaneda@co.sanmateo.ca.us>  
**Date:** 6/4/2015 14:56  
**Subject:** New Civil Plan  
**Attachments:** Ascension 5.27.15 Plan.pdf

---

James,

Here is the new Civil Plan with the roadway moved.

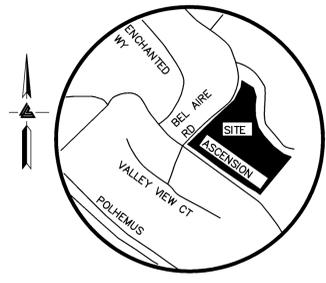
Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402

DRE #01011262  
CA #581591

# VESTING TENTATIVE SUBDIVISION MAP ASCENSION HEIGHTS SUBDIVISION SAN MATEO, CALIFORNIA (UNINCORPORATED)

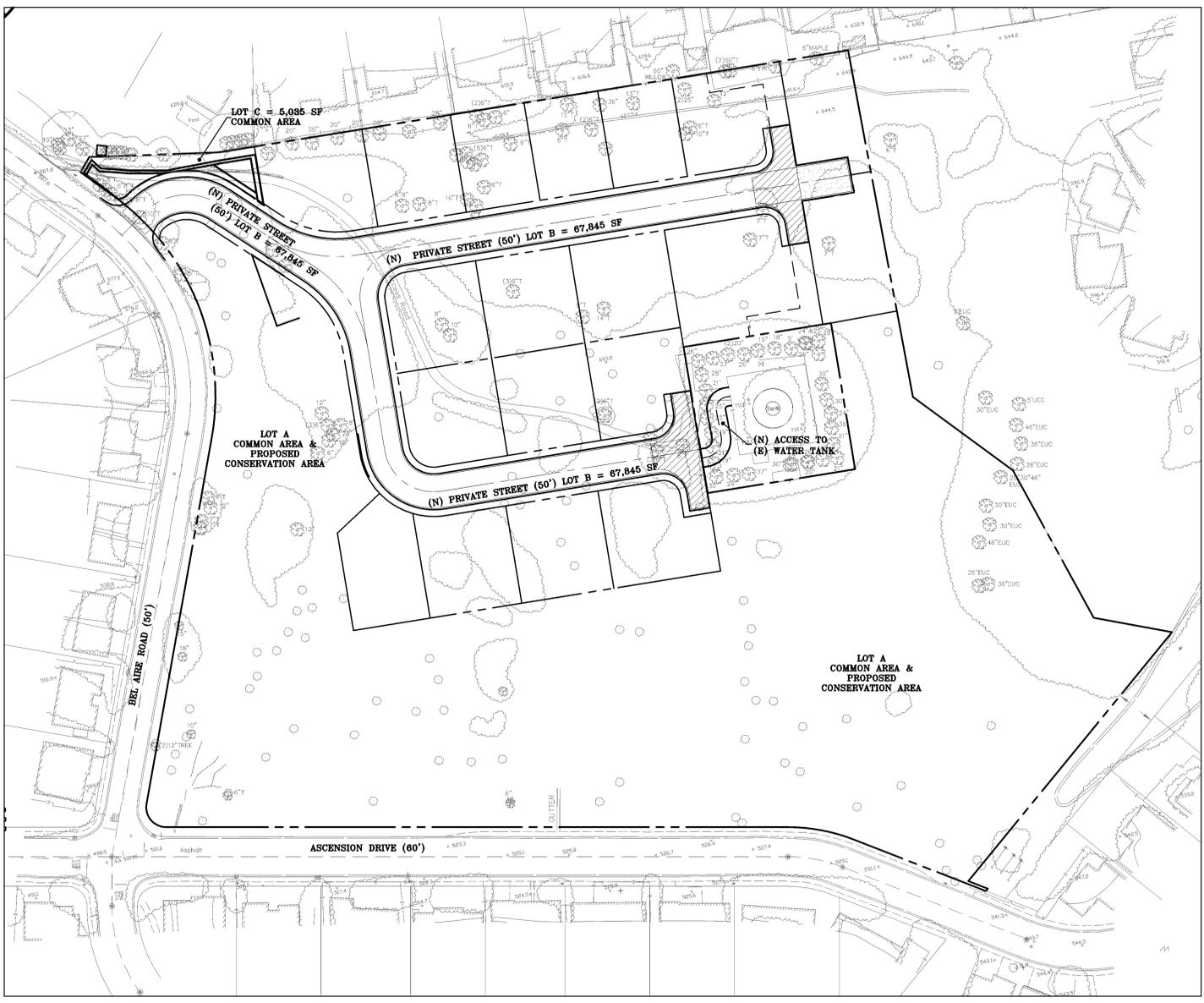


**LEA & BRAZE ENGINEERING, INC.**  
 CIVIL ENGINEERS - LAND SURVEYORS  
 2495 INDUSTRIAL PARKWAY WEST  
 HAYWARD, CALIFORNIA 94545  
 (510) 887-4086  
 FAX (510) 887-3019  
 WWW.LEABRAZE.COM



**VICINITY MAP**  
NO SCALE

EXISTING	PROPOSED	DESCRIPTION
---	---	BOUNDARY
---	---	PROPERTY LINE
SD	SD	STORM DRAIN LINE
SS	SS	SANITARY SEWER LINE
W	W	WATER LINE
---	---	SET BACK LINE
---	---	FLOW DIRECTION
---	---	RETAINING WALL
---	---	CONCRETE VALLEY GUTTER
---	---	SWALE FLOW DIRECTION
---	---	CONTOURS
SSMH	SSMH	SANITARY SEWER MANHOLE
SSCO	SSCO	SANITARY SEWER CLEANOUT
SDMH	SDMH	STORM DRAIN MANHOLE
OH	OH	OVERHEAD UTILITY LINE
SS	SS	STORM WATER TREATMENT UNIT
SD	SD	SANITARY SEWER UNDERGROUND LINE
SD	SD	STORM DRAIN UNDERGROUND LINE
---	---	PINE TREE (UNLESS NOTED)
---	---	MISC. UTILITIES
---	---	FIRE HYDRANT
---	---	ELECTRIC POLE
---	---	TREE
---	---	JOINT POLE
---	CB	CATCH BASIN
---	CB	CURB INLET
---	JB	JUNCTION BOX
---	---	ELECTROLIER
---	---	SMALL SIGN
---	---	LIGHT ON POLE
---	---	GUY ANCHOR
---	---	POST
---	---	FENCE
---	---	TREE
---	---	DENSE TREE LINE
---	423.00 PG	SPOT ELEVATION
---	---	HORIZONTAL AND VERTICAL CONTROL
---	---	PALM TREE
---	---	CITY MONUMENT
---	---	PACIFIC BELL VAULT
---	---	PG&E VAULT
---	---	GUY ANCHOR
---	---	AREA DRAIN
---	---	TREE TO BE REMOVED



**KEY MAP**  
SCALE: 1" = 60'

**PROJECT INFORMATION**

<b>OWNERS:</b>	JOHN O' ROURKE CHRIS T. JAMES
<b>AREA:</b>	13.32± ACRES
<b>ASSESSOR'S PARCEL NOS.:</b>	1. 041-111-020 2. 041-111-130 3. 041-111-160 4. 041-111-270 5. 041-111-280 6. 041-111-320 7. 041-111-360
<b>CONSULTANTS</b>	
<b>CIVIL ENGINEER/SURVEYOR:</b>	LEA & BRAZE ENGINEERING, INC. 2495 INDUSTRIAL PARKWAY WEST HAYWARD, CA 94545 PH: (510) 887-4086 FAX: (510) 887-3019 CONTACT: JIM TOBY
<b>SUBDIVIDER:</b>	SAN MATEO REAL ESTATE & CONSTRUCTION 1777 BOREL PLACE, SUITE 330 SAN MATEO, CA 94402 PH: (650) 578-0330 CONTACT: DENNIS THOMAS
<b>SUBDIVISION NAME:</b>	ASCENSION HEIGHTS SUBDIVISION
<b>COUNTY/DISTRICT APPROVALS</b>	
<b>ZONING:</b>	R-1/S-8
<b>LOT COVERAGE</b>	
	<b>% OF TOTAL BEFORE DEDICATION</b>
<b>INDIVIDUAL LOTS TOTAL:</b>	178,812 S.F. 31%
<b>PRIVATE STREETS:</b>	68,641 S.F. 12%
<b>CONSERVATION/TRAIL/TOT LOT AREA</b>	332,608 S.F. 57%
	<b>580,061 S.F. TOTAL</b>
<b>TREES ON SITE:</b>	65
<b>TREES TO BE REMOVED:</b>	9
	EXISTING TREES REMOVED WILL BE REPLANTED WITH NEW NATIVE TREES AT A 3:1 RATIO.
<b>UTILITY SERVICES:</b>	
<b>STORM DRAIN:</b>	SAN MATEO COUNTY
<b>SANITARY SEWER:</b>	CRYSTAL SPRINGS SANITARY DISTRICT
<b>WATER:</b>	CALIFORNIA WATER
<b>FIRE:</b>	CALIFORNIA DEPARTMENT OF FORESTRY
<b>CABLE:</b>	COMCAST
<b>GAS &amp; ELECTRICAL:</b>	PG&E
<b>TELEPHONE:</b>	AT&T
<b>EXISTING USE:</b>	VACANT LOT
<b>PROPOSED USE:</b>	-SINGLE FAMILY, RESIDENTIAL HOUSING WITH PUBLIC STREETS -OPEN SPACE WITH TRAILS

**SHEET INDEX**

SHEET NO.	DESCRIPTION
C-1	TITLE SHEET
C-2	LOT LAYOUT PLAN
C-3	PRELIMINARY GRADING AND DRAINAGE PLAN
C-4	PRELIMINARY UTILITY COMPOSITE PLAN
C-5	CONCEPTUAL DETAILS
C-6	STORMWATER CONTROL PLAN
C-7	STORMWATER CONTROL PLAN

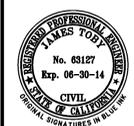
**BENCHMARK**  
IRON PIPE MONUMENT IN HAND HOLE  
PER. TRACT NO. 783  
ENCHANTED HILL UNIT NO. 2  
VOLUME 53 OF MAPS  
AT PAGE 10  
ELEVATION=583.61'  
ASSUMED

**ASCENSION HEIGHTS  
SUBDIVISION  
SAN MATEO, CALIFORNIA**  
(UNINCORPORATED) SAN MATEO COUNTY

**VESTING TENTATIVE  
SUBDIVISION MAP  
TITLE SHEET**

REVISIONS	BY
JOB NO: 2010135	
DATE: 7-1-13	
SCALE: 1" = 60'	
DESIGN BY: JT	
DRAWN BY: TB	
SHEET NO:	





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ASCENSION HEIGHTS  
 SUBDIVISION  
 SAN MATEO, CALIFORNIA  
 (UNINCORPORATED) SAN MATEO COUNTY

VESTING TENTATIVE  
 SUBDIVISION MAP  
 PRELIMINARY GRADING  
 AND DRAINAGE PLAN

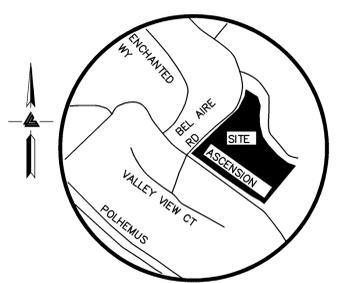
REVISIONS	BY

**GRADING LEGEND**

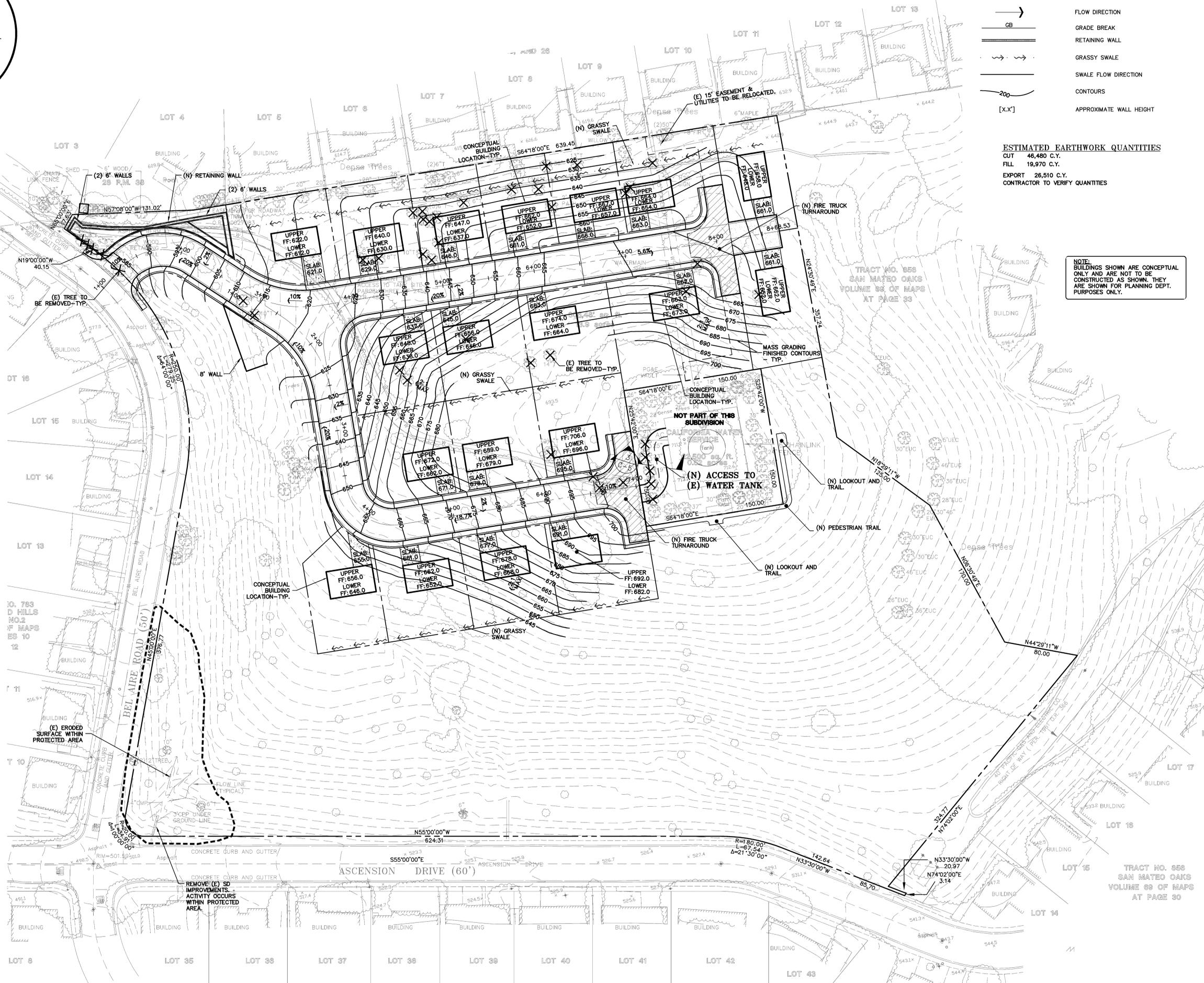
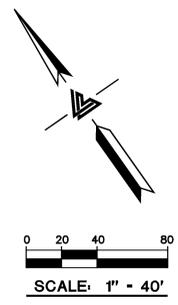
- | PROPOSED | DESCRIPTION             |
|----------|-------------------------|
|          | FLOW DIRECTION          |
|          | GRADE BREAK             |
|          | RETAINING WALL          |
|          | GRASSY SWALE            |
|          | SWALE FLOW DIRECTION    |
|          | CONTOURS                |
| [X.X']   | APPROXIMATE WALL HEIGHT |

**ESTIMATED EARTHWORK QUANTITIES**  
 CUT 46,480 C.Y.  
 FILL 19,970 C.Y.  
 EXPORT 26,510 C.Y.  
 CONTRACTOR TO VERIFY QUANTITIES

NOTE: BUILDINGS SHOWN ARE CONCEPTUAL ONLY AND ARE NOT TO BE CONSTRUCTED AS SHOWN, THEY ARE SHOWN FOR PLANNING DEPT. PURPOSES ONLY.



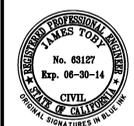
**VICINITY MAP**  
NO SCALE



TRACT NO. 856  
 SAN MATEO OAKS  
 VOLUME 08 OF MAPS  
 AT PAGE 30







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ASCENSION HEIGHTS  
 SUBDIVISION  
 SAN MATEO, CALIFORNIA  
 (UNINCORPORATED) SAN MATEO COUNTY

VESTING TENTATIVE  
 SUBDIVISION MAP  
 STORMWATER CONTROL PLAN

REVISIONS	BY
JOB NO: 2010135	
DATE: 7-1-13	
SCALE: 1" = 40'	
DESIGN BY: JT	
DRAWN BY: TB	
SHEET NO:	

**C. BIORETENTION AREAS**

**MAINTENANCE AGREEMENT**  
 UPON ACCEPTANCE OF THE DESIGN CONCEPT, A MAINTENANCE AGREEMENT WILL BE DEVELOPED REQUIRING THE PROPERTY MANAGER/OWNER TO PROVIDE THE FOLLOWING INFORMATION ON A ROUTINE BASIS. THESE REQUIREMENTS APPLY ONLY TO THE PORTION OF THE BIORETENTION AREAS USED FOR STORM WATER TREATMENT.

**MAINTENANCE STANDARDS:**

- \*SOILS AND PLANTINGS MUST BE MAINTAINED, INCLUDING ROUTINE PRUNING, MOWING, IRRIGATION, REPLACEMENT OF MULCH, WEEDING, AND FERTILIZING WITH A SLOW-RELEASE FERTILIZER WITH TRACE ELEMENTS.
- \*REMOVE OBSTRUCTIONS AND TRASH FROM BIORETENTION AREAS.
- \*ONLY PESTICIDES AND FERTILIZERS THAT ARE ACCEPTED WITHIN THE INTEGRATED PEST MANAGEMENT APPROACH FOR USE IN BIORETENTION AREAS SHALL BE USED.
- \*EROSION AT INFLOW POINTS MUST BE REPAIRED.

**BIORETENTION AREAS SHALL BE INSPECTED AND MAINTAINED MONTHLY TO REVIEW:**

- \*OBSTRUCTION AND TRASH
  - \*IF PONDED WATER IS OBSERVED, THE SURFACE SOILS SHALL BE REMOVED AND REPLACED AND SUBDRAIN SYSTEM INSPECTED.
  - \*CONDITION OF GRASSES.
- D. TRAINING PROGRAM**  
 A COPY OF THE STORM WATER MANAGEMENT PLANS (SWMP) WILL BE MADE AVAILABLE TO PERSONNEL IN CHARGE OF FACILITY MAINTENANCE AND WILL BE DISTRIBUTED TO THE SUBCONTRACTOR REPRESENTATIVE ENGAGED IN THE MAINTENANCE OR INSTALLATION OF THE TCM'S.
- MATERIAL PRESENTED IN THE INTEGRATED PEST MANAGEMENT PROGRAM WILL BE MADE AVAILABLE TO PERSONNEL IN CHARGE OF FACILITY MAINTENANCE AND WILL BE DISTRIBUTED TO THE SUBCONTRACTOR REPRESENTATIVE ENGAGED IN THE MAINTENANCE OR INSTALLATION OF THE TCM'S.**
- A COPY OF THE YEARLY INSPECTION REPORTS SHALL BE MANAGED BY THE PROPERTY MANAGER/OWNER.

**DESCRIPTION OF FACILITY ACTIVITY:**

CONSTRUCT A SINGLE FAMILY RESIDENTIAL DEVELOPMENT OF 19 UNITS, PARKING TO ACCOMMODATE THE UNITS, AND EXTEND UTILITIES TO SERVE THE DEVELOPMENT. FRONTAGE IMPROVEMENTS, ROUGH GRADING AND UTILITY STUBS WILL BE INSTALLED FOR THESE IMPROVEMENTS.

**DESCRIPTION OF WATER BODIES:**

THE PROJECT WILL TIE INTO THE CITY'S EXISTING STORM DRAIN SYSTEM.

**IDENTIFICATION OF POTENTIAL POLLUTANTS:**

POSSIBLE POLLUTANTS FOR THIS SITE INCLUDE TRASH, SEDIMENTS, NUTRIENTS, DUST, CONSTRUCTION DEBRIS, AUTOMOBILE DEBRIS, AND PESTICIDES. THE CONSTRUCTION OF THE PROJECT AND THE LONG TERM MAINTENANCE SHOULD NOT ADD ANY OF THE FOLLOWING: COPPER, NICKEL, DIAZINON, MERCURY, CHLORIDANE, DDT, DIELDRIN, AND PCB'S.

**BMP DESCRIPTION:**

THIS PROJECT USES BIO RETENTION AREAS EXCLUSIVELY AS THE TCM. THE TOTAL SITE AREA IS APPROXIMATELY 579,991 SF. THE DEVELOPMENT WILL HAVE 474,803 SF PERVIOUS SURFACE AND 105,188 SF IMPERVIOUS SURFACE. THE SITE IS DIVIDED INTO 23 DRAINAGE MANAGEMENT AREAS (DMA).

**POST CONSTRUCTION TCM MAINTENANCE AND/OR SOURCE CONTROL:**

FUEL, OIL, PETROLEUM PRODUCTS, PESTICIDES, AND OTHER STORM DRAINAGE POLLUTANT SPILLS NEED TO BE CONTAINED. OWNERS SHALL USE ABSORBENT MATERIAL ON SMALL SPILLS RATHER THAN HOSEING SPILLS DOWN. REMOVE THE ABSORBENT MATERIAL PROMPTLY AND DISPOSE OF PROPERLY, AS REQUIRED BY CITY, STATE AND FEDERAL REGULATIONS.

DRAINAGE INLETS SHALL BE INSPECTED MONTHLY AND KEPT CLEAN OF ANY TRASH THAT MAY HAVE ACCUMULATED. IT IS THE RESPONSIBILITY OF THE PROPERTY MANAGER/OWNER TO HAVE THOSE INSPECTION PERFORMED, DOCUMENTED AND ANY REPAIRS MADE.

**A. LANDSCAPE MAINTENANCE**

LANDSCAPE AREAS SHALL BE COVERED WITH PLANTS OR SOME TYPE OF GROUND COVER TO MINIMIZE EROSION. NO AREAS ARE TO BE LEFT AS BARE DIRT THAT COULD ERODE. MOUNDING SLOPES SHALL NOT EXCEED 2 HORIZONTAL TO 1 VERTICAL.

PESTICIDES AND FERTILIZERS SHALL BE STORED AS HAZARDOUS MATERIALS AND IN APPROPRIATE PACKAGING. OVER SPRAYING ONTO PAVED AREAS SHALL BE AVOIDED WHEN APPLYING FERTILIZERS AND PESTICIDES. PESTICIDES AND FERTILIZERS WILL BE PROHIBITED FROM STORAGE OUTSIDE.

THE LANDSCAPE AREAS SHALL BE INSPECTED AND ALL TRASH PICKED UP AND OBSTRUCTIONS TO THE DRAINAGE FLOW REMOVED ON A MONTHLY BASIS MINIMUM. THIS SITE WILL BE DESIGNED WITH EFFICIENT IRRIGATION AND DRAINAGE TO REDUCE PESTICIDE USE. PLANTS HAVE BEEN SELECTED BASED ON SIZE AND ARE SITUATED TO REDUCE MAINTENANCE AND ROUTINE PRUNING.

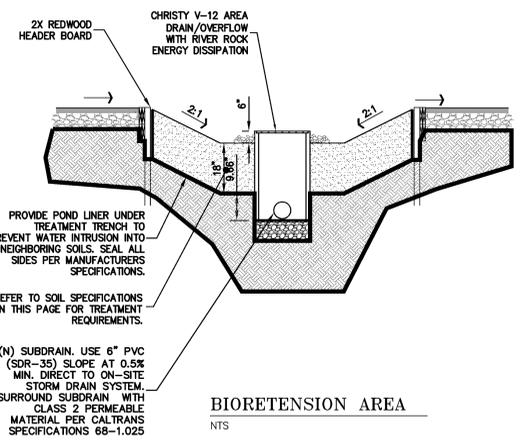
THE INTEGRATED PEST MANAGEMENT INFORMATION ATTACHED WILL BE PROVIDED TO BUILDING MANAGEMENT.

**B. DRAINAGE COLLECTION MANAGEMENT**

THE STORM DRAINAGE SYSTEM CONSISTS OF AREA DRAINS, CATCH BASINS, VEGETATED SWALES, CURB INLETS, AND CLEANOUTS.

THE STORM DRAINAGE COLLECTION SYSTEM SHALL BE CLEANED YEARLY BY THE PROPERTY MANAGEMENT/OWNER. THE INSPECTION SHALL BE PERFORMED DURING THE DRY SEASON. THIS INCLUDES THE FOLLOWING:

\*ALL TRASH AND OBSTRUCTIONS SHALL BE REMOVED FROM AREA DRAINS, CLEANOUTS, AND CATCH BASINS.



AREA DESCRIPTION (DMA)	TREATMENT CONTROL MEASURE	IMPERVIOUS AREA (sf)	IMPERVIOUS AREA WITH 25% SAFETY FACTOR	BMP SIZING	REQUIRED TREATMENT (sf)	PROPOSED TREATMENT (sf)
DMA 1	TCM 1	2147	2684	4%	107	110
DMA 2	TCM 2	1900	2375	4%	95	100
DMA 3	TCM 3	1900	2375	4%	95	100
DMA 4	TCM 4	1900	2375	4%	95	100
DMA 5	TCM 5	1900	2375	4%	95	100
DMA 6	TCM 6	1900	2375	4%	95	100
DMA 7	TCM 7	1900	2375	4%	95	105
DMA 8	TCM 8	1900	2375	4%	95	100
DMA 9	TCM 9	1900	2375	4%	95	100
DMA 10	TCM 10	1900	2375	4%	95	100
DMA 11	TCM 11	1900	2375	4%	95	100
DMA 12	TCM 12	1900	2375	4%	95	105
DMA 13	TCM 13	1900	2375	4%	95	100
DMA 14	TCM 14	1900	2375	4%	95	100
DMA 15	TCM 15	1900	2375	4%	95	100
DMA 16	TCM 16	1900	2375	4%	95	100
DMA 17	TCM 17	1900	2375	4%	95	100
DMA 18	TCM 18	1900	2375	4%	95	100
DMA 19	TCM 19	2100	2625	4%	105	110
DMA 20	TCM 20	13900		4%	556	607
DMA 21	TCM 21	11719		4%	469	396
DMA 22	TCM 22	26248		4%	1050	1056
DMA 23	TCM 23	12738		4%	510	566



## James Castaneda - Landscape Plan with Road Changes

---

**From:**  
**To:** <jcastaneda@co.sanmateo.ca.us>  
**Date:** 6/4/2015 15:02  
**Subject:** Landscape Plan with Road Changes  
**Attachments:** Landscape Plan with Road Changes.pdf

---

James,

Attached is the Landscape Plan with the road being moved away from the property line. There is increased planting of trees and bushes to screen the property from the neighbor.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402

DRE #01011262  
CA #581591



**PRELIMINARY PLANT PALETTE**

-  EXISTING PINE TREES TO REMAIN
-  EXISTING VEGETATION TO REMAIN
-  PINUS PINEA - Italian Stone Pine
-  OLEA EUROPEA - Olive Tree
-  AGAVE AMERICANA - Agave
-  ACACIA LONGIFOLIA - Golden Wattle  
or QUERCUS AGRIFOLIA - Coast Live Oak
-  HETEROMELESE ARBUTIFOLIA - Toyon  
ROMNEYA COULTERI - Matija Poppy  
with MUHLENBERGIA RIGENS - Deer Grass  
at 4'-0" on center from 1" plugs
-  PINUS PINEA - Italian Stone Pine  
OLEA EUROPAEA - Olive Tree  
JUNIPERUS CHINENSIS 'TORULOSA' - Hollywood Juniper  
NERIUM OLEANDER - White Oleander  
COTONEASTER SPECIES - Cotoneaster  
HETEROMELESE ARBUTIFOLIA - Toyon
-  ARCTOSTAPHYLOS - Manzanita  
LEUCODENDRON SPECIES - Conebush  
LEPTOSPERMUM SPECIES - New Zealand Tea Tree

**ASCENSION HEIGHTS - PRELIMINARY SKETCH 'C'**

SCALE: 1" = 40'-0"

JUNE 1, 2015



**James Castaneda - RE: Ascension**

---

**From:** Steve Monowitz  
**To:** David Burruto  
**Date:** 6/4/2015 15:40  
**Subject:** RE: Ascension  
**CC:** James Castaneda; Lisa Aozasa

---

Hi David,

Mr. Thomas has requested additional time to finalize his proposed modifications to the project, so we're now looking at the August 12 PC meeting. Although we have not yet formulated our recommendation, I can tell you that we will not be supportive of a request by the applicant for further delay.

I'll keep you posted as things progress. Let me know if you have questions or concerns in the mean time.

Thanks,  
Steve

>>> David Burruto 6/1/2015 1:05 PM >>>  
Steve,

are we still on target for July at the Planning Commission and if so what will be the presentation? I know Planning provided time for responses to the issues raised. Have additional modification been made or new comments submitted? Please provide a sketch of this so I can relay back to the Supervisor. Thanks.

DB

David Burruto  
Chief of Staff  
Office of Supervisor Dave Pine  
San Mateo County  
District 1  
Hall of Justice & Records  
400 County Center  
Redwood City, CA 94063  
650-363-4571  
[dburruto@co.sanmateo.ca.us](mailto:dburruto@co.sanmateo.ca.us)

>>> Steve Monowitz 4/23/2015 2:25 PM >>>  
Hi Dave,  
Aiming for July.  
Steve

>>> David Burruto 4/23/2015 11:59 AM >>>  
When is that coming back?

DB

David Burruto  
Chief of Staff  
Office of Supervisor Dave Pine  
San Mateo County  
District 1  
Hall of Justice & Records  
400 County Center  
Redwood City, CA 94063  
650-363-4571  
[dburruto@co.sanmateo.ca.us](mailto:dburruto@co.sanmateo.ca.us)

**From:** Dennis Thomas  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**Date:** 06/16/2015 14:18  
**Subject:** erosion  
**Attachments:** IMG\_0631.JPG; Part.002; IMG\_0632.JPG; Part.004





## James Castaneda - Biological reports

---

**From:** >  
**To:** <jcastaneda@co.sanmateo.ca.us>  
**Date:** 6/16/2015 16:18  
**Subject:** Biological reports  
**Attachments:** AscensionHtsBiologicalSurveys\_2015.pdf

---

James,

Here is the biological report from the recent surveys.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402

DRE #01011262  
CA #581591



# COAST RIDGE ECOLOGY

BIOLOGICAL SURVEYS • MONITORING • PERMITTING • RESEARCH

April 11, 2015

Dennis Thomas  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402

***RE: Results of 2015 Rare Plant Surveys and Update on Mission Blue / Pardalis Blue Butterfly Habitat and Nesting Raptor Surveys on the Ascension Heights Subdivision Project Site in San Mateo County, California.***

Dear Mr. Thomas,

Per your request, we conducted rare plant surveys, nesting raptor surveys and assessed Mission blue /Pardalis blue butterfly habitat on the proposed Ascension Heights Subdivision Project in San Mateo County, California. The results are provided herein.

## **2015 RARE PLANT SURVEYS**

These surveys were timed to coincide with the periods when these plants would be the most visible and detectable by botanical surveyors. The approximately 13.3 acre project site is located within the unincorporated community of San Mateo Highlands at the northeast corner of Bel Aire Road and Ascension Drive. The project site is largely undeveloped except for a paved road that runs from the north corner at Bel Aire Drive to near the south eastern edge of the site. The paved road provides access to a water tank and a cellular transmitter tower that are surrounded by, but not a part of the project site. Single family residential neighborhoods are the primary land use bounding the project site. Elevations on the site range from approximately 450 feet at the southern corner of the project site to approximately 620 feet at the water tank.

The *Final Environmental Impact Report San Mateo County Ascension Heights Subdivision Project Volume II – Revised Draft EIR* (2014) identified a list of eleven special-status plant species with the potential to occur on the Ascension Heights Subdivision Project site. Four of the species identified - Indian Valley bush-mallow (*Malacothamnus aboriginum*), Arcuate bush mallow (*M. arcuatus*), Davidson's bush-mallow (*M. davidsonii*) and San Francisco campion (*Silene verecunda ssp. verecunda*) - were eliminated from the potential to occur list based on a botanical survey conducted on the site on July 25, 2013 by Analytical Environmental Services. Because the 2013 survey was conducted outside of the time period when the remaining seven species would be evident and identifiable, additional focused botanical surveys were recommended in order to determine potential project impacts to these species. The seven plant species recommended for additional surveys include bent-flowered fiddleneck (*Amsinckia lunaris*), San Francisco collinsia (*Collinsia multicolor*), western leatherwood (*Dirca occidentalis*), San Mateo woolly sunflower (*Eriophyllum latilobum*), fragrant frillary

(*Fritillaria liliacea*), Dudley's lousewort (*Pedicularis dudleyi*) and white-rayed pentachaeta (*Pentachaeta bellidiflora*).

### ***SURVEY METHODS***

Botanical surveys were conducted by botanist Neal Kramer of Kramer Botanical and Patrick Kobernus of Coast Ridge Ecology in spring 2015. Neal Kramer has over 20 years experience conducted botanical and rare plant surveys in the San Francisco Bay Area, and Patrick Kobernus has over 20 years experience conducting rare plant and wildlife surveys within the San Francisco Bay Area. Both Mr. Kramer and Mr. Kobernus have conducted extensive survey work within San Mateo County.

In early March 2015, reference site visits in the vicinity of the proposed project confirmed that western leatherwood, fragrant fritillary and white-rayed pentacheata were evident and identifiable. As a result, a focused survey for these target species was conducted on the project site on March 3, 2015.

In late March 2015, reference site visits within 2 miles of the project site confirmed that bent-flowered fiddleneck, San Francisco collinsia and San Mateo woolly sunflower were evident and identifiable. Although no reference site for Dudley's lousewort was readily accessible in the project vicinity, the closely related warrior's plume (*Pedicularis densiflora*) with similar phenology was observed in full bloom in late March within 3 miles of the project site. Therefore, a second focused survey was conducted on the project site for these four target species on March 27, 2015.

During the March 3<sup>rd</sup> and March 27<sup>th</sup> surveys, Kramer Botanical botanist Neal Kramer and Coast Ridge Ecology biologist Patrick Kobernus walked the entire project site looking for the target special-status plant species. Walking transects were chosen to ensure 100% visual coverage of the entire project area. Although target species were a special focus, the surveys were floristic in nature and all plant species identifiable during the surveys were recorded in a field notebook. A complete list of plant species observed on the Ascension Heights Subdivision project site is included at the end of this report.

### ***RESULTS***

No rare plants, including western leatherwood, fragrant fritillary, white-rayed pentachaeta, bent-flowered fiddleneck, San Francisco collinsia, San Mateo woolly sunflower or Dudley's lousewort were found on the project site during the two March 2015 rare plant surveys. Based on these results, we conclude that the proposed development project will not adversely impact any of these special-status plant species.

### ***2015 UPDATE ON MISSION BLUE BUTTERFLY HABITAT***

Because the rare plant survey also included a floristic survey of the property to document all plant species encountered, locations of the Mission blue/ Pardalis blue butterfly host plant summer lupine (*Lupinus formosus*) were noted. The patches of this plant species were observed to be consistent with host plant locations observed during the mission blue surveys conducted on the property in 2005, 2008 and 2012 by Coast Ridge Ecology.

During the course of our 2015 rare plant surveys of the property we did not detect any summer lupine within the development envelope of the proposed Ascension Heights subdivision project.

It should be noted that the DEIR for the project misquoted the Mission blue/ Pardalis surveys that were conducted by Coast Ridge Ecology on the project site. The DEIR states (on page 4.3-14) that "**Three** biological surveys for the Mission blue butterfly have occurred on the project site in the spring and summer months of 2005, 2008, and 2012, during which 12 adult butterflies were observed". In actuality, **twenty-four** biological surveys were done over the course of three separate years (2005, 2008 and 2012), including host plant mapping. Within each of these years, multiple surveys were done for Mission blue/ Pardalis blue butterflies on the site, with a total of 24 Mission blue/ Pardalis blue surveys conducted overall. During the course of those surveys, no Mission blue/ Pardalis blue butterflies, or their host plants, were detected within the proposed development envelope of the Ascension Heights project site.

### **2015 NESTING RAPTOR SURVEYS**

The property was walked and surveyed for nesting raptors on March 5, 2015 and April 10, 2015 by biologist Patrick Kobernus. Tree groves on adjacent properties were also searched for any potential raptor nests or nesting activity. The surveys were conducted during the raptor breeding season which is typically from February 15 through August 31. The surveys were conducted from approximately 7:30 AM to 10:00 AM during appropriate weather (clear skies, no wind and air temperatures in the low 50's to upper 60's. The site was walked inspected for any raptor nesting activity (e.g. calling, pair bonding behaviors, nest material carries), as well as any raptor nests. No raptor nests or raptor nesting activity was observed on the property.

Most of the trees on site (mostly *Pinus sp.*) do not provide suitable raptor nesting habitat due to wind exposure and lack of large supportive branches that could support raptor nests. The only raptor activity observed on site was one red-tailed hawk that was observed roosting in the top of a pine tree for approximately 30 minutes during the April 10 survey. During botanical surveys of the site during March and April 2015, a few turkey vultures and red-tailed hawks were observed flying over the site.

The eucalyptus grove on the south side of the property (which is outside the proposed building envelope) provides some potential as nesting habitat for raptors such as red-tailed hawk, red-shouldered hawk and great-horned owl. Within this grove, a few crows were observed within a broken top Eucalyptus tree on the April 10 survey, and they may be building a nest in this location. No raptor activity was observed in this grove of trees.

No special status raptors such as burrowing owls, northern harriers or white tailed kites were observed and it is highly unlikely these species would nest on site due to a lack of suitable nesting habitat.

- Burrowing owls nest on the ground within ground squirrel burrows, or manmade holes/ culverts for nesting. No ground squirrel burrows or suitable habitat to support burrowing owls was observed on site.

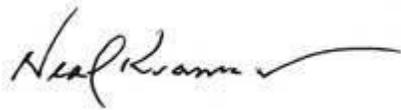
- Northern harriers nest on the ground, mostly within patches of dense, often tall, vegetation in undisturbed areas (MacWhirter and Bildstein 1996). The property is comprised of primarily open grassland and trees, and does not provide the type of dense cover that would support northern harriers.
- White-tailed kites nest within lowland grasslands, agriculture, wetlands, oak-woodland and savannah habitats, and riparian areas associated with open areas. They typically do not nest on steep hillsides, which is the primary topography on the property.

If you have questions regarding this survey report, please don't hesitate to contact us.

Sincerely,



Patrick Kobernus  
Principal and Senior Biologist  
Coast Ridge Ecology



Neal Kramer, M.S.  
Botanist/Ecologist, Certified arborist  
Kramer Botanical

## References

- Kobernus, Patrick, 2014. RE: 2012 Mission Blue Butterfly Surveys at Ascension Heights Project Area, San Mateo, California. Letter from Patrick Kobernus of Coast Ridge Ecology to Mr. Dennis Thomas on February 6, 2014.
- Kobernus, Patrick, 2008. Results of 2008 Mission Blue Butterfly Surveys at Ascension Property San Mateo County, California, Prepared for: San Mateo Real Estate and Construction, Inc., September 12, 2008.
- MacWhirter, R. B., and Bildstein, K. L. 1996. Northern Harrier (*Circus cyaneus*), in The Birds of North America (A. Poole and F. Gill, eds.), no. 210. Acad. Nat. Sci., Philadelphia.
- San Mateo County, 2014. Draft EIR for the Ascension Heights Subdivision Project, San Mateo, California. San Mateo County Planning and Building Department. Prepared by Analytical Environmental Services, April 2014.  
[https://planning.smcgov.org/sites/planning.smcgov.org/files/PLN2002-00517\\_FEIR-Vol2\\_DEIR\\_0.pdf](https://planning.smcgov.org/sites/planning.smcgov.org/files/PLN2002-00517_FEIR-Vol2_DEIR_0.pdf)

## Plant Species List for Ascension Heights Subdivision Project Site

The plant species listed below were observed on the project site during surveys conducted by Kramer Botanical botanist Neal Kramer and Coast Ridge Ecology biologist Patrick Kobernus on March 3 and March 27, 2015. Scientific nomenclature follows *The Jepson Manual* (Baldwin 2012).

\* Indicates introduced non-native species.

<u>Scientific Name</u>	<u>Common Name</u>
<b>AGAVACEAE - Agave Family</b>	
<i>Chlorogalum pomeridianum</i>	soap plant, amole
<b>AMARYLLIDACEAE - Amaryllis Family</b>	
<i>Amaryllis belladonna</i> *	naked lady
<i>Narcissus pseudonarcissus</i> *	daffodil
<b>ANACARDIACEAE - Sumac or Cashew Family</b>	
<i>Toxicodendron diversilobum</i>	poison oak
<b>APIACEAE - Carrot Family</b>	
<i>Foeniculum vulgare</i> *	sweet fennel
<i>Sanicula bipinnatifida</i>	purple sanicula, shoe buttons
<i>Sanicula crassicaulis</i>	Pacifica sanicula
<i>Scandix pecten-veneris</i> *	shepherd's needle
<b>ARALIACEAE - Ginseng Family</b>	
<i>Hedera helix</i> *	English ivy
<b>ASTERACEAE - Sunflower Family</b>	
<i>Achillea millefolium</i>	yarrow
<i>Baccharis pilularis</i>	coyote brush
<i>Carduus pycnocephalus</i> *	Italian thistle
<i>Cirsium vulgare</i> *	bull thistle
<i>Crepis vesicaria ssp. taraxacifolia</i> *	Weedy hawksbeard
<i>Erigeron canadensis</i>	horseweed
<i>Erigeron foliosus var. foliosus</i>	leafy fleabane
<i>Gnaphalium californicum</i>	California cudweed
<i>Helminthotheca echioides</i> *	bristly ox-tounge
<i>Heterotheca sessiliflora</i>	golden aster
<i>Hypochaeris glabra</i> *	smooth cat's ear
<i>Hypochaeris radicata</i> *	rough cat's-ear
<i>Logfia gallica</i> *	narrow leaved filago
<i>Pseudognaphalium luteoalbum</i> *	weedy cudweed
<i>Silybum marianum</i> *	milk thistle
<i>Solidago velutina ssp. californica</i>	California goldenrod
<i>Soliva sessilis</i> *	common soliva
<i>Sonchus asper ssp. asper</i> *	prickly sow thistle
<i>Sonchus oleraceus</i> *	common sow thistle
<i>Symphyotrichum chilense</i>	Pacific aster
<i>Taraxacum officinale</i> *	dandelion
<i>Wyethia angustifolia</i>	narrow-leaved mules ears

*Rare Plant Surveys, Butterfly Habitat Update and Raptor Surveys for the Ascension Heights Subdivision Project – April 11, 2015*

**BRASSICACEAE - Mustard Family**

*Cardamine oligosperma* bitter cress  
*Hirschfeldia incana\** summer mustard

**CAPRIFOLIACEAE - Honeysuckle Family**

*Symphoricarpos mollis* creeping snowberry

**CARYOPHYLLACEAE - Pink Family**

*Cerastium glomeratum\** mouse-eared chickweed  
*Silene gallica\** common catchfly, windmill pink

**CELASTRACEAE - Staff-Tree Family**

*Maytenus boaria\** mayten

**CISTACEAE - Rock-Rose Family**

*Cistus incanus\** rock-rose

**CONVOLVULACEAE - Morning-Glory or Bindweed Family**

*Calystegia subacaulis* stemless/hill morning-glory

**CUCURBITACEAE - Gourd Family**

*Marah fabaceus* California man-root

**CUPRESSACEAE - Cypress Family**

*Hesperocyparis macrocraipa\** Monterey cypress  
*Sequoia sempervirens* coast redwood

**CYPERACEAE - Sedge Family**

*Carex spp.* sedge

**DIPSACACEAE - Teasel Family**

*Dipsacus sp.\** teasel

**DRYOPTERIDACEAE - Wood Fern Family**

*Dryopteris arguta* coastal wood fern

**EUPHORBIACEAE - Spurge Family**

*Euphorbia peplus\** petty spurge

**FABACEAE - Legume Family**

*Acacia longifolia\** Sydney golden wattle  
*Acacia dealbata\** silver wattle  
*Acmispon wrangelianus* calf lotus  
*Genista monspessulana\** French broom  
*Lotus corniculatus\** bird's foot trefoil  
*Lupinus bicolor* miniature lupine, Lindley's annual lupine  
*Lupinus formosus var. formosus* summer lupine  
*Lupinus succulentus* arroyo lupine  
*Medicago polymorpha\** burclover  
*Trifolium campestre\** hop clover  
*Trifolium subterraneum\** subterraneum clover  
*Vicia americana var. americana* American vetch  
*Vicia sativa\** common vetch  
*Vicia villosa\** hairy/winter vetch

**FAGACEAE - Oak Family**

*Quercus agrifolia* coast live oak

**GERANIACEAE - Geranium Family**

*Erodium cicutarium\** red-stemmed filaree  
*Erodium botrys\** broad-leaved filaree  
*Geranium dissectum\** cut-leaved geranium

**IRIDACEAE - Iris Family**

*Freesia refracta\** freesia  
*Sisyrinchium bellum* blue-eyed-grass

Rare Plant Surveys, Butterfly Habitat Update and Raptor Surveys for the Ascension Heights Subdivision Project – April 11, 2015

**JUNCACEAE - Rush Family**

<i>Juncus occidentalis</i>	Western rush
<i>Juncus patens</i>	common/spreading rush
<i>Luzula comosa</i>	wood rush

**LAMIACEAE - Mint Family**

<i>Clinopodium douglasii</i>	yerba buena
<i>Lavendula sp.*</i>	lavender
<i>Rosmarinus officinalis*</i>	rosemary
<i>Stachys sp.</i>	hedge nettle

**LAURACEAE - Laurel Family**

<i>Umbellularia californica</i>	California bay
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**LINACEAE - Flax Family**

<i>Linum bienne*</i>	Narrowleaf flax
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**MALVACEAE - Mallow Family**

<i>Sidalcea malviflora ssp. laciniata</i>	checker bloom
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**MONTIACEAE - Miner's Lettuce Family**

<i>Claytonia perfoliata ssp. perfoliata</i>	miner's lettuce
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**MYRTACEAE - Myrtle Family**

<i>Eucalyptus globulus*</i>	blue gum
<i>Eucalyptus polyanthemos*</i>	silver dollar gum
<i>Eucalyptus sideroxylon*</i>	red ironbark

**ONAGRACEAE - Evening primrose Family**

<i>Taraxia ovata</i>	sun cup
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**OROBANCHACEAE - Broom-Rape Family**

<i>Bellardia trixago*</i>	bellardia
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**OXALIDACEAE - Oxalis Family**

<i>Oxalis pes-caprae*</i>	Bermuda buttercup
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**PAPAVERACEAE - Poppy Family**

<i>Eschscholzia californica</i>	California poppy
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**PINACEAE - Pine Family**

<i>Pinus halepensis*</i>	Aleppo pine
<i>Pinus pinea*</i>	Italian stone pine
<i>Pinus radiata*</i>	Monterey pine

**PLANTAGINACEAE - Plantain Family**

<i>Plantago lanceolata*</i>	English plantain
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**POACEAE - Grass Family**

<i>Aira caryophyllea*</i>	silver hair grass
<i>Avena barbata*</i>	slender wild oat
<i>Brachypodium distachyon*</i>	Annual false brome
<i>Briza minor*</i>	little quaking grass
<i>Bromus carinatus var. carinatus</i>	California brome
<i>Bromus diandrus*</i>	ripgut brome
<i>Bromus hordeaceus*</i>	soft chess
<i>Bromus laevipes</i>	woodland brome
<i>Cenchrus echinatus*</i>	southern sandbur
<i>Cortaderia jubata*</i>	pampas grass
<i>Danthonia californica var. californica</i>	California oatgrass
<i>Ehrharta erecta*</i>	upright veldtgrass
<i>Elymus glaucus</i>	blue wildrye
<i>Festuca bromoides*</i>	six-week fescue
<i>Festuca perennis*</i>	rye grass
<i>Hordeum marinum ssp. gussoneanum*</i>	Mediterranean barley

*Rare Plant Surveys, Butterfly Habitat Update and Raptor Surveys for the Ascension Heights Subdivision Project – April 11, 2015*

<i>Hordeum murinum</i> ssp. <i>leporinum</i> *	barnyard foxtail, foxtail barley
<i>Phalaris aquatica</i> *	Harding grass
<i>Poa annua</i> *	annual bluegrass
<i>Stipa pulchra</i>	purple needlegrass
<b>POLYGONACEAE - Buckwheat Family</b>	
<i>Eriogonum nudum</i>	naked buckwheat
<i>Rumex acetosella</i> *	sheep sorrel
<i>Rumex crispus</i> *	curly dock
<i>Rumex pulcher</i> *	fiddle dock
<b>PROTEACEAE - Protea Family</b>	
<i>Grevillea rosmarinifolia</i> *	rosemary grevillea
<b>PTERIDACEAE - Brake Family</b>	
<i>Pentagramma triangularis</i> ssp. <i>triangularis</i>	goldback fern
<b>RANUNCULACEAE - Buttercup Family</b>	
<i>Ranunculus californicus</i>	California buttercup
<b>ROSACEAE - Rose Family</b>	
<i>Chaenomeles</i> sp.*	quince
<i>Cotoneaster lacteus</i> *	Parney's cotoneaster
<i>Cotoneaster pannosus</i> *	silverleaf cotoneaster
<i>Heteromeles arbutifolia</i>	toyon, Christmas berry
<i>Horkelia californica</i>	horkelia
<i>Pyracantha angustifolia</i> *	pyracantha
<i>Prunus cerasifera</i> *	cherry plum
<i>Rosa multiflora</i> *	multiflora rose
<i>Rubus ursinus</i>	California blackberry
<b>RUBIACEAE - Madder Family</b>	
<i>Galium aparine</i>	goose grass, bedstraw
<i>Sherardia arvensis</i> *	field madder
<b>THEMIDACEAE - Brodiaea Family</b>	
<i>Dichelostemma capitatum</i> ssp. <i>capitatum</i>	blue dicks

## James Castaneda - Re: 3/3 Rendering

---

**From:** >  
**To:** <jcastaneda@smcgov.org>  
**Date:** 6/16/2015 16:52  
**Subject:** Re: 3/3 Rendering  
**Attachments:** AscensionHeightsproject,CalWaterleter5-18-15.pdf

---

James,

Also attached is a letter from Cal Water complementing me on the choice of low water usage plants and their approval of the landscape plan that you have been given previously.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402  
(  
DRE #01011262  
CA #581591

In a message dated 6/16/2015 4:50:26 P.M. Pacific Daylight Time, jcastaneda@smcgov.org writes:

Thanks Dennis. Looks like I got all three renderings, and the bio report.

James

>>> 06/16/15 4:27 PM >>>

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402

DRE #01011262  
CA #581591



## CALIFORNIA WATER SERVICE

Bayshore District 341 North Delaware Street  
San Mateo, CA 94401 Tel: (650) 558-7800

May 18, 2015

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402

**Re; Ascension Heights, San Mateo**

Mr. Thomas,

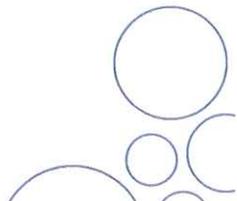
I have taken the opportunity to review the landscape design for Bel Aire Road in San Mateo Highlands, the plants that you have selected fit in our conservation theme, they are drought tolerant. Thank you for considering these types of outdoor plants, it is in times like the current drought that we appreciate the efforts of your development to sustain into the future.

We have also reviewed the water usage for this development and previously provided a "Will Serve" letter; currently we have the water supply allotment for this project entirely.

Again, I want to thank you for considering the environment when selecting the plant palette as you have, we wish more developers would use drought tolerant plants in their design.

Thank you,

Tony Carrasco  
District Manager, Bayshore



## James Castaneda - Rendering 2/3

---

**From:** >  
**To:** <jcastaneda@co.sanmateo.ca.us>  
**Date:** 6/16/2015 16:25  
**Subject:** Rendering 2/3  
**Attachments:** AH\_View2.pdf

---

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402

DRE #01011262  
CA #581591



## James Castaneda - Renderings 1/3

---

**From:** >  
**To:** <jcastaneda@co.sanmateo.ca.us>  
**Date:** 6/16/2015 16:23  
**Subject:** Renderings 1/3  
**Attachments:** AH\_View1.pdf

---

James,

Here is one of the renderings. I will send one at a time.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402

DRE #01011262  
CA #581591



## James Castaneda

---

**From:** Laurel Nagle >  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**Date:** 8/9/2015 10:46  
**CC:** Steve Monowitz <SMonowitz@smcgov.org>, Winter King <king@smwlaw.com>, <t...

---

Hi James,

We understand there may be consideration of including the Ascension Heights project the second August Planning Commission meeting. For reasons of both a short notice and a critical meeting occurring in August when many people will be on vacation, we respectfully request the Ascension Hts hearing not be scheduled before Labor Day.

Thank you,

Laurel Nagle/Jerry Ozanne,  
Co-Presidents,  
Baywood Park Homeowners Association

**James Castaneda - Re:**

---

**From:** Laurel Nagle >  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**Date:** 8/11/2015 13:06  
**Subject:** Re:  
**CC:** Janneth Lujan <JLujan@smcgov.org>, Lisa Aozasa <LAozasa@smcgov.org>, Ste...

---

Dear James,

I just got your email. Thank you. However, we thought we were supposed to get at least 30 days notice? It will be hard enough to communicate with residents on a shorter schedule, especially when many are on vacation or busy with children starting school in a couple weeks. When we requested the meeting take place after Labor Day, we planned on having the entire notice period to reach residents.

Additionally, we appreciate all the documents that have been posted to the Public Correspondence link. It is clearly a big project. However, the correspondence ends in late May and we are under the impression more was forthcoming. Specifically,

- A biology report
- A revised map of the entrance road and corresponding engineering report
- Landscaping information

Were those items submitted to the Planning Department and when will we have a chance to review?

Is the developer or owner planning to make a presentation? Will it be new information or data we already possess?

Finally, regarding the agenda for the Planning Commission meeting

- Is there a public comment session?
- Will it be limited by time, number of people or topic?
- Will the "reasons for denial" as requested by the Planning Commission be presented? Although not requested, were "reasons for approval" drafted?
- Will the Planning Commission vote that evening and if so, on what exactly? The new information? The total project?

We appreciate your attention to our concerns, and look forward to hearing from you.

Regards,  
 Laurel Nagle

On Tue, Aug 11, 2015 at 9:35 AM, James Castaneda <jcastaneda@smcgov.org> wrote:

Good morning Laurel. I hope all is well. The Community Development Director has elected to put the Ascension Heights project on the September 9th Planning Commission agenda. Notification will be sent as in the past in advance of the meeting. If you can follow up on meeting logistics with the Planning Commission Secretary, Janneth Lujan, if you have any questions.

Regards,  
James

>>> Laurel Nagle 08/09/15 10:46 AM >>>  
Hi James,

We understand there may be consideration of including the Ascension Heights project the second August Planning Commission meeting. For reasons of both a short notice and a critical meeting occurring in August when many people will be on vacation, we respectfully request the Ascension Hts hearing not be scheduled before Labor Day.

Thank you,

Laurel Nagle/Jerry Ozanne,  
Co-Presidents,  
Baywood Park Homeowners Association

## James Castaneda - Ascension Docs

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**From:** >  
**To:** <jcastaneda@co.sanmateo.ca.us>  
**Date:** 8/12/2015 17:01  
**Subject:** Ascension Docs  
**Attachments:** 2010135LotDensity(11-22-10topo) 2.xlsx; 2010135NeighboringDensityCalcs-NS3-10-15.xlsx; 2010135NeighboringDensityExhibit-NS3-10-15.pdf

---

James,

You have most of the Ascension booklet info already so I will send you via email the balance of the docs. This is the Density Study.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402  
(  
DRE #01011262  
CA #581591

<u>Lot #</u>	<u>Gross SF</u>	<u>Net SF</u>
1	9827	
2	9000	
3	7500	
4	7500	
5	7500	
6	9964	7591
7	7942	
8	9466	
9	9500	
10	9707	
11	15982	13208
12	9714	
13	9466	
14	9500	
15	8669	
16	9123	
17	9403	
18	9376	
19	9674	
Total Area	178813	173666
Average lot area	<b>9411.21</b>	<b>9140.32</b>
Lot Density =	<b>4.63</b>	<b>Units per Acre</b>

326618

<u>Lot #</u>	<u>Gross SF</u>	<u>Net SF</u>
1	9827	
2	9000	
3	7500	
4	7500	
5	7500	
6	9964	7591
7	7942	
8	9466	
9	9500	
10	9707	
11	15982	13208
12	9714	
13	9466	
14	9500	
15	8669	
16	9123	
17	9403	
18	9376	
19	9674	
A	326618	
Total Area	505431	173666
Average lot area	<b>26601.63</b>	<b>9140.32</b>
<b>Lot Density =</b>	<b>1.64</b>	<b>Units per Acre</b>

## House Denisty Calculation

House Number	Block 1	Block 2	Block 3	Block 4
1	10800	7920	9900	7975
2	11000	7920	9350	9000
3	10670	7920	9900	12000
4	9462	7920	8250	9000
5	9480	7920	8800	9600
6	9576	9200	9350	13000
7	9960	8320	9350	10500
8	16600	10300	9576	9900
9	15738	8240	9630	7200
10	13500	10300	8600	9000
11	9600	10200	8775	9000
12	10875	10200	9240	8000
13	11340	10100	10500	10300
14	9270	8080	11340	11410
15	7360	10200	11410	12460
16	8700	9700	12193	14000
17	6720	9500	10428	9796
18	6700	8500	9240	8775
19	8000	8000	10168	9344
20	8925	8000	9000	8122
21	12800	9000	10100	8432
22	12696	8000	9750	7600
23	10488	8000	10500	7600
24	18990	9500	17200	7600
25	9000	8500	1000	7760
26	8025	9500	8000	10640
27	9975	10302	8960	10725
28	10058	10000	9680	11200
29	8550	12000	8680	9000
30	9559	11875	9400	
31		11865		
<b>Total Lot Size (sq. ft.)</b>	314417.00	286982.00	288270.00	278939.00
<b>Total Lot Size (Acre)</b>	7.22	6.59	6.62	6.40
<b>House Density (Houses/Acre)</b>	4.16	4.71	4.53	4.53
<b>Average House Density (Houses/Acre)</b>	<b>4.48</b>			



## James Castaneda - Ascension School tax Income

---

**From:** >  
**To:** <jcastaneda@co.sanmateo.ca.us>  
**Date:** 8/12/2015 17:03  
**Subject:** Ascension School tax Income  
**Attachments:** School Tax Calculation.xlsx

---

James,

Here is the School tax revenue calculations.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402

DRE #01011262  
CA #581591

	Current Assessed Value	Current Tax Amount	Amount of Tax to Schools	
GenerL Tax Rate @ 1.0%	\$1,065,693.00	\$10,656.93	\$6,927.00	65%
Special Tax Measures				
San Mateo Foster City 2005 Refund Ser. @.0388%		\$413.49	\$413.49	100%
San Mateo High Bond Service 2002 B @ .0475%		\$506.20	\$506.20	100%
San Mateo Junior College Bond Service 2005 B @ .0190%		\$202.48	\$202.48	100%
<b>Total Current Tax Paid</b>		<b>\$11,779.10</b>	<b>\$8,049.18</b>	<b>68.30%</b>
	<b>Projected Assessed Value</b>			
	\$47,500,000.00			
GenerL Tax Rate @ 1.0%		\$475,000.00	\$308,750.00	65%
Special Tax Measures				
San Mateo Foster City 2005 Refund Ser. @.0388%		\$18,430.00	\$18,430.00	100%
San Mateo High Bond Service 2002 B @ .0475%		\$22,562.50	\$22,562.50	100%
San Mateo Junior College Bond Service 2005 B @ .0190%		\$9,025.00	\$9,025.00	100%
<b>Total Projected Taxes Paid</b>		<b>\$525,017.50</b>	<b>\$358,767.50</b>	<b>68.30%</b>
School Impact Fees		Current	Projected	
57,000 sq. ft. @ \$1.50 Per foot		\$0.00	\$85,500.00	100%
<b>Total School Revenues</b>		<b>\$8,049.19</b>	<b>\$444,267.50</b>	

**James Castaneda - Fwd: Cal Water Will serve letter**

---

**From:** Dennis Thomas >  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**Date:** 8/14/2015 07:00  
**Subject:** Fwd: Cal Water Will serve letter  
**Attachments:** Will serve.pdf

---

James,

Here's the will serve letter per your request.

Dennis Thomas, President  
 San Mateo Real Estate, Inc.  
 1777 Borel Place, Suite 330  
 San Mateo, Ca 94402  
 Office  
 Fax

Begin forwarded message:

**From:** "Low, Leighton" >  
**Date:** August 14, 2015 at 2:32:56 AM PDT  
**To:** " " >  
**Cc:** "Carrasco, Anthony" >, "He, Ting" >  
**Subject:** Will serve

Dennis,

Here is the will serve letter you requested for the Ascension Heights project. A hard copy is in the mail.  
 If you have any further questions give me a call or e-mail

Thanks,

**Leighton Low**  
 Superintendent II  
 CALIFORNIA WATER SERVICE  
 650-558-7862



**Quality. Service. Value.**

[calwater.com](http://calwater.com)

This e-mail and any of its attachments may contain California Water Service Group proprietary information and is confidential. This e-mail is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient of this e-mail, please notify the sender immediately by replying to this e-mail and then deleting it from your system.



**CALIFORNIA WATER SERVICE COMPANY**  
341 NORTH DELAWARE STREET • SAN MATEO, CA 94401-1727  
(650) 558-7800 • FAX (650) 342-6865

**BAYSHORE DISTRICT**

August 13, 2015

Mr. Dennis Thomas  
San Mateo Real Estates, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402

Re: Will Serve Letter  
Ascension Heights Subdivision  
San Mateo, CA

Dear Mr. Thomas:

California Water Service Company, Bayshore District ("Cal Water") has determined that water is available to serve the above-referenced project based on the information provided. Cal Water agrees to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission (CPUC) and the company's approved tariffs on file with the CPUC. This determination of water availability shall remain valid for **two years** from the date of this letter. If construction of the project has not commenced within this **two year** time frame, Cal Water will be under no further obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming water availability. Additionally, Cal Water reserves the right to rescind this letter at any time in the event its water supply is severely reduced by legislative, regulatory or environmental actions.

Cal Water will provide such potable water at such pressure as may be available from time to time as a result of its normal operations per the company's tariffs on file with the CPUC. Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 103-A. In order for us to provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or water wells, in addition to the cost of mains and services. Cal Water will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees for this project.

This letter shall at all times be subject to such changes or modifications by the CPUC as said Commission may, from time to time, require in the exercise of its jurisdiction.

If you have any questions regarding the above, please call me at (650) 558-7862.

Sincerely,

Leighton Low  
Superintendent II  
California Water Service

cc: Ting He – Cal Water Engineering Dept  
File

## James Castaneda - Re: Ascension Heights PC Meeting Schedule

---

**From:** Lisa Aozasa  
**To:** Laurel Nagle  
**Date:** 8/14/2015 17:13  
**Subject:** Re: Ascension Heights PC Meeting Schedule  
**CC:** Craig Nishizaki; Dave Pine; David Burruto; Donald; Gerard Ozanne; J...

---

Hi Laurel --

James is out today, but we have been discussing the hearing date for the project internally, with the concerns you expressed in your e-mail in mind. The schedule has changed as follows:

October 14 -- Planning Commission Hearing Date

August 19 (approximate) -- Release of additional correspondence and additional materials submitted by the applicant.

August 26 (approximate) -- Release of the revised Final EIR which makes minor revisions reflecting additional materials and comments received.

September 2 (approximate) -- Release of Staff Report Addendum to include what the Planning Commission requested (draft findings for denial) and packaging additional materials provided by the applicant for the Planning Commission's consideration.

With regard to the Planning Commission meeting itself, the details of how the meeting will be run are at the Commission's discretion, but since there is new information to consider, I believe that Staff's recommendation will be to allow for additional public comment.

Please let me or James know if you have any other questions or concerns at this point. Have a great weekend!

**Lisa Aozasa**  
Deputy Director  
[laozasa@smcgov.org](mailto:laozasa@smcgov.org)



Planning and Building Department  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
(650) 363-4852 T  
(650) 363-4849 F  
[www.planning.smcgov.org](http://www.planning.smcgov.org)

To provide feedback, please visit the [Planning and Building Survey](#). Thank you.

>>> Laurel Nagle <[laurelnagle@gmail.com](mailto:laurelnagle@gmail.com)> 8/14/2015 3:24 PM >>>

Dear James,

I know this is Friday afternoon, but wondered if there was a response to my email from Tuesday, August 11th?

We are taking the silence as a sign that the Ascension Heights may be pushed out to September 23rd???

Thanks for assisting us with this.

Laurel Nagle

On Tue, Aug 11, 2015 at 1:05 PM, Laurel Nagle > wrote:

Dear James,

I just got your email. Thank you. However, we thought we were supposed to get at least 30 days notice? It will be hard enough to communicate with residents on a shorter schedule, especially when many are on vacation or busy with children starting school in a couple weeks. When we requested the meeting take place after Labor Day, we planned on having the entire notice period to reach residents.

Additionally, we appreciate all the documents that have been posted to the Public Correspondence link. It is clearly a big project. However, the correspondence ends in late May and we are under the impression more was forthcoming. Specifically,

- A biology report
- A revised map of the entrance road and corresponding engineering report
- Landscaping information

Were those items submitted to the Planning Department and when will we have a chance to review?

Is the developer or owner planning to make a presentation? Will it be new information or data we already possess?

Finally, regarding the agenda for the Planning Commission meeting

- Is there a public comment session?
- Will it be limited by time, number of people or topic?
- Will the "reasons for denial" as requested by the Planning Commission be presented? Although not requested, were "reasons for approval" drafted?
- Will the Planning Commission vote that evening and if so, on what exactly? The new information? The total project?

We appreciate your attention to our concerns, and look forward to hearing from you.

Regards,  
Laurel Nagle

On Tue, Aug 11, 2015 at 9:35 AM, James Castaneda <[jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)> wrote:

Good morning Laurel. I hope all is well. The Community Development Director has elected to put the Ascension Heights project on the September 9th Planning Commission agenda. Notification will be sent as in the past in advance of the meeting. If you can follow up on meeting logistics with the Planning Commission Secretary, Janneth Lujan, if you have any questions.

Regards,  
James

>>> Laurel Nagle 08/09/15 10:46 AM >>>  
Hi James,

We understand there may be consideration of including the Ascension Heights project the second August Planning Commission meeting. For reasons of both a short notice and a critical meeting occurring in August when many people will be on vacation, we respectfully request the Ascension Hts hearing not be scheduled before Labor Day.

Thank you,

Laurel Nagle/Jerry Ozanne,  
Co-Presidents,  
Baywood Park Homeowners Association

## James Castaneda - Ascension Heights 10/14/15 Confirmed

---

**From:** Janneth Lujan  
**To:** Heather Hardy; James Castaneda; Lisa Aozasa; Steve Monowitz  
**Date:** 8/17/2015 09:44  
**Subject:** Ascension Heights 10/14/15 Confirmed  
**Attachments:** Janneth Lujan.vcf

---

Good morning,  
I just wanted to let you know that I have heard back from all five Commissioners and they can ALL make the Ascension Heights PC meeting on 10/14/15.  
I have asked them to let me know if anything changed.

Thanks,  
Janneth

**Janneth Lujan**  
Executive Secretary  
[jlujan@smcgov.org](mailto:jlujan@smcgov.org)



Planning and Building Department  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
(650) 363-1859 T  
(650) 363-4849 F  
[www.planning.smcgov.org](http://www.planning.smcgov.org)

## James Castaneda - Re: Ascension Heights PC Meeting Schedule

---

**From:** Lisa Aozasa  
**To:** Laurel Nagle  
**Date:** 8/17/2015 11:53  
**Subject:** Re: Ascension Heights PC Meeting Schedule  
**CC:** James Castaneda; Janneth Lujan; Steve Monowitz

---

Hi Laurel --

The Planning Commission meeting on October 14 is their regular meeting day, and the meeting will be at their regular time and place, at 9:00 a.m. in the Board of Supervisors Chambers. At this point, we don't know what other items will also be on that agenda, but if you need a time certain to start planning for now, I would go with 9:00 a.m.

Best,

>>> Laurel Nagle <[laurel@smcgov.org](mailto:laurel@smcgov.org)> > 8/15/2015 2:02 PM >>>  
 Dear Lisa,

Thank you for the quick response. We appreciate the detailed timeline for getting information. The neighborhood is also grateful for the change of the date.

Should we go ahead and contact Janneth regarding the meeting specifics - time, location, etc.?

Sincerely,

Laurel Nagle

On Fri, Aug 14, 2015 at 5:13 PM, Lisa Aozasa <[laozasa@smcgov.org](mailto:laozasa@smcgov.org)> wrote:

Hi Laurel --

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**Lisa Aozasa**

Deputy Director

[laozasa@smcgov.org](mailto:laozasa@smcgov.org)



**COUNTY OF SAN MATEO**  
**PLANNING AND BUILDING**

Planning and Building Department

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Thank you,

Laurel Nagle/Jerry Ozanne,  
Co-Presidents,  
Baywood Park Homeowners Association

**From:** James Castaneda  
**To:** Heather Hardy  
**CC:** Rosario Fernandez  
**Date:** 3/7/2013 11:47 AM  
**Subject:** Re: AES Agreement  
**Attachments:** PLN2002-00517\_Contract20130326.pdf

Heather/Rosario,  
Attached is a scanned copy of the agreement already signed by the vendor/consultant.

JAMES

Save Paper.

Think before you print.>>> On 3/7/2013 at 10:07, Heather Hardy <[hhardy@smcgov.org](mailto:hhardy@smcgov.org)> wrote:

> Hello James,

>

> Rosario and I are looking for the AES Agreement so that we can upload it  
> into SIRE **today**. Please provide it to us as soon as you are able.

>

> Thank you, Heather

>

>

>

> Heather Hardy

> Planning Commission Secretary

> Planning & Building Department

> 455 County Center, 2nd Floor

> Redwood City, CA 94063

> (650) 363-1859

> [hhardy@smcgov.org](mailto:hhardy@smcgov.org)

>

>

>

**AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND  
ANALYTICAL ENVIRONMENTAL SERVICES**

THIS AGREEMENT, entered into this 15th day of April, 2013, by and between the COUNTY OF SAN MATEO, hereinafter called "County," and Analytical Environmental Services, hereinafter called "Contractor."

W I T N E S S E T H:

WHEREAS, pursuant to Government Code, Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof;

WHEREAS, it is necessary and desirable that Contractor be retained for the purpose of preparing an Environmental Impact Report for the proposed Ascensions Heights subdivision project (County File number PLN2002-00517) to be re-circulated.

**NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:**

**1. Exhibits and Attachments**

The following exhibits and attachments are included hereto and incorporated by reference herein:

- Exhibit A—Services
- Exhibit B—Payments and rates
- Exhibit C—Scope of Work

**2. Services to be performed by Contractor**

In consideration of the payments set forth herein and in Exhibit "B," Contractor shall perform services for County in accordance with the terms, conditions and specifications set forth herein and in Exhibit "A."

**3. Payments**

In consideration of the services provided by Contractor in accordance with all terms, conditions and specifications set forth herein and in Exhibit "A," County shall make payment to Contractor based on the rates and in the manner specified in Exhibit "B." The County reserves the right to withhold payment if the County determines that the quantity or quality of the work performed is unacceptable. In no event shall the County's total fiscal obligation under this Agreement exceed One Hundred Thirteen Thousand Seventy-Five Dollars, \$113,075.

**4. Term and Termination**

Subject to compliance with all terms and conditions, the term of this Agreement shall be from April 15, 2013 through April 15, 2014.

This Agreement may be terminated by Contractor, the Director of Community Development or his/her designee at any time without a requirement of good cause upon thirty (30) days' written notice to the other party.

In the event of termination, all finished or unfinished documents, data, studies, maps, photographs, reports, and materials (hereafter referred to as materials) prepared by Contractor under this Agreement shall become the property of the County and shall be promptly delivered to the County. Upon termination, the Contractor may make and retain a copy of such materials. Subject to availability of funding, Contractor shall be entitled to receive payment for work/services provided prior to termination of the Agreement. Such payment shall be that portion of the full payment which is determined by comparing the work/services completed to the work/services required by the Agreement.

**5. Availability of Funds**

The County may terminate this Agreement or a portion of the services referenced in the Attachments and Exhibits based upon unavailability of Federal, State, or County funds, by providing written notice to Contractor as soon as is reasonably possible after the County learns of said unavailability of outside funding.

**6. Relationship of Parties**

Contractor agrees and understands that the work/services performed under this Agreement are performed as an independent Contractor and not as an employee of the County and that Contractor acquires none of the rights, privileges, powers, or advantages of County employees.

**7. Hold Harmless**

Contractor shall indemnify and save harmless County, its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description, brought for, or on account of: (A) injuries to or death of any person, including Contractor, or (B) damage to any property of any kind whatsoever and to whomsoever belonging, (C) any sanctions, penalties, or claims of damages resulting from Contractor's failure to comply with the requirements set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all Federal regulations promulgated thereunder, as amended, or (D) any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of County, its officers, agents, employees, or servants, resulting from the performance of any work required of Contractor or payments made pursuant to this Agreement, provided that this shall not apply to injuries or damage for which County has been found in a court of competent jurisdiction to be solely liable by reason of its own negligence or willful misconduct.

The duty of Contractor to indemnify and save harmless as set forth herein, shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

**8. Assignability and Subcontracting**

Contractor shall not assign this Agreement or any portion thereof to a third party or subcontract with a third party to provide services required by contractor under this Agreement without the prior written consent of County. Any such assignment or subcontract without the County’s prior written consent shall give County the right to automatically and immediately terminate this Agreement.

**9. Insurance**

The Contractor shall not commence work or be required to commence work under this Agreement unless and until all insurance required under this paragraph has been obtained and such insurance has been approved by Risk Management, and Contractor shall use diligence to obtain such insurance and to obtain such approval. The Contractor shall furnish the County with certificates of insurance evidencing the required coverage, and there shall be a specific contractual liability endorsement extending the Contractor's coverage to include the contractual liability assumed by the Contractor pursuant to this Agreement. These certificates shall specify or be endorsed to provide that thirty (30) days' notice must be given, in writing, to the County of any pending change in the limits of liability or of any cancellation or modification of the policy.

(1) **Worker's Compensation and Employer's Liability Insurance** The Contractor shall have in effect during the entire life of this Agreement Workers' Compensation and Employer's Liability Insurance providing full statutory coverage. In signing this Agreement, the Contractor certifies, as required by Section 1861 of the California Labor Code, that it is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of the Code, and will comply with such provisions before commencing the performance of the work of this Agreement.

(2) **Liability Insurance** The Contractor shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect him/her while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage which may arise from contractors operations under this Agreement, whether such operations be by himself/herself or by any sub-contractor or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than the amount specified below.

Such insurance shall include:

- (a) Comprehensive General Liability . . . . . \$1,000,000
- (b) Motor Vehicle Liability Insurance . . . . . \$1,000,000
- (c) Professional Liability . . . . . \$1,000,000

County and its officers, agents, employees and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that the insurance afforded thereby to the County, its officers, agents, employees and servants shall be primary insurance to the full limits of liability of the policy, and that if the County or its officers and employees have other insurance against the loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, the County of San Mateo at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

**10. Compliance with laws; payment of Permits/Licenses**

All services to be performed by Contractor pursuant to this Agreement shall be performed in accordance with all applicable Federal, State, County, and municipal laws, ordinances and regulations, including, but not limited to, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and the Federal Regulations promulgated thereunder, as amended, and will comply with the Business Associate requirements set forth in Attachment "H," and the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended and attached hereto and incorporated by reference herein as Attachment "I," which prohibits discrimination on the basis of handicap in programs and activities receiving any Federal or County financial assistance. Such services shall also be performed in accordance with all applicable ordinances and regulations, including, but not limited to, appropriate licensure, certification regulations, provisions pertaining to confidentiality of records, and applicable quality assurance regulations. In the event of a conflict between the terms of this Agreement and State, Federal, County, or municipal law or regulations, the requirements of the applicable law will take precedence over the requirements set forth in this Agreement. Further, Contractor certifies that the Contractor and all of its subcontractors will adhere to all applicable provisions of Chapter 4.106 of the San Mateo County Ordinance Code, which regulates the use of disposable food service ware.

Contractor will timely and accurately complete, sign, and submit all necessary documentation of compliance.

**11. Non-Discrimination and Other Requirements**

- A. *Section 504 applies only to Contractors who are providing services to members of the public.* Contractor shall comply with § 504 of the Rehabilitation Act of 1973, which provides that no otherwise qualified handicapped individual shall, solely by reason of a disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in the performance of this Agreement.
- B. *General non-discrimination.* No person shall, on the grounds of race, color, religion, ancestry, gender, age (over 40), national origin, medical condition (cancer), physical or mental disability, sexual orientation, pregnancy, childbirth or related medical condition, marital status, or political affiliation be denied any benefits or subject to discrimination under this Agreement.

- C. *Equal employment opportunity.* Contractor shall ensure equal employment opportunity based on objective standards of recruitment, classification, selection, promotion, compensation, performance evaluation, and management relations for all employees under this Agreement. Contractor's equal employment policies shall be made available to County of San Mateo upon request.
- D. *Violation of Non-discrimination provisions.* Violation of the non-discrimination provisions of this Agreement shall be considered a breach of this Agreement and subject the Contractor to penalties, to be determined by the County Manager, including but not limited to
  - i) termination of this Agreement;
  - ii) disqualification of the Contractor from bidding on or being awarded a County contract for a period of up to 3 years;
  - iii) liquidated damages of \$2,500 per violation;
  - iv) imposition of other appropriate contractual and civil remedies and sanctions, as determined by the County Manager.

To effectuate the provisions of this section, the County Manager shall have the authority to examine Contractor's employment records with respect to compliance with this paragraph and/or to set off all or any portion of the amount described in this paragraph against amounts due to Contractor under the Contract or any other Contract between Contractor and County.

Contractor shall report to the County Manager the filing by any person in any court of any complaint of discrimination or the filing by any person of any and all charges with the Equal Employment Opportunity Commission, the Fair Employment and Housing Commission or any other entity charged with the investigation of allegations within 30 days of such filing, provided that within such 30 days such entity has not notified Contractor that such charges are dismissed or otherwise unfounded. Such notification shall include the name of the complainant, a copy of such complaint, and a description of the circumstance. Contractor shall provide County with a copy of their response to the Complaint when filed.

- E. *Compliance with Equal Benefits Ordinance.* With respect to the provision of employee benefits, Contractor shall comply with the County Ordinance which prohibits contractors from discriminating in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse.
- F. The Contractor shall comply fully with the non-discrimination requirements required by 41 CFR 60-741.5(a), which is incorporated herein as if fully set forth.

## **12. Compliance with Contractor Employee Jury Service Ordinance**

Contractor shall comply with the County Ordinance with respect to provision of jury duty pay to employees and have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service in San Mateo County. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employees' regular pay the fees received for jury service.

**13. Retention of Records, Right to Monitor and Audit**

(a) CONTRACTOR shall maintain all required records for three (3) years after the COUNTY makes final payment and all other pending matters are closed, and shall be subject to the examination and/or audit of the County, a Federal grantor agency, and the State of California.

(b) Reporting and Record Keeping: CONTRACTOR shall comply with all program and fiscal reporting requirements set forth by appropriate Federal, State and local agencies, and as required by the COUNTY.

(c) CONTRACTOR agrees to provide to COUNTY, to any Federal or State department having monitoring or review authority, to COUNTY's authorized representatives, and/or their appropriate audit agencies upon reasonable notice, access to and the right to examine all records and documents necessary to determine compliance with relevant Federal, State, and local statutes, rules and regulations, and this Agreement, and to evaluate the quality, appropriateness and timeliness of services performed.

**14. Merger Clause**

This Agreement, including the Exhibits attached hereto and incorporated herein by reference, constitutes the sole Agreement of the parties hereto and correctly states the rights, duties, and obligations of each party as of this document's date. In the event that any term, condition, provision, requirement or specification set forth in this body of the agreement conflicts with or is inconsistent with any term, condition, provision, requirement or specification in any exhibit and/or attachment to this agreement, the provisions of this body of the agreement shall prevail. Any prior agreement, promises, negotiations, or representations between the parties not expressly stated in this document are not binding. All subsequent modifications shall be in writing and signed by the parties.

**15. Controlling Law and Venue**

The validity of this Agreement and of its terms or provisions, as well as the rights and duties of the parties hereunder, the interpretation, and performance of this Agreement shall be governed by the laws of the State of California. Any dispute arising out of this Agreement shall be venued either in the San Mateo County Superior Court or in the United States District Court for the Northern District of California.

**16. Notices**

Any notice, request, demand, or other communication required or permitted hereunder shall be deemed to be properly given when both (1) transmitted via facsimile to the telephone number listed below and (2) either deposited in the United State mail, postage prepaid, or when deposited for overnight delivery with an established overnight courier that provides a tracking number showing confirmation of receipt, for transmittal, charges prepaid, addressed to:

**In the case of County, to:**  
Director of Community Development  
Planning & Building Department  
455 County Center, Mail Drop PLN122  
Redwood City, CA 94063

**In the case of Contractor, to:**  
Analytical Environmental Services  
1801 7<sup>th</sup> Street, Ste 100  
Sacramento, CA 95811

In the event that the facsimile transmission is not possible, notice shall be given both by United States mail and an overnight courier as outlined above.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

COUNTY OF SAN MATEO

By: \_\_\_\_\_  
President, Board of Supervisors, San Mateo County

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
Clerk of Said Board

Analytical Environmental Services (AES)

  
Contractor's Signature

Date: 12-11-12

Exhibit "A"

In consideration of the payments set forth in Exhibit "B", Contractor shall provide the following services:

Contractor shall complete the preparation of an Environmental Impact Report for the proposed Ascensions Heights project (County File number PLN2002-00517) to be re-circulated. A complete Scope of Work is included in Exhibit C.

Exhibit "B"

In consideration of the services provided by Contractor in Exhibit "A", County shall pay Contractor based on the following fee schedule in attached Exhibit "B":

# EXHIBIT B - SCHEDULE OF CHARGES

AES schedule of hourly wage rates for the listing the labor categories, associated wage rates, and reimbursable expenses have been provided below.

Employee Category	Hourly Billing Rate
Principal	\$245
<b>Project Manager</b>	<b>\$140</b>
Analyst III	\$120
<b>Analyst II</b>	<b>\$110</b>
<b>Analyst I</b>	<b>\$105</b>
Cultural Resources Specialist	\$120
<b>Archaeologist III</b>	<b>\$110</b>
Archaeologist II	\$105
Archaeologist I	\$100
<b>Biologist III</b>	<b>\$120</b>
Biologist II	\$110
Biologist I	\$105
Sr. Graphic Designer	\$105
<b>Graphic Designer II</b>	<b>\$100</b>
Graphic Designer I	\$95
Office Administrator	\$100
Administrative Assistant III	\$90
Administrative Assistant II	\$85
<b>Administrative Assistant I</b>	<b>\$80</b>

Direct Costs	
Postage/Overnight Mail	Actual cost + 15%
Courier Charges	Actual cost + 15%
Mileage	Federal Rate - currently \$0.55 per mile + 15%
Other Direct Costs	Actual cost + 15%
In-house Copying Charges:	
Black & White	\$0.10 per page + 15%
Color	\$1 per page + 15%
CD duplication w/label & case	\$2.50 each + 15%

# EXHIBIT C - SCOPE OF WORK

## Project Understanding

The **Ascension Heights Subdivision Project (Proposed Project)** entails a request by the project proponent for the County of San Mateo to approve subdivision of six parcels on 21.13 acres into 21 lots for development of 19 single-family residences with the remaining 2 lots (approximately 7.81-acres) maintained as a conservation area. The project site is located adjacent to Ascension Drive and Bel Aire Road in unincorporated San Mateo County, approximately 0.87 miles north east of Highway 280 and 0.51 miles west of highway 92. Potable water would be provided by connection to the Mid-Peninsula Water District and wastewater collection would be provided by the Crystal Springs Sanitation District with treatment at the City of San Mateo Wastewater Treatment Plant. Development of the 19 subdivided lot into single-family residences would require 40,920 cubic yards of grading, of which 28,270 cubic yards would require exportation from the site. Accordingly, the project applicant also requires a grading permit from the County. Based on the size of the development, a Water Supply Assessment is not required for the Proposed Project. One significant consideration is the Cease and Desist Order (CDO) issued by the San Francisco Bay Regional Water Quality Control Board to the City of San Mateo, town of Hillsborough, and Crystal Springs County Sanitation District. The CDO was issued as a result of high infiltration rates of non wastewater during wet weather into the wastewater conveyance system resulting in associated decreases in sewage conveyance capacity which lead to unregulated releases of wastewater to surface waters. This issue will be addressed in the Draft EIR.

The Proposed Project is a re-design of a previous project that was denied by the San Mateo County Planning Commission in 2009. A Draft Environmental Impact Report (Draft EIR) and Final Environmental Impact Report (Final EIR) were prepared for the previously proposed project. The scope of services will utilize, to the extent feasible, existing information from the previous environmental process to provide a Revised EIR that meets the current CEQA guidelines as well as current legal precedent for the analysis of environmental impacts developed through CEQA case law.

## Scope of Services

### *Program Description*

The overall objective and focus of the work plan outlined below is the efficient preparation of a Revised EIR that meets the legal requirements of a complete, adequate, and objective statement of the Proposed Project's environmental consequences while incorporating background information and analysis prepared during the previous EIR process to the extent feasible and reasonable in a cost effective manner. The resulting Revised EIR document will provide a concise, integrated source of information for the public, county decision makers, and other permitting agencies including the California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board.

## *County Direction*

AES works as an extension of County staff. Our Project Manager would take direction from the assigned County Project Manager. In this role, AES will pro-actively assist with meeting the stated project objectives by maintaining an up-to-date schedule that indicates deliverable due dates and responsible parties. AES has enjoyed similar working relationships with a variety of federal, state, and municipal agencies.

## *Proposed Course of Action*

**Task 1: Kick-Off Meeting, Project Initiation and Information Review.** AES will meet with the County to establish lines of communication, determine the nature and format of the document to be prepared, and obtain relevant documentation and project details. Following this meeting, AES will review all project documentation and related planning materials, including the additional information for the previous EIR that may not have been provided during development of this Scope of Work, and available planning documents including General Plan materials, utility master plans, the County's subdivision regulations, tree regulations, and the Countywide Transportation Plan. Following this review, AES will develop a final project schedule and work plan that meets the needs of the County.

**Deliverables:** AES will prepare a final work plan and schedule to be distributed to the project team via email within five (5) days of the project initiation meeting.

**Task 2: Initial Study, NOP and Scoping.** Following the project initiation meeting, AES will prepare a draft Initial Study (IS) that includes a checklist consistent with Appendix G of the CEQA Guidelines and County guidance. The IS will be used to screen nonsignificant environmental issues from further consideration within the EIR. Following completion of the IS, AES will prepare a Notice of Preparation (NOP). Flexibility will be built into the NOP in anticipation of minor adjustments to project layout and design. This Scope of Work assumes that the County will coordinate circulation of the IS/NOP to the public. AES's Sacramento Office is located mere blocks from the State Clearinghouse and can readily deliver the IS/NOP in a cost effective manner. AES will attend and provide environmental expertise at one public town hall/scoping meeting during the 30-day public review period starting with release of the NOP. It is assumed that the County will be responsible for reserving an appropriate venue for the meeting. AES shall prepare up to 4 poster board exhibits for the public town hall/scoping meeting.

**Deliverables:** AES will provide the County with an electronic version of the IS. AES will revise the IS based on a comprehensive set of comments received on the electronic version from the County. The IS will be included as an appendix to the Administrative Draft EIR. AES will provide an electronic copy of the draft NOP to the County for review. AES will revise the NOP based on a comprehensive set of comments received on the electronic version from the County. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall/scoping meeting for approval.

**Task 3: Administrative Draft Revised EIR Preparation.** AES will conduct field studies and analysis as necessary to prepare an Administrative Draft EIR (ADEIR) in accordance with the State CEQA Guidelines, and relevant case law. AES will review the results of the IS and scoping comments submitted during the NOP comment period to focus the EIR analysis on those issues that are identified as potentially significant. AES will prepare a summary list of relevant issues to be addressed within the project analysis and consult with the County regarding any revisions to the scope of EIR services, if necessary. Given the nature of the Proposed Project, AES anticipates the EIR will be rather comprehensive, with sections analyzing the direct, indirect, and cumulative effects associated with each of the following issue areas:

- Aesthetics
- Agricultural Resources
- Air Quality and Greenhouse Gases
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems
- Transportation and Traffic

As Lead Agency, the County will make the final determination regarding the content of the EIR. Upon award of the contract, AES and the County would consider each issue area and draft a more detailed work plan that clearly outlines the expectations of the County and the obligations of AES.

**Deliverables:** AES will provide the County with a total of three (3) bound hardcopies and one (1) CD copy in color PDF format of the ADEIR.

### *ADEIR Contents*

Executive Summary. This section will provide an overview of the Draft EIR (DEIR) and include a summary table of all identified environmental effects, mitigation, and the significance level of impacts before and after mitigation.

Introduction. This section will explain the applicability of CEQA to the Proposed Project, describes the CEQA public review process, summarizes significant issues raised during the scoping process, and outlines the organization of the EIR.

Project Description. This section will present the background of the Proposed Project and identify the County's objectives in pursuing the project. AES will incorporate detailed project information and exhibits provided by the Applicant and County to describe each component of the Proposed Project in sufficient detail to enable identification of the largest envelope of potential environmental impacts. All anticipated approvals, permits, and other actions that will rely on the EIR will be identified.

Environmental Setting and Analysis. Considered the heart of the EIR, this section will provide a separate subsection for each environmental issue area in which a potentially significant impact was identified during the IS and scoping process. Each issue area subsection will discuss the existing setting, regulatory framework, analysis methods and thresholds, anticipated project-related impacts, and recommended mitigation measures to reduce or avoid adverse effects.

Cumulative Impacts. AES will assess the cumulative impacts of the Proposed Project in connection with other reasonably foreseeable projects and build-out of the County's General Plan. If available, the cumulative analysis will also consider growth projections anticipated in the County's on-going General Plan Update. AES will work with the County and relevant agencies to develop a list of relevant projects and define the geographical scope of the cumulative analysis. Cumulative analysis will cover each issue area addressed under the Environmental Setting and Analysis section of the EIR. Anticipated project-related cumulative impacts will be identified and mitigation measures will be recommended to reduce or avoid adverse effects.

Project Alternatives. In accordance with CEQA Guidelines Section 15126.6, AES will work with the County and Applicant to develop up to four (4) alternatives that could feasibly attain most of the basic objectives of the Proposed Project and would substantially lessen one or more of the project's significant environmental effects. The following alternatives may be considered as part of this process, although it is anticipated that one or more may be eliminated from detailed consideration due to the increased potential for environmental impacts:

1. No Project Alternative. As required by CEQA, one of the alternatives will be a No Project Alternative. This alternative will assume that the Proposed Project would not occur. While it is anticipated that some environmental impacts would be reduced, the basic objectives of the project would not be accomplished and may result in greater effects associated with water quality and noncompliance with permit requirements.
2. Reduced Footprint Alternative. AES will work with the County to identify a mitigated project footprint alternative within the boundaries of the project site. It is anticipated that a reconfiguration of land uses and clustering of high density residential development would accomplish the goals of this alternative.
3. Reduced Density Alternative. AES will work with the County to define a reduced density alternative that would result in fewer residents on the project site, and thus fewer demands on public utilities and infrastructure.

According to CEQA Guidelines Section 15126.6(d), “the significant effects of an alternative shall be discussed, but in less detail than the significant effects of the project as proposed.” The assessment of project alternatives will be consistent with this requirement by presenting a sufficient amount of detail necessary to afford decision makers with a reasoned choice. In most cases, environmental analyses conducted for the Proposed Project will be applicable to alternative development scenarios. Qualitative analysis of air quality and noise impacts associated with project alternatives will be conducted.

### *Issue Area Analysis and Assumptions*

Aesthetics. Development of the Proposed Project would alter the visual character of the project site from open space to urban; however, the surrounding areas consist of housing developments of similar density and therefore impacts are anticipated to be less than significant. Using visual representations of the project to be provided by the Applicant and existing analysis from the 2009 EIR to the extent possible, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation:

- Review the relevant visual quality standards contained in the County’s General Plan and consider the applicability of planning policies and ordinances related to aesthetics.
- Conduct reconnaissance field studies to assess the visual character of the project site and surrounding public view areas. Document existing visual conditions on the project site through photographs and detailed descriptions.
- Incorporate the existing three dimensional visual design exhibits of the proposed facilities prepared by Lea and Braze Engineering, Inc. for the Applicant into site and aerial photographs of the project site to assess impacts to aesthetics and viewsheds of the project region.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the aesthetics section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts and ensure consistency with relevant visual quality standards of the County’s General Plan.

Air Quality. Development of the Proposed Project would result in short-term emissions and fugitive dust during the construction phase and long-term emissions associated with vehicle traffic. AES will complete the following tasks to determine the level of potential air quality impacts and the need for mitigation.

- Review relevant local/regional air quality standards for the project area, including those issued by the Bay Area Air Quality Management District (AQMD) and California Air Resources Board (CARB).
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Federal Clean Air Act and California Clean Air Act.
- Document existing sources of air pollution and identify sensitive receptors that may be affected by development of the Proposed Project.
- AES will conduct a HRA for the Proposed Project. The assessment will use accepted County or Air District protocols to determine the necessity for dispersion modeling. AES will use either AeMOD

or CAL3QHCR modeling software to estimate concentrations at defined receptor locations and will consult with the Air District and County to determine the appropriate level of analysis.

- Identify short-term air quality impacts from construction emissions using CARB-approved URBEMIS- modeling software. In order to estimate construction emissions, AES will coordinate with the County and Applicant to acquire information regarding the nature of construction activities, types of equipment that will likely be used, and the anticipated total area of disturbance.
- Identify long-term regional air quality impacts from mobile and area source emissions using CARB approved URBEMIS modeling software. This analysis will include quantification of criteria air pollutants identified in the local air quality management plans and shall be conducted according to district methodologies. Mobile source emissions will be estimated using vehicle trip generation and distribution information provided in the traffic study prepared by RKH.
- Quantify greenhouse gas emissions as recommended within the recent amendments to the CEQA Guidelines. In accordance with this guidance, AES will provide a qualitative, performance based approach to reducing impacts. This effort will be closely coordinated within the County's General Plan Update Process to ensure consistent methodology and thresholds are being applied.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the air quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts from both construction and operation of the Proposed Project. Modeling runs will be included as an appendix to the EIR.

Agricultural Resources. The Proposed Project would not result in the conversion of prime agricultural land. Additionally, no Williamson Act contracts are held on the subject parcels. AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process. Should it be determined that Agricultural Resources should be included within the EIR, AES will complete the following tasks using the existing analysis from the 2009 EIR to the extent possible to determine the level of potential impacts to agricultural resources and the need for mitigation:

- Review the relevant local policies concerning the protection of farmlands, including those contained in the County General Plan and General Plan Update.
- Describe and map the important agricultural soils in the project area including Prime Farmland, Farmland of Statewide Importance and Unique Farmland.
- Review information on existing agricultural resource in the region and current urbanization trends.
- AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process.

Biological Resources. Development of the Proposed Project has the potential to impact special-status species and other biological resources, including the endangered Mission Blue Butterfly. This scope of work does not provide for protocol-level biological surveys or permitting. AES will complete the following tasks to determine the level of potential biological impacts and the need for mitigation:

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Federal Endangered Species Act, Fish and Wildlife Coordination Act, Migratory Bird Treaty Act, Clean Water Act (Sections 401 and 404), Magnuson Fisheries-Stevens Fishery

Conservation and Management Act, California Endangered Species Act, California Fish and Game Code, and Porter-Cologne Water Quality Control Act.

- Review existing information related to biological resources included within the Biological Resources Assessment prepared for the 2009 EIR.
- Conduct an updated query of the California Natural Diversity Database/RareFind, California Native Plant Society's Electronic Inventory, and the California Wildlife-Habitat Relationships database, and obtain current special-status species lists for the project area from the U.S. Fish and Wildlife Service (USFWS).
- Conduct a biological field survey of the project site to establish the potential for occurrences of special-status species or critical habitat and confirm the findings of the Biological Resources Assessment prepared by the Applicant.
- Incorporate information from existing studies and findings into the biological resources section of the EIR and recommend avoidance or mitigation measures to reduce any potentially significant impacts. In coordination with the County, AES will informally consult with USFWS and the California Department of Fish and Game to refine mitigation measures and meet regulatory requirements. This coordination will promote an efficient environmental review process for the Proposed Project.

Cultural Resources. Development of the Proposed Project could result in adverse impacts to previously documented, newly identified, or inadvertently discovered cultural resources. Preliminary site reconnaissance indicates that the project site has been substantially disturbed from agricultural activities; however, impacts to unanticipated archaeological resources discovered during construction are always a possibility. AES will complete the following tasks during preparation of the cultural resources section of the EIR.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: CEQA Guidelines 15064.5 and PRC 21083.2, SB-18 – Tribal Consultation (required for General Plan Amendment), Section 106 of the National Historic Preservation Act (required for 404 permits)
- Conduct an updated records search at the Northwest Information Center of the California Historical Resources Information System.
- Request a sacred lands search and stakeholders list from the Native American Heritage Commission (NAHC). AES will send preliminary consultation letters to all Native American stakeholders identified by the NAHC.
- Conduct an intensive Phase-I pedestrian survey of the project site. The survey will include recordation of any newly identified sites on appropriate DPR forms. Records of previously identified sites will be updated if necessary. This scope of work assumes that no more than two relatively simple resources will require recordation or updating. Evaluation of site significance is not included in the enclosed cost estimate. If it is determined that identified site(s) need to be evaluated, AES will provide a detailed scope of work and cost estimate for this work.

- Assist the County with SB-18 consultation. SB-18 assistance will include identification of stakeholders, provision of invitation to consult language, and attendance at up to two meetings with tribal representatives.
- Conduct all surveys and records searches in compliance with Section 106 of National Historic Preservation Act in the event that federal permitting is required.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the cultural resources section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts. This Scope of Work does not provide for testing or data recovery of any identified archaeological sites.

Geology and Soils. Development of the Proposed Project has the potential to result in soil erosion or subject people or property to geologic or seismic risks. AES is teaming with Michelucci and Associates to conduct an Updated Geotechnical Study to supplement the geotechnical study they prepared for the 2009 EIR. AES will complete the following tasks during preparation of the geology and soils section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to geology, soils and seismic hazards within the project area, including those contained in the County's General Plan.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Soil and Water Conservation Act, National Earthquake Hazards Reduction Program, Alquist-Priolo Earthquake Fault Zoning Act, Seismic Hazards Mapping Act, and California Building Standards Code.
- Identify soils types within the project area based on a review of U.S. Department of Agriculture soils surveys and field investigations to estimate the potential for erosion, settlement, and liquefaction; however, it is assumed that a geotechnical report or other appropriate analysis shall be conducted that determines the shrink/swell potential and stability of the soil to support the proposed facilities prior to construction.
- Review regional/local earthquake fault and seismic hazard maps to determine the potential for seismic related hazards.
- Incorporate findings of the Geotechnical Study prepared by Michelucci and Associates and existing analysis from the 2009 EIR to the extent possible into the geology and soils section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hazards and Hazardous Materials. Development of the Proposed Project may subject people to hazardous materials or hazards. The majority of the project site has been formerly used for agricultural purposes. AES will complete the following tasks during preparation of the Hazards/Hazardous Materials section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to hazards and hazardous materials within the project area, including those contained in the County's General Plan.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Resources Conservation and Recovery Act, Hazardous and Solid Waste Management Acts, and Comprehensive Environmental Response, Compensation, and Liability Act.
- Request a database search from Environmental Data Services to identify whether the project site is listed on various local, state, or federal hazardous materials databases. AES will also search online database resources regarding facilities or sites identified as meeting the “Cortese List” requirements pursuant to Government Code Section 65962.5.
- AES will research historic land usage within and adjacent to the project site, including review of historic topographic maps and aerial photographs.
- AES will incorporate findings and existing analysis from the 2009 EIR to the extent possible into the hazards and hazardous materials section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hydrology and Water Quality. Development of the Proposed Project would alter the existing drainage patterns on the project site during both construction and operation, potentially impacting run-off quantity and quality. AES understands that Lea and Braze have already completed an updated hydrological evaluation of the project site to assess drainage impacts associated with the development of impervious surfaces on the project site. AES will complete the following tasks during preparation of the Hydrology and Water Quality Section of the EIR:

- Review existing information concerning water quality in the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Clean Water Act and Porter-Cologne Water Quality Act.
- Identify flood hazards on the site or in the immediate project area through Review of FEMA Flood Insurance maps, the proposed flood protection/prevention measures of the project (if needed), and determine residual effects on localized or downstream flooding.
- Peer review drainage plans, estimates of storm water volumes, and existing system capacities provided to AES by Lea and Braze during the hydrological study, the County and/or the Applicant.
- Using existing information, identify the general types and sources of water quality changes that may result from the proposed development. Evaluate potential impacts of runoff from the project site on the quality of receiving waters.
- Discuss the need to apply for an NPDES permit for construction activities. Identify guidelines and policies of the SFBRWQCB, U.S. Environmental Protection Agency, and County plans regarding water quality impacts from storm water runoff.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Hydrology and Water Quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Land Use and Planning. The Proposed Project would result in the subdivision of the project site for the development of 19 single-family residential units. Implementation of the Proposed Project must be

considered in light of existing policies included within the County's General Plan and General Plan Update. Additionally, the Proposed Project will introduce new land uses that may be incompatible with existing or planned land uses on adjacent properties. Based on an initial review of the General Plan and Land Use designations for the project site, the Proposed Project is consistent with the land use planning documents governing development on the project site and the density of development is consistent with zoning designations. Accordingly, AES anticipates that impacts to Land Use and Planning will be less than significant and no mitigation will be required. To ensure a complete analysis is provided, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted land use studies associated with the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Identify existing, approved, and proposed land use and zoning designations within and surrounding the project site.
- Consider the consistency of the Proposed Project with existing applicable planning documents, and include "planning consistency matrix" as an appendix to the EIR.
- Assess potential long-term compatibility issues, as well as short-term issues associated with phased development and non-conforming land uses.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Land Use and Planning section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Noise. Development of the Proposed Project would result in a short-term increase in noise and vibration during the construction phase and would result in long-term noise increases related to traffic and operational activities that may impact sensitive receptors. AES will conduct a noise assessment of the project site and incorporate the analysis and conclusions into the Noise Section of the EIR. AES will complete the following task to determine the level of potential impacts and the need for mitigation.

- Existing Noise Levels: Conduct a detailed ambient noise survey to quantify existing noise conditions at the project site and at the nearest potentially affected noise-sensitive land uses. The survey will consist of continuous and short-term noise level measurements at as many locations deemed necessary to thoroughly identify existing noise conditions for the project area which will include traffic noise from State Route 280 and 92. To the extent that information contained in the 2009 EIR is still relevant, AES will make use of it.
- Prepare Technical Report in Support of the EIR Noise Section that will contain the results of the previous task in the above-described scope of work, as well as graphics showing noise measurement locations and potential noise mitigation locations as appropriate. The report will be included as an appendix to the EIR. AES will incorporate existing analysis from the 2009 EIR to the extent possible.

Public Services and Recreation: Development of the Proposed Project would result in an increased demand for public services and recreation, including public schools, law enforcement, and fire protection. Additionally, the increase in population as a result of the project will result in increased use of County and

regional recreational facilities. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the project site and consider the applicability of relevant local/regional planning policies and ordinances..
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including:
  - Uniform Fire Code
  - California Health and Safety Code
- AES will update the public service provided questionnaires provided Appendix C of the 2009 Draft EIR. AES will contact local service providers, including the Sheriff's Department, Fire Department, County Parks Department, County Public Libraries, and School Districts to determine existing service levels in the project area and need for additional personnel, equipment, and facilities.
- Estimate the new service demands resulting from the development of the Proposed Project, including the increase in student enrollment, law enforcement demands, fire protection demands, and use of recreational facilities.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Recreation section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Traffic and Circulation: Development of the Proposed Project would result in an increase in local traffic. AES is teaming with RKH for the preparation of a traffic analysis and study for the Proposed Project to determine the potential for adverse effects on traffic circulation and identify appropriate traffic improvements. AES will complete the following tasks during preparation of the transportation/traffic section of the EIR.

- Incorporate findings of the traffic impact analysis into the Transportation and Circulation section of the EIR.
- Assess potential impacts associated with pedestrian, bicycle, and public transportation, and recommend appropriate mitigation measures.
- Discuss potential short-term impacts associated with construction activities. It is anticipated that mitigation will likely include specific measures to be included within a Traffic Control Plan for construction activities.

Utilities and Service Systems: Development of the Proposed Project would result in an increased demand for public utilities, including potable water, wastewater treatment, drainage facilities, and solid waste services. AES is teaming with NV5, formerly Nolte and Associates to assess the potential impacts to sewer and water conveyance systems. The cost and scope assumes that the level of effort required is to update the analysis within the 2009 EIR and no modeling of conveyance capacities are required. AES will assess the potential impacts to other utility and service systems including solid waste, electricity, and telecommunications. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the 2009 EIR and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: California Health and Safety Code, Integrated Waste Management Act, Water Management Planning Act, SB 610 – Water Availability Assessment. Based on the number of residential units, a Water Supply Assessment is not required under SB 610, which will be duly noted in the EIR.
- Coordinate with the County’s Public Utilities Department and local service providers to determine existing service levels in the project area.
- Estimate the new service demands resulting from the development of the Proposed Project, including water supply, wastewater, drainage and solid waste.
- Evaluate impacts to wastewater treatment and drainage facilities in light of information provided within NV5’s technical assessment.
- In accordance with thresholds provided in Appendix G of the CEQA Guidelines, evaluate physical environmental impacts resulting from proposed improvements to utility systems, including the any proposed upgrades to Crystal Springs County Special District and San Mateo Wastewater Treatment plant. This task does not include site visits to assess existing conditions of off-site improvements that may be required to update wastewater infrastructure to meet the wastewater demands of the project.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Utilities section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

**Task 4: Draft EIR and Public Circulation.** AES will meet with the County to clarify any comments and questions raised during review of the ADEIR. AES will revise the ADEIR based on a single set of comprehensive comments provided by the County. AES will provide an electronic screen check version of the Draft EIR with track changes to the County for review prior to production. Following approval by the County, AES will facilitate preparation of the Notice of Availability (NOA) and public release of the DEIR.

AES technical staff will coordinate and attend one (1) public comment town hall meeting during the 45-day public comment period on the DEIR. AES will provide up to three (3) poster board displays for the meeting. It is assumed that the County will be responsible for reserving an appropriate venue. If desired, a court reporter will be provided by the County.

**Deliverables:** AES will provide the County with ten (10) bound hardcopies one (1) CD copy in color PDF format of the Draft EIR. Fifteen (15) CD copies of the Draft EIR with hardcopies of the Executive Summary will be submitted as required to the State Clearinghouse with the Notice of Availability. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall meeting for approval.

**Task 5: Final EIR and Mitigation Monitoring and Reporting Plan.** AES will compile comments received from the public and other interested parties during the 45-day public review period for the Draft EIR, and summarize key issues for discussion with the County. AES will meet with County staff to go over the approach for responding to key issues raised during the DEIR public review period. Following this meeting, AES will formulate responses, and make any necessary revisions to the EIR. This Scope of Work assumes a moderate level of effort will be required to respond to comments. A moderate level of effort is considered to be less than 15 comment letters and 50 individual substantive comments that require a response beyond comment noted. The Response to Comments and any refinements to the DEIR text will be incorporated into a “freestanding” Final EIR. AES will prepare a Mitigation Monitoring and Reporting Plan (MMRP) to support the County’s certification of the Final EIR. The MMRP will be referenced within the text of the Final EIR and will be included as an appendix in the final document.

**Deliverables:** AES will provide the County with a total of ten (10) bound hardcopies and one (1) CD copy in PDF format of the Final EIR.

**Task 6: Findings and Final EIR Certification Support.** AES will assist with preparation of the Findings of Fact and Statement of Overriding Considerations. AES will attend/present at one meeting with the Planning Commission, and up to two staff meetings for certification of the Final EIR and Findings and Statement of Overriding Considerations.

**Task 7: Project Management and Meetings.** The AES management team will complete the myriad of small and often unforeseen tasks required to implement the preparation of an EIR. This includes numerous phone calls and emails necessary to facilitate information exchange between the Project Team and jurisdictional agencies, as well as the time required to prepare agendas, meeting minutes, schedules, and other such documents. Under this task, AES will:

- Attend a scoping hearing;
- Participate in up to 3 (3) two-hour project coordination meetings with planning staff at the County offices for the development of the Draft EIR;
- Attend up to two (2) Planning Commission hearings; and
- Participate in up to ten (10) one-hour project related conference calls with members of the project team and jurisdictional agencies.

**Deliverables:** AES will submit monthly status reports to the Project Team via email by the fifth business day of each month. AES will prepare and distribute minutes for each project-related meeting that will outline key decisions and action items.

**From:** James Castaneda  
**To:** Heather Hardy; Rosario Fernandez  
**Date:** 3/18/2013 2:40 PM  
**Subject:** Revised Agreement, PLN2002-00517 BOS 3/26  
**Attachments:** PLN2002-00517\_Contract20130326.pdf

Rosario/Heather,  
Attached is the agreement (to be attached) to my item that reflects the date of the hearing.

JAMES

Save Paper.  
Think before you print.

**From:** James Castaneda  
**To:** Rebecca Romero  
**CC:** Heather Hardy; Rosario Fernandez  
**Date:** 3/18/2013 3:43 PM  
**Subject:** Revised Agreement  
**Attachments:** PLN2002-00517\_Contract20130326.pdf

Hi Becky, thanks for clarifying the edit. Attached is the edits and should be what you were asking for.

JAMES

--

James A. Castañeda, AICP  
Planner III, San Mateo County Planning & Building Department  
Program Coordinator, SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
smcplanning.org | sforoundtable.org

Save Paper.  
Think before you print.

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 4/3/2013 11:39 AM  
**Subject:** 5/7 BoS - Ascension Heights item

Hi James,

Jim has asked me to enter a placeholder for the 5/7 BoS meeting for the Ascension Heights item. Should it look exactly like the 3/26 Board item? Last time, these were the elements:

Memo  
Resolution  
ATR  
Agreement

Thank you!  
Heather

**From:** James Castaneda  
**To:** hhardy@smcgov.org  
**Date:** 4/3/2013 12:20 PM  
**Subject:** Re: 5/7 BoS - Ascension Heights item

Hi Heather,  
Yea, that'll be about the same. I'll have edits with the memo and reso, but we can get those in later. I'll be physically in the office around 3:00pm and I'll follow up.

JAMES

>>> Heather Hardy 04/03/13 11:39 AM >>>  
Hi James,

Jim has asked me to enter a placeholder for the 5/7 BoS meeting for the Ascension Heights item. Should it look exactly like the 3/26 Board item? Last time, these were the elements:

Memo  
Resolution  
ATR  
Agreement

Thank you!  
Heather

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 4/12/2013 10:11 AM  
**Subject:** BoS item for 5/7

Good morning James,

Please let me know the status of Ascension for 5/7 - do we still plan on that date? Jim's review days are next Weds-Thursday 4/17-4/18, so please let me know where we are on the report. (I think we had discussed some possible edits).

Thank you!

Heather

**From:** James Castaneda  
**To:** Hardy, Heather  
**Date:** 4/12/2013 10:54 AM  
**Subject:** Re: BoS item for 5/7

Good morning Heather,  
I'll have to follow-up with Jim Monday morning regarding yesterday's meeting with the Ascension Heights group. Unfortunately, I had to go home sick yesterday shortly after lunch, and obviously I'm out today. Depending on how it went and the outcome, I'll have an idea of the level of edits needed, or if we need to postpone to the next BOS date. I'll follow up with you on Monday.

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Thank you!

Heather

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 4/12/2013 10:56 AM  
**Subject:** Re: BoS item for 5/7

Hi James,

Thanks for your note. I'm so sorry to hear that you don't feel well. Get well soon, and I'll look forward to discussing next week.

Heather

>>> James Castaneda 4/12/2013 10:54 AM >>>

Good morning Heather,

I'll have to follow-up with Jim Monday morning regarding yesterday's meeting with the Ascension Heights group. Unfortunately, I had to go home sick yesterday shortly after lunch, and obviously I'm out today. Depending on how it went and the outcome, I'll have an idea of the level of edits needed, or if we need to postpone to the next BOS date. I'll follow up with you on Monday.

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Thank you!

Heather

**From:** Jim Eggemeyer  
**To:** Heather Hardy  
**Date:** 4/15/2013 10:01 AM  
**Subject:** Fwd: Ascension Hts Issues

Hi Heather, Can you please call David Burruto (x4126) and see when he and Supervisor Pine are available to discuss this email. I can go over there to the Sup's office.

Thanks.

jke

>>> Dave Pine 4/15/2013 9:19 AM >>>

Let's discuss.

Dave

>>> Gerard Ozanne <

4/15/2013 12:17 AM >>>

Ascension Heights Subdivision Project  
(County File number PLN2002-00517)

Dear Dave,

With your support, on April 11, 2013 representatives of the Homeowners Associations within CSA1 met with Jim Eggermeyer and Tim Fox to discuss the content of the statement of work in the EIR consultant contract. During discussions we were told the County would benefit if the statement of work in the EIR consultant contract remained relatively non-specific to facilitate any future negotiations with the EIR consultant. In addition, because James Castaneda, County Planner for this project, was unable to attend the meeting, we were not able to discuss in depth the issues outlined in our letter of April 3, 2013.

Our experiences with the 2009 DEIR demonstrated Community input was totally ineffective in ensuring adequate analyses were included in the DEIR. When we identified confusing, incomplete, or missing analyses, our Public Comments were misconstrued, inadequately responded to, or determined to be 'out of scope' and not relevant with no meaningful justifications offered. We were informed the EIR consultant efforts had been completed and there were neither funds nor time for any further analyses. Ultimately, our input had no measurable influence on the DEIR contents, analyses or recommendations, leading to an inadequate DEIR.

Despite our discussion with Mr. Fox and Mr. Eggemeyer on April 11th—we certainly appreciate their efforts—, the Community still believes strongly the EIR process will be improved substantially by incorporating our detailed concerns sufficiently early into the Initial Study/ADEIR/DEIR process while there are sufficient funds and time to produce accurate and relevant analyses.

For the above reasons, we request County Planning involve Community representatives in a detailed discussion of our concerns at several stages of the EIR process; specifically, insuring the Initial Study does not exclude important environmental issues, the ADEIR accurately represents the Community concerns, and sufficient analyses are incorporated into the DEIR to enable County Planning Commission and Board of Supervisors to make informed decisions.

We thank you for arranging this meeting, your continued interest, and look to your further assistance in this matter.

Jerry

**From:** Heather Hardy  
**To:** Jim Eggemeyer  
**Date:** 4/15/2013 10:02 AM  
**Subject:** Re: Fwd: Ascension Hts Issues

Yes of course - is this an ASAP meeting? Should I try to get it for today or tomorrow if they have time?  
Thanks,  
Heather

>>> Jim Eggemeyer 4/15/2013 10:01 AM >>>

Hi Heather, Can you please call David Burruto (x4126) and see when he and Supervisor Pine are available to discuss this email. I can go over there to the Sup's office.

Thanks.

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Jerry

**From:** Jim Eggemeyer  
**To:** Heather Hardy  
**Date:** 4/15/2013 10:06 AM  
**Subject:** Re: Fwd: Ascension Hts Issues

You can see what the David B. thinks. I'll be flexible for a meeting/phone conversation. Thanks.  
jke

>>> Heather Hardy 4/15/2013 10:02 AM >>>

Yes of course - is this an ASAP meeting? Should I try to get it for today or tomorrow if they have time?  
Thanks,  
Heather

>>> Jim Eggemeyer 4/15/2013 10:01 AM >>>

Hi Heather, Can you please call David Burruto (x4126) and see when he and Supervisor Pine are available to discuss this email. I can go over there to the Sup's office.  
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and Board of Supervisors to make informed decisions.

We thank you for arranging this meeting, your continued interest, and look to your further assistance in this matter.

Jerry

**From:** Heather Hardy  
**To:** David Burruto  
**Date:** 4/16/2013 6:39 PM  
**Subject:** Ascension Heights Issues

Hello David,

Supervisor Pine indicated earlier this week that he would like to meet with Jim Eggemeyer regarding Ascension Heights. Please let me know when the Supervisor would like to meet. This item is currently entered as an agenda item in the BoS meeting for 5/7.

Thank you,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**From:** James Castaneda  
**To:** Heather Hardy  
**Date:** 4/17/2013 11:41 AM  
**Subject:** Attachment for BOS 5/7 item, PLN2002-00517  
**Attachments:** PLN2002-00517\_Contract20130507.pdf

Heather,  
Please replaced the contact in sire for the BOS item with the attached.

JAMES

--

James A. Castañeda, AICP  
Planner III, San Mateo County Planning & Building Department  
Program Coordinator, SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
smcplanning.org | sforoundtable.org

Save Paper.  
Think before you print.

**From:** Heather Hardy  
**To:** Frances Contreras  
**Date:** 4/17/2013 11:49 AM  
**Subject:** Fwd: Attachment for BOS 5/7 item, PLN2002-00517  
**Attachments:** PLN2002-00517\_Contract20130507.pdf

Hello Frances,  
I logged into SIRE, but it doesn't look like it's going to let me add this file. (Maybe because I sent it to you?) Please add this agreement. Please also rename all of the files using the SIRE conventions (such as 20130507\_m\_AgreementAES, 20130507\_r\_AgreementAES, etc.) SIRE is not allowing me to rename files. Please let me know if you have any questions.  
Thank you!  
Heather

>>> James Castaneda 4/17/2013 11:41 AM >>>  
Heather,  
Please replaced the contact in sire for the BOS item with the attached.

JAMES

--

James A. Castañeda, AICP  
Planner III, San Mateo County Planning & Building Department  
Program Coordinator, SFO Airport/Community Roundtable

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Save Paper.  
Think before you print.

**From:** James Castaneda  
**To:** Heather Hardy  
**CC:** Frances Contreras  
**Date:** 4/17/2013 2:14 PM  
**Subject:** Revised Contact, BOS 5/7  
**Attachments:** PLN2002-00517\_Contract20130507-.pdf

Heather,  
Frances pointed out an error in the contact I sent you earlier. Please replace it with the attached. Thanks.

JAMES

--

James A. Castañeda, AICP  
Planner III, San Mateo County Planning & Building Department  
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Save Paper.  
Think before you print.

**From:** Heather Hardy  
**To:** Planning-Current Planning  
**Date:** 4/22/2013 3:44 PM  
**Subject:** Reminder - 5/22/13 Planning Commission Items due

Hello all,

If you intend to submit an item for the 5/22/13 Planning Commission meeting, please submit your Agenda request no later than next Wednesday 5/1/13. A list of items for upcoming meetings is below.

**4/24 (PC):**

MROSD Grading Permit (Consent)  
CCWD/POST/GGNRA Denniston Reservoir (Regular)  
Woolley (Regular)  
Allen Price (Regular)  
Martin's Beach Emergency Permit (Correspondence)  
BACE attorney letter (Correspondence)

**5/7 (BOS):**

Princeton  
Ascension Heights  
4 Perry

**5/8 (PC):**

Oceano Hotel Wedding tent  
Energy Plan

Thank you!  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**From:** Heather Hardy  
**To:** Rebecca Romero  
**Date:** 4/23/2013 5:32 PM  
**Subject:** Question - Ascension Heights

Hi Becky,

For the 5/7 Ascension Heights item that was returned to me, is there any further action required beyond Accepting the edits?

Thank you!  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**From:** Rebecca Romero  
**To:** Heather Hardy  
**Date:** 4/24/2013 7:47 AM  
**Subject:** Re: Question - Ascension Heights

No, accept and/or reject them and send it back to me

Save Paper.

Think before you print.>>> Heather Hardy 4/23/2013 5:32 PM >>>

Hi Becky,

For the 5/7 Ascension Heights item that was returned to me, is there any further action required beyond Accepting the edits?

Thank you!  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo |  
455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**From:** Heather Hardy  
**To:** RXRomero@smcgov.org  
**Date:** 4/24/2013 7:47 AM  
**Subject:** Re: Question - Ascension Heights (Planning Commission)

I am away from my desk and will return after the conclusion of the Planning Commission meeting, approximately 1:00 PM on Wednesday April 24. Thank you.  
>>> Rebecca Romero 04/24/13 07:47 >>>

No, accept and/or reject them and send it back to me

Save Paper.  
Think before you print.>>> Heather Hardy 4/23/2013 5:32 PM >>>  
Hi Becky,

For the 5/7 Ascension Heights item that was returned to me, is there any further action required beyond Accepting the edits?

Thank you!  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo |  
455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**From:** Rebecca Romero  
**To:** AgendaReview  
**Date:** 4/24/2013 10:02 AM  
**Subject:** Please DELETE the first packet I sent you!!  
**Attachments:** 20130507\_DRAFT BOS Agenda.pdf

Hi All,

I accidently sent you all the **FULL** agenda packet (supporting docs included!) please ignore/delete this email because it was intended to go to the Board, their Aides, the CMO & ACO.

Attached is the **DRAFT** agenda for the Agenda Review meeting scheduled for tomorrow, April 25th @ 9:00 a.m. in the CMO conference room.

Thanks,  
Becky

Save Paper.  
Think before you print.

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 4/26/2013 9:42 AM  
**Subject:** Ascension Heights - all documents  
**Attachments:** AscensionHeights05072013.pdf

Hi James,

I downloaded the complete Ascension Heights files from SIRE in their final form for the 5/7/13 BoS meeting. Thank you!

Heather

# AGENDA

**Board Members**

Dave Pine  
Carole Groom  
Don Horsley  
Warren Slocum  
Adrienne J. Tissier

**County Manager/  
Clerk of the Board**  
John L. Maltbie

**County Counsel**  
John C. Beiers

Hall of Justice • 400 County Center • Redwood City • California 94063 • 650-363-4653 • [www.smcgov.org](http://www.smcgov.org)

**REGULAR MEETING  
SAN MATEO COUNTY BOARD OF SUPERVISORS  
TUESDAY, MAY 07, 2013  
9:00 A.M.**

*Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Rebecca Romero, Agenda Administrator at least 2 working days before the meeting at (650) 363-1802 and/or [rxromero@smcgov.org](mailto:rxromero@smcgov.org). Notification in advance of the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. Attendees to this meeting are reminded that other attendees may be sensitive to various chemical based products.*

*If you wish to speak to the Board, please fill out a speaker's slip located on the table near the door. If you have anything that you wish distributed to the Board and included in the official record, please hand it to the Clerk of the Board who will distribute the information to the Board members and staff.*

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PUBLIC COMMENT**

(This item is reserved for persons wishing to address the Board on any County-related matters not otherwise on this agenda, and on any listed agenda items other than those Matters Set for a Specified Time or on the Regular Agenda. Members of the public who wish to address the Board should complete a speaker request form. Speakers are customarily limited to two minutes.)

**ACTION TO SET AGENDA and TO APPROVE CONSENT AGENDA ITEMS**

(This item is to set the final consent and regular agenda, and for the approval of the items listed on the consent agenda. All items on the consent agenda are approved by one action.)

## **PRESENTATIONS AND AWARDS**

1. Presentation of a resolution honoring the Friends of Edgewood upon their 20th anniversary (Supervisor Don Horsley)
2. Presentation of a resolution honoring the renovation and reopening of the HIP Housing Willow Road Affordable Housing Project (Supervisor Warren Slocum)
3. Presentation of a proclamation designating May 2013 as Asthma Awareness Month (Supervisor Carole Groom)
4. Presentation of a proclamation designating May 2013 as Older Americans Month (Supervisor Adrienne Tissier)
  - A) Presentation of the 2012 Annual Report by the San Mateo County Commission on Aging
5. Update on the San Mateo County Reusable Bag Ordinance (Supervisors Carole Groom and Adrienne Tissier)

## **MATTERS SET FOR SPECIFIED TIME**

Times listed under this section are approximate. The Board makes every effort to adhere to the times listed, but in some cases, because of unexpected presentations, items may not be heard precisely at the time scheduled. In no case will any item be heard before the scheduled time.

6. 9:00 a.m.

Public hearing to consider Resolutions of Necessity Determining that the Public Interest and Necessity Require Acquisition of Real Property located in Burlingame for the Interchange 101 at Broadway Project and directing the filing of Eminent Domain proceedings

- A) Report and recommendation
- B) Close hearing
- C) Adopt resolutions

7. 9:15 a.m.

Public hearing to consider the Five-Year Consolidated Plan for the San Mateo County HOME Consortium Resolution to approve:

- A) The Five-Year Consolidated Plan for the San Mateo County HOME Consortium for FYs 2013-14 through 2017-18;
- B) The FY 2013-14 Annual Action Plan; and
- C) The Citizens Participation Plan

- 1) Report and recommendation
- 2) Close hearing
- 3) Adopt resolution

8. 9:30 a.m.

Public hearing to consider an appeal of the Planning Commission's approval of a Non-Conforming Use Permit and Off-Street Parking Exception to allow the expansion of a non-conforming house on a non-conforming parcel to allow encroachments into the required setbacks and daylight planes and to allow one covered parking space where two are required, at 4 Perry Avenue, in the unincorporated West Menlo Park area of San Mateo County **(PAPERS TO FOLLOW)**

- A) Report and recommendation
- B) Close hearing
- C) Approve or deny appeal

9. 1:30 p.m.

Presentation of Service Awards, 455 County Center, Room 101, Redwood City  
(County Manager)

## **REGULAR AGENDA**

### **COUNTY MANAGER**

10. Measure A Report Back: **DEPARTMENT(S)?**
11. County Manager's Report

### **BOARD OF SUPERVISORS**

12. Board Members' Reports

## **CONSENT AGENDA**

All items on the consent agenda are approved by one action unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda. Any item on the regular agenda may be transferred to the consent agenda.

## **BOARD OF SUPERVISORS**

13. Recommendation for the appointment of Jason Seifer to the Mosquito and Vector Control District representing Member At- Large for a term ending December 31, 2017 (Supervisors Don Horsley and Carole Groom)

## **CONTROLLER**

14. Resolution authorizing the Controller to temporarily transfer available funds to County Operating Funds, the Superintendent of Schools, County Board of Education and School Districts during the Fiscal Year 2013-14

## **COUNTY COUNSEL**

15. Resolution authorizing an amendment to the agreement with Fox, Shjeflo, Hartley & Babu, LLP, extending the term through March 27, 2014, increasing the amount by \$100,000 to \$350,000

## **HEALTH SYSTEM**

16. Resolution authorizing an agreement with PetData, Inc. to provide animal licensing services, for the term of July 1, 2013 through June 30, 2016, in an amount not to exceed \$600,000
17. Resolution waiving the Request for Proposals process and authorizing an agreement with Sentry Data Systems, Inc. for pharmacy software processing of 340B claims for the term of May 1, 2013 through April 30, 2018, in an amount not to exceed \$2,060,000
18. Resolution authorizing an Appropriation Transfer Request in the amount of \$374,246 from General Reserves to Services and Supplies
19. Adoption of an ordinance repealing and replacing Sections 5.64.050 through 5.64.070 in Chapter 5.64 of Title 5 of the San Mateo County Ordinance Code and repealing Chapter 5.120 of Title 5 of the San Mateo County Ordinance Code in its entirety, which establish Environmental Health program fees, previously introduced on April 9, 2013 and waiver of reading the ordinance in its entirety

## **HUMAN RESOURCES**

20. Report recommending the denial of claims (Non-culpable)
21. Resolution authorizing the approval of a successor agreement to the Memorandum of Understanding with the Union of American Physicians and Dentists (UAPD) for the term of October 14, 2012 through May 9, 2015
22. Introduction of an ordinance amending the salary ordinance to reflect the addition of eleven positions; deletion of ten positions, reclassification of two positions, conversion of three positions from unclassified to classified, salary adjustment of one position, and modification of one special compensation provision; and accepting the report on the total number of positions in the County and waiver of reading the ordinance in its entirety

## HUMAN SERVICES AGENCY

23. Resolution Waiving the Request for Proposal Process and authorizing an agreement with Bay Area Academy/California State University, Fresno Foundation to provide Child Welfare Title IV-E training, for the term of July 1, 2013 through June 30, 2016 in the amount of \$1,228,008
24. Resolution authorizing an amendment to the agreement with InnVision Shelter Network to provide three additional beds) under the Special Needs Program, three beds under the AB109 Program and add funding for additional Motel Vouchers, increasing the amount by \$227,324 to of \$2,471,966
25. Resolution Waiving the Request for Proposal process and authorizing an agreement with San Mateo County Office of Education to provide educational services for children in the shelter/foster care system for the term of July 1, 2013 through June 30, 2015, in the amount of \$203,940

## INFORMATION SERVICES

26. Resolution authorizing an amendment to the agreement with Axsium Group for professional services, extending the through August 31, 2013, increasing the amount by \$247,180 to \$997,340

## PLANNING AND BUILDING

27.
  - A) Resolution authorizing an agreement with Analytical Environmental Services to prepare Draft and Final Environmental Impact Reports for the Ascension Heights Subdivision for the term of May 9, 2013 to through May 9, 2014, in an amount not to exceed \$113,075
  - B) Resolution authorizing an Appropriation Transfer Request in the amount of \$113,075 from unanticipated revenue to Contract Services
28. Resolution authorizing an agreement with Dyett & Bhatia for the preparation of updates to the General Plan, Zoning Regulations, and Local Coastal Program for the Princeton Study Area for the term of May 7, 2013 through June 30, 2015, in an amount not to exceed \$579,033

## PUBLIC WORKS

29. Resolution: **(This item may be moved to Regular and/or Matters Set)**
  - A) Finding that local emergency exists with regard to Ramona Road; and
  - B) Authorizing execution of a contract with Soil Engineering Construction for construction of improvements along Ramona Road

## SHERIFF

30. Resolution authorizing:
- A) An agreement with the City and County of San Francisco for the distribution of FY 2012 Urban Area Security Initiative grant funds for the Northern California Regional Intelligence Center for the term of December 1, 2012 through March 31, 2014 in the amount of \$3,393,158;
  - B) The Sheriff or Sheriff's designee to sign grant assurances and grant documents in connection with the FY 2012 Urban Area Security Initiative grant;
  - C) The Sheriff or Sheriff's designee to execute interagency agreements with agencies who assign staff to the Northern California Regional Intelligence Center in order to disburse FY 2012 Urban Area Security Initiative grant funds; and
31. A) Resolution authorizing an amendment to the agreement with the City and County of San Francisco for distribution of FY 2012 Urban Area Security Initiative Grant funds, increasing the amount by \$354,603 to \$2,164,623
- B) Resolution authorizing an Appropriation Transfer Request in the amount of \$354,603 from Unanticipated Revenue to Fixed Assets (4/5ths vote required)
32. Resolution authorizing an agreement with the Sheriff's Office and Resource Development & Associates for the Jail Programming Strategic Implementation Plan Scope of Work
33. Resolution authorizing the Sheriff or his/her designee to execute:
- A) An agreement with Pan Pacific Mechanical to provide design build plumbing for the San Mateo County Replacement Jail at 1300 Maple Street in Redwood City, for the term of May 7, 2013, through May 6, 2016, in an amount not to exceed \$10,369,960;
  - B) An Owner Assignment and Novation Agreement, necessary to assign the Trade Contract from the County to the Construction Manager; and
  - C) Authorize an additional \$1,348,017 contingency for unforeseen conditions or scope adjustments at this phase of the project
34. Resolution authorizing the Sheriff or his/her designee to execute:
- A) An agreement with Transbay Fire Protection to provide design build fire sprinkler systems for the San Mateo County Replacement Jail at 1300 Maple Street in Redwood City, for the term of May 7, 2013, through May 6, 2016, in an amount not to exceed \$1,676,075;
  - B) An Owner Assignment and Novation Agreement, necessary to assign the Trade Contract from the County to the Construction Manager; and

- C) Authorize an additional \$217,890 contingency for unforeseen conditions or scope adjustments at this phase of the project

35. Resolution authorizing the Sheriff or his/her designee to execute:

- A) An agreement with Cupertino Electric, Inc. to provide design build electrical for the San Mateo County Replacement Jail at 1300 Maple Street in Redwood City, for the term of May 7, 2013, through May 6, 2016, in an amount not to exceed \$11,282,274;
- B) An Owner Assignment and Novation Agreement, necessary to assign the Trade Contract from the County to the Construction Manager; and
- C) Authorize an additional \$1,466,696 contingency for unforeseen conditions or scope adjustments at this phase of the project

36. Resolution authorizing the Sheriff or his/her designee to execute:

- A) An agreement with Frank M. Booth, Inc. to provide design build mechanical systems for the San Mateo County Replacement Jail at 1300 Maple Street in Redwood City, for the term of May 7, 2013, through May 6, 2016, in an amount not to exceed \$13,810,001;
- B) An Owner Assignment and Novation Agreement, necessary to assign the Trade Contract from the County to the Construction Manager
- C) Authorize an additional \$1,795,300 contingency for unforeseen conditions or scope adjustments at this phase of the project

37. Resolution authorizing the Sheriff or his/her designee to execute:

- A) An agreement with Engineered Control Systems to provide design build fire alarm systems for the San Mateo County Replacement Jail at 1300 Maple Street in Redwood City, for the term of May 7, 2013, through May 6, 2016, in an amount not to exceed \$767,120;
- B) An Owner Assignment and Novation Agreement, necessary to assign the Trade Contract from the County to the Construction Manager; and
- C) Authorize an additional \$99,726 contingency for unforeseen conditions or scope adjustments at this phase of the project

38. Resolution authorizing the Sheriff or his/her designee to execute:

- A) An agreement with Frank M. Booth, Inc. to provide design build services for Jail Building Management System Controls for the San Mateo County Replacement Jail at 1300 Maple Street in Redwood City, for the term of May 7, 2013, through May 6, 2016, in an amount not to exceed \$1,898,101;

- B) An Owner Assignment and Novation Agreement, necessary to assign the Trade Contract from the County to the Construction Manager; and
- C) Authorize an additional \$246,753 contingency for unforeseen conditions or scope adjustments at this phase of the project

39. Resolution authorizing the Sheriff or his/her designee to execute:

- A) An agreement with CML RW Security, LLC a part of the RW company to provide design build security electronics systems for the San Mateo County Replacement Jail at 1300 Maple Street in Redwood City, for the term of May 7, 2013, through May 6, 2016, in an amount not to exceed \$3,160,119;
- B) An Owner Assignment and Novation Agreement, necessary to assign the Trade Contract from the County to the Construction Manager; and
- C) Authorize an additional \$410,815 contingency for unforeseen conditions or scope adjustments at this phase of the project

40. Resolution authorizing the Sheriff or his/her designee to execute:

- A) An agreement with CML RW Security, LLC a part of the RW Company to provide design build services to provide security hardware, detention equipment, and security glazing for the San Mateo County Replacement Jail at 1300 Maple Street in Redwood City, for the term of May 7, 2013, through May 6, 2016, in an amount not to exceed \$12,929,438;
- B) An Owner Assignment and Novation Agreement, necessary to assign the Trade Contract from the County to the Construction Manager; and
- C) Authorize an additional \$1,680,827 contingency for unforeseen conditions or scope adjustments at this phase of the project

**TREASURER**

41. Resolution renewing the delegation of investment authority to the Treasurer for the calendar year 2013 pursuant to Section 2.91.040 to Title 2, Article 2.9 Chapter 2.91 of the San Mateo County Ordinance Code

42. Resolution approving the 2013 San Mateo County Investment Policy Statement

**CLOSED SESSION**

(The Board will adjourn to closed session to consider the following items at the end of the agenda, or at any time during the meeting as time permits. At the conclusion of closed session, the Board will reconvene in open session to report on any actions taken for which a report is required by law.)

**From:** Rebecca Romero  
**To:** Heather Hardy  
**Date:** 5/9/2013 12:49 PM  
**Subject:** Fully Executed Reso & Agreement from Tuesday's BOS Meeting  
**Attachments:** #28\_Analytical Environ\_Reso#072499.pdf; #28\_Analytical Environment\_Reso#072499.pdf

Please see attached for Item #28.

Thank you,  
B~

Save Paper.  
Think before you print.

**From:** Heather Hardy  
**To:** James Castaneda; Jim Eggemeyer; Mike Schaller  
**Date:** 5/9/2013 1:35 PM  
**Subject:** Ascension Heights: Resolution and Agreement  
**Attachments:** #28\_Analytical Environ\_Reso#072499.pdf; #28\_Analytical Environment\_Reso#072499.pdf

For your records, the fully executed Resolution & Agreement for Ascension Heights.

Thanks,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859



**COUNTY OF SAN MATEO**  
Inter-Departmental Correspondence  
Planning and Building



**Date:** April 18, 2013  
**Board Meeting Date:** May 7, 2013  
**Special Notice / Hearing:** None  
**Vote Required:** 4/5ths

**To:** Honorable Board of Supervisors  
**From:** Jim Eggemeyer, Community Development Director  
**Subject:** Agreement with Analytical Environmental Services

**RECOMMENDATION:**

- A. Adopt a Resolution authorizing an Agreement with Analytical Environmental Services to prepare Draft and Final Environmental Impact Reports for the Ascension Heights Subdivision for the term of May 9, 2013 through May 9, 2014, in an amount not to exceed \$113,075.
- B. Resolution authorizing an Appropriation Transfer Request in the amount of \$113,075 from unanticipated revenue to Contract Services.

**BACKGROUND:**

In 2003, the applicant, San Mateo Real Estate and Construction, applied to subdivide a collection of six parcels located in the unincorporated San Mateo Highlands area of San Mateo County. The proposed subdivision would have created 25 parcels capable of being developed with single-family residences. Given the nature of the project's scope, an Environmental Impact Report (EIR) was prepared in accordance with the California Environmental Quality Act (CEQA). In December 2009, the Planning Commission denied the proposal, and subsequently the EIR was not certified. The applicant appealed the decision to the Board of Supervisors to allow consideration of an alternative design. In June 2010, the Board of Supervisors remanded the project back to the Planning Commission to consider an alternative design to the project, subject to all processing requirements and necessary reviews.

**DISCUSSION:**

As now proposed, the revised project consists of 19 developable parcels. The current proposal would result in less grading for the necessary infrastructure. Given the change in scope of the project, it is necessary to re-circulate an EIR that is reflective of those changes.

In August 2012, the Planning and Building Department conducted a Request for Proposals to solicit interested firms to perform the aforementioned environmental review and produce an EIR to circulate. Of five firms interviewed, Analytical Environmental Services was selected for its skills and expertise necessary to complete the task.

The Resolution would also allow the Community Development Director or designee to execute contract amendments to modify the maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

County Counsel has reviewed and approved the Agreement and Resolution as to form.

The Contractor's insurance meets insurance certification requirements. The Contractor has assured compliance with the County's Contractor Employee Jury Service Ordinance, as well as all other contract provisions that are required by County ordinance and administrative memoranda, including but not limited to insurance, hold harmless, non-discrimination, and equal benefits.

This Agreement contributes to the Shared Vision 2025 outcome of a Livable Community by providing sufficient information about the project and potential environmental impacts upon which to make an informed decision regarding this land use request.

**PERFORMANCE MEASURE:**

<b>Measure</b>	<b>FY 2012-13 Estimated</b>	<b>FY 2013-14 Projected</b>
Percent of tasks completed to produce a Final EIR	10%	90%

**FISCAL IMPACT:**

The term of the Agreement is from May 9, 2013 through May 9, 2014. The total obligation under this Agreement is \$113,075 and is funded entirely by the applicant, San Mateo Real Estate and Construction. There is no Net County Cost.

## REQUEST FOR PROPOSAL PROCESS MATRIX

1.	General description of RFP	Preparation of a Revised Environmental Impact Report for the "Ascension Heights Subdivision" project.
2.	List key evaluation criteria	Compare firm experiences, quality of firm and key staff, quality of experience of lead personal, understanding project requirements, project management, and schedules/timing.
3.	Where advertised	Posted on the Planning and Building website.
4.	In addition to any advertisement, list others to whom the RFP announcement was sent	Direct mail to twelve (12) environmental consultant firms in the Bay Area and California.
5.	Total number of RFPs sent to prospective proposers	Twelve (12).
6.	Number of proposals received	Six (6) firms submitted proposals.
7.	Who evaluated the proposals	Three (3) representatives from Planning and Building Department.
8.	In alphabetical order, names of proposers (or finalists, if applicable) and location	<p>Analytical Environmental Services Sacramento, CA</p> <p>CAJA Environmental Services, LLC Los Angeles, CA</p> <p>ESA San Francisco, CA</p> <p>Impact Sciences Oakland, CA</p> <p>Michael Brandman Associates San Ramon, CA</p> <p>Panorama Environmental, Inc. San Francisco, CA</p>

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

\* \* \* \* \*

**RESOLUTION AUTHORIZING AN AGREEMENT WITH ANALYTICAL ENVIRONMENTAL SERVICES TO PREPARE DRAFT AND FINAL ENVIRONMENTAL IMPACT REPORTS FOR THE ASCENSION HEIGHTS SUBDIVISION FOR THE TERM OF MAY 9, 2013 THROUGH MAY 9, 2014, IN AN AMOUNT NOT TO EXCEED \$113,075**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, the County and Analytical Environmental Services wish to enter into an Agreement, reference to which is hereby made for further particulars, whereby Analytical Environmental Services for the term of May 9, 2013 through May 9, 2014 will prepare Draft and Final Environmental Impact Reports for a maximum fiscal obligation of \$113,075; and

**WHEREAS**, this Board has been presented with a form of said Agreement and has examined and approved same as to both form and content and desires to enter into it.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of this Board of Supervisors be, and is hereby, authorized and directed to execute said Agreement for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto.

**BE IT FURTHER RESOLVED**, that the Community Development Director or designee is authorized to execute contract amendments which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

\* \* \* \* \*

<b>COUNTY OF SAN MATEO APPROPRIATION TRANSFER REQUEST</b>				REQUEST NO.
DEPARTMENT PLANNING AND BUILDING				DATE
1. REQUEST TRANSFER OF APPROPRIATION AS LISTED BELOW:				
	<b>CODES</b>		<b>AMOUNT</b>	<b>DESCRIPTION</b>
	<b>FUND OR ORG</b>	<b>ACCOUNT</b>		
<b>FROM</b>	38430	2652	113,075.00	Project Cost Reimbursement - Unanticipated Revenue
<b>TO</b>	38480	5858	113,075.00	Other Professional Contract Services
<b>Justification (Attach Memo if Necessary)</b>				
To fund contract with Analytical Environmental Services to prepare draft Environmental Impact Report for Ascension Heights Subdivision. There is no net County cost involved.				
<b>DEPARTMENT HEAD</b>				<b>DATE</b>
2. <input type="checkbox"/> Board Action Required <input checked="" type="checkbox"/> Four-Fifths Vote Required <input type="checkbox"/> Board Action Not Required				
Remarks:				
<b>COUNTY CONTROLLER</b>				<b>DATE</b>
3. <input checked="" type="checkbox"/> Approve as Requested <input type="checkbox"/> Approve as Revised <input type="checkbox"/> Disapproved				
Remarks:				
<b>COUNTY MANAGER</b>				<b>DATE</b>
<b>DO NOT WRITE BELOW THIS LINE – FOR BOARD OS SUPERVISORS USE ONLY</b>				

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA  
RESOLUTION TRANSFERRING FUNDS

RESOLUTION NO. \_\_\_\_\_

RESOLVED, by the Board of Supervisors of the County of San Mateo, that

WHEREAS, the Department hereinabove named in the Request for Appropriation, Allotment or Transfer of Funds has requested the transfer of certain funds as described in said Request; and

WHEREAS, the County Controller has approved said Request as to accounting and available balances, and the County Manager has recommended the transfer of funds as set forth hereinabove:

NOW, THEREFORE, IT IS HEREBY ORDERED AND DETERMINED that the recommendations of the County Manager be approved and that the transfer of funds as set forth in said Request be effected.

Regularly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Ayes in an favor of said resolution:  
Supervisors: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Noes and against said resolution:  
Supervisors: \_\_\_\_\_

Absent  
Supervisors: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT, BOARD OF SUPERVISORS  
COUNTY OF SAN MATEO

ATTEST: \_\_\_\_\_  
Clerk of Said Board

**AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND  
ANALYTICAL ENVIRONMENTAL SERVICES**

THIS AGREEMENT, entered into this \_\_\_ day of \_\_\_\_\_ 2013, by and between the COUNTY OF SAN MATEO, hereinafter called "County," and Analytical Environmental Services, hereinafter called "Contractor."

W I T N E S S E T H:

WHEREAS, pursuant to Government Code, Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof;

WHEREAS, it is necessary and desirable that Contractor be retained for the purpose of preparing an Environmental Impact Report for the proposed Ascensions Heights subdivision project (County File number PLN2002-00517) to be re-circulated.

**NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:**

**1. Exhibits and Attachments**

The following exhibits and attachments are included hereto and incorporated by reference herein:

- Exhibit A—Services
- Exhibit B—Payments and rates
- Exhibit C—Scope of Work

**2. Services to be performed by Contractor**

In consideration of the payments set forth herein and in Exhibit "B," Contractor shall perform services for County in accordance with the terms, conditions and specifications set forth herein and in Exhibit "A."

**3. Payments**

In consideration of the services provided by Contractor in accordance with all terms, conditions and specifications set forth herein and in Exhibit "A," County shall make payment to Contractor based on the rates and in the manner specified in Exhibit "B." The County reserves the right to withhold payment if the County determines that the quantity or quality of the work performed is unacceptable. In no event shall the County's total fiscal obligation under this Agreement exceed One Hundred Thirteen Thousand Seventy-Five Dollars, \$113,075.

**4. Term and Termination**

Subject to compliance with all terms and conditions, the term of this Agreement shall be from May 9, 2013 through May 9, 2014.

This Agreement may be terminated by Contractor, the Director of Community Development or his/her designee at any time without a requirement of good cause upon thirty (30) days' written notice to the other party.

In the event of termination, all finished or unfinished documents, data, studies, maps, photographs, reports, and materials (hereafter referred to as materials) prepared by Contractor under this Agreement shall become the property of the County and shall be promptly delivered to the County. Upon termination, the Contractor may make and retain a copy of such materials. Subject to availability of funding, Contractor shall be entitled to receive payment for work/services provided prior to termination of the Agreement. Such payment shall be that portion of the full payment which is determined by comparing the work/services completed to the work/services required by the Agreement.

**5. Availability of Funds**

The County may terminate this Agreement or a portion of the services referenced in the Attachments and Exhibits based upon unavailability of Federal, State, or County funds, by providing written notice to Contractor as soon as is reasonably possible after the County learns of said unavailability of outside funding.

**6. Relationship of Parties**

Contractor agrees and understands that the work/services performed under this Agreement are performed as an independent Contractor and not as an employee of the County and that Contractor acquires none of the rights, privileges, powers, or advantages of County employees.

**7. Hold Harmless**

Contractor shall indemnify and save harmless County, its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description, brought for, or on account of: (A) injuries to or death of any person, including Contractor, or (B) damage to any property of any kind whatsoever and to whomsoever belonging, (C) any sanctions, penalties, or claims of damages resulting from Contractor's failure to comply with the requirements set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all Federal regulations promulgated thereunder, as amended, or (D) any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of County, its officers, agents, employees, or servants, resulting from the performance of any work required of Contractor or payments made pursuant to this Agreement, provided that this shall not apply to injuries or damage for which County has been found in a court of competent jurisdiction to be solely liable by reason of its own negligence or willful misconduct.

The duty of Contractor to indemnify and save harmless as set forth herein, shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

**8. Assignability and Subcontracting**

Contractor shall not assign this Agreement or any portion thereof to a third party or subcontract with a third party to provide services required by contractor under this Agreement without the prior written consent of County. Any such assignment or subcontract without the County's prior written consent shall give County the right to automatically and immediately terminate this Agreement.

**9. Insurance**

The Contractor shall not commence work or be required to commence work under this Agreement unless and until all insurance required under this paragraph has been obtained and such insurance has been approved by Risk Management, and Contractor shall use diligence to obtain such insurance and to obtain such approval. The Contractor shall furnish the County with certificates of insurance evidencing the required coverage, and there shall be a specific contractual liability endorsement extending the Contractor's coverage to include the contractual liability assumed by the Contractor pursuant to this Agreement. These certificates shall specify or be endorsed to provide that thirty (30) days' notice must be given, in writing, to the County of any pending change in the limits of liability or of any cancellation or modification of the policy.

(1) **Worker's Compensation and Employer's Liability Insurance** The Contractor shall have in effect during the entire life of this Agreement Workers' Compensation and Employer's Liability Insurance providing full statutory coverage. In signing this Agreement, the Contractor certifies, as required by Section 1861 of the California Labor Code, that it is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of the Code, and will comply with such provisions before commencing the performance of the work of this Agreement.

(2) **Liability Insurance** The Contractor shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect him/her while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage which may arise from contractors operations under this Agreement, whether such operations be by himself/herself or by any sub-contractor or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than the amount specified below.

Such insurance shall include:

- (a) Comprehensive General Liability . . . . . \$1,000,000
- (b) Motor Vehicle Liability Insurance . . . . . \$1,000,000
- (c) Professional Liability . . . . . \$1,000,000

County and its officers, agents, employees and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that the insurance afforded thereby to the County, its officers, agents, employees and servants shall be primary insurance to the full limits of liability of the policy, and that if the County or its officers and employees have other insurance against the loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, the County of San Mateo at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

**10. Compliance with laws; payment of Permits/Licenses**

All services to be performed by Contractor pursuant to this Agreement shall be performed in accordance with all applicable Federal, State, County, and municipal laws, ordinances and regulations, including, but not limited to, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and the Federal Regulations promulgated thereunder, as amended, and will comply with the Business Associate requirements set forth in Attachment "H," and the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended and attached hereto and incorporated by reference herein as Attachment "I," which prohibits discrimination on the basis of handicap in programs and activities receiving any Federal or County financial assistance. Such services shall also be performed in accordance with all applicable ordinances and regulations, including, but not limited to, appropriate licensure, certification regulations, provisions pertaining to confidentiality of records, and applicable quality assurance regulations. In the event of a conflict between the terms of this Agreement and State, Federal, County, or municipal law or regulations, the requirements of the applicable law will take precedence over the requirements set forth in this Agreement. Further, Contractor certifies that the Contractor and all of its subcontractors will adhere to all applicable provisions of Chapter 4.106 of the San Mateo County Ordinance Code, which regulates the use of disposable food service ware.

Contractor will timely and accurately complete, sign, and submit all necessary documentation of compliance.

**11. Non-Discrimination and Other Requirements**

- A. *Section 504 applies only to Contractors who are providing services to members of the public.* Contractor shall comply with § 504 of the Rehabilitation Act of 1973, which provides that no otherwise qualified handicapped individual shall, solely by reason of a disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in the performance of this Agreement.
- B. *General non-discrimination.* No person shall, on the grounds of race, color, religion, ancestry, gender, age (over 40), national origin, medical condition (cancer), physical or mental disability, sexual orientation, pregnancy, childbirth or related medical condition, marital status, or political affiliation be denied any benefits or subject to discrimination under this Agreement.

- C. *Equal employment opportunity.* Contractor shall ensure equal employment opportunity based on objective standards of recruitment, classification, selection, promotion, compensation, performance evaluation, and management relations for all employees under this Agreement. Contractor's equal employment policies shall be made available to County of San Mateo upon request.
- D. *Violation of Non-discrimination provisions.* Violation of the non-discrimination provisions of this Agreement shall be considered a breach of this Agreement and subject the Contractor to penalties, to be determined by the County Manager, including but not limited to
  - i) termination of this Agreement;
  - ii) disqualification of the Contractor from bidding on or being awarded a County contract for a period of up to 3 years;
  - iii) liquidated damages of \$2,500 per violation;
  - iv) imposition of other appropriate contractual and civil remedies and sanctions, as determined by the County Manager.

To effectuate the provisions of this section, the County Manager shall have the authority to examine Contractor's employment records with respect to compliance with this paragraph and/or to set off all or any portion of the amount described in this paragraph against amounts due to Contractor under the Contract or any other Contract between Contractor and County.

Contractor shall report to the County Manager the filing by any person in any court of any complaint of discrimination or the filing by any person of any and all charges with the Equal Employment Opportunity Commission, the Fair Employment and Housing Commission or any other entity charged with the investigation of allegations within 30 days of such filing, provided that within such 30 days such entity has not notified Contractor that such charges are dismissed or otherwise unfounded. Such notification shall include the name of the complainant, a copy of such complaint, and a description of the circumstance. Contractor shall provide County with a copy of their response to the Complaint when filed.

- E. *Compliance with Equal Benefits Ordinance.* With respect to the provision of employee benefits, Contractor shall comply with the County Ordinance which prohibits contractors from discriminating in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse.
- F. The Contractor shall comply fully with the non-discrimination requirements required by 41 CFR 60-741.5(a), which is incorporated herein as if fully set forth.

## **12. Compliance with Contractor Employee Jury Service Ordinance**

Contractor shall comply with the County Ordinance with respect to provision of jury duty pay to employees and have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service in San Mateo County. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employees' regular pay the fees received for jury service.

**13. Retention of Records, Right to Monitor and Audit**

(a) CONTRACTOR shall maintain all required records for three (3) years after the COUNTY makes final payment and all other pending matters are closed, and shall be subject to the examination and/or audit of the County, a Federal grantor agency, and the State of California.

(b) Reporting and Record Keeping: CONTRACTOR shall comply with all program and fiscal reporting requirements set forth by appropriate Federal, State and local agencies, and as required by the COUNTY.

(c) CONTRACTOR agrees to provide to COUNTY, to any Federal or State department having monitoring or review authority, to COUNTY's authorized representatives, and/or their appropriate audit agencies upon reasonable notice, access to and the right to examine all records and documents necessary to determine compliance with relevant Federal, State, and local statutes, rules and regulations, and this Agreement, and to evaluate the quality, appropriateness and timeliness of services performed.

**14. Merger Clause**

This Agreement, including the Exhibits attached hereto and incorporated herein by reference, constitutes the sole Agreement of the parties hereto and correctly states the rights, duties, and obligations of each party as of this document's date. In the event that any term, condition, provision, requirement or specification set forth in this body of the agreement conflicts with or is inconsistent with any term, condition, provision, requirement or specification in any exhibit and/or attachment to this agreement, the provisions of this body of the agreement shall prevail. Any prior agreement, promises, negotiations, or representations between the parties not expressly stated in this document are not binding. All subsequent modifications shall be in writing and signed by the parties.

**15. Controlling Law and Venue**

The validity of this Agreement and of its terms or provisions, as well as the rights and duties of the parties hereunder, the interpretation, and performance of this Agreement shall be governed by the laws of the State of California. Any dispute arising out of this Agreement shall be venued either in the San Mateo County Superior Court or in the United States District Court for the Northern District of California.

**16. Notices**

Any notice, request, demand, or other communication required or permitted hereunder shall be deemed to be properly given when both (1) transmitted via facsimile to the telephone number listed below and (2) either deposited in the United State mail, postage prepaid, or when deposited for overnight delivery with an established overnight courier that provides a tracking number showing confirmation of receipt, for transmittal, charges prepaid, addressed to:

**In the case of County, to:**  
Director of Community Development  
Planning & Building Department  
455 County Center, Mail Drop PLN122  
Redwood City, CA 94063

**In the case of Contractor, to:**  
Analytical Environmental Services  
1801 7<sup>th</sup> Street, Ste 100  
Sacramento, CA 95811

In the event that the facsimile transmission is not possible, notice shall be given both by United States mail and an overnight courier as outlined above.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

COUNTY OF SAN MATEO

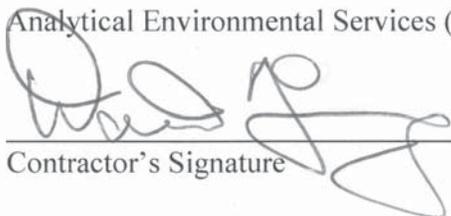
By: \_\_\_\_\_  
President, Board of Supervisors, San Mateo County

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
Clerk of Said Board

Analytical Environmental Services (AES)

  
Contractor's Signature

Date: 12-11-12

Exhibit "A"

In consideration of the payments set forth in Exhibit "B", Contractor shall provide the following services:

Contractor shall complete the preparation of an Environmental Impact Report for the proposed Ascensions Heights project (County File number PLN2002-00517) to be re-circulated. A complete Scope of Work is included in Exhibit C.

Exhibit "B"

In consideration of the services provided by Contractor in Exhibit "A", County shall pay Contractor based on the following fee schedule in attached Exhibit "B":

# EXHIBIT B - SCHEDULE OF CHARGES

AES schedule of hourly wage rates for the listing the labor categories, associated wage rates, and reimbursable expenses have been provided below.

Employee Category	Hourly Billing Rate
Principal	\$245
<b>Project Manager</b>	<b>\$140</b>
Analyst III	\$120
<b>Analyst II</b>	<b>\$110</b>
<b>Analyst I</b>	<b>\$105</b>
Cultural Resources Specialist	\$120
<b>Archaeologist III</b>	<b>\$110</b>
Archaeologist II	\$105
Archaeologist I	\$100
<b>Biologist III</b>	<b>\$120</b>
Biologist II	\$110
Biologist I	\$105
Sr. Graphic Designer	\$105
<b>Graphic Designer II</b>	<b>\$100</b>
Graphic Designer I	\$95
Office Administrator	\$100
Administrative Assistant III	\$90
Administrative Assistant II	\$85
<b>Administrative Assistant I</b>	<b>\$80</b>

Direct Costs	
Postage/Overnight Mail	Actual cost + 15%
Courier Charges	Actual cost + 15%
Mileage	Federal Rate - currently \$0.55 per mile + 15%
Other Direct Costs	Actual cost + 15%
In-house Copying Charges:	
Black & White	\$0.10 per page + 15%
Color	\$1 per page + 15%
CD duplication w/label & case	\$2.50 each + 15%

# EXHIBIT C - SCOPE OF WORK

## Project Understanding

The **Ascension Heights Subdivision Project (Proposed Project)** entails a request by the project proponent for the County of San Mateo to approve subdivision of six parcels on 21.13 acres into 21 lots for development of 19 single-family residences with the remaining 2 lots (approximately 7.81-acres) maintained as a conservation area. The project site is located adjacent to Ascension Drive and Bel Aire Road in unincorporated San Mateo County, approximately 0.87 miles north east of Highway 280 and 0.51 miles west of highway 92. Potable water would be provided by connection to the Mid-Peninsula Water District and wastewater collection would be provided by the Crystal Springs Sanitation District with treatment at the City of San Mateo Wastewater Treatment Plant. Development of the 19 subdivided lot into single-family residences would require 40,920 cubic yards of grading, of which 28,270 cubic yards would require exportation from the site. Accordingly, the project applicant also requires a grading permit from the County. Based on the size of the development, a Water Supply Assessment is not required for the Proposed Project. One significant consideration is the Cease and Desist Order (CDO) issued by the San Francisco Bay Regional Water Quality Control Board to the City of San Mateo, town of Hillsborough, and Crystal Springs County Sanitation District. The CDO was issued as a result of high infiltration rates of non wastewater during wet weather into the wastewater conveyance system resulting in associated decreases in sewage conveyance capacity which lead to unregulated releases of wastewater to surface waters. This issue will be addressed in the Draft EIR.

The Proposed Project is a re-design of a previous project that was denied by the San Mateo County Planning Commission in 2009. A Draft Environmental Impact Report (Draft EIR) and Final Environmental Impact Report (Final EIR) were prepared for the previously proposed project. The scope of services will utilize, to the extent feasible, existing information from the previous environmental process to provide a Revised EIR that meets the current CEQA guidelines as well as current legal precedent for the analysis of environmental impacts developed through CEQA case law.

## Scope of Services

### *Program Description*

The overall objective and focus of the work plan outlined below is the efficient preparation of a Revised EIR that meets the legal requirements of a complete, adequate, and objective statement of the Proposed Project's environmental consequences while incorporating background information and analysis prepared during the previous EIR process to the extent feasible and reasonable in a cost effective manner. The resulting Revised EIR document will provide a concise, integrated source of information for the public, county decision makers, and other permitting agencies including the California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board.

## *County Direction*

AES works as an extension of County staff. Our Project Manager would take direction from the assigned County Project Manager. In this role, AES will pro-actively assist with meeting the stated project objectives by maintaining an up-to-date schedule that indicates deliverable due dates and responsible parties. AES has enjoyed similar working relationships with a variety of federal, state, and municipal agencies.

## *Proposed Course of Action*

**Task 1: Kick-Off Meeting, Project Initiation and Information Review.** AES will meet with the County to establish lines of communication, determine the nature and format of the document to be prepared, and obtain relevant documentation and project details. Following this meeting, AES will review all project documentation and related planning materials, including the additional information for the previous EIR that may not have been provided during development of this Scope of Work, and available planning documents including General Plan materials, utility master plans, the County's subdivision regulations, tree regulations, and the Countywide Transportation Plan. Following this review, AES will develop a final project schedule and work plan that meets the needs of the County.

**Deliverables:** AES will prepare a final work plan and schedule to be distributed to the project team via email within five (5) days of the project initiation meeting.

**Task 2: Initial Study, NOP and Scoping.** Following the project initiation meeting, AES will prepare a draft Initial Study (IS) that includes a checklist consistent with Appendix G of the CEQA Guidelines and County guidance. The IS will be used to screen nonsignificant environmental issues from further consideration within the EIR. Following completion of the IS, AES will prepare a Notice of Preparation (NOP). Flexibility will be built into the NOP in anticipation of minor adjustments to project layout and design. This Scope of Work assumes that the County will coordinate circulation of the IS/NOP to the public. AES's Sacramento Office is located mere blocks from the State Clearinghouse and can readily deliver the IS/NOP in a cost effective manner. AES will attend and provide environmental expertise at one public town hall/scoping meeting during the 30-day public review period starting with release of the NOP. It is assumed that the County will be responsible for reserving an appropriate venue for the meeting. AES shall prepare up to 4 poster board exhibits for the public town hall/scoping meeting.

**Deliverables:** AES will provide the County with an electronic version of the IS. AES will revise the IS based on a comprehensive set of comments received on the electronic version from the County. The IS will be included as an appendix to the Administrative Draft EIR. AES will provide an electronic copy of the draft NOP to the County for review. AES will revise the NOP based on a comprehensive set of comments received on the electronic version from the County. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall/scoping meeting for approval.

**Task 3: Administrative Draft Revised EIR Preparation.** AES will conduct field studies and analysis as necessary to prepare an Administrative Draft EIR (ADEIR) in accordance with the State CEQA Guidelines, and relevant case law. AES will review the results of the IS and scoping comments submitted during the NOP comment period to focus the EIR analysis on those issues that are identified as potentially significant. AES will prepare a summary list of relevant issues to be addressed within the project analysis and consult with the County regarding any revisions to the scope of EIR services, if necessary. Given the nature of the Proposed Project, AES anticipates the EIR will be rather comprehensive, with sections analyzing the direct, indirect, and cumulative effects associated with each of the following issue areas:

- Aesthetics
- Agricultural Resources
- Air Quality and Greenhouse Gases
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems
- Transportation and Traffic

As Lead Agency, the County will make the final determination regarding the content of the EIR. Upon award of the contract, AES and the County would consider each issue area and draft a more detailed work plan that clearly outlines the expectations of the County and the obligations of AES.

**Deliverables:** AES will provide the County with a total of three (3) bound hardcopies and one (1) CD copy in color PDF format of the ADEIR.

### *ADEIR Contents*

Executive Summary. This section will provide an overview of the Draft EIR (DEIR) and include a summary table of all identified environmental effects, mitigation, and the significance level of impacts before and after mitigation.

Introduction. This section will explain the applicability of CEQA to the Proposed Project, describes the CEQA public review process, summarizes significant issues raised during the scoping process, and outlines the organization of the EIR.

Project Description. This section will present the background of the Proposed Project and identify the County's objectives in pursuing the project. AES will incorporate detailed project information and exhibits provided by the Applicant and County to describe each component of the Proposed Project in sufficient detail to enable identification of the largest envelope of potential environmental impacts. All anticipated approvals, permits, and other actions that will rely on the EIR will be identified.

Environmental Setting and Analysis. Considered the heart of the EIR, this section will provide a separate subsection for each environmental issue area in which a potentially significant impact was identified during the IS and scoping process. Each issue area subsection will discuss the existing setting, regulatory framework, analysis methods and thresholds, anticipated project-related impacts, and recommended mitigation measures to reduce or avoid adverse effects.

Cumulative Impacts. AES will assess the cumulative impacts of the Proposed Project in connection with other reasonably foreseeable projects and build-out of the County's General Plan. If available, the cumulative analysis will also consider growth projections anticipated in the County's on-going General Plan Update. AES will work with the County and relevant agencies to develop a list of relevant projects and define the geographical scope of the cumulative analysis. Cumulative analysis will cover each issue area addressed under the Environmental Setting and Analysis section of the EIR. Anticipated project-related cumulative impacts will be identified and mitigation measures will be recommended to reduce or avoid adverse effects.

Project Alternatives. In accordance with CEQA Guidelines Section 15126.6, AES will work with the County and Applicant to develop up to four (4) alternatives that could feasibly attain most of the basic objectives of the Proposed Project and would substantially lessen one or more of the project's significant environmental effects. The following alternatives may be considered as part of this process, although it is anticipated that one or more may be eliminated from detailed consideration due to the increased potential for environmental impacts:

1. No Project Alternative. As required by CEQA, one of the alternatives will be a No Project Alternative. This alternative will assume that the Proposed Project would not occur. While it is anticipated that some environmental impacts would be reduced, the basic objectives of the project would not be accomplished and may result in greater effects associated with water quality and noncompliance with permit requirements.
2. Reduced Footprint Alternative. AES will work with the County to identify a mitigated project footprint alternative within the boundaries of the project site. It is anticipated that a reconfiguration of land uses and clustering of high density residential development would accomplish the goals of this alternative.
3. Reduced Density Alternative. AES will work with the County to define a reduced density alternative that would result in fewer residents on the project site, and thus fewer demands on public utilities and infrastructure.

According to CEQA Guidelines Section 15126.6(d), “the significant effects of an alternative shall be discussed, but in less detail than the significant effects of the project as proposed.” The assessment of project alternatives will be consistent with this requirement by presenting a sufficient amount of detail necessary to afford decision makers with a reasoned choice. In most cases, environmental analyses conducted for the Proposed Project will be applicable to alternative development scenarios. Qualitative analysis of air quality and noise impacts associated with project alternatives will be conducted.

### *Issue Area Analysis and Assumptions*

Aesthetics. Development of the Proposed Project would alter the visual character of the project site from open space to urban; however, the surrounding areas consist of housing developments of similar density and therefore impacts are anticipated to be less than significant. Using visual representations of the project to be provided by the Applicant and existing analysis from the 2009 EIR to the extent possible, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation:

- Review the relevant visual quality standards contained in the County’s General Plan and consider the applicability of planning policies and ordinances related to aesthetics.
- Conduct reconnaissance field studies to assess the visual character of the project site and surrounding public view areas. Document existing visual conditions on the project site through photographs and detailed descriptions.
- Incorporate the existing three dimensional visual design exhibits of the proposed facilities prepared by Lea and Braze Engineering, Inc. for the Applicant into site and aerial photographs of the project site to assess impacts to aesthetics and viewsheds of the project region.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the aesthetics section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts and ensure consistency with relevant visual quality standards of the County’s General Plan.

Air Quality. Development of the Proposed Project would result in short-term emissions and fugitive dust during the construction phase and long-term emissions associated with vehicle traffic. AES will complete the following tasks to determine the level of potential air quality impacts and the need for mitigation.

- Review relevant local/regional air quality standards for the project area, including those issued by the Bay Area Air Quality Management District (AQMD) and California Air Resources Board (CARB).
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Federal Clean Air Act and California Clean Air Act.
- Document existing sources of air pollution and identify sensitive receptors that may be affected by development of the Proposed Project.
- AES will conduct a HRA for the Proposed Project. The assessment will use accepted County or Air District protocols to determine the necessity for dispersion modeling. AES will use either AeMOD

or CAL3QHCR modeling software to estimate concentrations at defined receptor locations and will consult with the Air District and County to determine the appropriate level of analysis.

- Identify short-term air quality impacts from construction emissions using CARB-approved URBEMIS- modeling software. In order to estimate construction emissions, AES will coordinate with the County and Applicant to acquire information regarding the nature of construction activities, types of equipment that will likely be used, and the anticipated total area of disturbance.
- Identify long-term regional air quality impacts from mobile and area source emissions using CARB approved URBEMIS modeling software. This analysis will include quantification of criteria air pollutants identified in the local air quality management plans and shall be conducted according to district methodologies. Mobile source emissions will be estimated using vehicle trip generation and distribution information provided in the traffic study prepared by RKH.
- Quantify greenhouse gas emissions as recommended within the recent amendments to the CEQA Guidelines. In accordance with this guidance, AES will provide a qualitative, performance based approach to reducing impacts. This effort will be closely coordinated within the County's General Plan Update Process to ensure consistent methodology and thresholds are being applied.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the air quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts from both construction and operation of the Proposed Project. Modeling runs will be included as an appendix to the EIR.

Agricultural Resources. The Proposed Project would not result in the conversion of prime agricultural land. Additionally, no Williamson Act contracts are held on the subject parcels. AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process. Should it be determined that Agricultural Resources should be included within the EIR, AES will complete the following tasks using the existing analysis from the 2009 EIR to the extent possible to determine the level of potential impacts to agricultural resources and the need for mitigation:

- Review the relevant local policies concerning the protection of farmlands, including those contained in the County General Plan and General Plan Update.
- Describe and map the important agricultural soils in the project area including Prime Farmland, Farmland of Statewide Importance and Unique Farmland.
- Review information on existing agricultural resource in the region and current urbanization trends.
- AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process.

Biological Resources. Development of the Proposed Project has the potential to impact special-status species and other biological resources, including the endangered Mission Blue Butterfly. This scope of work does not provide for protocol-level biological surveys or permitting. AES will complete the following tasks to determine the level of potential biological impacts and the need for mitigation:

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Federal Endangered Species Act, Fish and Wildlife Coordination Act, Migratory Bird Treaty Act, Clean Water Act (Sections 401 and 404), Magnuson Fisheries-Stevens Fishery

Conservation and Management Act, California Endangered Species Act, California Fish and Game Code, and Porter-Cologne Water Quality Control Act.

- Review existing information related to biological resources included within the Biological Resources Assessment prepared for the 2009 EIR.
- Conduct an updated query of the California Natural Diversity Database/RareFind, California Native Plant Society's Electronic Inventory, and the California Wildlife-Habitat Relationships database, and obtain current special-status species lists for the project area from the U.S. Fish and Wildlife Service (USFWS).
- Conduct a biological field survey of the project site to establish the potential for occurrences of special-status species or critical habitat and confirm the findings of the Biological Resources Assessment prepared by the Applicant.
- Incorporate information from existing studies and findings into the biological resources section of the EIR and recommend avoidance or mitigation measures to reduce any potentially significant impacts. In coordination with the County, AES will informally consult with USFWS and the California Department of Fish and Game to refine mitigation measures and meet regulatory requirements. This coordination will promote an efficient environmental review process for the Proposed Project.

Cultural Resources. Development of the Proposed Project could result in adverse impacts to previously documented, newly identified, or inadvertently discovered cultural resources. Preliminary site reconnaissance indicates that the project site has been substantially disturbed from agricultural activities; however, impacts to unanticipated archaeological resources discovered during construction are always a possibility. AES will complete the following tasks during preparation of the cultural resources section of the EIR.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: CEQA Guidelines 15064.5 and PRC 21083.2, SB-18 – Tribal Consultation (required for General Plan Amendment), Section 106 of the National Historic Preservation Act (required for 404 permits)
- Conduct an updated records search at the Northwest Information Center of the California Historical Resources Information System.
- Request a sacred lands search and stakeholders list from the Native American Heritage Commission (NAHC). AES will send preliminary consultation letters to all Native American stakeholders identified by the NAHC.
- Conduct an intensive Phase-I pedestrian survey of the project site. The survey will include recordation of any newly identified sites on appropriate DPR forms. Records of previously identified sites will be updated if necessary. This scope of work assumes that no more than two relatively simple resources will require recordation or updating. Evaluation of site significance is not included in the enclosed cost estimate. If it is determined that identified site(s) need to be evaluated, AES will provide a detailed scope of work and cost estimate for this work.

- Assist the County with SB-18 consultation. SB-18 assistance will include identification of stakeholders, provision of invitation to consult language, and attendance at up to two meetings with tribal representatives.
- Conduct all surveys and records searches in compliance with Section 106 of National Historic Preservation Act in the event that federal permitting is required.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the cultural resources section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts. This Scope of Work does not provide for testing or data recovery of any identified archaeological sites.

Geology and Soils. Development of the Proposed Project has the potential to result in soil erosion or subject people or property to geologic or seismic risks. AES is teaming with Michelucci and Associates to conduct an Updated Geotechnical Study to supplement the geotechnical study they prepared for the 2009 EIR. AES will complete the following tasks during preparation of the geology and soils section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to geology, soils and seismic hazards within the project area, including those contained in the County's General Plan.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Soil and Water Conservation Act, National Earthquake Hazards Reduction Program, Alquist-Priolo Earthquake Fault Zoning Act, Seismic Hazards Mapping Act, and California Building Standards Code.
- Identify soils types within the project area based on a review of U.S. Department of Agriculture soils surveys and field investigations to estimate the potential for erosion, settlement, and liquefaction; however, it is assumed that a geotechnical report or other appropriate analysis shall be conducted that determines the shrink/swell potential and stability of the soil to support the proposed facilities prior to construction.
- Review regional/local earthquake fault and seismic hazard maps to determine the potential for seismic related hazards.
- Incorporate findings of the Geotechnical Study prepared by Michelucci and Associates and existing analysis from the 2009 EIR to the extent possible into the geology and soils section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hazards and Hazardous Materials. Development of the Proposed Project may subject people to hazardous materials or hazards. The majority of the project site has been formerly used for agricultural purposes. AES will complete the following tasks during preparation of the Hazards/Hazardous Materials section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to hazards and hazardous materials within the project area, including those contained in the County's General Plan.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Resources Conservation and Recovery Act, Hazardous and Solid Waste Management Acts, and Comprehensive Environmental Response, Compensation, and Liability Act.
- Request a database search from Environmental Data Services to identify whether the project site is listed on various local, state, or federal hazardous materials databases. AES will also search online database resources regarding facilities or sites identified as meeting the “Cortese List” requirements pursuant to Government Code Section 65962.5.
- AES will research historic land usage within and adjacent to the project site, including review of historic topographic maps and aerial photographs.
- AES will incorporate findings and existing analysis from the 2009 EIR to the extent possible into the hazards and hazardous materials section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hydrology and Water Quality. Development of the Proposed Project would alter the existing drainage patterns on the project site during both construction and operation, potentially impacting run-off quantity and quality. AES understands that Lea and Braze have already completed an updated hydrological evaluation of the project site to assess drainage impacts associated with the development of impervious surfaces on the project site. AES will complete the following tasks during preparation of the Hydrology and Water Quality Section of the EIR:

- Review existing information concerning water quality in the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Clean Water Act and Porter-Cologne Water Quality Act.
- Identify flood hazards on the site or in the immediate project area through Review of FEMA Flood Insurance maps, the proposed flood protection/prevention measures of the project (if needed), and determine residual effects on localized or downstream flooding.
- Peer review drainage plans, estimates of storm water volumes, and existing system capacities provided to AES by Lea and Braze during the hydrological study, the County and/or the Applicant.
- Using existing information, identify the general types and sources of water quality changes that may result from the proposed development. Evaluate potential impacts of runoff from the project site on the quality of receiving waters.
- Discuss the need to apply for an NPDES permit for construction activities. Identify guidelines and policies of the SFBRWQCB, U.S. Environmental Protection Agency, and County plans regarding water quality impacts from storm water runoff.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Hydrology and Water Quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Land Use and Planning. The Proposed Project would result in the subdivision of the project site for the development of 19 single-family residential units. Implementation of the Proposed Project must be

considered in light of existing policies included within the County's General Plan and General Plan Update. Additionally, the Proposed Project will introduce new land uses that may be incompatible with existing or planned land uses on adjacent properties. Based on an initial review of the General Plan and Land Use designations for the project site, the Proposed Project is consistent with the land use planning documents governing development on the project site and the density of development is consistent with zoning designations. Accordingly, AES anticipates that impacts to Land Use and Planning will be less than significant and no mitigation will be required. To ensure a complete analysis is provided, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted land use studies associated with the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Identify existing, approved, and proposed land use and zoning designations within and surrounding the project site.
- Consider the consistency of the Proposed Project with existing applicable planning documents, and include "planning consistency matrix" as an appendix to the EIR.
- Assess potential long-term compatibility issues, as well as short-term issues associated with phased development and non-conforming land uses.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Land Use and Planning section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Noise. Development of the Proposed Project would result in a short-term increase in noise and vibration during the construction phase and would result in long-term noise increases related to traffic and operational activities that may impact sensitive receptors. AES will conduct a noise assessment of the project site and incorporate the analysis and conclusions into the Noise Section of the EIR. AES will complete the following task to determine the level of potential impacts and the need for mitigation.

- Existing Noise Levels: Conduct a detailed ambient noise survey to quantify existing noise conditions at the project site and at the nearest potentially affected noise-sensitive land uses. The survey will consist of continuous and short-term noise level measurements at as many locations deemed necessary to thoroughly identify existing noise conditions for the project area which will include traffic noise from State Route 280 and 92. To the extent that information contained in the 2009 EIR is still relevant, AES will make use of it.
- Prepare Technical Report in Support of the EIR Noise Section that will contain the results of the previous task in the above-described scope of work, as well as graphics showing noise measurement locations and potential noise mitigation locations as appropriate. The report will be included as an appendix to the EIR. AES will incorporate existing analysis from the 2009 EIR to the extent possible.

Public Services and Recreation: Development of the Proposed Project would result in an increased demand for public services and recreation, including public schools, law enforcement, and fire protection. Additionally, the increase in population as a result of the project will result in increased use of County and

regional recreational facilities. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the project site and consider the applicability of relevant local/regional planning policies and ordinances..
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including:
  - Uniform Fire Code
  - California Health and Safety Code
- AES will update the public service provided questionnaires provided Appendix C of the 2009 Draft EIR. AES will contact local service providers, including the Sheriff's Department, Fire Department, County Parks Department, County Public Libraries, and School Districts to determine existing service levels in the project area and need for additional personnel, equipment, and facilities.
- Estimate the new service demands resulting from the development of the Proposed Project, including the increase in student enrollment, law enforcement demands, fire protection demands, and use of recreational facilities.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Recreation section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Traffic and Circulation: Development of the Proposed Project would result in an increase in local traffic. AES is teaming with RKH for the preparation of a traffic analysis and study for the Proposed Project to determine the potential for adverse effects on traffic circulation and identify appropriate traffic improvements. AES will complete the following tasks during preparation of the transportation/traffic section of the EIR.

- Incorporate findings of the traffic impact analysis into the Transportation and Circulation section of the EIR.
- Assess potential impacts associated with pedestrian, bicycle, and public transportation, and recommend appropriate mitigation measures.
- Discuss potential short-term impacts associated with construction activities. It is anticipated that mitigation will likely include specific measures to be included within a Traffic Control Plan for construction activities.

Utilities and Service Systems: Development of the Proposed Project would result in an increased demand for public utilities, including potable water, wastewater treatment, drainage facilities, and solid waste services. AES is teaming with NV5, formerly Nolte and Associates to assess the potential impacts to sewer and water conveyance systems. The cost and scope assumes that the level of effort required is to update the analysis within the 2009 EIR and no modeling of conveyance capacities are required. AES will assess the potential impacts to other utility and service systems including solid waste, electricity, and telecommunications. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the 2009 EIR and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: California Health and Safety Code, Integrated Waste Management Act, Water Management Planning Act, SB 610 – Water Availability Assessment. Based on the number of residential units, a Water Supply Assessment is not required under SB 610, which will be duly noted in the EIR.
- Coordinate with the County’s Public Utilities Department and local service providers to determine existing service levels in the project area.
- Estimate the new service demands resulting from the development of the Proposed Project, including water supply, wastewater, drainage and solid waste.
- Evaluate impacts to wastewater treatment and drainage facilities in light of information provided within NV5’s technical assessment.
- In accordance with thresholds provided in Appendix G of the CEQA Guidelines, evaluate physical environmental impacts resulting from proposed improvements to utility systems, including the any proposed upgrades to Crystal Springs County Special District and San Mateo Wastewater Treatment plant. This task does not include site visits to assess existing conditions of off-site improvements that may be required to update wastewater infrastructure to meet the wastewater demands of the project.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Utilities section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

**Task 4: Draft EIR and Public Circulation.** AES will meet with the County to clarify any comments and questions raised during review of the ADEIR. AES will revise the ADEIR based on a single set of comprehensive comments provided by the County. AES will provide an electronic screen check version of the Draft EIR with track changes to the County for review prior to production. Following approval by the County, AES will facilitate preparation of the Notice of Availability (NOA) and public release of the DEIR.

AES technical staff will coordinate and attend one (1) public comment town hall meeting during the 45-day public comment period on the DEIR. AES will provide up to three (3) poster board displays for the meeting. It is assumed that the County will be responsible for reserving an appropriate venue. If desired, a court reporter will be provided by the County.

**Deliverables:** AES will provide the County with ten (10) bound hardcopies one (1) CD copy in color PDF format of the Draft EIR. Fifteen (15) CD copies of the Draft EIR with hardcopies of the Executive Summary will be submitted as required to the State Clearinghouse with the Notice of Availability. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall meeting for approval.

**Task 5: Final EIR and Mitigation Monitoring and Reporting Plan.** AES will compile comments received from the public and other interested parties during the 45-day public review period for the Draft EIR, and summarize key issues for discussion with the County. AES will meet with County staff to go over the approach for responding to key issues raised during the DEIR public review period. Following this meeting, AES will formulate responses, and make any necessary revisions to the EIR. This Scope of Work assumes a moderate level of effort will be required to respond to comments. A moderate level of effort is considered to be less than 15 comment letters and 50 individual substantive comments that require a response beyond comment noted. The Response to Comments and any refinements to the DEIR text will be incorporated into a “freestanding” Final EIR. AES will prepare a Mitigation Monitoring and Reporting Plan (MMRP) to support the County’s certification of the Final EIR. The MMRP will be referenced within the text of the Final EIR and will be included as an appendix in the final document.

**Deliverables:** AES will provide the County with a total of ten (10) bound hardcopies and one (1) CD copy in PDF format of the Final EIR.

**Task 6: Findings and Final EIR Certification Support.** AES will assist with preparation of the Findings of Fact and Statement of Overriding Considerations. AES will attend/present at one meeting with the Planning Commission, and up to two staff meetings for certification of the Final EIR and Findings and Statement of Overriding Considerations.

**Task 7: Project Management and Meetings.** The AES management team will complete the myriad of small and often unforeseen tasks required to implement the preparation of an EIR. This includes numerous phone calls and emails necessary to facilitate information exchange between the Project Team and jurisdictional agencies, as well as the time required to prepare agendas, meeting minutes, schedules, and other such documents. Under this task, AES will:

- Attend a scoping hearing;
- Participate in up to 3 (3) two-hour project coordination meetings with planning staff at the County offices for the development of the Draft EIR;
- Attend up to two (2) Planning Commission hearings; and
- Participate in up to ten (10) one-hour project related conference calls with members of the project team and jurisdictional agencies.

**Deliverables:** AES will submit monthly status reports to the Project Team via email by the fifth business day of each month. AES will prepare and distribute minutes for each project-related meeting that will outline key decisions and action items.

**From:** Heather Hardy  
**To:** Virginia Diehl  
**Date:** 5/14/2013 8:19 AM  
**Subject:** RE: TRA / Edgewood Canyon

Hi Virginia,  
You're right - I think soon I'll be pretty well versed at contracts, as I have 3 to do (TRA, Ascension, Princeton). Grace is here and she is asking if we have a log we use to assign Contract numbers. (Or do we just use the next in sequence after the last contract?) Jan said she doesn't know of a contract log.  
Thanks,  
Heather

>>> Virginia Diehl < >>> 5/13/2013 6:43 PM >>>  
Grace will give you excellent direction on the IFAS/contract process. One thing you might ask Grace, or else call the Controller's, to find out if the EDD document is still required. If it is, you'll find copies in the folder marked "Contract Forms" on the credenza in my old cubicle. Otherwise, everything is the same, except for Board contracts you also send to the Controller's a copy of the resolution along with the contract and insurance forms. And you still have James's contract to process as well. I'm sure you'll get quite well versed by the time you've finished all these.

Date: Mon, 13 May 2013 17:31:40 -0700  
From: hhardy@smcgov.org  
Subject: RE: TRA / Edgewood Canyon  
To:

Hi Virginia,  
The principal from TRA is coming by tomorrow to sign the contract, so Grace is also coming over to teach me how to put this into IFAS. For Princeton, which was approved last week, should I follow the exact same process? Becky just gave me the executed resolution and contract. Thanks again,  
Heather

>>> Virginia Diehl < >>> 5/9/2013 11:56 AM >>>  
You can put any date in you want, as long as it's not longer than 3 years. You should ask Dave what he would like the end date to be, to ensure he picks a date that allows for any delays--you don't want to have to do an amendment later on.

In order to pay any contract, it needs to be entered into IFAS. So you should contact Grace for assistance in creating the CR. Jan can then approve it, after which you need to create a pdf of the contract (with the CR number written in the top right corner), along with the insurance certificate and the correctly dated EDD form I already filled in. The Controller's doesn't need anything else, but the whole packet will need to be scanned and placed in the Contract Documents folder that Frances and I created to archive contract documents.

The file folder should be compiled with the log sheet on top (Jan can do this) and put in the contract file drawer. A copy of the contract needs to be sent to TRA.

Hope this helps.

Date: Thu, 9 May 2013 10:04:30 -0700  
From: hhardy@smcgov.org  
CC: DHolbrook@smcgov.org  
Subject: TRA / Edgewood Canyon

To:

Hi Virginia,

Dave H. (cc'd here) has asked for my assistance with the TRA contract. I did find the soft copy in your files, so I can change the date and circulate for signatures. I've listed a few questions:

#1 At present the date is July 1 2012 - July 30, 2013, which coincides with the fiscal year. We would of course prefer that the work start around May 15, 2013, so is it okay if I change the dates to May 15, 2013 - May 14, 2014?

#2 Do I need to create a CR in IFAS for this? (Deanna H. recommended that I work with Grace R. for these).

#3 Is there anything else that I need to do for TRA?

Thank you so much for your time.  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**RESOLUTION NO. 072499**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

\* \* \* \* \*

**RESOLUTION AUTHORIZING AN AGREEMENT WITH ANALYTICAL ENVIRONMENTAL SERVICES TO PREPARE DRAFT AND FINAL ENVIRONMENTAL IMPACT REPORTS FOR THE ASCENSION HEIGHTS SUBDIVISION FOR THE TERM OF MAY 9, 2013 THROUGH MAY 9, 2014, IN AN AMOUNT NOT TO EXCEED \$113,075**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, the County and Analytical Environmental Services wish to enter into an Agreement, reference to which is hereby made for further particulars, whereby Analytical Environmental Services for the term of May 9, 2013 through May 9, 2014 will prepare Draft and Final Environmental Impact Reports for a maximum fiscal obligation of \$113,075; and

**WHEREAS**, this Board has been presented with a form of said Agreement and has examined and approved same as to both form and content and desires to enter into it.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of this Board of Supervisors be, and is hereby, authorized and directed to execute said Agreement for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto.

**From:** Heather Hardy  
**To:** IFAS Help Desk <ifashelpdesk@smcctl.org>  
**Date:** 5/17/2013 3:33 PM  
**Subject:** Two contracts

Hello,

Due to BoS decisions last week, I need to enter two contracts into IFAS:

#1 - \$579, 033.00 with Dyett & Bhatia for the Princeton project

#2 - \$113,075 with Analytical Environmental Services, for the Ascension Heights project

Using the Lookup function, I wasn't able to locate either of these vendors in IFAS. Am I able to create a PEID for these vendors, or do I need to work with the Controllers office?

Thank you for your help!

Heather

**From:** IFAS Help Desk <ifashelpdesk@smcctl.org>  
**To:** hhardy@smcgov.org  
**Date:** 5/17/2013 3:36 PM  
**Subject:** RE: Two contracts {32531}

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<table cellpadding="0" cellspacing="0" border="0" width="100%">
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Thank you for your inquiry. Your request (below) has been received and is being reviewed by the IFAS Help Desk staff.

Your ticket number is 32531, and your accesskey is 32531htwisk. You can check the status of this ticket and add updates by going to:  
<https://smcctl.org/https://smcctl.org/index.php?pg=request.check>

IFAS Help Desk  
 Controller's Office  
 County of San Mateo  
 Tel: (650) 599-1158  
 Fax: (650) 599-1139

```
<div>Hello,</div>
<div>&nbsp;</div>
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<div>&nbsp;</div>
<div>Thank you for your help!</div>
<div>&nbsp;</div>
<div>Heather</div>
<div>&nbsp;</div>
<div> </div></div>
```

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 5/17/2013 4:16 PM  
**Subject:** AES docs

Hi James,

I'm looking for some documents so that I can enter the Ascension Heights contract into IFAS. They include the Contract Insurance Certification Checklist, W9, County of San Mateo Contractor's Declaration Form, and their Certificate of Liability Insurance. Please let me know if you have these, or if you can point me in the direction to get them. The W9 is the most critical, since I need it to request that the Controllers set AES up as a vendor.

Thanks!

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**From:** IFAS Help Desk <ifashelpdesk@smcctl.org>  
**To:** hhardy@smcgov.org  
**Date:** 5/17/2013 8:30 PM  
**Subject:** How did we do? {32531}

## Reply ABOVE THIS LINE to add a note to this request ##

-----  
We recently responded to your request for assistance (listed below), and we'd like to know how we did. Please take a moment to complete our customer satisfaction survey.

Customer Care Survey

<a href="http://www.co.sanmateo.ca.us/portal/site/SMC/survey?sid=52269">http://www.co.sanmateo.ca.us/portal/site/SMC/survey?sid=52269</a>

Our goal is to provide accurate, timely and courteous service, and we appreciate your taking the time to let us know how well we are succeeding and how we can do better.

Thank you,  
Controller's General Accounting

- - -

Ticket ID: 32531

<div>Hello,</div>

<div>&nbsp;</div>

<div>Due to BoS decisions last week, I need to enter two contracts into IFAS:</div>

<div>&nbsp;</div>

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<div>&nbsp;</div>

<div>Thank you for your help!</div>

<div>&nbsp;</div>

<div>Heather</div>

<div>&nbsp;</div>

<div></div>

<div><img border="0" alt="Save Paper. Think before you print."</div>

src="cid:SASFVNPBWSVP.IMAGE\_31.gif" /> </div></div>

-----  
View the complete request history:

<https://smcctl.org/https://smcctl.org/index.php?pg=request.check&id=32531htwlsk>

Request access key: 32531htwlsk

**From:** Heather Hardy  
**To:** Virginia Diehl  
**Date:** 5/20/2013 7:28 AM  
**Subject:** RE: TRA / Edgewood Canyon

Hi Virginia,

I hope you are well. Controllers just sent out the Year End packet. Here's the first deliverable:

**May 28 - Year-End Appropriation Transfer Request (ATR)** - Begin working with CMO on year-end ATRs to finalize FY13 budget changes and to avoid budget blocks.

Do you think this applies to our department? I know that we recently got the Ascension ATR approved by the BoS on 5/7. I'm not sure if there are additional ATRs we need to complete. I asked Jan to go through the Year End deliverables with me and indicate which ones items aren't her responsibility. Jim and I are supposed to meet with Damien in DPW to discuss his group helping us with Year end, but I'm not sure if this will happen in time for 5/28. (I'm only here M-W this week, then a quick vacation, returning on Tuesday).

Thank you very much for your help and I hope you enjoy your week.

Heather

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>>> Virginia Diehl <

5/9/2013 11:56 AM >>>

You can put any date in you want, as long as it's not longer than 3 years. You should ask Dave what he would like the end date to be, to ensure he picks a date that allows for any delays--you don't want to have to do an amendment later on.

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The file folder should be compiled with the log sheet on top (Jan can do this) and put in the contract file drawer. A copy of the contract needs to be sent to TRA.

Hope this helps.

Date: Thu, 9 May 2013 10:04:30 -0700  
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CC: DHolbrook@smcgov.org  
Subject: TRA / Edgewood Canyon  
To:

Hi Virginia,

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County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859

**From:** Heather Hardy  
**To:**  
**Date:** 5/20/2013 9:49 AM  
**Subject:** RE: TRA / Edgewood Canyon (Training)

I am in training, without access to email. I will return to my desk at approximately 2:00 PM on Monday 5/20. Thank you.

>>> Virginia Diehl < >>> 05/20/13 09:49 >>>

Please give me a call at it will probably be easier to answer your questions that way.

Date: Mon, 20 May 2013 07:28:53 -0700  
From: hhardy@smcgov.org  
Subject: RE: TRA / Edgewood Canyon  
To:

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Heather

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County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859

**From:** Heather Hardy  
**To:** Heather Hardy  
**Date:** 5/20/2013 5:00 PM  
**Subject:** RE: TRA / Edgewood Canyon

Charges for services - enough  
How do I look to see ? 6000 series  
Ask Jan: where do you see \$ that isn't going to come in? Accrual? Jan will know what she's billing out.

>>> Virginia Diehl < >>> 5/20/2013 9:49 AM >>>  
Please give me a call at it will probably be easier to answer your questions that way.

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**From:** Heather Hardy  
**To:** Virginia Diehl  
**Date:** 5/21/2013 10:01 AM  
**Subject:** RE: TRA / Edgewood Canyon

Hi Virginia,

I feel like I learned a lot in our discussion this morning and I'm getting a better idea of the big picture. thank you once again.

Heather

>>> Virginia Diehl < >>> 5/20/2013 9:49 AM >>>  
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The file folder should be compiled with the log sheet on top (Jan can do this) and put in the contract file drawer. A copy of the contract needs to be sent to TRA.

Hope this helps.

Date: Thu, 9 May 2013 10:04:30 -0700  
From: hhardy@smcgov.org  
CC: DHolbrook@smcgov.org  
Subject: TRA / Edgewood Canyon  
To:

Hi Virginia,

Dave H. (cc'd here) has asked for my assistance with the TRA contract. I did find the soft copy in your files, so I can change the date and circulate for signatures. I've listed a few questions:

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#3 Is there anything else that I need to do for TRA?

Thank you so much for your time.  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**From:** Virginia Diehl <  
**To:** hhardy@smcgov.org  
**Date:** 5/21/2013 12:41 PM  
**Subject:** RE: TRA / Edgewood Canyon

You're welcome. I hope DPW can do the needful to help you with the year-end process. Did your meeting with Damien go well?

Date: Tue, 21 May 2013 10:01:48 -0700  
From: hhardy@smcgov.org  
Subject: RE: TRA / Edgewood Canyon  
To:

Hi Virginia,

I feel like I learned a lot in our discussion this morning and I'm getting a better idea of the big picture. thank you once again.

Heather

>>> Virginia Diehl < 5/20/2013 9:49 AM >>>

Please give me a call at it will probably be easier to answer your questions that way.

Date: Mon, 20 May 2013 07:28:53 -0700  
From: hhardy@smcgov.org  
Subject: RE: TRA / Edgewood Canyon  
To:

Hi Virginia,

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May 28 - Year-End Appropriation Transfer Request (ATR) - Begin working with CMO on year-end ATRs to finalize FY13 budget changes and to avoid budget blocks.

Do you think this applies to our department? I know that we recently got the Ascension ATR approved by the BoS on 5/7. I'm not sure if there are additional ATRs we need to complete. I asked Jan to go through the Year End deliverables with me and indicate which ones items aren't her responsibility. Jim and I are supposed to meet with Damien in DPW to discuss his group helping us with Year end, but I'm not sure if this will happen in time for 5/28. (I'm only here M-W this week, then a quick vacation, returning on Tuesday).

Thank you very much for your help and I hope you enjoy your week.  
Heather

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Thank you so much for your time.  
Heather

**From:** Heather Hardy  
**To:** Virginia Diehl  
**Date:** 5/21/2013 1:01 PM  
**Subject:** RE: TRA / Edgewood Canyon

Hi Virginia,

It went great - thanks for asking. Grace will come over and work with us on some items (such as the Encumbrance Change Request and the Encumbrance Status Report). Damien will help with the Revenue Accrual JE. Damien and Mike asked if I can find last year's "Deferred Revenue Journal". They didn't know exactly what I meant by that. Would it be somewhere in a folder where I can find it?

Thanks again,  
Heather

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**From:** James Castaneda  
**To:** Hardy, Heather  
**Date:** 5/22/2013 3:00 PM  
**Subject:** Re: Scheduling: 4 Perry Meeting  
**Attachments:** 20130103\_PLN2002-00517\_ContractRcvd.pdf

Hi Heather, see attached and let me know if that opens for you. Its the whole contract package, so take out what you need.

JAMES

>> Heather Hardy 05/22/13 2:38 PM >>>

I appreciate you being flexible - Jim's in court almost all week, so that's his last available hour. Have you had any luck on finding the W9 / Insurance docs for AES? I'm out of office the next two days, and am hoping to get all of my contract tasks as tied up as they can be.

Thanks,  
Heather

>>> James Castaneda 5/22/2013 1:17 PM >>>

Yeah, that should be ok. Ill work it out with the reserve or trade.

JAMES

>>> Heather Hardy 05/22/13 12:48 PM >>>

Jim would like to meet with you, Mike, and Bryan next Tuesday 5/28 from 10-11 to discuss 4 Perry graphics. I know you're at the Counter that day - Jim asks that you arrange for the Reserve person to cover from 10 to 11. Please let me know if that will be an issue.

Thanks,  
Heather

**From:** Heather Hardy  
**To:** PEID  
**Date:** 5/22/2013 3:51 PM  
**Subject:** PEID REQUEST: Analytical Environmental Services  
**Attachments:** AES\_W9.pdf; PEIDCreationForm\_Analytical.pdf; #28\_Analytical Environment\_Reso#072499.pdf

Thank you!

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND  
ANALYTICAL ENVIRONMENTAL SERVICES**

THIS AGREEMENT, entered into this 1st day of February, 2013, by and between the COUNTY OF SAN MATEO, hereinafter called "County," and Analytical Environmental Services, hereinafter called "Contractor."

W I T N E S S E T H:

WHEREAS, pursuant to Government Code, Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof;

WHEREAS, it is necessary and desirable that Contractor be retained for the purpose of preparing an Environmental Impact Report for the proposed Ascensions Heights subdivision project (County File number PLN2002-00517) to be re-circulated.

**NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:**

**1. Exhibits and Attachments**

The following exhibits and attachments are included hereto and incorporated by reference herein:

Exhibit A—Services  
Exhibit B—Payments and rates  
Exhibit C—Scope of Work

**2. Services to be performed by Contractor**

In consideration of the payments set forth herein and in Exhibit "B," Contractor shall perform services for County in accordance with the terms, conditions and specifications set forth herein and in Exhibit "A."

**3. Payments**

In consideration of the services provided by Contractor in accordance with all terms, conditions and specifications set forth herein and in Exhibit "A," County shall make payment to Contractor based on the rates and in the manner specified in Exhibit "B." The County reserves the right to withhold payment if the County determines that the quantity or quality of the work performed is unacceptable. In no event shall the County's total fiscal obligation under this Agreement exceed One Hundred Thirteen Thousand Seventy-Five Dollars, \$113,075.

**4. Term and Termination**

Subject to compliance with all terms and conditions, the term of this Agreement shall be from January 31, 2013 through January 31, 2014.

This Agreement may be terminated by Contractor, the Director of Community Development or his/her designee at any time without a requirement of good cause upon thirty (30) days' written notice to the other party.

In the event of termination, all finished or unfinished documents, data, studies, maps, photographs, reports, and materials (hereafter referred to as materials) prepared by Contractor under this Agreement shall become the property of the County and shall be promptly delivered to the County. Upon termination, the Contractor may make and retain a copy of such materials. Subject to availability of funding, Contractor shall be entitled to receive payment for work/services provided prior to termination of the Agreement. Such payment shall be that portion of the full payment which is determined by comparing the work/services completed to the work/services required by the Agreement.

**5. Availability of Funds**

The County may terminate this Agreement or a portion of the services referenced in the Attachments and Exhibits based upon unavailability of Federal, State, or County funds, by providing written notice to Contractor as soon as is reasonably possible after the County learns of said unavailability of outside funding.

**6. Relationship of Parties**

Contractor agrees and understands that the work/services performed under this Agreement are performed as an independent Contractor and not as an employee of the County and that Contractor acquires none of the rights, privileges, powers, or advantages of County employees.

**7. Hold Harmless**

Contractor shall indemnify and save harmless County, its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description, brought for, or on account of: (A) injuries to or death of any person, including Contractor, or (B) damage to any property of any kind whatsoever and to whomsoever belonging, (C) any sanctions, penalties, or claims of damages resulting from Contractor's failure to comply with the requirements set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all Federal regulations promulgated thereunder, as amended, or (D) any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of County, its officers, agents, employees, or servants, resulting from the performance of any work required of Contractor or payments made pursuant to this Agreement, provided that this shall not apply to injuries or damage for which County has been found in a court of competent jurisdiction to be solely liable by reason of its own negligence or willful misconduct.

The duty of Contractor to indemnify and save harmless as set forth herein, shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

**8. Assignability and Subcontracting**

Contractor shall not assign this Agreement or any portion thereof to a third party or subcontract with a third party to provide services required by contractor under this Agreement without the prior written consent of County. Any such assignment or subcontract without the County's prior written consent shall give County the right to automatically and immediately terminate this Agreement.

**9. Insurance**

The Contractor shall not commence work or be required to commence work under this Agreement unless and until all insurance required under this paragraph has been obtained and such insurance has been approved by Risk Management, and Contractor shall use diligence to obtain such insurance and to obtain such approval. The Contractor shall furnish the County with certificates of insurance evidencing the required coverage, and there shall be a specific contractual liability endorsement extending the Contractor's coverage to include the contractual liability assumed by the Contractor pursuant to this Agreement. These certificates shall specify or be endorsed to provide that thirty (30) days' notice must be given, in writing, to the County of any pending change in the limits of liability or of any cancellation or modification of the policy.

- (1) **Worker's Compensation and Employer's Liability Insurance** The Contractor shall have in effect during the entire life of this Agreement Workers' Compensation and Employer's Liability Insurance providing full statutory coverage. In signing this Agreement, the Contractor certifies, as required by Section 1861 of the California Labor Code, that it is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of the Code, and will comply with such provisions before commencing the performance of the work of this Agreement.
  
- (2) **Liability Insurance** The Contractor shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect him/her while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage which may arise from contractors operations under this Agreement, whether such operations be by himself/herself or by any sub-contractor or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than the amount specified below.

Such insurance shall include:

(a) Comprehensive General Liability . . . . .	\$1,000,000
(b) Motor Vehicle Liability Insurance . . . . .	\$1,000,000
(c) Professional Liability . . . . .	\$1,000,000

County and its officers, agents, employees and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that the insurance afforded thereby to the County, its officers, agents, employees and servants shall be primary insurance to the full limits of liability of the policy, and that if the County or its officers and employees have other insurance against the loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, the County of San Mateo at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

**10. Compliance with laws; payment of Permits/Licenses**

All services to be performed by Contractor pursuant to this Agreement shall be performed in accordance with all applicable Federal, State, County, and municipal laws, ordinances and regulations, including, but not limited to, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and the Federal Regulations promulgated thereunder, as amended, and will comply with the Business Associate requirements set forth in Attachment "H," and the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended and attached hereto and incorporated by reference herein as Attachment "I," which prohibits discrimination on the basis of handicap in programs and activities receiving any Federal or County financial assistance. Such services shall also be performed in accordance with all applicable ordinances and regulations, including, but not limited to, appropriate licensure, certification regulations, provisions pertaining to confidentiality of records, and applicable quality assurance regulations. In the event of a conflict between the terms of this Agreement and State, Federal, County, or municipal law or regulations, the requirements of the applicable law will take precedence over the requirements set forth in this Agreement. Further, Contractor certifies that the Contractor and all of its subcontractors will adhere to all applicable provisions of Chapter 4.106 of the San Mateo County Ordinance Code, which regulates the use of disposable food service ware.

Contractor will timely and accurately complete, sign, and submit all necessary documentation of compliance.

**11. Non-Discrimination and Other Requirements**

- A. *Section 504 applies only to Contractors who are providing services to members of the public.* Contractor shall comply with § 504 of the Rehabilitation Act of 1973, which provides that no otherwise qualified handicapped individual shall, solely by reason of a disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in the performance of this Agreement.
- B. *General non-discrimination.* No person shall, on the grounds of race, color, religion, ancestry, gender, age (over 40), national origin, medical condition (cancer), physical or mental disability, sexual orientation, pregnancy, childbirth or related medical condition, marital status, or political affiliation be denied any benefits or subject to discrimination under this Agreement.

- C. *Equal employment opportunity.* Contractor shall ensure equal employment opportunity based on objective standards of recruitment, classification, selection, promotion, compensation, performance evaluation, and management relations for all employees under this Agreement. Contractor's equal employment policies shall be made available to County of San Mateo upon request.
- D. *Violation of Non-discrimination provisions.* Violation of the non-discrimination provisions of this Agreement shall be considered a breach of this Agreement and subject the Contractor to penalties, to be determined by the County Manager, including but not limited to
  - i) termination of this Agreement;
  - ii) disqualification of the Contractor from bidding on or being awarded a County contract for a period of up to 3 years;
  - iii) liquidated damages of \$2,500 per violation;
  - iv) imposition of other appropriate contractual and civil remedies and sanctions, as determined by the County Manager.

To effectuate the provisions of this section, the County Manager shall have the authority to examine Contractor's employment records with respect to compliance with this paragraph and/or to set off all or any portion of the amount described in this paragraph against amounts due to Contractor under the Contract or any other Contract between Contractor and County.

Contractor shall report to the County Manager the filing by any person in any court of any complaint of discrimination or the filing by any person of any and all charges with the Equal Employment Opportunity Commission, the Fair Employment and Housing Commission or any other entity charged with the investigation of allegations within 30 days of such filing, provided that within such 30 days such entity has not notified Contractor that such charges are dismissed or otherwise unfounded. Such notification shall include the name of the complainant, a copy of such complaint, and a description of the circumstance. Contractor shall provide County with a copy of their response to the Complaint when filed.

- E. *Compliance with Equal Benefits Ordinance.* With respect to the provision of employee benefits, Contractor shall comply with the County Ordinance which prohibits contractors from discriminating in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse.
- F. The Contractor shall comply fully with the non-discrimination requirements required by 41 CFR 60-741.5(a), which is incorporated herein as if fully set forth.

## **12. Compliance with Contractor Employee Jury Service Ordinance**

Contractor shall comply with the County Ordinance with respect to provision of jury duty pay to employees and have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service in San Mateo County. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employees' regular pay the fees received for jury service.

**13. Retention of Records, Right to Monitor and Audit**

(a) CONTRACTOR shall maintain all required records for three (3) years after the COUNTY makes final payment and all other pending matters are closed, and shall be subject to the examination and/or audit of the County, a Federal grantor agency, and the State of California.

(b) Reporting and Record Keeping: CONTRACTOR shall comply with all program and fiscal reporting requirements set forth by appropriate Federal, State and local agencies, and as required by the COUNTY.

(c) CONTRACTOR agrees to provide to COUNTY, to any Federal or State department having monitoring or review authority, to COUNTY's authorized representatives, and/or their appropriate audit agencies upon reasonable notice, access to and the right to examine all records and documents necessary to determine compliance with relevant Federal, State, and local statutes, rules and regulations, and this Agreement, and to evaluate the quality, appropriateness and timeliness of services performed.

**14. Merger Clause**

This Agreement, including the Exhibits attached hereto and incorporated herein by reference, constitutes the sole Agreement of the parties hereto and correctly states the rights, duties, and obligations of each party as of this document's date. In the event that any term, condition, provision, requirement or specification set forth in this body of the agreement conflicts with or is inconsistent with any term, condition, provision, requirement or specification in any exhibit and/or attachment to this agreement, the provisions of this body of the agreement shall prevail. Any prior agreement, promises, negotiations, or representations between the parties not expressly stated in this document are not binding. All subsequent modifications shall be in writing and signed by the parties.

**15. Controlling Law and Venue**

The validity of this Agreement and of its terms or provisions, as well as the rights and duties of the parties hereunder, the interpretation, and performance of this Agreement shall be governed by the laws of the State of California. Any dispute arising out of this Agreement shall be venued either in the San Mateo County Superior Court or in the United States District Court for the Northern District of California.

**16. Notices**

Any notice, request, demand, or other communication required or permitted hereunder shall be deemed to be properly given when both (1) transmitted via facsimile to the telephone number listed below and (2) either deposited in the United State mail, postage prepaid, or when deposited for overnight delivery with an established overnight courier that provides a tracking number showing confirmation of receipt, for transmittal, charges prepaid, addressed to:

**In the case of County, to:**  
Director of Community Development  
Planning & Building Department  
455 County Center, Mail Drop PLN122  
Redwood City, CA 94063

**In the case of Contractor, to:**  
Analytical Environmental Services  
1801 7<sup>th</sup> Street, Ste 100  
Sacramento, CA 95811

In the event that the facsimile transmission is not possible, notice shall be given both by United States mail and an overnight courier as outlined above.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

COUNTY OF SAN MATEO

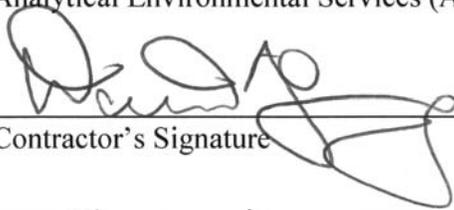
By: \_\_\_\_\_  
President, Board of Supervisors, San Mateo County

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
Clerk of Said Board

Analytical Environmental Services (AES)

  
\_\_\_\_\_  
Contractor's Signature

Date: 12-11-12

Exhibit "A"

In consideration of the payments set forth in Exhibit "B", Contractor shall provide the following services:

Contractor shall complete the preparation of an Environmental Impact Report for the proposed Ascensions Heights project (County File number PLN2002-00517) to be re-circulated. A complete Scope of Work is included in Exhibit C.

Exhibit "B"

In consideration of the services provided by Contractor in Exhibit "A", County shall pay Contractor based on the following fee schedule:

# EXHIBIT B - SCHEDULE OF CHARGES

AES schedule of hourly wage rates for the listing the labor categories, associated wage rates, and reimbursable expenses have been provided below.

Employee Category	Hourly Billing Rate
Principal	\$245
<b>Project Manager</b>	<b>\$140</b>
Analyst III	\$120
<b>Analyst II</b>	<b>\$110</b>
<b>Analyst I</b>	<b>\$105</b>
Cultural Resources Specialist	\$120
<b>Archaeologist III</b>	<b>\$110</b>
Archaeologist II	\$105
Archaeologist I	\$100
<b>Biologist III</b>	<b>\$120</b>
Biologist II	\$110
Biologist I	\$105
Sr. Graphic Designer	\$105
<b>Graphic Designer II</b>	<b>\$100</b>
Graphic Designer I	\$95
Office Administrator	\$100
Administrative Assistant III	\$90
Administrative Assistant II	\$85
<b>Administrative Assistant I</b>	<b>\$80</b>

Direct Costs	
Postage/Overnight Mail	Actual cost + 15%
Courier Charges	Actual cost + 15%
Mileage	Federal Rate - currently \$0.55 per mile + 15%
Other Direct Costs	Actual cost + 15%
In-house Copying Charges:	
Black & White	\$0.10 per page + 15%
Color	\$1 per page + 15%
CD duplication w/label & case	\$2.50 each + 15%

# EXHIBIT C - SCOPE OF WORK

## Project Understanding

The **Ascension Heights Subdivision Project (Proposed Project)** entails a request by the project proponent for the County of San Mateo to approve subdivision of six parcels on 21.13 acres into 21 lots for development of 19 single-family residences with the remaining 2 lots (approximately 7.81-acres) maintained as a conservation area. The project site is located adjacent to Ascension Drive and Bel Aire Road in unincorporated San Mateo County, approximately 0.87 miles north east of Highway 280 and 0.51 miles west of highway 92. Potable water would be provided by connection to the Mid-Peninsula Water District and wastewater collection would be provided by the Crystal Springs Sanitation District with treatment at the City of San Mateo Wastewater Treatment Plant. Development of the 19 subdivided lot into single-family residences would require 40,920 cubic yards of grading, of which 28,270 cubic yards would require exportation from the site. Accordingly, the project applicant also requires a grading permit from the County. Based on the size of the development, a Water Supply Assessment is not required for the Proposed Project. One significant consideration is the Cease and Desist Order (CDO) issued by the San Francisco Bay Regional Water Quality Control Board to the City of San Mateo, town of Hillsborough, and Crystal Springs County Sanitation District. The CDO was issued as a result of high infiltration rates of non wastewater during wet weather into the wastewater conveyance system resulting in associated decreases in sewage conveyance capacity which lead to unregulated releases of wastewater to surface waters. This issue will be addressed in the Draft EIR.

The Proposed Project is a re-design of a previous project that was denied by the San Mateo County Planning Commission in 2009. A Draft Environmental Impact Report (Draft EIR) and Final Environmental Impact Report (Final EIR) were prepared for the previously proposed project. The scope of services will utilize, to the extent feasible, existing information from the previous environmental process to provide a Revised EIR that meets the current CEQA guidelines as well as current legal precedent for the analysis of environmental impacts developed through CEQA case law.

## Scope of Services

### *Program Description*

The overall objective and focus of the work plan outlined below is the efficient preparation of a Revised EIR that meets the legal requirements of a complete, adequate, and objective statement of the Proposed Project's environmental consequences while incorporating background information and analysis prepared during the previous EIR process to the extent feasible and reasonable in a cost effective manner. The resulting Revised EIR document will provide a concise, integrated source of information for the public, county decision makers, and other permitting agencies including the California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board.

## *County Direction*

AES works as an extension of County staff. Our Project Manager would take direction from the assigned County Project Manager. In this role, AES will pro-actively assist with meeting the stated project objectives by maintaining an up-to-date schedule that indicates deliverable due dates and responsible parties. AES has enjoyed similar working relationships with a variety of federal, state, and municipal agencies.

## *Proposed Course of Action*

**Task 1: Kick-Off Meeting, Project Initiation and Information Review.** AES will meet with the County to establish lines of communication, determine the nature and format of the document to be prepared, and obtain relevant documentation and project details. Following this meeting, AES will review all project documentation and related planning materials, including the additional information for the previous EIR that may not have been provided during development of this Scope of Work, and available planning documents including General Plan materials, utility master plans, the County's subdivision regulations, tree regulations, and the Countywide Transportation Plan. Following this review, AES will develop a final project schedule and work plan that meets the needs of the County.

**Deliverables:** AES will prepare a final work plan and schedule to be distributed to the project team via email within five (5) days of the project initiation meeting.

**Task 2: Initial Study, NOP and Scoping.** Following the project initiation meeting, AES will prepare a draft Initial Study (IS) that includes a checklist consistent with Appendix G of the CEQA Guidelines and County guidance. The IS will be used to screen nonsignificant environmental issues from further consideration within the EIR. Following completion of the IS, AES will prepare a Notice of Preparation (NOP). Flexibility will be built into the NOP in anticipation of minor adjustments to project layout and design. This Scope of Work assumes that the County will coordinate circulation of the IS/NOP to the public. AES's Sacramento Office is located mere blocks from the State Clearinghouse and can readily deliver the IS/NOP in a cost effective manner. AES will attend and provide environmental expertise at one public town hall/scoping meeting during the 30-day public review period starting with release of the NOP. It is assumed that the County will be responsible for reserving an appropriate venue for the meeting. AES shall prepare up to 4 poster board exhibits for the public town hall/scoping meeting.

**Deliverables:** AES will provide the County with an electronic version of the IS. AES will revise the IS based on a comprehensive set of comments received on the electronic version from the County. The IS will be included as an appendix to the Administrative Draft EIR. AES will provide an electronic copy of the draft NOP to the County for review. AES will revise the NOP based on a comprehensive set of comments received on the electronic version from the County. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall/scoping meeting for approval.

**Task 3: Administrative Draft Revised EIR Preparation.** AES will conduct field studies and analysis as necessary to prepare an Administrative Draft EIR (ADEIR) in accordance with the State CEQA Guidelines, and relevant case law. AES will review the results of the IS and scoping comments submitted during the NOP comment period to focus the EIR analysis on those issues that are identified as potentially significant. AES will prepare a summary list of relevant issues to be addressed within the project analysis and consult with the County regarding any revisions to the scope of EIR services, if necessary. Given the nature of the Proposed Project, AES anticipates the EIR will be rather comprehensive, with sections analyzing the direct, indirect, and cumulative effects associated with each of the following issue areas:

- Aesthetics
- Agricultural Resources
- Air Quality and Greenhouse Gases
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems
- Transportation and Traffic

As Lead Agency, the County will make the final determination regarding the content of the EIR. Upon award of the contract, AES and the County would consider each issue area and draft a more detailed work plan that clearly outlines the expectations of the County and the obligations of AES.

**Deliverables:** AES will provide the County with a total of three (3) bound hardcopies and one (1) CD copy in color PDF format of the ADEIR.

### ***ADEIR Contents***

Executive Summary. This section will provide an overview of the Draft EIR (DEIR) and include a summary table of all identified environmental effects, mitigation, and the significance level of impacts before and after mitigation.

Introduction. This section will explain the applicability of CEQA to the Proposed Project, describes the CEQA public review process, summarizes significant issues raised during the scoping process, and outlines the organization of the EIR.

Project Description. This section will present the background of the Proposed Project and identify the County's objectives in pursuing the project. AES will incorporate detailed project information and exhibits provided by the Applicant and County to describe each component of the Proposed Project in sufficient detail to enable identification of the largest envelope of potential environmental impacts. All anticipated approvals, permits, and other actions that will rely on the EIR will be identified.

Environmental Setting and Analysis. Considered the heart of the EIR, this section will provide a separate subsection for each environmental issue area in which a potentially significant impact was identified during the IS and scoping process. Each issue area subsection will discuss the existing setting, regulatory framework, analysis methods and thresholds, anticipated project-related impacts, and recommended mitigation measures to reduce or avoid adverse effects.

Cumulative Impacts. AES will assess the cumulative impacts of the Proposed Project in connection with other reasonably foreseeable projects and build-out of the County's General Plan. If available, the cumulative analysis will also consider growth projections anticipated in the County's on-going General Plan Update. AES will work with the County and relevant agencies to develop a list of relevant projects and define the geographical scope of the cumulative analysis. Cumulative analysis will cover each issue area addressed under the Environmental Setting and Analysis section of the EIR. Anticipated project-related cumulative impacts will be identified and mitigation measures will be recommended to reduce or avoid adverse effects.

Project Alternatives. In accordance with CEQA Guidelines Section 15126.6, AES will work with the County and Applicant to develop up to four (4) alternatives that could feasibly attain most of the basic objectives of the Proposed Project and would substantially lessen one or more of the project's significant environmental effects. The following alternatives may be considered as part of this process, although it is anticipated that one or more may be eliminated from detailed consideration due to the increased potential for environmental impacts:

1. No Project Alternative. As required by CEQA, one of the alternatives will be a No Project Alternative. This alternative will assume that the Proposed Project would not occur. While it is anticipated that some environmental impacts would be reduced, the basic objectives of the project would not be accomplished and may result in greater effects associated with water quality and noncompliance with permit requirements.
2. Reduced Footprint Alternative. AES will work with the County to identify a mitigated project footprint alternative within the boundaries of the project site. It is anticipated that a reconfiguration of land uses and clustering of high density residential development would accomplish the goals of this alternative.
3. Reduced Density Alternative. AES will work with the County to define a reduced density alternative that would result in fewer residents on the project site, and thus fewer demands on public utilities and infrastructure.

According to CEQA Guidelines Section 15126.6(d), “the significant effects of an alternative shall be discussed, but in less detail than the significant effects of the project as proposed.” The assessment of project alternatives will be consistent with this requirement by presenting a sufficient amount of detail necessary to afford decision makers with a reasoned choice. In most cases, environmental analyses conducted for the Proposed Project will be applicable to alternative development scenarios. Qualitative analysis of air quality and noise impacts associated with project alternatives will be conducted.

### *Issue Area Analysis and Assumptions*

Aesthetics. Development of the Proposed Project would alter the visual character of the project site from open space to urban; however, the surrounding areas consist of housing developments of similar density and therefore impacts are anticipated to be less than significant. Using visual representations of the project to be provided by the Applicant and existing analysis from the 2009 EIR to the extent possible, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation:

- Review the relevant visual quality standards contained in the County’s General Plan and consider the applicability of planning policies and ordinances related to aesthetics.
- Conduct reconnaissance field studies to assess the visual character of the project site and surrounding public view areas. Document existing visual conditions on the project site through photographs and detailed descriptions.
- Incorporate the existing three dimensional visual design exhibits of the proposed facilities prepared by Lea and Braze Engineering, Inc. for the Applicant into site and aerial photographs of the project site to assess impacts to aesthetics and viewsheds of the project region.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the aesthetics section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts and ensure consistency with relevant visual quality standards of the County’s General Plan.

Air Quality. Development of the Proposed Project would result in short-term emissions and fugitive dust during the construction phase and long-term emissions associated with vehicle traffic. AES will complete the following tasks to determine the level of potential air quality impacts and the need for mitigation.

- Review relevant local/regional air quality standards for the project area, including those issued by the Bay Area Air Quality Management District (AQMD) and California Air Resources Board (CARB).
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Federal Clean Air Act and California Clean Air Act.
- Document existing sources of air pollution and identify sensitive receptors that may be affected by development of the Proposed Project.
- AES will conduct a HRA for the Proposed Project. The assessment will use accepted County or Air District protocols to determine the necessity for dispersion modeling. AES will use either AeMOD

or CAL3QHCR modeling software to estimate concentrations at defined receptor locations and will consult with the Air District and County to determine the appropriate level of analysis.

- Identify short-term air quality impacts from construction emissions using CARB-approved URBEMIS- modeling software. In order to estimate construction emissions, AES will coordinate with the County and Applicant to acquire information regarding the nature of construction activities, types of equipment that will likely be used, and the anticipated total area of disturbance.
- Identify long-term regional air quality impacts from mobile and area source emissions using CARB approved URBEMIS modeling software. This analysis will include quantification of criteria air pollutants identified in the local air quality management plans and shall be conducted according to district methodologies. Mobile source emissions will be estimated using vehicle trip generation and distribution information provided in the traffic study prepared by RKH.
- Quantify greenhouse gas emissions as recommended within the recent amendments to the CEQA Guidelines. In accordance with this guidance, AES will provide a qualitative, performance based approach to reducing impacts. This effort will be closely coordinated within the County's General Plan Update Process to ensure consistent methodology and thresholds are being applied.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the air quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts from both construction and operation of the Proposed Project. Modeling runs will be included as an appendix to the EIR.

Agricultural Resources. The Proposed Project would not result in the conversion of prime agricultural land. Additionally, no Williamson Act contracts are held on the subject parcels. AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process. Should it be determined that Agricultural Resources should be included within the EIR, AES will complete the following tasks using the existing analysis from the 2009 EIR to the extent possible to determine the level of potential impacts to agricultural resources and the need for mitigation:

- Review the relevant local policies concerning the protection of farmlands, including those contained in the County General Plan and General Plan Update.
- Describe and map the important agricultural soils in the project area including Prime Farmland, Farmland of Statewide Importance and Unique Farmland.
- Review information on existing agricultural resource in the region and current urbanization trends.
- AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process.

Biological Resources. Development of the Proposed Project has the potential to impact special-status species and other biological resources, including the endangered Mission Blue Butterfly. This scope of work does not provide for protocol-level biological surveys or permitting. AES will complete the following tasks to determine the level of potential biological impacts and the need for mitigation:

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Federal Endangered Species Act, Fish and Wildlife Coordination Act, Migratory Bird Treaty Act, Clean Water Act (Sections 401 and 404), Magnuson Fisheries-Stevens Fishery

Conservation and Management Act, California Endangered Species Act, California Fish and Game Code, and Porter-Cologne Water Quality Control Act.

- Review existing information related to biological resources included within the Biological Resources Assessment prepared for the 2009 EIR.
- Conduct an updated query of the California Natural Diversity Database/RareFind, California Native Plant Society's Electronic Inventory, and the California Wildlife-Habitat Relationships database, and obtain current special-status species lists for the project area from the U.S. Fish and Wildlife Service (USFWS).
- Conduct a biological field survey of the project site to establish the potential for occurrences of special-status species or critical habitat and confirm the findings of the Biological Resources Assessment prepared by the Applicant.
- Incorporate information from existing studies and findings into the biological resources section of the EIR and recommend avoidance or mitigation measures to reduce any potentially significant impacts. In coordination with the County, AES will informally consult with USFWS and the California Department of Fish and Game to refine mitigation measures and meet regulatory requirements. This coordination will promote an efficient environmental review process for the Proposed Project.

Cultural Resources. Development of the Proposed Project could result in adverse impacts to previously documented, newly identified, or inadvertently discovered cultural resources. Preliminary site reconnaissance indicates that the project site has been substantially disturbed from agricultural activities; however, impacts to unanticipated archaeological resources discovered during construction are always a possibility. AES will complete the following tasks during preparation of the cultural resources section of the EIR.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: CEQA Guidelines 15064.5 and PRC 21083.2, SB-18 – Tribal Consultation (required for General Plan Amendment), Section 106 of the National Historic Preservation Act (required for 404 permits)
- Conduct an updated records search at the Northwest Information Center of the California Historical Resources Information System.
- Request a sacred lands search and stakeholders list from the Native American Heritage Commission (NAHC). AES will send preliminary consultation letters to all Native American stakeholders identified by the NAHC.
- Conduct an intensive Phase-I pedestrian survey of the project site. The survey will include recordation of any newly identified sites on appropriate DPR forms. Records of previously identified sites will be updated if necessary. This scope of work assumes that no more than two relatively simple resources will require recordation or updating. Evaluation of site significance is not included in the enclosed cost estimate. If it is determined that identified site(s) need to be evaluated, AES will provide a detailed scope of work and cost estimate for this work.

- Assist the County with SB-18 consultation. SB-18 assistance will include identification of stakeholders, provision of invitation to consult language, and attendance at up to two meetings with tribal representatives.
- Conduct all surveys and records searches in compliance with Section 106 of National Historic Preservation Act in the event that federal permitting is required.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the cultural resources section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts. This Scope of Work does not provide for testing or data recovery of any identified archaeological sites.

Geology and Soils. Development of the Proposed Project has the potential to result in soil erosion or subject people or property to geologic or seismic risks. AES is teaming with Michelucci and Associates to conduct an Updated Geotechnical Study to supplement the geotechnical study they prepared for the 2009 EIR. AES will complete the following tasks during preparation of the geology and soils section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to geology, soils and seismic hazards within the project area, including those contained in the County's General Plan.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Soil and Water Conservation Act, National Earthquake Hazards Reduction Program, Alquist-Priolo Earthquake Fault Zoning Act, Seismic Hazards Mapping Act, and California Building Standards Code.
- Identify soils types within the project area based on a review of U.S. Department of Agriculture soils surveys and field investigations to estimate the potential for erosion, settlement, and liquefaction; however, it is assumed that a geotechnical report or other appropriate analysis shall be conducted that determines the shrink/swell potential and stability of the soil to support the proposed facilities prior to construction.
- Review regional/local earthquake fault and seismic hazard maps to determine the potential for seismic related hazards.
- Incorporate findings of the Geotechnical Study prepared by Michelucci and Associates and existing analysis from the 2009 EIR to the extent possible into the geology and soils section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hazards and Hazardous Materials. Development of the Proposed Project may subject people to hazardous materials or hazards. The majority of the project site has been formerly used for agricultural purposes. AES will complete the following tasks during preparation of the Hazards/Hazardous Materials section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to hazards and hazardous materials within the project area, including those contained in the County's General Plan.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Resources Conservation and Recovery Act, Hazardous and Solid Waste Management Acts, and Comprehensive Environmental Response, Compensation, and Liability Act.
- Request a database search from Environmental Data Services to identify whether the project site is listed on various local, state, or federal hazardous materials databases. AES will also search online database resources regarding facilities or sites identified as meeting the “Cortese List” requirements pursuant to Government Code Section 65962.5.
- AES will research historic land usage within and adjacent to the project site, including review of historic topographic maps and aerial photographs.
- AES will incorporate findings and existing analysis from the 2009 EIR to the extent possible into the hazards and hazardous materials section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hydrology and Water Quality. Development of the Proposed Project would alter the existing drainage patterns on the project site during both construction and operation, potentially impacting run-off quantity and quality. AES understands that Lea and Braze have already completed an updated hydrological evaluation of the project site to assess drainage impacts associated with the development of impervious surfaces on the project site. AES will complete the following tasks during preparation of the Hydrology and Water Quality Section of the EIR:

- Review existing information concerning water quality in the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Clean Water Act and Porter-Cologne Water Quality Act.
- Identify flood hazards on the site or in the immediate project area through Review of FEMA Flood Insurance maps, the proposed flood protection/prevention measures of the project (if needed), and determine residual effects on localized or downstream flooding.
- Peer review drainage plans, estimates of storm water volumes, and existing system capacities provided to AES by Lea and Braze during the hydrological study, the County and/or the Applicant.
- Using existing information, identify the general types and sources of water quality changes that may result from the proposed development. Evaluate potential impacts of runoff from the project site on the quality of receiving waters.
- Discuss the need to apply for an NPDES permit for construction activities. Identify guidelines and policies of the SFBRWQCB, U.S. Environmental Protection Agency, and County plans regarding water quality impacts from storm water runoff.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Hydrology and Water Quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Land Use and Planning. The Proposed Project would result in the subdivision of the project site for the development of 19 single-family residential units. Implementation of the Proposed Project must be

considered in light of existing policies included within the County's General Plan and General Plan Update. Additionally, the Proposed Project will introduce new land uses that may be incompatible with existing or planned land uses on adjacent properties. Based on an initial review of the General Plan and Land Use designations for the project site, the Proposed Project is consistent with the land use planning documents governing development on the project site and the density of development is consistent with zoning designations. Accordingly, AES anticipates that impacts to Land Use and Planning will be less than significant and no mitigation will be required. To ensure a complete analysis is provided, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted land use studies associated with the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Identify existing, approved, and proposed land use and zoning designations within and surrounding the project site.
- Consider the consistency of the Proposed Project with existing applicable planning documents, and include "planning consistency matrix" as an appendix to the EIR.
- Assess potential long-term compatibility issues, as well as short-term issues associated with phased development and non-conforming land uses.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Land Use and Planning section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Noise. Development of the Proposed Project would result in a short-term increase in noise and vibration during the construction phase and would result in long-term noise increases related to traffic and operational activities that may impact sensitive receptors. AES will conduct a noise assessment of the project site and incorporate the analysis and conclusions into the Noise Section of the EIR. AES will complete the following task to determine the level of potential impacts and the need for mitigation.

- Existing Noise Levels: Conduct a detailed ambient noise survey to quantify existing noise conditions at the project site and at the nearest potentially affected noise-sensitive land uses. The survey will consist of continuous and short-term noise level measurements at as many locations deemed necessary to thoroughly identify existing noise conditions for the project area which will include traffic noise from State Route 280 and 92. To the extent that information contained in the 2009 EIR is still relevant, AES will make use of it.
- Prepare Technical Report in Support of the EIR Noise Section that will contain the results of the previous task in the above-described scope of work, as well as graphics showing noise measurement locations and potential noise mitigation locations as appropriate. The report will be included as an appendix to the EIR. AES will incorporate existing analysis from the 2009 EIR to the extent possible.

Public Services and Recreation: Development of the Proposed Project would result in an increased demand for public services and recreation, including public schools, law enforcement, and fire protection. Additionally, the increase in population as a result of the project will result in increased use of County and

regional recreational facilities. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the project site and consider the applicability of relevant local/regional planning policies and ordinances..
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including:
  - Uniform Fire Code
  - California Health and Safety Code
- AES will update the public service provided questionnaires provided Appendix C of the 2009 Draft EIR. AES will contact local service providers, including the Sheriff's Department, Fire Department, County Parks Department, County Public Libraries, and School Districts to determine existing service levels in the project area and need for additional personnel, equipment, and facilities.
- Estimate the new service demands resulting from the development of the Proposed Project, including the increase in student enrollment, law enforcement demands, fire protection demands, and use of recreational facilities.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Recreation section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Traffic and Circulation: Development of the Proposed Project would result in an increase in local traffic. AES is teaming with RKH for the preparation of a traffic analysis and study for the Proposed Project to determine the potential for adverse effects on traffic circulation and identify appropriate traffic improvements. AES will complete the following tasks during preparation of the transportation/traffic section of the EIR.

- Incorporate findings of the traffic impact analysis into the Transportation and Circulation section of the EIR.
- Assess potential impacts associated with pedestrian, bicycle, and public transportation, and recommend appropriate mitigation measures.
- Discuss potential short-term impacts associated with construction activities. It is anticipated that mitigation will likely include specific measures to be included within a Traffic Control Plan for construction activities.

Utilities and Service Systems: Development of the Proposed Project would result in an increased demand for public utilities, including potable water, wastewater treatment, drainage facilities, and solid waste services. AES is teaming with NV5, formerly Nolte and Associates to assess the potential impacts to sewer and water conveyance systems. The cost and scope assumes that the level of effort required is to update the analysis within the 2009 EIR and no modeling of conveyance capacities are required. AES will assess the potential impacts to other utility and service systems including solid waste, electricity, and telecommunications. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the 2009 EIR and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: California Health and Safety Code, Integrated Waste Management Act, Water Management Planning Act, SB 610 – Water Availability Assessment. Based on the number of residential units, a Water Supply Assessment is not required under SB 610, which will be duly noted in the EIR.
- Coordinate with the County’s Public Utilities Department and local service providers to determine existing service levels in the project area.
- Estimate the new service demands resulting from the development of the Proposed Project, including water supply, wastewater, drainage and solid waste.
- Evaluate impacts to wastewater treatment and drainage facilities in light of information provided within NV5’s technical assessment.
- In accordance with thresholds provided in Appendix G of the CEQA Guidelines, evaluate physical environmental impacts resulting from proposed improvements to utility systems, including the any proposed upgrades to Crystal Springs County Special District and San Mateo Wastewater Treatment plant. This task does not include site visits to assess existing conditions of off-site improvements that may be required to update wastewater infrastructure to meet the wastewater demands of the project.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Utilities section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

**Task 4: Draft EIR and Public Circulation.** AES will meet with the County to clarify any comments and questions raised during review of the ADEIR. AES will revise the ADEIR based on a single set of comprehensive comments provided by the County. AES will provide an electronic screen check version of the Draft EIR with track changes to the County for review prior to production. Following approval by the County, AES will facilitate preparation of the Notice of Availability (NOA) and public release of the DEIR.

AES technical staff will coordinate and attend one (1) public comment town hall meeting during the 45-day public comment period on the DEIR. AES will provide up to three (3) poster board displays for the meeting. It is assumed that the County will be responsible for reserving an appropriate venue. If desired, a court reporter will be provided by the County.

**Deliverables:** AES will provide the County with ten (10) bound hardcopies one (1) CD copy in color PDF format of the Draft EIR. Fifteen (15) CD copies of the Draft EIR with hardcopies of the Executive Summary will be submitted as required to the State Clearinghouse with the Notice of Availability. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall meeting for approval.

**Task 5: Final EIR and Mitigation Monitoring and Reporting Plan.** AES will compile comments received from the public and other interested parties during the 45-day public review period for the Draft EIR, and summarize key issues for discussion with the County. AES will meet with County staff to go over the approach for responding to key issues raised during the DEIR public review period. Following this meeting, AES will formulate responses, and make any necessary revisions to the EIR. This Scope of Work assumes a moderate level of effort will be required to respond to comments. A moderate level of effort is considered to be less than 15 comment letters and 50 individual substantive comments that require a response beyond comment noted. The Response to Comments and any refinements to the DEIR text will be incorporated into a “freestanding” Final EIR. AES will prepare a Mitigation Monitoring and Reporting Plan (MMRP) to support the County’s certification of the Final EIR. The MMRP will be referenced within the text of the Final EIR and will be included as an appendix in the final document.

**Deliverables:** AES will provide the County with a total of ten (10) bound hardcopies and one (1) CD copy in PDF format of the Final EIR.

**Task 6: Findings and Final EIR Certification Support.** AES will assist with preparation of the Findings of Fact and Statement of Overriding Considerations. AES will attend/present at one meeting with the Planning Commission, and up to two staff meetings for certification of the Final EIR and Findings and Statement of Overriding Considerations.

**Task 7: Project Management and Meetings.** The AES management team will complete the myriad of small and often unforeseen tasks required to implement the preparation of an EIR. This includes numerous phone calls and emails necessary to facilitate information exchange between the Project Team and jurisdictional agencies, as well as the time required to prepare agendas, meeting minutes, schedules, and other such documents. Under this task, AES will:

- Attend a scoping hearing;
- Participate in up to 3 (3) two-hour project coordination meetings with planning staff at the County offices for the development of the Draft EIR;
- Attend up to two (2) Planning Commission hearings; and
- Participate in up to ten (10) one-hour project related conference calls with members of the project team and jurisdictional agencies.

**Deliverables:** AES will submit monthly status reports to the Project Team via email by the fifth business day of each month. AES will prepare and distribute minutes for each project-related meeting that will outline key decisions and action items.

**County of San Mateo  
Contractor's Declaration Form**

**I. CONTRACTOR INFORMATION**

Contractor Name:	Analytical Environmental Services	Phone:	916-447-3479
Contact Person:	David Zweig	Fax:	916-447-1665
Address:	1801 7 <sup>th</sup> Street, Suite 100 Sacramento, CA 95811	Number of employees:	27

**II. EQUAL BENEFITS** (check one or more boxes)

*Contractors with contracts in excess of \$5,000 must treat spouses and domestic partners equally as to employee benefits.*

- Contractor complies with the County's Equal Benefits Ordinance by:
  - offering equal benefits to employees with spouses and employees with domestic partners.
  - offering a cash equivalent payment to eligible employees in lieu of equal benefits.
- Contractor does not comply with the County's Equal Benefits Ordinance.
- Contractor is exempt from this requirement because:
  - Contractor has no employees, does not provide benefits to employees' spouses, or the contract is for \$5,000 or less.
  - Contractor is a party to a collective bargaining agreement that began on \_\_\_\_\_ (date) and expires on \_\_\_\_\_ (date), and intends to offer equal benefits when said agreement expires.

**III. NON-DISCRIMINATION** (check appropriate box)

- Finding(s) of discrimination have been issued against Contractor within the past year by the Equal Employment Opportunity Commission, Fair Employment and Housing Commission, or other investigative entity. Please see attached sheet of paper explaining the outcome(s) or remedy for the discrimination.
- No finding of discrimination has been issued in the past year against the Contractor by the Equal Employment Opportunity Commission, Fair Employment and Housing Commission, or any other entity.

**IV. EMPLOYEE JURY SERVICE** (check one or more boxes)

*Contractors with original or amended contracts in excess of \$100,000 must have and adhere to a written policy that provides its employees living in San Mateo County up to five days regular pay for actual jury service in the County.*

- Contractor complies with the County's Employee Jury Service Ordinance.
- Contractor does not comply with the County's Employee Jury Service Ordinance.
- Contractor is exempt from this requirement because:
  - the contract is for \$100,000 or less.
  - Contractor is a party to a collective bargaining agreement that began on \_\_\_\_\_ (date) and expires on \_\_\_\_\_ (date), and intends to comply when the collective bargaining agreement expires.
  - Contractor has no employees.
  - Contractor has no employees who live in San Mateo County.

**I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am authorized to bind this entity contractually.**

Signature

12-11-12

Date

Name

David Zweig  
President

Title

## Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return) <b>Analytical Environmental Services</b>	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input checked="" type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <input type="checkbox"/> Exempt payee  <input type="checkbox"/> Other (see instructions) ▶ _____	
	Address (number, street, and apt. or suite no.) <b>1801 7th Street, Suite 100</b>	Requester's name and address (optional) <b>County of San Mateo 455 County Center, 2nd Floor Redwood City, CA 94063</b>
	City, state, and ZIP code <b>Sacramento, CA 95811</b>	List account number(s) here (optional)

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

<b>Social security number</b>									
<b>Employer identification number</b>									
6	8		-	0	4	6	8	5	0

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶ <u>12/6/12</u>
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**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Purpose of Form**

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

# ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
12/12/2012

<b>PRODUCER</b> Kraft Insurance 4340 Redwood Hwy F-142 San Rafael, CA 94903 4155079074	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
	<b>INSURERS AFFORDING COVERAGE</b>	<b>NAIC#</b>
<b>INSURED</b> Analytical Environmental Services 1801 7th St. #100 Sacramento, CA 95811	INSURER A: CNA Transportation Insurance Co.	20494
	INSURER B: Travelers Indemnity of Connecticut	25682
	INSURER C: Everest National Ins. Co.	29599
	INSURER D: Continental Insurance Company	35289
	INSURER E:	

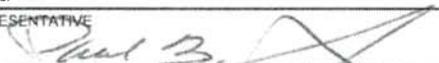
**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	Y	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMSMADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	2026530453	3/13/12	3/13/13	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 2,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 100,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
D	Y	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANYAUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	B4031555929	3/7/12	3/7/13	COMBINED SINGLE LIMIT (Ea accident) \$ 1 million BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANYAUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EAACC \$ AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMSMADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
B		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER	IJUB1467B30-7-12	2/26/12	2/26/13	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1 million E.L. DISEASE - EA EMPLOYEE \$ 1 million E.L. DISEASE - POLICY LIMIT \$ 1 million
C		Professional Liability	79AE000323	2/28/12	2/28/13	\$2 million per claim \$2 million aggregate

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS**

The County of San Mateo, their board of supervisors, officers, agents and employees are included as additional insureds for general & automobile liability for the coverages afforded herein. Coverage is primary with waiver of subrogation. If The County or its officers and employees have other insurance against the loss covered by such a policy, such other insurance shall be excess insurance only.

<b>CERTIFICATE HOLDER</b> County of San Mateo 455 County Center, 2nd Floor Redwood City, CA 94063	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL <del>NOTICE</del> TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE 
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**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**BLANKET ADDITIONAL INSURED – LIABILITY EXTENSION**

This endorsement modifies insurance provided under the following:

**BUSINESSOWNERS LIABILITY COVERAGE FORM**

Coverage afforded under this extension of coverage endorsement does not apply to any person or organization covered as an additional insured on any other endorsement now or hereafter attached to this Policy.

**1. ADDITIONAL INSURED – BLANKET VENDORS**

WHO IS AN INSURED is amended to include as an additional insured any person or organization (referred to below as vendor) with whom you agreed, because of a written contract or agreement to provide insurance, but only with respect to "bodily injury" or "property damage" arising out of "your products" which are distributed or sold in the regular course of the vendor's business, subject to the following additional exclusions:

1. The insurance afforded the vendor does not apply to:
  - a. "Bodily injury" or "property damage" for which the vendor is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that the vendor would have in the absence of the contract or agreement;
  - b. Any express warranty unauthorized by you;
  - c. Any physical or chemical change in the product made intentionally by the vendor;
  - d. Repackaging, except when unpacked solely for the purpose of inspection, demonstration, testing, or the substitution of parts under instructions from the manufacturer, and then repackaged in the original container;
  - e. Any failure to make such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products;
  - f. Demonstration, installation, servicing or repair operations, except such operations performed at the vendor's premises in connection with the sale of the product;
  - g. Products which, after distribution or sale by you, have been labeled or relabeled or used as a container, part or ingredient of any other thing or substance by or for the vendor; or
  - h. "Bodily injury" or "property damage" arising out of the sole negligence of the vendor for its own acts or omission or those of its

employees or anyone else acting on its behalf. However, this exclusion does not apply to:

- (1) The exceptions contained in Subparagraphs d. or f.; or
- (2) Such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products.

2. This insurance does not apply to any insured person or organization, from whom you have acquired such products, or any ingredient, part or container, entering into, accompanying or containing such products.
3. This provision 2. does not apply to any vendor included as an insured by an endorsement issued by us and made a part of this Policy.
4. This provision 2. does not apply if "bodily injury" or "property damage" included within the "products-completed operations hazard" is excluded either by the provisions of the Policy or by endorsement.

**2. MISCELLANEOUS ADDITIONAL INSUREDS**

WHO IS AN INSURED is amended to include as an insured any person or organization (called additional insured) described in paragraphs 2.a. through 2.h. below whom you are required to add as an additional insured on this policy under a written contract or agreement but the written contract or agreement must be:

1. Currently in effect or becoming effective during the term of this policy; and
2. Executed prior to the "bodily injury," "property damage" or "personal and advertising injury," but

Only the following persons or organizations are additional insureds under this endorsement and coverage provided to such additional insureds is limited as provided herein:

**a. Additional Insured – Your Work**

That person or organization for whom you do work is an additional insured solely for liability due to your negligence specifically resulting

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from your work for the additional insured which is the subject of the written contract or written agreement. No coverage applies to liability resulting from the sole negligence of the additional insured.

The insurance provided to the additional insured is limited as follows:

- (1) The Limits of Insurance applicable to the additional insured are those specified in the written contract or written agreement or in the Declarations of this policy, whichever is less. These Limits of Insurance are inclusive of, and not in addition to, the Limits of Insurance shown in the Declarations.
- (2) The coverage provided to the additional insured by this endorsement and paragraph F.9. of the definition of "insured contract" under **Liability and Medical Expenses Definitions** do not apply to "bodily injury" or "property damage" arising out of the "products-completed operations hazard" unless required by the written contract or written agreement.
- (3) The insurance provided to the additional insured does not apply to "bodily injury," "property damage," or "personal and advertising injury" arising out of the rendering or failure to render any professional services.

**b. State or Political Subdivisions**

A state or political subdivision subject to the following provisions:

- (1) This insurance applies only with respect to the following hazards for which the state or political subdivision has issued a permit in connection with premises you own, rent, or control and to which this insurance applies:
  - (a) The existence, maintenance, repair, construction, erection, or removal of advertising signs, awnings, canopies, cellar entrances, coal holes, driveways, manholes, marquees, hoistaway openings, sidewalk vaults, street banners, or decorations and similar exposures; or
  - (b) The construction, erection, or removal of elevators; or
- (2) This insurance applies only with respect to operations performed by you or on your behalf for which the state or political subdivision has issued a permit.

This insurance does not apply to "bodily injury," "property damage" or "personal and advertising injury" arising out of operations performed for the state or municipality.

**c. Controlling Interest**

Any persons or organizations with a controlling interest in you but only with respect to their liability arising out of:

- (1) Their financial control of you; or
- (2) Premises they own, maintain or control while you lease or occupy these premises.

This insurance does not apply to structural alterations, new construction and demolition operations performed by or for such additional insured.

**d. Managers or Lessors of Premises**

A manager or lessor of premises but only with respect to liability arising out of the ownership, maintenance or use of that specific part of the premises leased to you and subject to the following additional exclusions:

This insurance does not apply to:

- (1) Any "occurrence" which takes place after you cease to be a tenant in that premises; or
- (2) Structural alterations, new construction or demolition operations performed by or on behalf of such additional insured.

**e. Mortgagee, Assignee or Receiver**

A mortgagee, assignee or receiver but only with respect to their liability as mortgagee, assignee, or receiver and arising out of the ownership, maintenance, or use of a premises by you.

This insurance does not apply to structural alterations, new construction or demolition operations performed by or for such additional insured.

**f. Owners/Other Interests – Land is Leased**

An owner or other interest from whom land has been leased by you but only with respect to liability arising out of the ownership, maintenance or use of that specific part of the land leased to you and subject to the following additional exclusions:

This insurance does not apply to:

- (1) Any "occurrence" which takes place after you cease to lease that land; or

- (2) Structural alterations, new construction or demolition operations performed by or on behalf of such additional insured.

**g. Co-owner of Insured Premises**

A co-owner of a premises co-owned by you and covered under this insurance but only with respect to the co-owners liability as co-owner of such premises.

**h. Lessor of Equipment**

Any person or organization from whom you lease equipment. Such person or organization are insureds only with respect to their liability arising out of the maintenance, operation or use by you of equipment leased to you by such person or organization. A person's or organization's status as an insured under this endorsement ends when their written contract or agreement with you for such leased equipment ends.

With respect to the insurance afforded these additional insureds, the following additional exclusions apply:

This insurance does not apply:

- (1) To any "occurrence" which takes place after the equipment lease expires; or
- (2) To "bodily injury," "property damage" or "personal and advertising injury" arising out of the sole negligence of such additional insured.

Any insurance provided to an additional insured designated under paragraphs b. through h. above does not apply to "bodily injury" or "property damage" included within the "products-completed operations hazard."

**3. The following is added to Paragraph H. of the BUSINESSOWNERS COMMON POLICY CONDITIONS:**

**H. Other Insurance**

- 4. This insurance is excess over any other insurance naming the additional insured as an insured whether primary, excess, contingent or on any other basis unless a written contract or written agreement specifically requires that this insurance be either primary or primary and noncontributing.

**4. LEGAL LIABILITY – DAMAGE TO PREMISES**

- A. Under B. Exclusions, 1. Applicable to Business Liability Coverage, Exclusion k.

**Damage To Property**, is replaced by the following:

**k. Damage To Property**

"Property damage" to:

- 1. Property you own, rent or occupy, including any costs or expenses incurred by you, or any other person, organization or entity, for repair, replacement, enhancement, restoration or maintenance of such property for any reason, including prevention of injury to a person or damage to another's property;
- 2. Premises you sell, give away or abandon, if the "property damage" arises out of any part of those premises;
- 3. Property loaned to you;
- 4. Personal property in the care, custody or control of the insured;
- 5. That particular part of any real property on which you or any contractors or subcontractors working directly or indirectly in your behalf are performing operations, if the "property damage" arises out of those operations; or
- 6. That particular part of any property that must be restored, repaired or replaced because "your work" was incorrectly performed on it.

Paragraph 2 of this exclusion does not apply if the premises are "your work" and were never occupied, rented or held for rental by you.

Paragraphs 1, 3, and 4, of this exclusion do not apply to "property damage" (other than damage by fire or explosion) to premises:

- (1) rented to you;
- (2) temporarily occupied by you with the permission of the owner, or
- (3) to the contents of premises rented to you for a period of 7 or fewer consecutive days.

A separate limit of insurance applies to Damage To Premises Rented To You as described in Section D – Liability and Medical Expenses Limits of Insurance.

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Paragraphs 3, 4, 5, and 6 of this exclusion do not apply to liability assumed under a sidetrack agreement.

Paragraph 6 of this exclusion does not apply to "property damage" included in the "products-completed operations hazard."

- B. Under **B. Exclusions, 1. Applicable to Business Liability Coverage**, the last paragraph of 2. Exclusions is deleted and replaced by the following:

Exclusions **c, d, e, f, g, h, i, k, l, m, n, and o**, do not apply to damage by fire to premises while rented to you or temporarily occupied by you with permission of the owner or to the contents of premises rented to you for a period of 7 or fewer consecutive days. A separate limit of insurance applies to this coverage as described in **Section D. Liability And Medical Expenses Limits Of Insurance**.

- C. The first Paragraph under item **5. Damage To Premises Rented To You Limit of Section D. Liability And Medical Expenses Limits Of Insurance** is replaced by the following:

The most we will pay under Business Liability for damages because of "property damage" to any one premises, while rented to you, or temporarily occupied by you, with the permission of the owner, including contents of such premises rented to you for a period of 7 or fewer consecutive days, is the Damage to Premises Rented to You limit shown in the Declaration.

**5. Broad Knowledge of Occurrence**

The following items are added to **E. Businessowners General Liability Conditions** in the **Businessowners Liability Coverage Form**:

- e. Paragraphs a. and b. apply to you or to any additional insured only when such "occurrence," offense, claim or "suit" is known to:
- (1) You or any additional insured that is an individual;
  - (2) Any partner, if you or an additional insured is a partnership;
  - (3) Any manager, if you or an additional insured is a limited liability company;
  - (4) Any "executive officer" or insurance manager, if you or an additional insured is a corporation;

- (5) Any trustee, if you or an additional insured is a trust; or
- (6) Any elected or appointed official, if you or an additional insured is a political subdivision or public entity.

This paragraph e. applies separately to you and any additional insured.

**6. Bodily Injury**

**Section F. Liability and Medical Expenses Definitions**, item 3. "Bodily Injury" is deleted and replaced with the following:

"Bodily injury" means bodily injury, sickness or disease sustained by a person, including death, humiliation, shock, mental anguish or mental injury by that person at any time which results as a consequence of the bodily injury, sickness or disease.

**7. Expanded Personal and Advertising Injury Definition**

The following is added to **Section F. Liability and Medical Expenses Definitions**, item 14. **Personal and Advertising Injury**, in the **Businessowners General Liability Coverage Form**:

- h. Discrimination or humiliation that results in injury to the feelings or reputation of a natural person, but only if such discrimination or humiliation is:
1. Not done intentionally by or at the direction of:
    - a. The insured; or
    - b. Any "executive officer," director, stockholder, partner, member or manager (if you are a limited liability company) of the insured; and
  2. Not directly or indirectly related to the employment, prospective employment, past employment or termination of employment of any person or person by any insured.

**B. The following is added to Exclusions, Section B.:**

**(15) Discrimination Relating to Room, Dwelling or Premises**

Caused by discrimination directly or indirectly related to the sale, rental, lease or sub-lease or prospective sale, rental, lease or sub-lease of any room, dwelling or premises by or at the direction of any insured.

**(16) Fines or Penalties**

Fines or penalties levied or imposed by a governmental entity because of discrimination.

- C. This provision (**Expanded Personal and Advertising Injury**) does not apply to discrimination or humiliation committed in the states of New York or Ohio. Also, **Expanded**

**Personal and Advertising Injury Coverage** does not apply to policies issued in the states of New York or Ohio.

- D. This provision (**Expanded Personal and Advertising Injury**) does not apply if **Personal and Advertising Injury Liability** is excluded either by the provisions of the Policy or by endorsement.

Insured: Analytical Environmental Services  
Policy No. 2026530453

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**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **AUTO COVERAGE PLUS ENDORSEMENT**

This endorsement modifies insurance provided under the following:

### **BUSINESS AUTO COVERAGE FORM**

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by the endorsement.

**GENERAL DESCRIPTION OF COVERAGE** – This endorsement broadens coverage. However, coverage for any injury, damage or medical expenses described in any of the provisions of this endorsement may be excluded or limited by another endorsement to the Coverage Part, and these coverage broadening provisions do not apply to the extent that coverage is excluded or limited by such an endorsement. The following listing is a general coverage description only. Limitations and exclusions may apply to these coverages. Read all the provisions of this endorsement and the rest of your policy carefully to determine rights, duties, and what is and is not covered.

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li><b>A. BLANKET ADDITIONAL INSURED</b></li> <li><b>B. EMPLOYEE HIRED AUTO</b></li> <li><b>C. EMPLOYEES AS INSURED</b></li> <li><b>D. SUPPLEMENTARY PAYMENTS – INCREASED LIMITS</b></li> <li><b>E. TRAILERS – INCREASED LOAD CAPACITY</b></li> <li><b>F. HIRED AUTO PHYSICAL DAMAGE</b></li> <li><b>G. PHYSICAL DAMAGE – TRANSPORTATION EXPENSES – INCREASED LIMIT</b></li> </ul> | <ul style="list-style-type: none"> <li><b>H. AUDIO, VISUAL AND DATA ELECTRONIC EQUIPMENT – INCREASED LIMIT</b></li> <li><b>I. WAIVER OF DEDUCTIBLE – GLASS</b></li> <li><b>J. PERSONAL EFFECTS</b></li> <li><b>K. AIRBAGS</b></li> <li><b>L. AUTO LOAN LEASE GAP</b></li> <li><b>M. BLANKET WAIVER OF SUBROGATION</b></li> </ul> |
|---|--|

#### **A. BLANKET ADDITIONAL INSURED**

The following is added to Paragraph A.1., **Who Is An Insured**, of **SECTION II – LIABILITY COVERAGE**:

Any person or organization who is required under a written contract or agreement between you and that person or organization, that is signed and executed by you before the "bodily injury" or "property damage" occurs and that is in effect during the policy period, to be named as an additional insured is an "insured" for Liability Coverage, but only for damages to which this insurance applies and only to the extent that person or organization qualifies as an "insured" under the Who Is An Insured provision contained in Section II.

#### **B. EMPLOYEE HIRED AUTO**

1. The following is added to Paragraph A.1., **Who Is An Insured**, of **SECTION II – LIABILITY COVERAGE**:

An "employee" of yours is an "insured" while operating a covered "auto" hired or rented under a contract or agreement in that "employee's" name, with your permission, while

performing duties related to the conduct of your business.

2. The following replaces Paragraph b. in B.5., **Other Insurance**, of **SECTION IV – BUSINESS AUTO CONDITIONS**:

b. For Hired Auto Physical Damage Coverage, the following are deemed to be covered "autos" you own:

- (1) Any covered "auto" you lease, hire, rent or borrow; and
- (2) Any covered "auto" hired or rented by your "employee" under a contract in that individual "employee's" name, with your permission, while performing duties related to the conduct of your business.

However, any "auto" that is leased, hired, rented or borrowed with a driver is not a covered "auto".

#### **C. EMPLOYEES AS INSURED**

The following is added to Paragraph A.1., **Who Is An Insured**, of **SECTION II – LIABILITY COVERAGE**:

COMMERCIAL AUTO

Any "employee" of yours is an "insured" while using a covered "auto" you don't own, hire or borrow in your business or your personal affairs.

**D. SUPPLEMENTARY PAYMENTS – INCREASED LIMITS**

1. The following replaces Paragraph A.2.a.(2) of **SECTION II – LIABILITY COVERAGE**:
  - (2) Up to \$3,000 for cost of bail bonds (including bonds for related traffic law violations) required because of an "accident" we cover. We do not have to furnish these bonds.
2. The following replaces Paragraph A.2.a.(4) of **SECTION II – LIABILITY COVERAGE**:
  - (4) All reasonable expenses incurred by the "insured" at our request, including actual loss of earnings up to \$500 a day because of time off from work.

**E. TRAILERS – INCREASED LOAD CAPACITY**

The following replaces Paragraph C.1. of **SECTION I – COVERED AUTOS**:

1. "Trailers" with a load capacity of 3,000 pounds or less designed primarily for travel on public roads.

**F. HIRED AUTO PHYSICAL DAMAGE**

The following is added to Paragraph A.4., **Coverage Extensions**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

**Hired Auto Physical Damage Coverage**

If hired "autos" are covered "autos" for Liability Coverage but not covered "autos" for Physical Damage Coverage, and this policy also provides Physical Damage Coverage for an owned "auto", then the Physical Damage Coverage is extended to "autos" that you hire, rent or borrow subject to the following:

- (1) The most we will pay for "loss" in any one "accident" to a hired, rented or borrowed "auto" is the lesser of:
  - (a) \$50,000;
  - (b) The actual cash value of the damaged or stolen property as of the time of the "loss"; or
  - (c) The cost of repairing or replacing the damaged or stolen property with other property of like kind and quality.
- (2) An adjustment for depreciation and physical condition will be made in determining actual cash value in the event of a total "loss".

- (3) If a repair or replacement results in better than like kind or quality, we will not pay for the amount of betterment.
- (4) A deductible equal to the highest Physical Damage deductible applicable to any owned covered "auto".
- (5) This Coverage Extension does not apply to:
  - (a) Any "auto" that is hired, rented or borrowed with a driver; or
  - (b) Any "auto" that is hired, rented or borrowed from your "employee".

**G. PHYSICAL DAMAGE – TRANSPORTATION EXPENSES – INCREASED LIMIT**

The following replaces the first sentence in Paragraph A.4.a., **Transportation Expenses**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

We will pay up to \$50 per day to a maximum of \$1,500 for temporary transportation expense incurred by you because of the total theft of a covered "auto" of the private passenger type.

**H. AUDIO, VISUAL AND DATA ELECTRONIC EQUIPMENT – INCREASED LIMIT**

Paragraph C.2., **Limit Of Insurance**, of **SECTION III – PHYSICAL DAMAGE COVERAGE** is deleted.

**I. WAIVER OF DEDUCTIBLE – GLASS**

The following is added to Paragraph D., **Deductible**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

No deductible for a covered "auto" will apply to glass damage if the glass is repaired rather than replaced.

**J. PERSONAL EFFECTS**

The following is added to Paragraph A.4., **Coverage Extensions**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

**Personal Effects Coverage**

We will pay up to \$400 for "loss" to wearing apparel and other personal effects which are:

- (1) Owned by an "insured"; and
- (2) In or on your covered "auto".

This coverage only applies in the event of a total theft of your covered "auto".

No deductibles apply to Personal Effects coverage.

**K. AIRBAGS**

The following is added to Paragraph B.3., Exclusions, of SECTION III – PHYSICAL DAMAGE COVERAGE:

Exclusion 3.a. does not apply to "loss" to one or more airbags in a covered "auto" you own that inflate due to a cause other than a cause of "loss" set forth in Paragraphs A.1.b. and A.1.c., but only:

- a. If that "auto" is a covered "auto" for Comprehensive Coverage under this policy;
- b. The airbags are not covered under any warranty; and
- c. The airbags were not intentionally inflated.

We will pay up to a maximum of \$1,000 for any one "loss".

**L. AUTO LOAN LEASE GAP**

The following is added to Paragraph A.4., Coverage Extensions, of SECTION III – PHYSICAL DAMAGE COVERAGE:

**Auto Loan Lease Gap Coverage for Private Passenger Type Vehicles**

In the event of a total "loss" to a covered "auto" of the private passenger type shown in the Schedule or Declarations for which Physical Damage Coverage is provided, we will pay any unpaid amount due on the lease or loan for such covered "auto" less the following:

- (1) The amount paid under the Physical Damage Coverage Section of the policy for that "auto"; and

(2) Any:

- (a) Overdue lease or loan payments at the time of the "loss";
- (b) Financial penalties imposed under a lease for excessive use, abnormal wear and tear or high mileage;
- (c) Security deposits not returned by the lessor;
- (d) Costs for extended warranties, Credit Life Insurance, Health, Accident or Disability Insurance purchased with the loan or lease; and
- (e) Carry-over balances from previous loans or leases.

**M. BLANKET WAIVER OF SUBROGATION**

The following replaces Paragraph A.5., Transfer Of Rights Of Recovery Against Others To Us, of SECTION IV – BUSINESS AUTO CONDITIONS:

**5. Transfer Of Rights Of Recovery Against Others To Us**

We waive any right of recovery we may have against any person or organization to the extent required of you by a written contract executed prior to any "accident" or "loss", provided that the "accident" or "loss" arises out of the operations contemplated by such contract. The waiver applies only to the person or organization designated in such contract.

Insured: Analytical Environmental Services  
 Policy No. BA6633N05009

## Request for Taxpayer Identification Number and Certification

Give Form to the  
 requester. Do not  
 send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return) <b>Analytical Environmental Services</b>	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input checked="" type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶  <input type="checkbox"/> Other (see instructions) ▶	
	<input type="checkbox"/> Exempt payee	
	Address (number, street, and apt. or suite no.) <b>1801 7th Street, Suite 100</b> City, state, and ZIP code <b>Sacramento, CA 95811</b>	
List account number(s) here (optional)		
Requester's name and address (optional) <b>County of San Mateo</b> <b>455 County Center, 2nd Floor</b> <b>Redwood City, CA 94063</b>		

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number								

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number								
6	8	-	0	4	6	8	5	0

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
		12/6/12

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

#### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

**From:** PEID  
**To:** Heather Hardy  
**Date:** 5/28/2013 3:14 PM  
**Subject:** (Heather Hardy) Re: PEID REQUEST: Analytical Environmental Services  
**Attachments:** AES\_W9\_2.pdf; PEIDCreationForm\_Analytical\_1.pdf; #28\_Analytical Environment\_Reso#072499.pdf

Hello Heather,

Kindly have the W-9 signed off by your department authorized approver.

Also, please use the County W-9 posted on the controller's intranet. Here's the link:

[http://intranet.co.sanmateo.ca.us/control/pdf/PEID/IRS\\_W-9\\_Instructions.pdf](http://intranet.co.sanmateo.ca.us/control/pdf/PEID/IRS_W-9_Instructions.pdf)

Let me know if you have any questions

Riza

Thanks,  
Accounts Payable  
Controller's Office

>>> Heather Hardy 5/22/2013 3:51 PM >>>  
Thank you!

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**County of San Mateo  
PEID Creation Request**

**IMPORTANT INSTRUCTION - You must fill out this PDF form ON-LINE using UPPER CASE only.**

**From:** HEATHER HARDY **Phone:** 650-363-1859 **Date:** MAY 22, 2013

**1. Find out if this vendor already exists in IFAS via APOHBTUB (or PEID CDD report).**

**2. Enter information about the vendor below.**

For individuals/sole proprietors, a SSN is required. Also provide an EIN if used for tax reporting.

For a disregarded LLC, provide the *owner's* SSN (and an EIN, if available).

For all others, provide an EIN.

VENDOR INFORMATION	
<b>Individual Name</b> _____	<b>SSN</b> _____
<i>Last Name, First Name</i>	<i>Social Security No.</i>
<b>Business Name</b> ANALYTICAL ENVIRONMENTAL SERVICES	<b>EIN</b> 68-0468509
	<i>IRS Tax ID No.</i>
<b>Address:</b> 1801 7TH STREET, SUITE 100	
SACRAMENTO, CA 95811	
_____	
_____	

**3. Find out if this vendor is a 1099 vendor via the table below. See "How to determine 1099 status" at [http://intranet.co.sanmateo.ca.us/control/pdf/peid/PEID\\_1099status.pdf](http://intranet.co.sanmateo.ca.us/control/pdf/peid/PEID_1099status.pdf)**

TYPE OF PAYMENT BEING MADE (You must check one of the boxes below.)	1099 Vendor?
<input type="checkbox"/> Rent to a sole proprietor/partnership <input type="checkbox"/> Medical/Health care services to individual/ partnership/corporation (except hospital) <input type="checkbox"/> Gross settlement monies to an individual/lawyer <input type="checkbox"/> Non-employee compensation for services provided by an individual/partnership	YES
<input type="checkbox"/> Rent to a real estate agency/corporation <input type="checkbox"/> Purchase of goods <input type="checkbox"/> Reimbursement/Refund <input type="checkbox"/> Payment to a corporation/non-profit entity <input checked="" type="checkbox"/> Others: PREPARATION OF ENVIRONMENTAL IMPACT DOCUMENT (please specify)	NO

**4. Did this vendor sign up for ACH payments?**

If NO, then	If YES, then
a. <b>SAVE</b> this form on your computer (DO NOT print and scan) b. <b>E-mail</b> the following documents as <b>PDF attachments</b> to <a href="mailto:peid@smcgov.org">peid@smcgov.org</a> (Make sure to put <b>PEID Request</b> in the Subject line): <ul style="list-style-type: none"> <li>• This request form</li> <li>• An IRS W-9 form (completed and signed)</li> <li>• A document showing the type of goods/services</li> </ul>	<b>Submit</b> the following documents to the Controller <b>via Pony (CTL 135, Attn: A/P)</b> : <ul style="list-style-type: none"> <li>• This request form</li> <li>• An IRS W-9 form (completed and signed)</li> <li>• A document showing the type of goods/services</li> <li>• Authorization Agreement for ACH Payments (completed and signed)</li> <li>• A check for \$1, payable to the County of San Mateo, from the vendor</li> </ul>

**For Controller's Office Use Only**

<input type="checkbox"/> A new PEID was created. The PEID is _____	Processed by _____
<input type="checkbox"/> PEID for this vendor already exists. The PEID is _____	Requester notified on _____

**AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND  
ANALYTICAL ENVIRONMENTAL SERVICES**

THIS AGREEMENT, entered into this 7 day of May 2013, by and between the COUNTY OF SAN MATEO, hereinafter called "County," and Analytical Environmental Services, hereinafter called "Contractor."

W I T N E S S E T H:

WHEREAS, pursuant to Government Code, Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof;

WHEREAS, it is necessary and desirable that Contractor be retained for the purpose of preparing an Environmental Impact Report for the proposed Ascensions Heights subdivision project (County File number PLN2002-00517) to be re-circulated.

**NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:**

**1. Exhibits and Attachments**

The following exhibits and attachments are included hereto and incorporated by reference herein:

- Exhibit A—Services
- Exhibit B—Payments and rates
- Exhibit C—Scope of Work

**2. Services to be performed by Contractor**

In consideration of the payments set forth herein and in Exhibit "B," Contractor shall perform services for County in accordance with the terms, conditions and specifications set forth herein and in Exhibit "A."

**3. Payments**

In consideration of the services provided by Contractor in accordance with all terms, conditions and specifications set forth herein and in Exhibit "A," County shall make payment to Contractor based on the rates and in the manner specified in Exhibit "B." The County reserves the right to withhold payment if the County determines that the quantity or quality of the work performed is unacceptable. In no event shall the County's total fiscal obligation under this Agreement exceed One Hundred Thirteen Thousand Seventy-Five Dollars, \$113,075.

**4. Term and Termination**

Subject to compliance with all terms and conditions, the term of this Agreement shall be from May 9, 2013 through May 9, 2014.

This Agreement may be terminated by Contractor, the Director of Community Development or his/her designee at any time without a requirement of good cause upon thirty (30) days' written notice to the other party.

In the event of termination, all finished or unfinished documents, data, studies, maps, photographs, reports, and materials (hereafter referred to as materials) prepared by Contractor under this Agreement shall become the property of the County and shall be promptly delivered to the County. Upon termination, the Contractor may make and retain a copy of such materials. Subject to availability of funding, Contractor shall be entitled to receive payment for work/services provided prior to termination of the Agreement. Such payment shall be that portion of the full payment which is determined by comparing the work/services completed to the work/services required by the Agreement.

**5. Availability of Funds**

The County may terminate this Agreement or a portion of the services referenced in the Attachments and Exhibits based upon unavailability of Federal, State, or County funds, by providing written notice to Contractor as soon as is reasonably possible after the County learns of said unavailability of outside funding.

**6. Relationship of Parties**

Contractor agrees and understands that the work/services performed under this Agreement are performed as an independent Contractor and not as an employee of the County and that Contractor acquires none of the rights, privileges, powers, or advantages of County employees.

**7. Hold Harmless**

Contractor shall indemnify and save harmless County, its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description, brought for, or on account of: (A) injuries to or death of any person, including Contractor, or (B) damage to any property of any kind whatsoever and to whomsoever belonging, (C) any sanctions, penalties, or claims of damages resulting from Contractor's failure to comply with the requirements set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all Federal regulations promulgated thereunder, as amended, or (D) any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of County, its officers, agents, employees, or servants, resulting from the performance of any work required of Contractor or payments made pursuant to this Agreement, provided that this shall not apply to injuries or damage for which County has been found in a court of competent jurisdiction to be solely liable by reason of its own negligence or willful misconduct.

The duty of Contractor to indemnify and save harmless as set forth herein, shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

**8. Assignability and Subcontracting**

Contractor shall not assign this Agreement or any portion thereof to a third party or subcontract with a third party to provide services required by contractor under this Agreement without the prior written consent of County. Any such assignment or subcontract without the County's prior written consent shall give County the right to automatically and immediately terminate this Agreement.

**9. Insurance**

The Contractor shall not commence work or be required to commence work under this Agreement unless and until all insurance required under this paragraph has been obtained and such insurance has been approved by Risk Management, and Contractor shall use diligence to obtain such insurance and to obtain such approval. The Contractor shall furnish the County with certificates of insurance evidencing the required coverage, and there shall be a specific contractual liability endorsement extending the Contractor's coverage to include the contractual liability assumed by the Contractor pursuant to this Agreement. These certificates shall specify or be endorsed to provide that thirty (30) days' notice must be given, in writing, to the County of any pending change in the limits of liability or of any cancellation or modification of the policy.

- (1) **Worker's Compensation and Employer's Liability Insurance** The Contractor shall have in effect during the entire life of this Agreement Workers' Compensation and Employer's Liability Insurance providing full statutory coverage. In signing this Agreement, the Contractor certifies, as required by Section 1861 of the California Labor Code, that it is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of the Code, and will comply with such provisions before commencing the performance of the work of this Agreement.
  
- (2) **Liability Insurance** The Contractor shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect him/her while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage which may arise from contractors operations under this Agreement, whether such operations be by himself/herself or by any sub-contractor or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than the amount specified below.

Such insurance shall include:

- (a) Comprehensive General Liability . . . . . \$1,000,000
- (b) Motor Vehicle Liability Insurance . . . . . \$1,000,000
- (c) Professional Liability . . . . . \$1,000,000

County and its officers, agents, employees and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that the insurance afforded thereby to the County, its officers, agents, employees and servants shall be primary insurance to the full limits of liability of the policy, and that if the County or its officers and employees have other insurance against the loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, the County of San Mateo at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

**10. Compliance with laws; payment of Permits/Licenses**

All services to be performed by Contractor pursuant to this Agreement shall be performed in accordance with all applicable Federal, State, County, and municipal laws, ordinances and regulations, including, but not limited to, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and the Federal Regulations promulgated thereunder, as amended, and will comply with the Business Associate requirements set forth in Attachment "H," and the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended and attached hereto and incorporated by reference herein as Attachment "I," which prohibits discrimination on the basis of handicap in programs and activities receiving any Federal or County financial assistance. Such services shall also be performed in accordance with all applicable ordinances and regulations, including, but not limited to, appropriate licensure, certification regulations, provisions pertaining to confidentiality of records, and applicable quality assurance regulations. In the event of a conflict between the terms of this Agreement and State, Federal, County, or municipal law or regulations, the requirements of the applicable law will take precedence over the requirements set forth in this Agreement. Further, Contractor certifies that the Contractor and all of its subcontractors will adhere to all applicable provisions of Chapter 4.106 of the San Mateo County Ordinance Code, which regulates the use of disposable food service ware.

Contractor will timely and accurately complete, sign, and submit all necessary documentation of compliance.

**11. Non-Discrimination and Other Requirements**

- A. *Section 504 applies only to Contractors who are providing services to members of the public.* Contractor shall comply with § 504 of the Rehabilitation Act of 1973, which provides that no otherwise qualified handicapped individual shall, solely by reason of a disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in the performance of this Agreement.
- B. *General non-discrimination.* No person shall, on the grounds of race, color, religion, ancestry, gender, age (over 40), national origin, medical condition (cancer), physical or mental disability, sexual orientation, pregnancy, childbirth or related medical condition, marital status, or political affiliation be denied any benefits or subject to discrimination under this Agreement.

- C. *Equal employment opportunity.* Contractor shall ensure equal employment opportunity based on objective standards of recruitment, classification, selection, promotion, compensation, performance evaluation, and management relations for all employees under this Agreement. Contractor's equal employment policies shall be made available to County of San Mateo upon request.
- D. *Violation of Non-discrimination provisions.* Violation of the non-discrimination provisions of this Agreement shall be considered a breach of this Agreement and subject the Contractor to penalties, to be determined by the County Manager, including but not limited to
  - i) termination of this Agreement;
  - ii) disqualification of the Contractor from bidding on or being awarded a County contract for a period of up to 3 years;
  - iii) liquidated damages of \$2,500 per violation;
  - iv) imposition of other appropriate contractual and civil remedies and sanctions, as determined by the County Manager.

To effectuate the provisions of this section, the County Manager shall have the authority to examine Contractor's employment records with respect to compliance with this paragraph and/or to set off all or any portion of the amount described in this paragraph against amounts due to Contractor under the Contract or any other Contract between Contractor and County.

Contractor shall report to the County Manager the filing by any person in any court of any complaint of discrimination or the filing by any person of any and all charges with the Equal Employment Opportunity Commission, the Fair Employment and Housing Commission or any other entity charged with the investigation of allegations within 30 days of such filing, provided that within such 30 days such entity has not notified Contractor that such charges are dismissed or otherwise unfounded. Such notification shall include the name of the complainant, a copy of such complaint, and a description of the circumstance. Contractor shall provide County with a copy of their response to the Complaint when filed.

- E. *Compliance with Equal Benefits Ordinance.* With respect to the provision of employee benefits, Contractor shall comply with the County Ordinance which prohibits contractors from discriminating in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse.
- F. The Contractor shall comply fully with the non-discrimination requirements required by 41 CFR 60-741.5(a), which is incorporated herein as if fully set forth.

## **12. Compliance with Contractor Employee Jury Service Ordinance**

Contractor shall comply with the County Ordinance with respect to provision of jury duty pay to employees and have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service in San Mateo County. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employees' regular pay the fees received for jury service.

**13. Retention of Records, Right to Monitor and Audit**

(a) CONTRACTOR shall maintain all required records for three (3) years after the COUNTY makes final payment and all other pending matters are closed, and shall be subject to the examination and/or audit of the County, a Federal grantor agency, and the State of California.

(b) Reporting and Record Keeping: CONTRACTOR shall comply with all program and fiscal reporting requirements set forth by appropriate Federal, State and local agencies, and as required by the COUNTY.

(c) CONTRACTOR agrees to provide to COUNTY, to any Federal or State department having monitoring or review authority, to COUNTY's authorized representatives, and/or their appropriate audit agencies upon reasonable notice, access to and the right to examine all records and documents necessary to determine compliance with relevant Federal, State, and local statutes, rules and regulations, and this Agreement, and to evaluate the quality, appropriateness and timeliness of services performed.

**14. Merger Clause**

This Agreement, including the Exhibits attached hereto and incorporated herein by reference, constitutes the sole Agreement of the parties hereto and correctly states the rights, duties, and obligations of each party as of this document's date. In the event that any term, condition, provision, requirement or specification set forth in this body of the agreement conflicts with or is inconsistent with any term, condition, provision, requirement or specification in any exhibit and/or attachment to this agreement, the provisions of this body of the agreement shall prevail. Any prior agreement, promises, negotiations, or representations between the parties not expressly stated in this document are not binding. All subsequent modifications shall be in writing and signed by the parties.

**15. Controlling Law and Venue**

The validity of this Agreement and of its terms or provisions, as well as the rights and duties of the parties hereunder, the interpretation, and performance of this Agreement shall be governed by the laws of the State of California. Any dispute arising out of this Agreement shall be venued either in the San Mateo County Superior Court or in the United States District Court for the Northern District of California.

**16. Notices**

Any notice, request, demand, or other communication required or permitted hereunder shall be deemed to be properly given when both (1) transmitted via facsimile to the telephone number listed below and (2) either deposited in the United State mail, postage prepaid, or when deposited for overnight delivery with an established overnight courier that provides a tracking number showing confirmation of receipt, for transmittal, charges prepaid, addressed to:

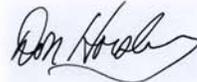
**In the case of County, to:**  
Director of Community Development  
Planning & Building Department  
455 County Center, Mail Drop PLN122  
Redwood City, CA 94063

**In the case of Contractor, to:**  
Analytical Environmental Services  
1801 7<sup>th</sup> Street, Ste 100  
Sacramento, CA 95811

In the event that the facsimile transmission is not possible, notice shall be given both by United States mail and an overnight courier as outlined above.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

COUNTY OF SAN MATEO



By: \_\_\_\_\_  
President, Board of Supervisors, San Mateo County

Date: May 7, 2013

ATTEST:   
By: \_\_\_\_\_  
Clerk of Said Board

Analytical Environmental Services (AES)  
  
\_\_\_\_\_  
Contractor's Signature

Date: 12-11-12

Resolution #072499

Exhibit "A"

In consideration of the payments set forth in Exhibit "B", Contractor shall provide the following services:

Contractor shall complete the preparation of an Environmental Impact Report for the proposed Ascensions Heights project (County File number PLN2002-00517) to be re-circulated. A complete Scope of Work is included in Exhibit C.

Exhibit "B"

In consideration of the services provided by Contractor in Exhibit "A", County shall pay Contractor based on the following fee schedule in attached Exhibit "B":

# EXHIBIT B - SCHEDULE OF CHARGES

AES schedule of hourly wage rates for the listing the labor categories, associated wage rates, and reimbursable expenses have been provided below.

Employee Category	Hourly Billing Rate
Principal	\$245
<b>Project Manager</b>	<b>\$140</b>
Analyst III	\$120
<b>Analyst II</b>	<b>\$110</b>
<b>Analyst I</b>	<b>\$105</b>
Cultural Resources Specialist	\$120
<b>Archaeologist III</b>	<b>\$110</b>
Archaeologist II	\$105
Archaeologist I	\$100
<b>Biologist III</b>	<b>\$120</b>
Biologist II	\$110
Biologist I	\$105
Sr. Graphic Designer	\$105
<b>Graphic Designer II</b>	<b>\$100</b>
Graphic Designer I	\$95
Office Administrator	\$100
Administrative Assistant III	\$90
Administrative Assistant II	\$85
<b>Administrative Assistant I</b>	<b>\$80</b>

Direct Costs	
Postage/Overnight Mail	Actual cost + 15%
Courier Charges	Actual cost + 15%
Mileage	Federal Rate - currently \$0.55 per mile + 15%
Other Direct Costs	Actual cost + 15%
In-house Copying Charges:	
Black & White	\$0.10 per page + 15%
Color	\$1 per page + 15%
CD duplication w/label & case	\$2.50 each + 15%

# EXHIBIT B - SCHEDULE OF CHARGES

AES schedule of hourly wage rates for the listing the labor categories, associated wage rates, and reimbursable expenses have been provided below.

Employee Category	Hourly Billing Rate
Principal	\$245
<b>Project Manager</b>	<b>\$140</b>
Analyst III	\$120
<b>Analyst II</b>	<b>\$110</b>
<b>Analyst I</b>	<b>\$105</b>
Cultural Resources Specialist	\$120
<b>Archaeologist III</b>	<b>\$110</b>
Archaeologist II	\$105
Archaeologist I	\$100
<b>Biologist III</b>	<b>\$120</b>
Biologist II	\$110
Biologist I	\$105
Sr. Graphic Designer	\$105
<b>Graphic Designer II</b>	<b>\$100</b>
Graphic Designer I	\$95
Office Administrator	\$100
Administrative Assistant III	\$90
Administrative Assistant II	\$85
<b>Administrative Assistant I</b>	<b>\$80</b>

Direct Costs	
Postage/Overnight Mail	Actual cost + 15%
Courier Charges	Actual cost + 15%
Mileage	Federal Rate - currently \$0.55 per mile + 15%
Other Direct Costs	Actual cost + 15%
In-house Copying Charges:	
Black & White	\$0.10 per page + 15%
Color	\$1 per page + 15%
CD duplication w/label & case	\$2.50 each + 15%

# EXHIBIT C - SCOPE OF WORK

## Project Understanding

The **Ascension Heights Subdivision Project (Proposed Project)** entails a request by the project proponent for the County of San Mateo to approve subdivision of six parcels on 21.13 acres into 21 lots for development of 19 single-family residences with the remaining 2 lots (approximately 7.81-acres) maintained as a conservation area. The project site is located adjacent to Ascension Drive and Bel Aire Road in unincorporated San Mateo County, approximately 0.87 miles north east of Highway 280 and 0.51 miles west of highway 92. Potable water would be provided by connection to the Mid-Peninsula Water District and wastewater collection would be provided by the Crystal Springs Sanitation District with treatment at the City of San Mateo Wastewater Treatment Plant. Development of the 19 subdivided lot into single-family residences would require 40,920 cubic yards of grading, of which 28,270 cubic yards would require exportation from the site. Accordingly, the project applicant also requires a grading permit from the County. Based on the size of the development, a Water Supply Assessment is not required for the Proposed Project. One significant consideration is the Cease and Desist Order (CDO) issued by the San Francisco Bay Regional Water Quality Control Board to the City of San Mateo, town of Hillsborough, and Crystal Springs County Sanitation District. The CDO was issued as a result of high infiltration rates of non wastewater during wet weather into the wastewater conveyance system resulting in associated decreases in sewage conveyance capacity which lead to unregulated releases of wastewater to surface waters. This issue will be addressed in the Draft EIR.

The Proposed Project is a re-design of a previous project that was denied by the San Mateo County Planning Commission in 2009. A Draft Environmental Impact Report (Draft EIR) and Final Environmental Impact Report (Final EIR) were prepared for the previously proposed project. The scope of services will utilize, to the extent feasible, existing information from the previous environmental process to provide a Revised EIR that meets the current CEQA guidelines as well as current legal precedent for the analysis of environmental impacts developed through CEQA case law.

## Scope of Services

### *Program Description*

The overall objective and focus of the work plan outlined below is the efficient preparation of a Revised EIR that meets the legal requirements of a complete, adequate, and objective statement of the Proposed Project's environmental consequences while incorporating background information and analysis prepared during the previous EIR process to the extent feasible and reasonable in a cost effective manner. The resulting Revised EIR document will provide a concise, integrated source of information for the public, county decision makers, and other permitting agencies including the California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board.

## *County Direction*

AES works as an extension of County staff. Our Project Manager would take direction from the assigned County Project Manager. In this role, AES will pro-actively assist with meeting the stated project objectives by maintaining an up-to-date schedule that indicates deliverable due dates and responsible parties. AES has enjoyed similar working relationships with a variety of federal, state, and municipal agencies.

## *Proposed Course of Action*

**Task 1: Kick-Off Meeting, Project Initiation and Information Review.** AES will meet with the County to establish lines of communication, determine the nature and format of the document to be prepared, and obtain relevant documentation and project details. Following this meeting, AES will review all project documentation and related planning materials, including the additional information for the previous EIR that may not have been provided during development of this Scope of Work, and available planning documents including General Plan materials, utility master plans, the County's subdivision regulations, tree regulations, and the Countywide Transportation Plan. Following this review, AES will develop a final project schedule and work plan that meets the needs of the County.

**Deliverables:** AES will prepare a final work plan and schedule to be distributed to the project team via email within five (5) days of the project initiation meeting.

**Task 2: Initial Study, NOP and Scoping.** Following the project initiation meeting, AES will prepare a draft Initial Study (IS) that includes a checklist consistent with Appendix G of the CEQA Guidelines and County guidance. The IS will be used to screen nonsignificant environmental issues from further consideration within the EIR. Following completion of the IS, AES will prepare a Notice of Preparation (NOP). Flexibility will be built into the NOP in anticipation of minor adjustments to project layout and design. This Scope of Work assumes that the County will coordinate circulation of the IS/NOP to the public. AES's Sacramento Office is located mere blocks from the State Clearinghouse and can readily deliver the IS/NOP in a cost effective manner. AES will attend and provide environmental expertise at one public town hall/scoping meeting during the 30-day public review period starting with release of the NOP. It is assumed that the County will be responsible for reserving an appropriate venue for the meeting. AES shall prepare up to 4 poster board exhibits for the public town hall/scoping meeting.

**Deliverables:** AES will provide the County with an electronic version of the IS. AES will revise the IS based on a comprehensive set of comments received on the electronic version from the County. The IS will be included as an appendix to the Administrative Draft EIR. AES will provide an electronic copy of the draft NOP to the County for review. AES will revise the NOP based on a comprehensive set of comments received on the electronic version from the County. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall/scoping meeting for approval.

**Task 3: Administrative Draft Revised EIR Preparation.** AES will conduct field studies and analysis as necessary to prepare an Administrative Draft EIR (ADEIR) in accordance with the State CEQA Guidelines, and relevant case law. AES will review the results of the IS and scoping comments submitted during the NOP comment period to focus the EIR analysis on those issues that are identified as potentially significant. AES will prepare a summary list of relevant issues to be addressed within the project analysis and consult with the County regarding any revisions to the scope of EIR services, if necessary. Given the nature of the Proposed Project, AES anticipates the EIR will be rather comprehensive, with sections analyzing the direct, indirect, and cumulative effects associated with each of the following issue areas:

- Aesthetics
- Agricultural Resources
- Air Quality and Greenhouse Gases
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems
- Transportation and Traffic

As Lead Agency, the County will make the final determination regarding the content of the EIR. Upon award of the contract, AES and the County would consider each issue area and draft a more detailed work plan that clearly outlines the expectations of the County and the obligations of AES.

**Deliverables:** AES will provide the County with a total of three (3) bound hardcopies and one (1) CD copy in color PDF format of the ADEIR.

### *ADEIR Contents*

Executive Summary. This section will provide an overview of the Draft EIR (DEIR) and include a summary table of all identified environmental effects, mitigation, and the significance level of impacts before and after mitigation.

Introduction. This section will explain the applicability of CEQA to the Proposed Project, describes the CEQA public review process, summarizes significant issues raised during the scoping process, and outlines the organization of the EIR.

Project Description. This section will present the background of the Proposed Project and identify the County's objectives in pursuing the project. AES will incorporate detailed project information and exhibits provided by the Applicant and County to describe each component of the Proposed Project in sufficient detail to enable identification of the largest envelope of potential environmental impacts. All anticipated approvals, permits, and other actions that will rely on the EIR will be identified.

Environmental Setting and Analysis. Considered the heart of the EIR, this section will provide a separate subsection for each environmental issue area in which a potentially significant impact was identified during the IS and scoping process. Each issue area subsection will discuss the existing setting, regulatory framework, analysis methods and thresholds, anticipated project-related impacts, and recommended mitigation measures to reduce or avoid adverse effects.

Cumulative Impacts. AES will assess the cumulative impacts of the Proposed Project in connection with other reasonably foreseeable projects and build-out of the County's General Plan. If available, the cumulative analysis will also consider growth projections anticipated in the County's on-going General Plan Update. AES will work with the County and relevant agencies to develop a list of relevant projects and define the geographical scope of the cumulative analysis. Cumulative analysis will cover each issue area addressed under the Environmental Setting and Analysis section of the EIR. Anticipated project-related cumulative impacts will be identified and mitigation measures will be recommended to reduce or avoid adverse effects.

Project Alternatives. In accordance with CEQA Guidelines Section 15126.6, AES will work with the County and Applicant to develop up to four (4) alternatives that could feasibly attain most of the basic objectives of the Proposed Project and would substantially lessen one or more of the project's significant environmental effects. The following alternatives may be considered as part of this process, although it is anticipated that one or more may be eliminated from detailed consideration due to the increased potential for environmental impacts:

1. No Project Alternative. As required by CEQA, one of the alternatives will be a No Project Alternative. This alternative will assume that the Proposed Project would not occur. While it is anticipated that some environmental impacts would be reduced, the basic objectives of the project would not be accomplished and may result in greater effects associated with water quality and noncompliance with permit requirements.
2. Reduced Footprint Alternative. AES will work with the County to identify a mitigated project footprint alternative within the boundaries of the project site. It is anticipated that a reconfiguration of land uses and clustering of high density residential development would accomplish the goals of this alternative.
3. Reduced Density Alternative. AES will work with the County to define a reduced density alternative that would result in fewer residents on the project site, and thus fewer demands on public utilities and infrastructure.

According to CEQA Guidelines Section 15126.6(d), “the significant effects of an alternative shall be discussed, but in less detail than the significant effects of the project as proposed.” The assessment of project alternatives will be consistent with this requirement by presenting a sufficient amount of detail necessary to afford decision makers with a reasoned choice. In most cases, environmental analyses conducted for the Proposed Project will be applicable to alternative development scenarios. Qualitative analysis of air quality and noise impacts associated with project alternatives will be conducted.

### *Issue Area Analysis and Assumptions*

Aesthetics. Development of the Proposed Project would alter the visual character of the project site from open space to urban; however, the surrounding areas consist of housing developments of similar density and therefore impacts are anticipated to be less than significant. Using visual representations of the project to be provided by the Applicant and existing analysis from the 2009 EIR to the extent possible, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation:

- Review the relevant visual quality standards contained in the County’s General Plan and consider the applicability of planning policies and ordinances related to aesthetics.
- Conduct reconnaissance field studies to assess the visual character of the project site and surrounding public view areas. Document existing visual conditions on the project site through photographs and detailed descriptions.
- Incorporate the existing three dimensional visual design exhibits of the proposed facilities prepared by Lea and Braze Engineering, Inc. for the Applicant into site and aerial photographs of the project site to assess impacts to aesthetics and viewsheds of the project region.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the aesthetics section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts and ensure consistency with relevant visual quality standards of the County’s General Plan.

Air Quality. Development of the Proposed Project would result in short-term emissions and fugitive dust during the construction phase and long-term emissions associated with vehicle traffic. AES will complete the following tasks to determine the level of potential air quality impacts and the need for mitigation.

- Review relevant local/regional air quality standards for the project area, including those issued by the Bay Area Air Quality Management District (AQMD) and California Air Resources Board (CARB).
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Federal Clean Air Act and California Clean Air Act.
- Document existing sources of air pollution and identify sensitive receptors that may be affected by development of the Proposed Project.
- AES will conduct a HRA for the Proposed Project. The assessment will use accepted County or Air District protocols to determine the necessity for dispersion modeling. AES will use either AeMOD

or CAL3QHCR modeling software to estimate concentrations at defined receptor locations and will consult with the Air District and County to determine the appropriate level of analysis.

- Identify short-term air quality impacts from construction emissions using CARB-approved URBEMIS- modeling software. In order to estimate construction emissions, AES will coordinate with the County and Applicant to acquire information regarding the nature of construction activities, types of equipment that will likely be used, and the anticipated total area of disturbance.
- Identify long-term regional air quality impacts from mobile and area source emissions using CARB approved URBEMIS modeling software. This analysis will include quantification of criteria air pollutants identified in the local air quality management plans and shall be conducted according to district methodologies. Mobile source emissions will be estimated using vehicle trip generation and distribution information provided in the traffic study prepared by RKH.
- Quantify greenhouse gas emissions as recommended within the recent amendments to the CEQA Guidelines. In accordance with this guidance, AES will provide a qualitative, performance based approach to reducing impacts. This effort will be closely coordinated within the County's General Plan Update Process to ensure consistent methodology and thresholds are being applied.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the air quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts from both construction and operation of the Proposed Project. Modeling runs will be included as an appendix to the EIR.

Agricultural Resources. The Proposed Project would not result in the conversion of prime agricultural land. Additionally, no Williamson Act contracts are held on the subject parcels. AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process. Should it be determined that Agricultural Resources should be included within the EIR, AES will complete the following tasks using the existing analysis from the 2009 EIR to the extent possible to determine the level of potential impacts to agricultural resources and the need for mitigation:

- Review the relevant local policies concerning the protection of farmlands, including those contained in the County General Plan and General Plan Update.
- Describe and map the important agricultural soils in the project area including Prime Farmland, Farmland of Statewide Importance and Unique Farmland.
- Review information on existing agricultural resource in the region and current urbanization trends.
- AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process.

Biological Resources. Development of the Proposed Project has the potential to impact special-status species and other biological resources, including the endangered Mission Blue Butterfly. This scope of work does not provide for protocol-level biological surveys or permitting. AES will complete the following tasks to determine the level of potential biological impacts and the need for mitigation:

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Federal Endangered Species Act, Fish and Wildlife Coordination Act, Migratory Bird Treaty Act, Clean Water Act (Sections 401 and 404), Magnuson Fisheries-Stevens Fishery

Conservation and Management Act, California Endangered Species Act, California Fish and Game Code, and Porter-Cologne Water Quality Control Act.

- Review existing information related to biological resources included within the Biological Resources Assessment prepared for the 2009 EIR.
- Conduct an updated query of the California Natural Diversity Database/RareFind, California Native Plant Society's Electronic Inventory, and the California Wildlife-Habitat Relationships database, and obtain current special-status species lists for the project area from the U.S. Fish and Wildlife Service (USFWS).
- Conduct a biological field survey of the project site to establish the potential for occurrences of special-status species or critical habitat and confirm the findings of the Biological Resources Assessment prepared by the Applicant.
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Cultural Resources. Development of the Proposed Project could result in adverse impacts to previously documented, newly identified, or inadvertently discovered cultural resources. Preliminary site reconnaissance indicates that the project site has been substantially disturbed from agricultural activities; however, impacts to unanticipated archaeological resources discovered during construction are always a possibility. AES will complete the following tasks during preparation of the cultural resources section of the EIR.

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# EXHIBIT C - SCOPE OF WORK

## Project Understanding

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Conservation and Management Act, California Endangered Species Act, California Fish and Game Code, and Porter-Cologne Water Quality Control Act.

- Review existing information related to biological resources included within the Biological Resources Assessment prepared for the 2009 EIR.
- Conduct an updated query of the California Natural Diversity Database/RareFind, California Native Plant Society's Electronic Inventory, and the California Wildlife-Habitat Relationships database, and obtain current special-status species lists for the project area from the U.S. Fish and Wildlife Service (USFWS).
- Conduct a biological field survey of the project site to establish the potential for occurrences of special-status species or critical habitat and confirm the findings of the Biological Resources Assessment prepared by the Applicant.
- Incorporate information from existing studies and findings into the biological resources section of the EIR and recommend avoidance or mitigation measures to reduce any potentially significant impacts. In coordination with the County, AES will informally consult with USFWS and the California Department of Fish and Game to refine mitigation measures and meet regulatory requirements. This coordination will promote an efficient environmental review process for the Proposed Project.

Cultural Resources. Development of the Proposed Project could result in adverse impacts to previously documented, newly identified, or inadvertently discovered cultural resources. Preliminary site reconnaissance indicates that the project site has been substantially disturbed from agricultural activities; however, impacts to unanticipated archaeological resources discovered during construction are always a possibility. AES will complete the following tasks during preparation of the cultural resources section of the EIR.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: CEQA Guidelines 15064.5 and PRC 21083.2, SB-18 – Tribal Consultation (required for General Plan Amendment), Section 106 of the National Historic Preservation Act (required for 404 permits)
- Conduct an updated records search at the Northwest Information Center of the California Historical Resources Information System.
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- Conduct an intensive Phase-I pedestrian survey of the project site. The survey will include recordation of any newly identified sites on appropriate DPR forms. Records of previously identified sites will be updated if necessary. This scope of work assumes that no more than two relatively simple resources will require recordation or updating. Evaluation of site significance is not included in the enclosed cost estimate. If it is determined that identified site(s) need to be evaluated, AES will provide a detailed scope of work and cost estimate for this work.

- Assist the County with SB-18 consultation. SB-18 assistance will include identification of stakeholders, provision of invitation to consult language, and attendance at up to two meetings with tribal representatives.
- Conduct all surveys and records searches in compliance with Section 106 of National Historic Preservation Act in the event that federal permitting is required.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the cultural resources section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts. This Scope of Work does not provide for testing or data recovery of any identified archaeological sites.

Geology and Soils. Development of the Proposed Project has the potential to result in soil erosion or subject people or property to geologic or seismic risks. AES is teaming with Michelucci and Associates to conduct an Updated Geotechnical Study to supplement the geotechnical study they prepared for the 2009 EIR. AES will complete the following tasks during preparation of the geology and soils section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to geology, soils and seismic hazards within the project area, including those contained in the County's General Plan.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Soil and Water Conservation Act, National Earthquake Hazards Reduction Program, Alquist-Priolo Earthquake Fault Zoning Act, Seismic Hazards Mapping Act, and California Building Standards Code.
- Identify soils types within the project area based on a review of U.S. Department of Agriculture soils surveys and field investigations to estimate the potential for erosion, settlement, and liquefaction; however, it is assumed that a geotechnical report or other appropriate analysis shall be conducted that determines the shrink/swell potential and stability of the soil to support the proposed facilities prior to construction.
- Review regional/local earthquake fault and seismic hazard maps to determine the potential for seismic related hazards.
- Incorporate findings of the Geotechnical Study prepared by Michelucci and Associates and existing analysis from the 2009 EIR to the extent possible into the geology and soils section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hazards and Hazardous Materials. Development of the Proposed Project may subject people to hazardous materials or hazards. The majority of the project site has been formerly used for agricultural purposes. AES will complete the following tasks during preparation of the Hazards/Hazardous Materials section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to hazards and hazardous materials within the project area, including those contained in the County's General Plan.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Resources Conservation and Recovery Act, Hazardous and Solid Waste Management Acts, and Comprehensive Environmental Response, Compensation, and Liability Act.
- Request a database search from Environmental Data Services to identify whether the project site is listed on various local, state, or federal hazardous materials databases. AES will also search online database resources regarding facilities or sites identified as meeting the “Cortese List” requirements pursuant to Government Code Section 65962.5.
- AES will research historic land usage within and adjacent to the project site, including review of historic topographic maps and aerial photographs.
- AES will incorporate findings and existing analysis from the 2009 EIR to the extent possible into the hazards and hazardous materials section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hydrology and Water Quality. Development of the Proposed Project would alter the existing drainage patterns on the project site during both construction and operation, potentially impacting run-off quantity and quality. AES understands that Lea and Braze have already completed an updated hydrological evaluation of the project site to assess drainage impacts associated with the development of impervious surfaces on the project site. AES will complete the following tasks during preparation of the Hydrology and Water Quality Section of the EIR:

- Review existing information concerning water quality in the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Clean Water Act and Porter-Cologne Water Quality Act.
- Identify flood hazards on the site or in the immediate project area through Review of FEMA Flood Insurance maps, the proposed flood protection/prevention measures of the project (if needed), and determine residual effects on localized or downstream flooding.
- Peer review drainage plans, estimates of storm water volumes, and existing system capacities provided to AES by Lea and Braze during the hydrological study, the County and/or the Applicant.
- Using existing information, identify the general types and sources of water quality changes that may result from the proposed development. Evaluate potential impacts of runoff from the project site on the quality of receiving waters.
- Discuss the need to apply for an NPDES permit for construction activities. Identify guidelines and policies of the SFBRWQCB, U.S. Environmental Protection Agency, and County plans regarding water quality impacts from storm water runoff.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Hydrology and Water Quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Land Use and Planning. The Proposed Project would result in the subdivision of the project site for the development of 19 single-family residential units. Implementation of the Proposed Project must be

considered in light of existing policies included within the County's General Plan and General Plan Update. Additionally, the Proposed Project will introduce new land uses that may be incompatible with existing or planned land uses on adjacent properties. Based on an initial review of the General Plan and Land Use designations for the project site, the Proposed Project is consistent with the land use planning documents governing development on the project site and the density of development is consistent with zoning designations. Accordingly, AES anticipates that impacts to Land Use and Planning will be less than significant and no mitigation will be required. To ensure a complete analysis is provided, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted land use studies associated with the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Identify existing, approved, and proposed land use and zoning designations within and surrounding the project site.
- Consider the consistency of the Proposed Project with existing applicable planning documents, and include "planning consistency matrix" as an appendix to the EIR.
- Assess potential long-term compatibility issues, as well as short-term issues associated with phased development and non-conforming land uses.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Land Use and Planning section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Noise. Development of the Proposed Project would result in a short-term increase in noise and vibration during the construction phase and would result in long-term noise increases related to traffic and operational activities that may impact sensitive receptors. AES will conduct a noise assessment of the project site and incorporate the analysis and conclusions into the Noise Section of the EIR. AES will complete the following task to determine the level of potential impacts and the need for mitigation.

- Existing Noise Levels: Conduct a detailed ambient noise survey to quantify existing noise conditions at the project site and at the nearest potentially affected noise-sensitive land uses. The survey will consist of continuous and short-term noise level measurements at as many locations deemed necessary to thoroughly identify existing noise conditions for the project area which will include traffic noise from State Route 280 and 92. To the extent that information contained in the 2009 EIR is still relevant, AES will make use of it.
- Prepare Technical Report in Support of the EIR Noise Section that will contain the results of the previous task in the above-described scope of work, as well as graphics showing noise measurement locations and potential noise mitigation locations as appropriate. The report will be included as an appendix to the EIR. AES will incorporate existing analysis from the 2009 EIR to the extent possible.

Public Services and Recreation: Development of the Proposed Project would result in an increased demand for public services and recreation, including public schools, law enforcement, and fire protection. Additionally, the increase in population as a result of the project will result in increased use of County and

regional recreational facilities. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the project site and consider the applicability of relevant local/regional planning policies and ordinances..
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including:
  - Uniform Fire Code
  - California Health and Safety Code
- AES will update the public service provided questionnaires provided Appendix C of the 2009 Draft EIR. AES will contact local service providers, including the Sheriff's Department, Fire Department, County Parks Department, County Public Libraries, and School Districts to determine existing service levels in the project area and need for additional personnel, equipment, and facilities.
- Estimate the new service demands resulting from the development of the Proposed Project, including the increase in student enrollment, law enforcement demands, fire protection demands, and use of recreational facilities.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Recreation section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Traffic and Circulation: Development of the Proposed Project would result in an increase in local traffic. AES is teaming with RKH for the preparation of a traffic analysis and study for the Proposed Project to determine the potential for adverse effects on traffic circulation and identify appropriate traffic improvements. AES will complete the following tasks during preparation of the transportation/traffic section of the EIR.

- Incorporate findings of the traffic impact analysis into the Transportation and Circulation section of the EIR.
- Assess potential impacts associated with pedestrian, bicycle, and public transportation, and recommend appropriate mitigation measures.
- Discuss potential short-term impacts associated with construction activities. It is anticipated that mitigation will likely include specific measures to be included within a Traffic Control Plan for construction activities.

Utilities and Service Systems: Development of the Proposed Project would result in an increased demand for public utilities, including potable water, wastewater treatment, drainage facilities, and solid waste services. AES is teaming with NV5, formerly Nolte and Associates to assess the potential impacts to sewer and water conveyance systems. The cost and scope assumes that the level of effort required is to update the analysis within the 2009 EIR and no modeling of conveyance capacities are required. AES will assess the potential impacts to other utility and service systems including solid waste, electricity, and telecommunications. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the 2009 EIR and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: California Health and Safety Code, Integrated Waste Management Act, Water Management Planning Act, SB 610 – Water Availability Assessment. Based on the number of residential units, a Water Supply Assessment is not required under SB 610, which will be duly noted in the EIR.
- Coordinate with the County’s Public Utilities Department and local service providers to determine existing service levels in the project area.
- Estimate the new service demands resulting from the development of the Proposed Project, including water supply, wastewater, drainage and solid waste.
- Evaluate impacts to wastewater treatment and drainage facilities in light of information provided within NV5’s technical assessment.
- In accordance with thresholds provided in Appendix G of the CEQA Guidelines, evaluate physical environmental impacts resulting from proposed improvements to utility systems, including the any proposed upgrades to Crystal Springs County Special District and San Mateo Wastewater Treatment plant. This task does not include site visits to assess existing conditions of off-site improvements that may be required to update wastewater infrastructure to meet the wastewater demands of the project.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Utilities section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

**Task 4: Draft EIR and Public Circulation.** AES will meet with the County to clarify any comments and questions raised during review of the ADEIR. AES will revise the ADEIR based on a single set of comprehensive comments provided by the County. AES will provide an electronic screen check version of the Draft EIR with track changes to the County for review prior to production. Following approval by the County, AES will facilitate preparation of the Notice of Availability (NOA) and public release of the DEIR.

AES technical staff will coordinate and attend one (1) public comment town hall meeting during the 45-day public comment period on the DEIR. AES will provide up to three (3) poster board displays for the meeting. It is assumed that the County will be responsible for reserving an appropriate venue. If desired, a court reporter will be provided by the County.

**Deliverables:** AES will provide the County with ten (10) bound hardcopies one (1) CD copy in color PDF format of the Draft EIR. Fifteen (15) CD copies of the Draft EIR with hardcopies of the Executive Summary will be submitted as required to the State Clearinghouse with the Notice of Availability. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall meeting for approval.

**Task 5: Final EIR and Mitigation Monitoring and Reporting Plan.** AES will compile comments received from the public and other interested parties during the 45-day public review period for the Draft EIR, and summarize key issues for discussion with the County. AES will meet with County staff to go over the approach for responding to key issues raised during the DEIR public review period. Following this meeting, AES will formulate responses, and make any necessary revisions to the EIR. This Scope of Work assumes a moderate level of effort will be required to respond to comments. A moderate level of effort is considered to be less than 15 comment letters and 50 individual substantive comments that require a response beyond comment noted. The Response to Comments and any refinements to the DEIR text will be incorporated into a “freestanding” Final EIR. AES will prepare a Mitigation Monitoring and Reporting Plan (MMRP) to support the County’s certification of the Final EIR. The MMRP will be referenced within the text of the Final EIR and will be included as an appendix in the final document.

**Deliverables:** AES will provide the County with a total of ten (10) bound hardcopies and one (1) CD copy in PDF format of the Final EIR.

**Task 6: Findings and Final EIR Certification Support.** AES will assist with preparation of the Findings of Fact and Statement of Overriding Considerations. AES will attend/present at one meeting with the Planning Commission, and up to two staff meetings for certification of the Final EIR and Findings and Statement of Overriding Considerations.

**Task 7: Project Management and Meetings.** The AES management team will complete the myriad of small and often unforeseen tasks required to implement the preparation of an EIR. This includes numerous phone calls and emails necessary to facilitate information exchange between the Project Team and jurisdictional agencies, as well as the time required to prepare agendas, meeting minutes, schedules, and other such documents. Under this task, AES will:

- Attend a scoping hearing;
- Participate in up to 3 (3) two-hour project coordination meetings with planning staff at the County offices for the development of the Draft EIR;
- Attend up to two (2) Planning Commission hearings; and
- Participate in up to ten (10) one-hour project related conference calls with members of the project team and jurisdictional agencies.

**Deliverables:** AES will submit monthly status reports to the Project Team via email by the fifth business day of each month. AES will prepare and distribute minutes for each project-related meeting that will outline key decisions and action items.

**AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND  
ANALYTICAL ENVIRONMENTAL SERVICES**

THIS AGREEMENT, entered into this 7 day of May 2013, by and between the COUNTY OF SAN MATEO, hereinafter called "County," and Analytical Environmental Services, hereinafter called "Contractor."

W I T N E S S E T H:

WHEREAS, pursuant to Government Code, Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof;

WHEREAS, it is necessary and desirable that Contractor be retained for the purpose of preparing an Environmental Impact Report for the proposed Ascensions Heights subdivision project (County File number PLN2002-00517) to be re-circulated.

**NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:**

**1. Exhibits and Attachments**

The following exhibits and attachments are included hereto and incorporated by reference herein:

Exhibit A—Services  
Exhibit B—Payments and rates  
Exhibit C—Scope of Work

**2. Services to be performed by Contractor**

In consideration of the payments set forth herein and in Exhibit "B," Contractor shall perform services for County in accordance with the terms, conditions and specifications set forth herein and in Exhibit "A."

**3. Payments**

In consideration of the services provided by Contractor in accordance with all terms, conditions and specifications set forth herein and in Exhibit "A," County shall make payment to Contractor based on the rates and in the manner specified in Exhibit "B." The County reserves the right to withhold payment if the County determines that the quantity or quality of the work performed is unacceptable. In no event shall the County's total fiscal obligation under this Agreement exceed One Hundred Thirteen Thousand Seventy-Five Dollars, \$113,075.

**4. Term and Termination**

Subject to compliance with all terms and conditions, the term of this Agreement shall be from May 9, 2013 through May 9, 2014.

This Agreement may be terminated by Contractor, the Director of Community Development or his/her designee at any time without a requirement of good cause upon thirty (30) days' written notice to the other party.

In the event of termination, all finished or unfinished documents, data, studies, maps, photographs, reports, and materials (hereafter referred to as materials) prepared by Contractor under this Agreement shall become the property of the County and shall be promptly delivered to the County. Upon termination, the Contractor may make and retain a copy of such materials. Subject to availability of funding, Contractor shall be entitled to receive payment for work/services provided prior to termination of the Agreement. Such payment shall be that portion of the full payment which is determined by comparing the work/services completed to the work/services required by the Agreement.

**5. Availability of Funds**

The County may terminate this Agreement or a portion of the services referenced in the Attachments and Exhibits based upon unavailability of Federal, State, or County funds, by providing written notice to Contractor as soon as is reasonably possible after the County learns of said unavailability of outside funding.

**6. Relationship of Parties**

Contractor agrees and understands that the work/services performed under this Agreement are performed as an independent Contractor and not as an employee of the County and that Contractor acquires none of the rights, privileges, powers, or advantages of County employees.

**7. Hold Harmless**

Contractor shall indemnify and save harmless County, its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description, brought for, or on account of: (A) injuries to or death of any person, including Contractor, or (B) damage to any property of any kind whatsoever and to whomsoever belonging, (C) any sanctions, penalties, or claims of damages resulting from Contractor's failure to comply with the requirements set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all Federal regulations promulgated thereunder, as amended, or (D) any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of County, its officers, agents, employees, or servants, resulting from the performance of any work required of Contractor or payments made pursuant to this Agreement, provided that this shall not apply to injuries or damage for which County has been found in a court of competent jurisdiction to be solely liable by reason of its own negligence or willful misconduct.

The duty of Contractor to indemnify and save harmless as set forth herein, shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

County and its officers, agents, employees and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that the insurance afforded thereby to the County, its officers, agents, employees and servants shall be primary insurance to the full limits of liability of the policy, and that if the County or its officers and employees have other insurance against the loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, the County of San Mateo at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

**10. Compliance with laws; payment of Permits/Licenses**

All services to be performed by Contractor pursuant to this Agreement shall be performed in accordance with all applicable Federal, State, County, and municipal laws, ordinances and regulations, including, but not limited to, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and the Federal Regulations promulgated thereunder, as amended, and will comply with the Business Associate requirements set forth in Attachment "H," and the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended and attached hereto and incorporated by reference herein as Attachment "I," which prohibits discrimination on the basis of handicap in programs and activities receiving any Federal or County financial assistance. Such services shall also be performed in accordance with all applicable ordinances and regulations, including, but not limited to, appropriate licensure, certification regulations, provisions pertaining to confidentiality of records, and applicable quality assurance regulations. In the event of a conflict between the terms of this Agreement and State, Federal, County, or municipal law or regulations, the requirements of the applicable law will take precedence over the requirements set forth in this Agreement. Further, Contractor certifies that the Contractor and all of its subcontractors will adhere to all applicable provisions of Chapter 4.106 of the San Mateo County Ordinance Code, which regulates the use of disposable food service ware.

Contractor will timely and accurately complete, sign, and submit all necessary documentation of compliance.

**11. Non-Discrimination and Other Requirements**

- A. *Section 504 applies only to Contractors who are providing services to members of the public.* Contractor shall comply with § 504 of the Rehabilitation Act of 1973, which provides that no otherwise qualified handicapped individual shall, solely by reason of a disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in the performance of this Agreement.
- B. *General non-discrimination.* No person shall, on the grounds of race, color, religion, ancestry, gender, age (over 40), national origin, medical condition (cancer), physical or mental disability, sexual orientation, pregnancy, childbirth or related medical condition, marital status, or political affiliation be denied any benefits or subject to discrimination under this Agreement.

- C. *Equal employment opportunity.* Contractor shall ensure equal employment opportunity based on objective standards of recruitment, classification, selection, promotion, compensation, performance evaluation, and management relations for all employees under this Agreement. Contractor's equal employment policies shall be made available to County of San Mateo upon request.
- D. *Violation of Non-discrimination provisions.* Violation of the non-discrimination provisions of this Agreement shall be considered a breach of this Agreement and subject the Contractor to penalties, to be determined by the County Manager, including but not limited to
  - i) termination of this Agreement;
  - ii) disqualification of the Contractor from bidding on or being awarded a County contract for a period of up to 3 years;
  - iii) liquidated damages of \$2,500 per violation;
  - iv) imposition of other appropriate contractual and civil remedies and sanctions, as determined by the County Manager.

To effectuate the provisions of this section, the County Manager shall have the authority to examine Contractor's employment records with respect to compliance with this paragraph and/or to set off all or any portion of the amount described in this paragraph against amounts due to Contractor under the Contract or any other Contract between Contractor and County.

Contractor shall report to the County Manager the filing by any person in any court of any complaint of discrimination or the filing by any person of any and all charges with the Equal Employment Opportunity Commission, the Fair Employment and Housing Commission or any other entity charged with the investigation of allegations within 30 days of such filing, provided that within such 30 days such entity has not notified Contractor that such charges are dismissed or otherwise unfounded. Such notification shall include the name of the complainant, a copy of such complaint, and a description of the circumstance. Contractor shall provide County with a copy of their response to the Complaint when filed.

- E. *Compliance with Equal Benefits Ordinance.* With respect to the provision of employee benefits, Contractor shall comply with the County Ordinance which prohibits contractors from discriminating in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse.
- F. The Contractor shall comply fully with the non-discrimination requirements required by 41 CFR 60-741.5(a), which is incorporated herein as if fully set forth.

## **12. Compliance with Contractor Employee Jury Service Ordinance**

Contractor shall comply with the County Ordinance with respect to provision of jury duty pay to employees and have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service in San Mateo County. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employees' regular pay the fees received for jury service.

**13. Retention of Records, Right to Monitor and Audit**

(a) CONTRACTOR shall maintain all required records for three (3) years after the COUNTY makes final payment and all other pending matters are closed, and shall be subject to the examination and/or audit of the County, a Federal grantor agency, and the State of California.

(b) Reporting and Record Keeping: CONTRACTOR shall comply with all program and fiscal reporting requirements set forth by appropriate Federal, State and local agencies, and as required by the COUNTY.

(c) CONTRACTOR agrees to provide to COUNTY, to any Federal or State department having monitoring or review authority, to COUNTY's authorized representatives, and/or their appropriate audit agencies upon reasonable notice, access to and the right to examine all records and documents necessary to determine compliance with relevant Federal, State, and local statutes, rules and regulations, and this Agreement, and to evaluate the quality, appropriateness and timeliness of services performed.

**14. Merger Clause**

This Agreement, including the Exhibits attached hereto and incorporated herein by reference, constitutes the sole Agreement of the parties hereto and correctly states the rights, duties, and obligations of each party as of this document's date. In the event that any term, condition, provision, requirement or specification set forth in this body of the agreement conflicts with or is inconsistent with any term, condition, provision, requirement or specification in any exhibit and/or attachment to this agreement, the provisions of this body of the agreement shall prevail. Any prior agreement, promises, negotiations, or representations between the parties not expressly stated in this document are not binding. All subsequent modifications shall be in writing and signed by the parties.

**15. Controlling Law and Venue**

The validity of this Agreement and of its terms or provisions, as well as the rights and duties of the parties hereunder, the interpretation, and performance of this Agreement shall be governed by the laws of the State of California. Any dispute arising out of this Agreement shall be venued either in the San Mateo County Superior Court or in the United States District Court for the Northern District of California.

**16. Notices**

Any notice, request, demand, or other communication required or permitted hereunder shall be deemed to be properly given when both (1) transmitted via facsimile to the telephone number listed below and (2) either deposited in the United State mail, postage prepaid, or when deposited for overnight delivery with an established overnight courier that provides a tracking number showing confirmation of receipt, for transmittal, charges prepaid, addressed to:

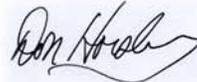
**In the case of County, to:**  
Director of Community Development  
Planning & Building Department  
455 County Center, Mail Drop PLN122  
Redwood City, CA 94063

**In the case of Contractor, to:**  
Analytical Environmental Services  
1801 7<sup>th</sup> Street, Ste 100  
Sacramento, CA 95811

In the event that the facsimile transmission is not possible, notice shall be given both by United States mail and an overnight courier as outlined above.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

COUNTY OF SAN MATEO



By: \_\_\_\_\_  
President, Board of Supervisors, San Mateo County

Date: May 7, 2013

ATTEST:   
By: \_\_\_\_\_  
Clerk of Said Board

Analytical Environmental Services (AES)  
  
\_\_\_\_\_  
Contractor's Signature

Date: 12-11-12

Resolution #072499

Exhibit "A"

In consideration of the payments set forth in Exhibit "B", Contractor shall provide the following services:

Contractor shall complete the preparation of an Environmental Impact Report for the proposed Ascensions Heights project (County File number PLN2002-00517) to be re-circulated. A complete Scope of Work is included in Exhibit C.

Exhibit "B"

In consideration of the services provided by Contractor in Exhibit "A", County shall pay Contractor based on the following fee schedule in attached Exhibit "B":

# EXHIBIT B - SCHEDULE OF CHARGES

AES schedule of hourly wage rates for the listing the labor categories, associated wage rates, and reimbursable expenses have been provided below.

Employee Category	Hourly Billing Rate
Principal	\$245
<b>Project Manager</b>	<b>\$140</b>
Analyst III	\$120
<b>Analyst II</b>	<b>\$110</b>
<b>Analyst I</b>	<b>\$105</b>
Cultural Resources Specialist	\$120
<b>Archaeologist III</b>	<b>\$110</b>
Archaeologist II	\$105
Archaeologist I	\$100
<b>Biologist III</b>	<b>\$120</b>
Biologist II	\$110
Biologist I	\$105
Sr. Graphic Designer	\$105
<b>Graphic Designer II</b>	<b>\$100</b>
Graphic Designer I	\$95
Office Administrator	\$100
Administrative Assistant III	\$90
Administrative Assistant II	\$85
<b>Administrative Assistant I</b>	<b>\$80</b>

Direct Costs	
Postage/Overnight Mail	Actual cost + 15%
Courier Charges	Actual cost + 15%
Mileage	Federal Rate - currently \$0.55 per mile + 15%
Other Direct Costs	Actual cost + 15%
In-house Copying Charges:	
Black & White	\$0.10 per page + 15%
Color	\$1 per page + 15%
CD duplication w/label & case	\$2.50 each + 15%

# EXHIBIT C - SCOPE OF WORK

## Project Understanding

The **Ascension Heights Subdivision Project (Proposed Project)** entails a request by the project proponent for the County of San Mateo to approve subdivision of six parcels on 21.13 acres into 21 lots for development of 19 single-family residences with the remaining 2 lots (approximately 7.81-acres) maintained as a conservation area. The project site is located adjacent to Ascension Drive and Bel Aire Road in unincorporated San Mateo County, approximately 0.87 miles north east of Highway 280 and 0.51 miles west of highway 92. Potable water would be provided by connection to the Mid-Peninsula Water District and wastewater collection would be provided by the Crystal Springs Sanitation District with treatment at the City of San Mateo Wastewater Treatment Plant. Development of the 19 subdivided lot into single-family residences would require 40,920 cubic yards of grading, of which 28,270 cubic yards would require exportation from the site. Accordingly, the project applicant also requires a grading permit from the County. Based on the size of the development, a Water Supply Assessment is not required for the Proposed Project. One significant consideration is the Cease and Desist Order (CDO) issued by the San Francisco Bay Regional Water Quality Control Board to the City of San Mateo, town of Hillsborough, and Crystal Springs County Sanitation District. The CDO was issued as a result of high infiltration rates of non wastewater during wet weather into the wastewater conveyance system resulting in associated decreases in sewage conveyance capacity which lead to unregulated releases of wastewater to surface waters. This issue will be addressed in the Draft EIR.

The Proposed Project is a re-design of a previous project that was denied by the San Mateo County Planning Commission in 2009. A Draft Environmental Impact Report (Draft EIR) and Final Environmental Impact Report (Final EIR) were prepared for the previously proposed project. The scope of services will utilize, to the extent feasible, existing information from the previous environmental process to provide a Revised EIR that meets the current CEQA guidelines as well as current legal precedent for the analysis of environmental impacts developed through CEQA case law.

## Scope of Services

### *Program Description*

The overall objective and focus of the work plan outlined below is the efficient preparation of a Revised EIR that meets the legal requirements of a complete, adequate, and objective statement of the Proposed Project's environmental consequences while incorporating background information and analysis prepared during the previous EIR process to the extent feasible and reasonable in a cost effective manner. The resulting Revised EIR document will provide a concise, integrated source of information for the public, county decision makers, and other permitting agencies including the California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board.

## *County Direction*

AES works as an extension of County staff. Our Project Manager would take direction from the assigned County Project Manager. In this role, AES will pro-actively assist with meeting the stated project objectives by maintaining an up-to-date schedule that indicates deliverable due dates and responsible parties. AES has enjoyed similar working relationships with a variety of federal, state, and municipal agencies.

## *Proposed Course of Action*

**Task 1: Kick-Off Meeting, Project Initiation and Information Review.** AES will meet with the County to establish lines of communication, determine the nature and format of the document to be prepared, and obtain relevant documentation and project details. Following this meeting, AES will review all project documentation and related planning materials, including the additional information for the previous EIR that may not have been provided during development of this Scope of Work, and available planning documents including General Plan materials, utility master plans, the County's subdivision regulations, tree regulations, and the Countywide Transportation Plan. Following this review, AES will develop a final project schedule and work plan that meets the needs of the County.

**Deliverables:** AES will prepare a final work plan and schedule to be distributed to the project team via email within five (5) days of the project initiation meeting.

**Task 2: Initial Study, NOP and Scoping.** Following the project initiation meeting, AES will prepare a draft Initial Study (IS) that includes a checklist consistent with Appendix G of the CEQA Guidelines and County guidance. The IS will be used to screen nonsignificant environmental issues from further consideration within the EIR. Following completion of the IS, AES will prepare a Notice of Preparation (NOP). Flexibility will be built into the NOP in anticipation of minor adjustments to project layout and design. This Scope of Work assumes that the County will coordinate circulation of the IS/NOP to the public. AES's Sacramento Office is located mere blocks from the State Clearinghouse and can readily deliver the IS/NOP in a cost effective manner. AES will attend and provide environmental expertise at one public town hall/scoping meeting during the 30-day public review period starting with release of the NOP. It is assumed that the County will be responsible for reserving an appropriate venue for the meeting. AES shall prepare up to 4 poster board exhibits for the public town hall/scoping meeting.

**Deliverables:** AES will provide the County with an electronic version of the IS. AES will revise the IS based on a comprehensive set of comments received on the electronic version from the County. The IS will be included as an appendix to the Administrative Draft EIR. AES will provide an electronic copy of the draft NOP to the County for review. AES will revise the NOP based on a comprehensive set of comments received on the electronic version from the County. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall/scoping meeting for approval.

**Task 3: Administrative Draft Revised EIR Preparation.** AES will conduct field studies and analysis as necessary to prepare an Administrative Draft EIR (ADEIR) in accordance with the State CEQA Guidelines, and relevant case law. AES will review the results of the IS and scoping comments submitted during the NOP comment period to focus the EIR analysis on those issues that are identified as potentially significant. AES will prepare a summary list of relevant issues to be addressed within the project analysis and consult with the County regarding any revisions to the scope of EIR services, if necessary. Given the nature of the Proposed Project, AES anticipates the EIR will be rather comprehensive, with sections analyzing the direct, indirect, and cumulative effects associated with each of the following issue areas:

- Aesthetics
- Agricultural Resources
- Air Quality and Greenhouse Gases
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems
- Transportation and Traffic

As Lead Agency, the County will make the final determination regarding the content of the EIR. Upon award of the contract, AES and the County would consider each issue area and draft a more detailed work plan that clearly outlines the expectations of the County and the obligations of AES.

**Deliverables:** AES will provide the County with a total of three (3) bound hardcopies and one (1) CD copy in color PDF format of the ADEIR.

### *ADEIR Contents*

Executive Summary. This section will provide an overview of the Draft EIR (DEIR) and include a summary table of all identified environmental effects, mitigation, and the significance level of impacts before and after mitigation.

Introduction. This section will explain the applicability of CEQA to the Proposed Project, describes the CEQA public review process, summarizes significant issues raised during the scoping process, and outlines the organization of the EIR.

Project Description. This section will present the background of the Proposed Project and identify the County's objectives in pursuing the project. AES will incorporate detailed project information and exhibits provided by the Applicant and County to describe each component of the Proposed Project in sufficient detail to enable identification of the largest envelope of potential environmental impacts. All anticipated approvals, permits, and other actions that will rely on the EIR will be identified.

Environmental Setting and Analysis. Considered the heart of the EIR, this section will provide a separate subsection for each environmental issue area in which a potentially significant impact was identified during the IS and scoping process. Each issue area subsection will discuss the existing setting, regulatory framework, analysis methods and thresholds, anticipated project-related impacts, and recommended mitigation measures to reduce or avoid adverse effects.

Cumulative Impacts. AES will assess the cumulative impacts of the Proposed Project in connection with other reasonably foreseeable projects and build-out of the County's General Plan. If available, the cumulative analysis will also consider growth projections anticipated in the County's on-going General Plan Update. AES will work with the County and relevant agencies to develop a list of relevant projects and define the geographical scope of the cumulative analysis. Cumulative analysis will cover each issue area addressed under the Environmental Setting and Analysis section of the EIR. Anticipated project-related cumulative impacts will be identified and mitigation measures will be recommended to reduce or avoid adverse effects.

Project Alternatives. In accordance with CEQA Guidelines Section 15126.6, AES will work with the County and Applicant to develop up to four (4) alternatives that could feasibly attain most of the basic objectives of the Proposed Project and would substantially lessen one or more of the project's significant environmental effects. The following alternatives may be considered as part of this process, although it is anticipated that one or more may be eliminated from detailed consideration due to the increased potential for environmental impacts:

1. No Project Alternative. As required by CEQA, one of the alternatives will be a No Project Alternative. This alternative will assume that the Proposed Project would not occur. While it is anticipated that some environmental impacts would be reduced, the basic objectives of the project would not be accomplished and may result in greater effects associated with water quality and noncompliance with permit requirements.
2. Reduced Footprint Alternative. AES will work with the County to identify a mitigated project footprint alternative within the boundaries of the project site. It is anticipated that a reconfiguration of land uses and clustering of high density residential development would accomplish the goals of this alternative.
3. Reduced Density Alternative. AES will work with the County to define a reduced density alternative that would result in fewer residents on the project site, and thus fewer demands on public utilities and infrastructure.

According to CEQA Guidelines Section 15126.6(d), “the significant effects of an alternative shall be discussed, but in less detail than the significant effects of the project as proposed.” The assessment of project alternatives will be consistent with this requirement by presenting a sufficient amount of detail necessary to afford decision makers with a reasoned choice. In most cases, environmental analyses conducted for the Proposed Project will be applicable to alternative development scenarios. Qualitative analysis of air quality and noise impacts associated with project alternatives will be conducted.

### *Issue Area Analysis and Assumptions*

Aesthetics. Development of the Proposed Project would alter the visual character of the project site from open space to urban; however, the surrounding areas consist of housing developments of similar density and therefore impacts are anticipated to be less than significant. Using visual representations of the project to be provided by the Applicant and existing analysis from the 2009 EIR to the extent possible, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation:

- Review the relevant visual quality standards contained in the County’s General Plan and consider the applicability of planning policies and ordinances related to aesthetics.
- Conduct reconnaissance field studies to assess the visual character of the project site and surrounding public view areas. Document existing visual conditions on the project site through photographs and detailed descriptions.
- Incorporate the existing three dimensional visual design exhibits of the proposed facilities prepared by Lea and Braze Engineering, Inc. for the Applicant into site and aerial photographs of the project site to assess impacts to aesthetics and viewsheds of the project region.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the aesthetics section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts and ensure consistency with relevant visual quality standards of the County’s General Plan.

Air Quality. Development of the Proposed Project would result in short-term emissions and fugitive dust during the construction phase and long-term emissions associated with vehicle traffic. AES will complete the following tasks to determine the level of potential air quality impacts and the need for mitigation.

- Review relevant local/regional air quality standards for the project area, including those issued by the Bay Area Air Quality Management District (AQMD) and California Air Resources Board (CARB).
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Federal Clean Air Act and California Clean Air Act.
- Document existing sources of air pollution and identify sensitive receptors that may be affected by development of the Proposed Project.
- AES will conduct a HRA for the Proposed Project. The assessment will use accepted County or Air District protocols to determine the necessity for dispersion modeling. AES will use either AeMOD

or CAL3QHCR modeling software to estimate concentrations at defined receptor locations and will consult with the Air District and County to determine the appropriate level of analysis.

- Identify short-term air quality impacts from construction emissions using CARB-approved URBEMIS- modeling software. In order to estimate construction emissions, AES will coordinate with the County and Applicant to acquire information regarding the nature of construction activities, types of equipment that will likely be used, and the anticipated total area of disturbance.
- Identify long-term regional air quality impacts from mobile and area source emissions using CARB approved URBEMIS modeling software. This analysis will include quantification of criteria air pollutants identified in the local air quality management plans and shall be conducted according to district methodologies. Mobile source emissions will be estimated using vehicle trip generation and distribution information provided in the traffic study prepared by RKH.
- Quantify greenhouse gas emissions as recommended within the recent amendments to the CEQA Guidelines. In accordance with this guidance, AES will provide a qualitative, performance based approach to reducing impacts. This effort will be closely coordinated within the County's General Plan Update Process to ensure consistent methodology and thresholds are being applied.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the air quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts from both construction and operation of the Proposed Project. Modeling runs will be included as an appendix to the EIR.

Agricultural Resources. The Proposed Project would not result in the conversion of prime agricultural land. Additionally, no Williamson Act contracts are held on the subject parcels. AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process. Should it be determined that Agricultural Resources should be included within the EIR, AES will complete the following tasks using the existing analysis from the 2009 EIR to the extent possible to determine the level of potential impacts to agricultural resources and the need for mitigation:

- Review the relevant local policies concerning the protection of farmlands, including those contained in the County General Plan and General Plan Update.
- Describe and map the important agricultural soils in the project area including Prime Farmland, Farmland of Statewide Importance and Unique Farmland.
- Review information on existing agricultural resource in the region and current urbanization trends.
- AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process.

Biological Resources. Development of the Proposed Project has the potential to impact special-status species and other biological resources, including the endangered Mission Blue Butterfly. This scope of work does not provide for protocol-level biological surveys or permitting. AES will complete the following tasks to determine the level of potential biological impacts and the need for mitigation:

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Federal Endangered Species Act, Fish and Wildlife Coordination Act, Migratory Bird Treaty Act, Clean Water Act (Sections 401 and 404), Magnuson Fisheries-Stevens Fishery

Conservation and Management Act, California Endangered Species Act, California Fish and Game Code, and Porter-Cologne Water Quality Control Act.

- Review existing information related to biological resources included within the Biological Resources Assessment prepared for the 2009 EIR.
- Conduct an updated query of the California Natural Diversity Database/RareFind, California Native Plant Society's Electronic Inventory, and the California Wildlife-Habitat Relationships database, and obtain current special-status species lists for the project area from the U.S. Fish and Wildlife Service (USFWS).
- Conduct a biological field survey of the project site to establish the potential for occurrences of special-status species or critical habitat and confirm the findings of the Biological Resources Assessment prepared by the Applicant.
- Incorporate information from existing studies and findings into the biological resources section of the EIR and recommend avoidance or mitigation measures to reduce any potentially significant impacts. In coordination with the County, AES will informally consult with USFWS and the California Department of Fish and Game to refine mitigation measures and meet regulatory requirements. This coordination will promote an efficient environmental review process for the Proposed Project.

Cultural Resources. Development of the Proposed Project could result in adverse impacts to previously documented, newly identified, or inadvertently discovered cultural resources. Preliminary site reconnaissance indicates that the project site has been substantially disturbed from agricultural activities; however, impacts to unanticipated archaeological resources discovered during construction are always a possibility. AES will complete the following tasks during preparation of the cultural resources section of the EIR.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: CEQA Guidelines 15064.5 and PRC 21083.2, SB-18 – Tribal Consultation (required for General Plan Amendment), Section 106 of the National Historic Preservation Act (required for 404 permits)
- Conduct an updated records search at the Northwest Information Center of the California Historical Resources Information System.
- Request a sacred lands search and stakeholders list from the Native American Heritage Commission (NAHC). AES will send preliminary consultation letters to all Native American stakeholders identified by the NAHC.
- Conduct an intensive Phase-I pedestrian survey of the project site. The survey will include recordation of any newly identified sites on appropriate DPR forms. Records of previously identified sites will be updated if necessary. This scope of work assumes that no more than two relatively simple resources will require recordation or updating. Evaluation of site significance is not included in the enclosed cost estimate. If it is determined that identified site(s) need to be evaluated, AES will provide a detailed scope of work and cost estimate for this work.

- Assist the County with SB-18 consultation. SB-18 assistance will include identification of stakeholders, provision of invitation to consult language, and attendance at up to two meetings with tribal representatives.
- Conduct all surveys and records searches in compliance with Section 106 of National Historic Preservation Act in the event that federal permitting is required.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the cultural resources section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts. This Scope of Work does not provide for testing or data recovery of any identified archaeological sites.

Geology and Soils. Development of the Proposed Project has the potential to result in soil erosion or subject people or property to geologic or seismic risks. AES is teaming with Michelucci and Associates to conduct an Updated Geotechnical Study to supplement the geotechnical study they prepared for the 2009 EIR. AES will complete the following tasks during preparation of the geology and soils section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to geology, soils and seismic hazards within the project area, including those contained in the County's General Plan.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Soil and Water Conservation Act, National Earthquake Hazards Reduction Program, Alquist-Priolo Earthquake Fault Zoning Act, Seismic Hazards Mapping Act, and California Building Standards Code.
- Identify soils types within the project area based on a review of U.S. Department of Agriculture soils surveys and field investigations to estimate the potential for erosion, settlement, and liquefaction; however, it is assumed that a geotechnical report or other appropriate analysis shall be conducted that determines the shrink/swell potential and stability of the soil to support the proposed facilities prior to construction.
- Review regional/local earthquake fault and seismic hazard maps to determine the potential for seismic related hazards.
- Incorporate findings of the Geotechnical Study prepared by Michelucci and Associates and existing analysis from the 2009 EIR to the extent possible into the geology and soils section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hazards and Hazardous Materials. Development of the Proposed Project may subject people to hazardous materials or hazards. The majority of the project site has been formerly used for agricultural purposes. AES will complete the following tasks during preparation of the Hazards/Hazardous Materials section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to hazards and hazardous materials within the project area, including those contained in the County's General Plan.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Resources Conservation and Recovery Act, Hazardous and Solid Waste Management Acts, and Comprehensive Environmental Response, Compensation, and Liability Act.
- Request a database search from Environmental Data Services to identify whether the project site is listed on various local, state, or federal hazardous materials databases. AES will also search online database resources regarding facilities or sites identified as meeting the “Cortese List” requirements pursuant to Government Code Section 65962.5.
- AES will research historic land usage within and adjacent to the project site, including review of historic topographic maps and aerial photographs.
- AES will incorporate findings and existing analysis from the 2009 EIR to the extent possible into the hazards and hazardous materials section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hydrology and Water Quality. Development of the Proposed Project would alter the existing drainage patterns on the project site during both construction and operation, potentially impacting run-off quantity and quality. AES understands that Lea and Braze have already completed an updated hydrological evaluation of the project site to assess drainage impacts associated with the development of impervious surfaces on the project site. AES will complete the following tasks during preparation of the Hydrology and Water Quality Section of the EIR:

- Review existing information concerning water quality in the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Clean Water Act and Porter-Cologne Water Quality Act.
- Identify flood hazards on the site or in the immediate project area through Review of FEMA Flood Insurance maps, the proposed flood protection/prevention measures of the project (if needed), and determine residual effects on localized or downstream flooding.
- Peer review drainage plans, estimates of storm water volumes, and existing system capacities provided to AES by Lea and Braze during the hydrological study, the County and/or the Applicant.
- Using existing information, identify the general types and sources of water quality changes that may result from the proposed development. Evaluate potential impacts of runoff from the project site on the quality of receiving waters.
- Discuss the need to apply for an NPDES permit for construction activities. Identify guidelines and policies of the SFBRWQCB, U.S. Environmental Protection Agency, and County plans regarding water quality impacts from storm water runoff.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Hydrology and Water Quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Land Use and Planning. The Proposed Project would result in the subdivision of the project site for the development of 19 single-family residential units. Implementation of the Proposed Project must be

considered in light of existing policies included within the County's General Plan and General Plan Update. Additionally, the Proposed Project will introduce new land uses that may be incompatible with existing or planned land uses on adjacent properties. Based on an initial review of the General Plan and Land Use designations for the project site, the Proposed Project is consistent with the land use planning documents governing development on the project site and the density of development is consistent with zoning designations. Accordingly, AES anticipates that impacts to Land Use and Planning will be less than significant and no mitigation will be required. To ensure a complete analysis is provided, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted land use studies associated with the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Identify existing, approved, and proposed land use and zoning designations within and surrounding the project site.
- Consider the consistency of the Proposed Project with existing applicable planning documents, and include "planning consistency matrix" as an appendix to the EIR.
- Assess potential long-term compatibility issues, as well as short-term issues associated with phased development and non-conforming land uses.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Land Use and Planning section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Noise. Development of the Proposed Project would result in a short-term increase in noise and vibration during the construction phase and would result in long-term noise increases related to traffic and operational activities that may impact sensitive receptors. AES will conduct a noise assessment of the project site and incorporate the analysis and conclusions into the Noise Section of the EIR. AES will complete the following task to determine the level of potential impacts and the need for mitigation.

- Existing Noise Levels: Conduct a detailed ambient noise survey to quantify existing noise conditions at the project site and at the nearest potentially affected noise-sensitive land uses. The survey will consist of continuous and short-term noise level measurements at as many locations deemed necessary to thoroughly identify existing noise conditions for the project area which will include traffic noise from State Route 280 and 92. To the extent that information contained in the 2009 EIR is still relevant, AES will make use of it.
- Prepare Technical Report in Support of the EIR Noise Section that will contain the results of the previous task in the above-described scope of work, as well as graphics showing noise measurement locations and potential noise mitigation locations as appropriate. The report will be included as an appendix to the EIR. AES will incorporate existing analysis from the 2009 EIR to the extent possible.

Public Services and Recreation: Development of the Proposed Project would result in an increased demand for public services and recreation, including public schools, law enforcement, and fire protection. Additionally, the increase in population as a result of the project will result in increased use of County and

regional recreational facilities. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the project site and consider the applicability of relevant local/regional planning policies and ordinances..
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including:
  - Uniform Fire Code
  - California Health and Safety Code
- AES will update the public service provided questionnaires provided Appendix C of the 2009 Draft EIR. AES will contact local service providers, including the Sheriff's Department, Fire Department, County Parks Department, County Public Libraries, and School Districts to determine existing service levels in the project area and need for additional personnel, equipment, and facilities.
- Estimate the new service demands resulting from the development of the Proposed Project, including the increase in student enrollment, law enforcement demands, fire protection demands, and use of recreational facilities.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Recreation section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Traffic and Circulation: Development of the Proposed Project would result in an increase in local traffic. AES is teaming with RKH for the preparation of a traffic analysis and study for the Proposed Project to determine the potential for adverse effects on traffic circulation and identify appropriate traffic improvements. AES will complete the following tasks during preparation of the transportation/traffic section of the EIR.

- Incorporate findings of the traffic impact analysis into the Transportation and Circulation section of the EIR.
- Assess potential impacts associated with pedestrian, bicycle, and public transportation, and recommend appropriate mitigation measures.
- Discuss potential short-term impacts associated with construction activities. It is anticipated that mitigation will likely include specific measures to be included within a Traffic Control Plan for construction activities.

Utilities and Service Systems: Development of the Proposed Project would result in an increased demand for public utilities, including potable water, wastewater treatment, drainage facilities, and solid waste services. AES is teaming with NV5, formerly Nolte and Associates to assess the potential impacts to sewer and water conveyance systems. The cost and scope assumes that the level of effort required is to update the analysis within the 2009 EIR and no modeling of conveyance capacities are required. AES will assess the potential impacts to other utility and service systems including solid waste, electricity, and telecommunications. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the 2009 EIR and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: California Health and Safety Code, Integrated Waste Management Act, Water Management Planning Act, SB 610 – Water Availability Assessment. Based on the number of residential units, a Water Supply Assessment is not required under SB 610, which will be duly noted in the EIR.
- Coordinate with the County’s Public Utilities Department and local service providers to determine existing service levels in the project area.
- Estimate the new service demands resulting from the development of the Proposed Project, including water supply, wastewater, drainage and solid waste.
- Evaluate impacts to wastewater treatment and drainage facilities in light of information provided within NV5’s technical assessment.
- In accordance with thresholds provided in Appendix G of the CEQA Guidelines, evaluate physical environmental impacts resulting from proposed improvements to utility systems, including the any proposed upgrades to Crystal Springs County Special District and San Mateo Wastewater Treatment plant. This task does not include site visits to assess existing conditions of off-site improvements that may be required to update wastewater infrastructure to meet the wastewater demands of the project.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Utilities section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

**Task 4: Draft EIR and Public Circulation.** AES will meet with the County to clarify any comments and questions raised during review of the ADEIR. AES will revise the ADEIR based on a single set of comprehensive comments provided by the County. AES will provide an electronic screen check version of the Draft EIR with track changes to the County for review prior to production. Following approval by the County, AES will facilitate preparation of the Notice of Availability (NOA) and public release of the DEIR.

AES technical staff will coordinate and attend one (1) public comment town hall meeting during the 45-day public comment period on the DEIR. AES will provide up to three (3) poster board displays for the meeting. It is assumed that the County will be responsible for reserving an appropriate venue. If desired, a court reporter will be provided by the County.

**Deliverables:** AES will provide the County with ten (10) bound hardcopies one (1) CD copy in color PDF format of the Draft EIR. Fifteen (15) CD copies of the Draft EIR with hardcopies of the Executive Summary will be submitted as required to the State Clearinghouse with the Notice of Availability. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall meeting for approval.

**Task 5: Final EIR and Mitigation Monitoring and Reporting Plan.** AES will compile comments received from the public and other interested parties during the 45-day public review period for the Draft EIR, and summarize key issues for discussion with the County. AES will meet with County staff to go over the approach for responding to key issues raised during the DEIR public review period. Following this meeting, AES will formulate responses, and make any necessary revisions to the EIR. This Scope of Work assumes a moderate level of effort will be required to respond to comments. A moderate level of effort is considered to be less than 15 comment letters and 50 individual substantive comments that require a response beyond comment noted. The Response to Comments and any refinements to the DEIR text will be incorporated into a “freestanding” Final EIR. AES will prepare a Mitigation Monitoring and Reporting Plan (MMRP) to support the County’s certification of the Final EIR. The MMRP will be referenced within the text of the Final EIR and will be included as an appendix in the final document.

**Deliverables:** AES will provide the County with a total of ten (10) bound hardcopies and one (1) CD copy in PDF format of the Final EIR.

**Task 6: Findings and Final EIR Certification Support.** AES will assist with preparation of the Findings of Fact and Statement of Overriding Considerations. AES will attend/present at one meeting with the Planning Commission, and up to two staff meetings for certification of the Final EIR and Findings and Statement of Overriding Considerations.

**Task 7: Project Management and Meetings.** The AES management team will complete the myriad of small and often unforeseen tasks required to implement the preparation of an EIR. This includes numerous phone calls and emails necessary to facilitate information exchange between the Project Team and jurisdictional agencies, as well as the time required to prepare agendas, meeting minutes, schedules, and other such documents. Under this task, AES will:

- Attend a scoping hearing;
- Participate in up to 3 (3) two-hour project coordination meetings with planning staff at the County offices for the development of the Draft EIR;
- Attend up to two (2) Planning Commission hearings; and
- Participate in up to ten (10) one-hour project related conference calls with members of the project team and jurisdictional agencies.

**Deliverables:** AES will submit monthly status reports to the Project Team via email by the fifth business day of each month. AES will prepare and distribute minutes for each project-related meeting that will outline key decisions and action items.

**RESOLUTION NO. 072499**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

\* \* \* \* \*

**RESOLUTION AUTHORIZING AN AGREEMENT WITH ANALYTICAL ENVIRONMENTAL SERVICES TO PREPARE DRAFT AND FINAL ENVIRONMENTAL IMPACT REPORTS FOR THE ASCENSION HEIGHTS SUBDIVISION FOR THE TERM OF MAY 9, 2013 THROUGH MAY 9, 2014, IN AN AMOUNT NOT TO EXCEED \$113,075**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, the County and Analytical Environmental Services wish to enter into an Agreement, reference to which is hereby made for further particulars, whereby Analytical Environmental Services for the term of May 9, 2013 through May 9, 2014 will prepare Draft and Final Environmental Impact Reports for a maximum fiscal obligation of \$113,075; and

**WHEREAS**, this Board has been presented with a form of said Agreement and has examined and approved same as to both form and content and desires to enter into it.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of this Board of Supervisors be, and is hereby, authorized and directed to execute said Agreement for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto.

**BE IT FURTHER RESOLVED**, that the Community Development Director or designee is authorized to execute contract amendments which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

\* \* \* \* \*

Regularly passed and adopted this 7<sup>th</sup> day of May 2013.

*AYES and in favor of said resolution:*

*Supervisors:*

DAVE PINE

CAROLE GROOM

DON HORSLEY

WARREN SLOCUM

ADRIENNE J. TISSIER

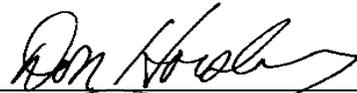
*NOES and against said resolution:*

*Supervisors:*

NONE

*Absent Supervisors:*

NONE



President, Board of Supervisors  
County of San Mateo  
State of California

***Certificate of Delivery***

*I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.*



Rebecca Romero, Deputy  
Clerk of the Board of Supervisors

# ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
5/24/2013

PRODUCER  
**Kraft Insurance**  
4340 Redwood Hwy F-142  
San Rafael, CA 94903  
4155079074

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED  
**Analytical Environmental Services**  
1801 7th St. #100  
Sacramento, CA 95811

INSURERS AFFORDING COVERAGE	NAIC#
INSURER A: <b>Travelers Insurance Company</b>	<b>19038</b>
INSURER B: <b>Travelers Indemnity of Connecticut</b>	<b>25682</b>
INSURER C: <b>Everest National Ins. Co.</b>	<b>29599</b>
INSURER D: <b>Continental Insurance Company</b>	<b>35289</b>
INSURER E:	

## COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	Y	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMSMADE <input checked="" type="checkbox"/> OCCUR	6809B933274	3/13/13	3/13/14	EACH OCCURRENCE \$ <b>2,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>2,000,000</b> MED EXP (Any one person) \$ <b>10,000</b> PERSONAL & ADV INJURY \$ <b>100,000</b> GENERAL AGGREGATE \$ <b>4,000,000</b> PRODUCTS - COMP/OP AGG \$ <b>4,000,000</b>
		GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				
D	Y	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	B4031555929	3/7/13	3/7/14	COMBINED SINGLE LIMIT (Ea accident) \$ <b>1,000,000</b> BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMSMADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				IJUB1467B30-7-13
C		Professional Liability	79AE000323	2/28/13	2/28/14	\$2,000,000 per claim \$4,000,000 aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS  
The County of San Mateo, their board of supervisors, officers, agents and employees are included as additional insureds for general & automobile liability for the coverages afforded herein. Coverage is primary with waiver of subrogation. If The County or its officers and employees have other insurance against the loss covered by such a policy, such other insurance shall be excess insurance only.

CERTIFICATE HOLDER  
**County of San Mateo**  
455 County Center, 2nd Floor  
Redwood City, CA 94063

CANCELLATION  
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ~~NOTICE~~ TO MAIL **30** DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.  
AUTHORIZED REPRESENTATIVE 

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**BLANKET ADDITIONAL INSURED  
(ARCHITECTS, ENGINEERS AND SURVEYORS)**

This endorsement modifies insurance provided under the following:  
COMMERCIAL GENERAL LIABILITY COVERAGE PART

**A. The following is added to WHO IS AN INSURED (Section II):**

Any person or organization that you agree in a "contract or agreement requiring insurance" to include as an additional insured on this Coverage Part, but only with respect to liability for "bodily injury", "property damage" or "personal injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- a. In the performance of your ongoing operations;
- b. In connection with premises owned by or rented to you; or
- c. In connection with "your work" and included within the "products-completed operations hazard".

Such person or organization does not qualify as an additional insured for "bodily injury", "property damage" or "personal injury" for which that person or organization has assumed liability in a contract or agreement.

The insurance provided to such additional insured is limited as follows:

- d. This insurance does not apply on any basis to any person or organization for which coverage as an additional insured specifically is added by another endorsement to this Coverage Part.
- e. This insurance does not apply to the rendering of or failure to render any "professional services".
- f. The limits of insurance afforded to the additional insured shall be the limits which you agreed in that "contract or agreement requiring insurance" to provide for that additional insured, or the limits shown in the Declarations for this Coverage Part, whichever are less. This endorsement does not increase the limits of insurance stated in the **LIMITS OF**

**INSURANCE (Section III) for this Coverage Part.**

**B. The following is added to Paragraph a. of 4. Other Insurance in COMMERCIAL GENERAL LIABILITY CONDITIONS (Section IV):**

However, if you specifically agree in a "contract or agreement requiring insurance" that the insurance provided to an additional insured under this Coverage Part must apply on a primary basis, or a primary and non-contributory basis, this insurance is primary to other insurance that is available to such additional insured which covers such additional insured as a named insured, and we will not share with the other insurance, provided that:

- (1) The "bodily injury" or "property damage" for which coverage is sought occurs; and
- (2) The "personal injury" for which coverage is sought arises out of an offense committed;

after you have entered into that "contract or agreement requiring insurance". But this insurance still is excess over valid and collectible other insurance, whether primary, excess, contingent or on any other basis, that is available to the insured when the insured is an additional insured under any other insurance.

**C. The following is added to Paragraph 8. Transfer Of Rights Of Recovery Against Others To Us in COMMERCIAL GENERAL LIABILITY CONDITIONS (Section IV):**

We waive any rights of recovery we may have against any person or organization because of payments we make for "bodily injury", "property damage" or "personal injury" arising out of "your work" performed by you, or on your behalf, under a "contract or agreement requiring insurance" with that person or organization. We waive these rights only where you have agreed to do so as part of the "contract or agreement requiring insurance" with such person or organization entered into by you before, and in effect when, the "bodily

COMMERCIAL GENERAL LIABILITY

injury" or "property damage" occurs, or the "personal injury" offense is committed.

D. The following definition is added to **DEFINITIONS (Section V)**:

"Contract or agreement requiring insurance" means that part of any contract or agreement under which you are required to include a person or organization as an additional insured on this Cov-

erage Part, provided that the "bodily injury" and "property damage" occurs, and the "personal injury" is caused by an offense committed:

- a. After you have entered into that contract or agreement;
- b. While that part of the contract or agreement is in effect; and
- c. Before the end of the policy period.

Insured: Analytical Environmental Services  
Policy No.: 6809B933274

Insurance Company:  
Travelers Insurance Company

A handwritten signature in black ink, appearing to be the initials 'AR' or similar, located in the center of the page.

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **AUTO COVERAGE PLUS ENDORSEMENT**

This endorsement modifies insurance provided under the following:

### **BUSINESS AUTO COVERAGE FORM**

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by the endorsement.

**GENERAL DESCRIPTION OF COVERAGE** – This endorsement broadens coverage. However, coverage for any injury, damage or medical expenses described in any of the provisions of this endorsement may be excluded or limited by another endorsement to the Coverage Part, and these coverage broadening provisions do not apply to the extent that coverage is excluded or limited by such an endorsement. The following listing is a general coverage description only. Limitations and exclusions may apply to these coverages. Read all the provisions of this endorsement and the rest of your policy carefully to determine rights, duties, and what is and is not covered.

- |  |   |
|--|---|
| <p><b>A. BLANKET ADDITIONAL INSURED</b></p> <p><b>B. EMPLOYEE HIRED AUTO</b></p> <p><b>C. EMPLOYEES AS INSURED</b></p> <p><b>D. SUPPLEMENTARY PAYMENTS – INCREASED LIMITS</b></p> <p><b>E. TRAILERS – INCREASED LOAD CAPACITY</b></p> <p><b>F. HIRED AUTO PHYSICAL DAMAGE</b></p> <p><b>G. PHYSICAL DAMAGE – TRANSPORTATION EXPENSES – INCREASED LIMIT</b></p> | <p><b>H. AUDIO, VISUAL AND DATA ELECTRONIC EQUIPMENT – INCREASED LIMIT</b></p> <p><b>I. WAIVER OF DEDUCTIBLE – GLASS</b></p> <p><b>J. PERSONAL EFFECTS</b></p> <p><b>K. AIRBAGS</b></p> <p><b>L. AUTO LOAN LEASE GAP</b></p> <p><b>M. BLANKET WAIVER OF SUBROGATION</b></p> |
|--|---|

**A. BLANKET ADDITIONAL INSURED**

The following is added to Paragraph A.1., **Who Is An Insured**, of **SECTION II – LIABILITY COVERAGE**:

Any person or organization who is required under a written contract or agreement between you and that person or organization, that is signed and executed by you before the "bodily injury" or "property damage" occurs and that is in effect during the policy period, to be named as an additional insured is an "insured" for Liability Coverage, but only for damages to which this insurance applies and only to the extent that person or organization qualifies as an "insured" under the Who Is An Insured provision contained in Section II.

**B. EMPLOYEE HIRED AUTO**

1. The following is added to Paragraph A.1., **Who Is An Insured**, of **SECTION II – LIABILITY COVERAGE**:

An "employee" of yours is an "insured" while operating a covered "auto" hired or rented under a contract or agreement in that "employee's" name, with your permission, while

performing duties related to the conduct of your business.

2. The following replaces Paragraph b. in B.5., **Other Insurance**, of **SECTION IV – BUSINESS AUTO CONDITIONS**:

b. For Hired Auto Physical Damage Coverage, the following are deemed to be covered "autos" you own:

- (1) Any covered "auto" you lease, hire, rent or borrow; and
- (2) Any covered "auto" hired or rented by your "employee" under a contract in that individual "employee's" name, with your permission, while performing duties related to the conduct of your business.

However, any "auto" that is leased, hired, rented or borrowed with a driver is not a covered "auto".

**C. EMPLOYEES AS INSURED**

The following is added to Paragraph A.1., **Who Is An Insured**, of **SECTION II – LIABILITY COVERAGE**:

## COMMERCIAL AUTO

Any "employee" of yours is an "insured" while using a covered "auto" you don't own, hire or borrow in your business or your personal affairs.

### D. SUPPLEMENTARY PAYMENTS – INCREASED LIMITS

1. The following replaces Paragraph **A.2.a.(2)** of **SECTION II – LIABILITY COVERAGE**:

(2) Up to \$3,000 for cost of bail bonds (including bonds for related traffic law violations) required because of an "accident" we cover. We do not have to furnish these bonds.

2. The following replaces Paragraph **A.2.a.(4)** of **SECTION II – LIABILITY COVERAGE**:

(4) All reasonable expenses incurred by the "insured" at our request, including actual loss of earnings up to \$500 a day because of time off from work.

### E. TRAILERS – INCREASED LOAD CAPACITY

The following replaces Paragraph **C.1.** of **SECTION I – COVERED AUTOS**:

1. "Trailers" with a load capacity of 3,000 pounds or less designed primarily for travel on public roads.

### F. HIRED AUTO PHYSICAL DAMAGE

The following is added to Paragraph **A.4.**, **Coverage Extensions**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

#### Hired Auto Physical Damage Coverage

If hired "autos" are covered "autos" for Liability Coverage but not covered "autos" for Physical Damage Coverage, and this policy also provides Physical Damage Coverage for an owned "auto", then the Physical Damage Coverage is extended to "autos" that you hire, rent or borrow subject to the following:

(1) The most we will pay for "loss" in any one "accident" to a hired, rented or borrowed "auto" is the lesser of:

- (a) \$50,000;
- (b) The actual cash value of the damaged or stolen property as of the time of the "loss"; or
- (c) The cost of repairing or replacing the damaged or stolen property with other property of like kind and quality.

(2) An adjustment for depreciation and physical condition will be made in determining actual cash value in the event of a total "loss".

(3) If a repair or replacement results in better than like kind or quality, we will not pay for the amount of betterment.

(4) A deductible equal to the highest Physical Damage deductible applicable to any owned covered "auto".

(5) This Coverage Extension does not apply to:

- (a) Any "auto" that is hired, rented or borrowed with a driver; or
- (b) Any "auto" that is hired, rented or borrowed from your "employee".

### G. PHYSICAL DAMAGE – TRANSPORTATION EXPENSES – INCREASED LIMIT

The following replaces the first sentence in Paragraph **A.4.a.**, **Transportation Expenses**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

We will pay up to \$50 per day to a maximum of \$1,500 for temporary transportation expense incurred by you because of the total theft of a covered "auto" of the private passenger type.

### H. AUDIO, VISUAL AND DATA ELECTRONIC EQUIPMENT – INCREASED LIMIT

Paragraph **C.2.**, **Limit Of Insurance**, of **SECTION III – PHYSICAL DAMAGE COVERAGE** is deleted.

### I. WAIVER OF DEDUCTIBLE – GLASS

The following is added to Paragraph **D.**, **Deductible**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

No deductible for a covered "auto" will apply to glass damage if the glass is repaired rather than replaced.

### J. PERSONAL EFFECTS

The following is added to Paragraph **A.4.**, **Coverage Extensions**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

#### Personal Effects Coverage

We will pay up to \$400 for "loss" to wearing apparel and other personal effects which are:

- (1) Owned by an "insured"; and
- (2) In or on your covered "auto".

This coverage only applies in the event of a total theft of your covered "auto".

No deductibles apply to Personal Effects coverage.

**K. AIRBAGS**

The following is added to Paragraph **B.3., Exclusions**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

Exclusion **3.a.** does not apply to "loss" to one or more airbags in a covered "auto" you own that inflate due to a cause other than a cause of "loss" set forth in Paragraphs **A.1.b.** and **A.1.c.**, but only:

- a. If that "auto" is a covered "auto" for Comprehensive Coverage under this policy;
- b. The airbags are not covered under any warranty; and
- c. The airbags were not intentionally inflated.

We will pay up to a maximum of \$1,000 for any one "loss".

**L. AUTO LOAN LEASE GAP**

The following is added to Paragraph **A.4., Coverage Extensions**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

**Auto Loan Lease Gap Coverage for Private Passenger Type Vehicles**

In the event of a total "loss" to a covered "auto" of the private passenger type shown in the Schedule or Declarations for which Physical Damage Coverage is provided, we will pay any unpaid amount due on the lease or loan for such covered "auto" less the following:

- (1) The amount paid under the Physical Damage Coverage Section of the policy for that "auto"; and

(2) Any:

- (a) Overdue lease or loan payments at the time of the "loss";
- (b) Financial penalties imposed under a lease for excessive use, abnormal wear and tear or high mileage;
- (c) Security deposits not returned by the lessor;
- (d) Costs for extended warranties, Credit Life Insurance, Health, Accident or Disability Insurance purchased with the loan or lease; and
- (e) Carry-over balances from previous loans or leases.

**M. BLANKET WAIVER OF SUBROGATION**

The following replaces Paragraph **A.5., Transfer Of Rights Of Recovery Against Others To Us**, of **SECTION IV – BUSINESS AUTO CONDITIONS**:

**5. Transfer Of Rights Of Recovery Against Others To Us**

We waive any right of recovery we may have against any person or organization to the extent required of you by a written contract executed prior to any "accident" or "loss", provided that the "accident" or "loss" arises out of the operations contemplated by such contract. The waiver applies only to the person or organization designated in such contract.

Insured: Analytical Environmental Services  
 Policy No. BA6633N05009



**From:** James Castaneda  
**To:** Heather Hardy  
**Date:** 7/8/2013 3:02 PM  
**Subject:** Ascension Heights EIR Scoping Meeting

Heather,

We need to start coordinating a location to host the required scoping session for the Ascension Heights EIR. With the last version of this project, the previous scoping session and public hearing was held at the College of San Mateo theater. The venue was both in the community where the project is located in, as well as adequate for the expected attendance. If possible, we need to see what kind of availability they would have in August, ideally the week of the 19th, midweek, and in the evening. Rosario had made the arrangements last time, so I'm not sure who our contact was or what was required to hold this meeting. If you can, please start looking into this as I try to coordinate with the consultant. Thanks Heather, please let me know if you have any questions.

JAMES

--

James A. Castañeda, AICP  
Planner III, San Mateo County Planning & Building Department  
Program Coordinator, SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
smcplanning.org | sforoundtable.org

Save Paper.  
Think before you print.

**From:** Heather Hardy  
**To:** csm\_theatre@smccd.edu  
**Date:** 7/8/2013 3:21 PM  
**Subject:** Availability Inquiry - August 20th, 21st, 22nd

Good afternoon,

I'm writing because my organization is going to schedule a public meeting - the Ascension Heights Environmental Impact Report Scoping meeting. Our initial meeting was held at your facility.  
Name of organization - County of San Mateo Planning & Building Department  
Phone number - 650-363-1859  
Proposed date of use - either August 20th, 21st, or 22nd  
Time of use - evening (perhaps 7 - 9 or similar)  
Profit or non-profit status - Non-profit (governmental) agency  
Technical requirements; these don't have to be specific yet, just an overview of the show. - microphones, podium, I will gather more specifics  
Please let me know if you can accommodate our dates.  
Thank you,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 7/8/2013 3:22 PM  
**Subject:** Re: Ascension Heights EIR Scoping Meeting

Hi James,  
I have reached out to the Theater & I'll update you as soon as they respond with availability.  
Thanks,  
Heather

>>> James Castaneda 7/8/2013 3:02 PM >>>

Heather,  
We need to start coordinating a location to host the required scoping session for the Ascension Heights EIR. With the last version of this project, the previous scoping session and public hearing was held at the College of San Mateo theater. The venue was both in the community where the project is located in, as well as adequate for the expected attendance. If possible, we need to see what kind of availability they would have in August, ideally the week of the 19th, midweek, and in the evening. Rosario had made the arrangements last time, so I'm not sure who our contact was or what was required to hold this meeting. If you can, please start looking into this as I try to coordinate with the consultant. Thanks Heather, please let me know if you have any questions.

JAMES

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Redwood City, CA 94063  
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smcplanning.org | sforoundtable.org

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**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 7/8/2013 3:30 PM  
**Subject:** Re: Ascension Heights EIR Scoping Meeting  
**Attachments:** FacilitiesRentalFees.pdf

James - one more thing - did we use the actual Theater for the meeting? Please see the attached list of the various facilities available there.

Thanks,  
Heather

>>> James Castaneda 7/8/2013 3:02 PM >>>

Heather,

We need to start coordinating a location to host the required scoping session for the Ascension Heights EIR. With the last version of this project, the previous scoping session and public hearing was held at the College of San Mateo theater. The venue was both in the community where the project is located in, as well as adequate for the expected attendance. If possible, we need to see what kind of availability they would have in August, ideally the week of the 19th, midweek, and in the evening. Rosario had made the arrangements last time, so I'm not sure who our contact was or what was required to hold this meeting. If you can, please start looking into this as I try to coordinate with the consultant. Thanks Heather, please let me know if you have any questions.

JAMES

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James A. Castañeda, AICP  
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smcplanning.org | sforoundtable.org

Save Paper.  
Think before you print.

**From:** James Castaneda  
**To:** Heather Hardy  
**Date:** 7/8/2013 3:33 PM  
**Subject:** Re: Ascension Heights EIR Scoping Meeting

Heather,

It was the actual theater we used. Expected attendance will necessitate such. I'm not sure what the fee arrangement was the last time, but it was December 9, 2009 if that helps. I was not involved in booking the venue.

JAMES

Save Paper.

Think before you print.>>> On 7/8/2013 at 15:30, Heather Hardy <[hhardy@smcgov.org](mailto:hhardy@smcgov.org)> wrote:

> James - one more thing - did we use the actual Theater for the meeting?

> Please see the attached list of the various facilities available there.

> Thanks,

> Heather

>

>

>>>> James Castaneda 7/8/2013 3:02 PM >>>

> Heather,

> We need to start coordinating a location to host the required scoping

> session for the Ascension Heights EIR. With the last version of this project,

> the previous scoping session and public hearing was held at the College of

> San Mateo theater. The venue was both in the community where the project is

> located in, as well as adequate for the expected attendance. If possible, we

> need to see what kind of availability they would have in August, ideally the

> week of the 19th, midweek, and in the evening. Rosario had made the

> arrangements last time, so I'm not sure who our contact was or what was

> required to hold this meeting. If you can, please start looking into this as

> I try to coordinate with the consultant. Thanks Heather, please let me know

> if you have any questions.

>

> JAMES

>

>

> --

> James A. Castañeda, AICP

> Planner III, San Mateo County Planning & Building Department

> Program Coordinator, SFO Airport/Community Roundtable

>

> 455 County Center, 2nd Floor

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>

>

>

>

> Save Paper.

> Think before you print.

**From:** "Souranoff, Helen P." <souranoff@smccd.edu>  
**To:** hhardy@smcgov.org  
**CC:** mitchella@smccd.edu  
**Date:** 7/9/2013 8:40 AM  
**Subject:** FW: Availability Inquiry - August 20th, 21st, 22nd

Hello, Heather.

Received your request. All three evenings are available, but please note it will be the first week of classes, so parking/first week madness will be occurring.

Are there any other dates I can interest you in? the week after?

Helen P. Souranoff  
Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu  
www.collegeofsanmateo.edu/theatre

From: CSM Theatre  
Sent: Tuesday, July 09, 2013 8:02 AM  
To: Souranoff, Helen P.  
Subject: FW: Availability Inquiry - August 20th, 21st, 22nd

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Monday, July 08, 2013 3:21 PM  
To: CSM Theatre  
Subject: Availability Inquiry - August 20th, 21st, 22nd

Good afternoon,

I'm writing because my organization is going to schedule a public meeting - the Ascension Heights Environmental Impact Report Scoping meeting. Our initial meeting was held at your facility.

- \* Name of organization - County of San Mateo Planning & Building Department
- \* Phone number - 650-363-1859
- \* Proposed date of use - either August 20th, 21st, or 22nd
- \* Time of use - evening (perhaps 7 - 9 or similar)
- \* Profit or non-profit status - Non-profit (governmental) agency
- \* Technical requirements; these don't have to be specific yet, just an overview of the show. -

microphones, podium, I will gather more specifics  
Please let me know if you can accommodate our dates.

Thank you,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859  
[cid:IWQCMDDBIVKH.IMAGE\_18.gif]

## San Mateo County Community College District

### Facilities Rental Fees

Current fee schedule effective July 1, 2011

Direct Cost Fees	Cost Per Hour/Non Profit User	Cost Per Hour/For Profit User
Application Fee	\$20	\$20
Facility	Cost Per Hour/Non Profit User	Cost Per Hour/For Profit User
Classroom 50 and under	\$30 - 3 hour minimum	\$50 - 3 hour minimum
Classroom 51-100	\$50 - 3 hour minimum	\$75 - 3 hour minimum
Classroom > 100	\$75 - 3 hour minimum	\$125 - 3 hour minimum
Conference Room, < 25	\$30 - 3 hour minimum	\$50 - 3 hour minimum
Conference Room, > 25 excluding CSM Building 10	\$50 - 3 hour minimum	\$75 - 3 hour minimum
Theater Stage Rehearsal only, no lights	\$75 - 3 hour minimum	\$125 - 3 hour minimum
Theater (requires tech to be present; tech charge extra)	\$150 - 3 hour minimum	\$200 - 3 hour minimum
Athletic Facilities	Cost Per Hour/Non Profit User	Cost Per Hour/For Profit User
Baseball Field	\$85 - 3 hour minimum	\$125 - 3 hour minimum
Dance Studio	\$65	\$90
Football Field	\$85 - 3 hour minimum	\$125 - 3 hour minimum
Gymnasium (no bleachers)	\$100 - 3 hour minimum	\$125 - 3 hour minimum
Soccer Field	\$85 - 3 hour minimum	\$125 - 3 hour minimum
Softball Field	\$85 - 3 hour minimum	\$125 - 3 hour minimum
Tennis Courts	\$25	\$35
Track	\$50	\$75

***Additional fees apply for equipment use (including but not limited to tables, chairs, av equipment, athletic equipment, scoreboards, performing arts equipment), and labor costs for any special set up, custodial, or grounds work.***

***Direct Costs will be assessed for custodial services, grounds services, specialized technical support, and District Security personnel as necessary per use of facility.***

**All Staff Charges will be at a two-hour minimum:**

Custodial Fee	Current Rate*
Grounds Staff	Current Rate*
On-Site Supervisor	Current Rate*
Security Staff	Current Rate*
Technical Support Staff	Current Rate*
Theater Supervisor/Tech	Current Rate*

\*Assigned employee's current hourly rate

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 7/9/2013 10:13 AM  
**Subject:** Fwd: FW: Availability Inquiry - August 20th, 21st, 22nd

Good morning James,

Do you know what time of day you want to hold this meeting? (7-9?) I'll clarify with the Theater about when they expect it to be hectic. And which of the 3 days do you prefer?

Thank you, Heather

>>> "Souranoff, Helen P." <souranoff@smccd.edu> 7/9/2013 8:39 AM >>>

Hello, Heather.

Received your request. All three evenings are available, but please note it will be the first week of classes, so parking/first week madness will be occurring.

Are there any other dates I can interest you in? the week after?

## Helen P. Souranoff

Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu  
[www.collegeofsanmateo.edu/theatre](http://www.collegeofsanmateo.edu/theatre)

**From:** CSM Theatre  
**Sent:** Tuesday, July 09, 2013 8:02 AM  
**To:** Souranoff, Helen P.  
**Subject:** FW: Availability Inquiry - August 20th, 21st, 22nd

**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Monday, July 08, 2013 3:21 PM  
**To:** CSM Theatre  
**Subject:** Availability Inquiry - August 20th, 21st, 22nd

Good afternoon,

I'm writing because my organization is going to schedule a public meeting - the Ascension Heights Environmental Impact Report Scoping meeting. Our initial meeting was held at your facility. Name of organization - County of San Mateo Planning & Building Department Phone number - 650-363-1859 Proposed date of use - either August 20th, 21st, or 22nd Time of use - evening (perhaps 7 - 9 or

similar)Profit or non-profit status - Non-profit (governmental) agencyTechnical requirements; these don't have to be specific yet, just an overview of the show. - microphones, podium, I will gather more specifics

Please let me know if you can accommodate our dates.

Thank you,

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**From:** James Castaneda  
**To:** Heather Hardy  
**Date:** 7/9/2013 10:28 AM  
**Subject:** Re: Fwd: FW: Availability Inquiry - August 20th, 21st, 22nd

I think Wednesday (mid-week) should work 7-9pm. The following Wednesday (Aug 28th) could work, but I'll be on vacation the following day, and will be busy the days before with Roundtable duties (pack for a meeting on 9/4). I guess also check Jim availability (and preference).

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Think before you print.>>> On 7/9/2013 at 10:13, Heather Hardy <[hhardy@smcgov.org](mailto:hhardy@smcgov.org)> wrote:

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> **Helen P. Souranoff**

> Theatre/Events Manager

> Office: 650.574.6191

> [souranoff@smccd.edu](mailto:souranoff@smccd.edu)

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> Heather Hardy | Executive Secretary, Planning and Building Department |  
> County of San Mateo | 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 |  
> (650)363-1859

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 7/9/2013 10:32 AM  
**Subject:** Re: Fwd: FW: Availability Inquiry - August 20th, 21st, 22nd

Hi James,

Jim just notified me to tentatively block off August 19 - September 9 for vacation. He will update me as his plans firm up. Is he a mandatory participant - or could Steve cover? (Steve is on vacation August 1-12).

Thanks,  
Heather

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> Heather Hardy | Executive Secretary, Planning and Building Department |  
> County of San Mateo | 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 |  
> (650)363-1859

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 7/9/2013 11:05 AM  
**Subject:** Re: Fwd: FW: Availability Inquiry - August 20th, 21st, 22nd

Hi James,

Jim is back from BoS and I have the following update:  
He's definitely taking those days off, and is fine with Steve covering the Scoping meeting. Steve also told me that he can be available the evening of the 21st. I'm good with going forward with the venue - please let me know if you object.

Thanks,  
Heather

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> Heather Hardy | Executive Secretary, Planning and Building Department |  
> County of San Mateo | 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 |  
> (650)363-1859

**From:** Heather Hardy  
**To:** Helen P. Souranoff  
**Date:** 7/9/2013 5:23 PM  
**Subject:** Re: FW: Availability Inquiry - August 20th, 21st, 22nd

Hello Helen,

Thank you so much for the fast response. I'm waiting on some confirmations, but I feel that 8/21 may be our date. The event would be from approximately 7 to 9 in the evening. Do you think that parking (and first week chaos) would be an issue that late in the evening? (It's been awhile since I was in college, so I'm not sure how these things go these days!)

Thanks again,  
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**From:** "Souranoff, Helen P." <souranoff@smccd.edu>  
**To:** hhardy@smcgov.org  
**Date:** 7/10/2013 11:57 AM  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

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Would you have any technical details for me to generate a preliminary estimate?

Best,

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[cid:image001.gif@01CE7D64.A131A530]

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County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859  
[cid:image001.gif@01CE7D64.A131A530]

**From:** Heather Hardy  
**To:** Eliza Tam  
**Date:** 7/11/2013 3:49 PM  
**Subject:** Deferred Revenue Journal  
**Attachments:** Deferred Revenue Contracts 13-14.xls

Hi Eliza,

I've attached the list of Deferred Revenue accounts, and I request that you enter the Deferred Revenue Journal. This should be completed as it was for 11/12 - 38430-2652 was Debited, and 38430-5858 was credited. (Virginia crossed out 38430-5858 and replaced it with the Controller's 00001-0780 last year). I have PDF'd POST reports for each of these contracts, so please let me know if you (or Controllers) need to see them.

Please let me know if you have any questions, or if you need anything further from me. (Perhaps a signature?) Thank you once again for all of your help.

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859|Available Monday -  
Friday, 8:30 - 5:30

**PLANNING & BUILDING 38000 DEFERRED REVENUE FOR  
CONTRACT REAPPROPRIATIONS FOR FISCAL YEAR 2013/2014**

<b>PO#</b>	<b>Vendor</b>	<b>Amount</b>
P1104680	TRA - Guadalupe Quarry Mit. Monitoring	\$ 6,222.49
P0701968	Cotton Shires Associates - Larchmont MM	\$ 5,808.50
P1305060	TRA - Edgewood Canyon	\$ 53,000.00
P1305592	AES - Ascension Heights	\$ 107,101.00
	Total	<b><u>\$ 172,131.99</u></b>

These amounts were all funded from developers/applicants from sources outside the Planning budget and will be reappropriated for existing contracts in FY 2013/14

**From:** "Souranoff, Helen P." <souranoff@smccd.edu>  
**To:** hhardy@smcgov.org  
**CC:** mitchella@smccd.edu  
**Date:** 7/15/2013 12:48 PM  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hi Heather; please provide the following:  
Info needed for preliminary contract:

Date: August 21st, 2013

Time of load in: 6P?

Time of show start: 7P?

Time of show end/ load out: 9P

Expecting full house?

Any charge for admission none

Any food, drinks, other items sold: no

Tech requirements: please list what you would need for your program; i.e.: microphones, rigging, special lighting, audio, any projections?

Talent requirements: any talent, organizers physically disabled?

If food trucks:

The vendor show a valid SM Health Department permit to prepare and sell food and if a vehicle is involved , a valid SM County Health Department certification of that vehicle as a place where food can be prepared and served.

With this information, I will be able to generate a preliminary contract thank you.

Best,  
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Subject: RE: FW: Availability Inquiry - August 20th, 21st, 22nd

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[cid:image001.gif@01CE8159.8435BDB0]



**From:** Heather Hardy  
**To:** Helen P. Souranoff  
**CC:** Ann Mitchell  
**Date:** 7/16/2013 12:49 PM  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hello Helen,

I apologize for the delay - your message was in my "Spam" folder. I've filled in the missing information below.

Info needed for preliminary contract:

**Date:** August 21st, 2013 (We could potentially use August 20th. Do you have a recommendation about if traffic/parking would be the same or worse/better if we changed dates?)

**Time of load in:** 6P

**Time of show start:** 7P

**Time of show end/ load out:** 9P

**Expecting full house?** Anticipating approximately 100 attendees, based on previous attendance.

**Any charge for admission** none

**Any food, drinks, other items sold:** no

**Tech requirements:** please list what you would need for your program; i.e.: microphones, rigging, special lighting, audio, any projections? Microphones, podium, projector, screen

**Talent requirements:** any talent, organizers physically disabled? No.

**If food trucks:**

The vendor show a valid SM Health Department permit to prepare and sell food and if a vehicle is involved , a valid SM County Health Department certification of that vehicle as a place where food can be prepared and served. (N/A for this meeting)

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or similar) Profit or non-profit status - Non-profit (governmental) agency Technical requirements; these don't have to be specific yet, just an overview of the show. - microphones, podium, I will gather more specifics

Please let me know if you can accommodate our dates.

Thank you,

Heather

Heather Hardy | Executive Secretary, Planning and Building  
Department | County of San Mateo | 455 County Center 2<sup>nd</sup> Floor  
Redwood City, CA 94063 | (650)363-1859

**From:** "Souranoff, Helen P." <souranoff@smccd.edu>  
**To:** hhardy@smcgov.org  
**CC:** mitchella@smccd.edu  
**Date:** 7/17/2013 11:22 AM  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd  
**Attachments:** SM County planning Heather aug 2013.doc

Attached is a preliminary contract to get the ball rolling on the requirements. Please look over and inform if any adjustments are needed. As to the microphones, how many? As in, will this be a panel discussion, or a q/a or both? Podium placement?  
Thank you.

Best,

Helen P. Souranoff  
Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu  
[www.collegeofsanmateo.edu/theatre](http://www.collegeofsanmateo.edu/theatre)

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Tuesday, July 16, 2013 12:49 PM  
To: Souranoff, Helen P.  
Cc: Mitchell, Ann  
Subject: RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hello Helen,  
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The vendor show a valid SM Health Department permit to prepare and sell food and if a vehicle is involved , a valid SM County Health Department certification of that vehicle as a place where food can be prepared and served. (N/A for this meeting)

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souranoff@smccd.edu<mailto:souranoff@smccd.edu>  
www.collegeofsanmateo.edu/theatre<http://www.collegeofsanmateo.edu/theatre>

From: Souranoff, Helen P.  
Sent: Wednesday, July 10, 2013 11:57 AM  
To: 'Heather Hardy'  
Subject: RE: FW: Availability Inquiry - August 20th, 21st, 22nd

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Thanks again,  
Heather

[cid:image001.gif@01CE82DF.E3A0B0C0]

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859 | Available M- F, 8:30 - 5:30

[cid:image001.gif@01CE82DF.E3A0B0C0]

>>> "Souranoff, Helen P." <souranoff@smccd.edu<mailto:souranoff@smccd.edu>> 7/9/2013 8:39 AM  
>>>

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Helen P. Souranoff  
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souranoff@smccd.edu<mailto:souranoff@smccd.edu>  
www.collegeofsanmateo.edu/theatre<http://www.collegeofsanmateo.edu/theatre>

From: CSM Theatre  
Sent: Tuesday, July 09, 2013 8:02 AM  
To: Souranoff, Helen P.  
Subject: FW: Availability Inquiry - August 20th, 21st, 22nd

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- \* Proposed date of use - either August 20th, 21st, or 22nd
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County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859  
[cid:image001.gif@01CE82DF.E3A0B0C0]

College of San Mateo  
**Theatre**  
Preliminary Request Form

Contr. #

Event: forum

Organization: SM County office of Planning

Profit /non: non

on/ off campus: off

Dates: August 21st, 2013 (from 6p-9p; sow @ 7p)

Rep: Heather Hardy Phone: 650.363.1859 email: hhardy@smcgov.org

Address: SM County Planning and Building Dept. 455 County Center, 2<sup>nd</sup> floor, Redwood City, CA 94063

Number Attending: 100 approx.

Theatre requirements:

Equipment:

Audio: standard system

Mics: ? Mic, wireless. Panel? Podium?

Stage monitor:

Lighting:

standard plot included.

Specials: any specials?

Projection: laptop from stage

Rigging: standard 3 sets legs; blacks; act curtain; borders.

Furniture:

Podium: centered, or stage right/left?

Tables, chairs, etc.: onstage?

Lobby: tables, chairs?

Custodial: please have facility clean and ready for use; clean all areas (courtyard, restrooms, lobby, auditorium, dressing rooms) after event as well; staff on duty from 9p to 11p; thank you.

Charges:

Labor: Include all set-up and clean-up time; M-F 2 hr min; SA-Su-Holiday 4 hr min.

Manager: 64. X 3= 192.

Technician 1: 64./hr x 3= 192.

Technician 2: 64/hr

Custodial: 54. X 2= 108.

Will you be serving any food?

Ushers, etc. 12/hr x

Security:

Totals:

Facility: n/c.

labor: 384. custodial: 108. equipment: included

\*insurance certificate is required for booking\*

\*\*\*Please, no food or drink inside auditorium; Thank You!\*\*\*

\*\*All fees are estimated, and are subject to change\*\*

**From:** Heather Hardy  
**To:** Helen P. Souranoff  
**CC:** Ann Mitchell  
**Date:** 7/19/2013 3:45 PM  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hello again Helen,

I'm still working out about finding out the mic quantity and configuration. I'll update you as soon as I can. In light of the potential first week of school chaos, we are considering changing our dates. Are September 25 and/or 26th available?

Thank you again,  
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**Sent:** Wednesday, July 10, 2013 11:57 AM

**To:** 'Heather Hardy'

**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

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County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M- F, 8:30 - 5:30

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**To:** hhardy@smcgov.org  
**CC:** mitchella@smccd.edu  
**Date:** 7/22/2013 8:10 AM  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

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[cid:image001.gif@01CE86B2.816120D0]

**From:** Heather Hardy  
**To:** Eliza Tam  
**Date:** 7/22/2013 9:29 AM  
**Subject:** Fwd: Deferred Revenue Journal  
**Attachments:** Deferred Revenue Contracts 13-14.xls

>>> Heather Hardy 7/11/2013 3:49 PM >>>  
Hi Eliza,

I've attached the list of Deferred Revenue accounts, and I request that you enter the Deferred Revenue Journal. This should be completed as it was for 11/12 - 38430-2652 was Debited, and 38430-5858 was credited. (Virginia crossed out 38430-5858 and replaced it with the Controller's 00001-0780 last year). I have PDF'd POST reports for each of these contracts, so please let me know if you (or Controllers) need to see them.

Please let me know if you have any questions, or if you need anything further from me. (Perhaps a signature?) Thank you once again for all of your help.

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859|Available Monday -  
Friday, 8:30 - 5:30

**From:** Heather Hardy  
**To:** Eliza Tam  
**Date:** 7/22/2013 9:37 AM  
**Subject:** Transaction Listing - 38430-2652  
**Attachments:** 38430-2652.pdf

Hi Eliza,

The FY2012-13 transaction listing for 38430-2652 is attached, which shows the Credits for all of the Deferred Revenue that I sent you. Please let me know if you have any questions.

Thanks,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 -  
5:30

**From:** Heather Hardy  
**To:** twilson@analyticalcorp.com  
**Date:** 7/22/2013 10:13 AM  
**Subject:** Question: June Billing for County of San Mateo

Hello Mr. Wilson,

I hope you can help with a question in regards to the Ascension Heights project - if not please refer me to the correct person. By noon tomorrow, I need to notify the County's Controller if there were any billable hours through June 30, 2013 aside from the \$5,974 we have already been billed and have paid.

Please respond at your earliest opportunity. Thank you!

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| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30

SORT ORDER: Primary Date within SUB ACCT within SUB UNIT

SELECT ORG SUB UNIT: 38430 ; SUB ACCOUNT: 2652

Lg CODING STRUCTURE	Primary Ref	Transaction Description	SS Ref Date	Job No	Debit	Credit	NET
GL 38430-2652	JE326283	REVERSE JVDA7122	JE 07/01/12	07715502	0.00	27,058.06	27,058.06
GL 38430-2652	CR244013	ASCENSION HEIGHTS DEVELOPMENT	CR 03/06/13	07982718	0.00	124,352.34	151,410.40
GL 38430-2652	CR250120	EDGEWOOD CANYON PARTNERS	CR 05/10/13	08057827	0.00	58,300.00	209,710.40
GL 38430-2652	CR254151	JORGENSON, SIEGAL MCCLURE	CR 06/25/13	08111729	0.00	45.00	209,755.40
*****Total *SUBA Total*		Project Cost Reimbursement		CR	0.00	209,755.40	209,755.40
*****Total *SUBU Total*		Current Planning		DR-CR	0.00	209,755.40	-209,755.40
		** GRAND TOTAL **		DR-CR	0.00	209,755.40	-209,755.40

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** hhardy@smcgov.org  
**Date:** 7/22/2013 10:29 AM  
**Subject:** RE: Question: June Billing for County of San Mateo

There is an invoice for July, I will find out the total ASAP for you.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Monday, July 22, 2013 10:13 AM  
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[cid:image001.gif@01CE86C5.F2273C60]

**From:** Heather Hardy  
**To:** Trenton Wilson  
**Date:** 7/22/2013 10:30 AM  
**Subject:** RE: Question: June Billing for County of San Mateo

Thank you - and to clarify - the invoice includes June hours?

>>> Trenton Wilson <twilson@analyticalcorp.com> 7/22/2013 10:29 AM >>>

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**TRENTON WILSON**  
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**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** hhardy@smcgov.org  
**Date:** 7/22/2013 10:33 AM  
**Subject:** RE: Question: June Billing for County of San Mateo

Sorry, that did appear confusing, the July dated invoice that should be in the mail is for the June hours. I am looking into the total now!

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Monday, July 22, 2013 10:30 AM  
To: Trenton Wilson  
Subject: RE: Question: June Billing for County of San Mateo

Thank you - and to clarify - the invoice includes June hours?

[cid:image001.gif@01CE86C6.FBE70130]  
>>> Trenton Wilson <twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>> 7/22/2013 10:29 AM >>>  
There is an invoice for July, I will find out the total ASAP for you.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Monday, July 22, 2013 10:13 AM  
To: Trenton Wilson  
Subject: Question: June Billing for County of San Mateo

Hello Mr. Wilson,

I hope you can help with a question in regards to the Ascension Heights project - if not please refer me to the correct person. By noon tomorrow, I need to notify the County's Controller if there were any billable hours through June 30, 2013 aside from the \$5,974 we have already been billed and have paid.

Please respond at your earliest opportunity. Thank you!

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30

[cid:image001.gif@01CE86C6.FBE70130]

**From:** Eliza Tam  
**To:** Heather Hardy  
**Date:** 7/22/2013 10:51 AM  
**Subject:** Re: Deferred Revenue Journal

Hi Heather,

The attached PO#P1305592 showed a zero balance. On the transaction listing report, it showed that you received \$124,352.34 (CR244013) from Ascension Heights Development. You made a payment of \$5,974. So \$124,352.34 minus \$5,974 equals \$118,378.34. But your spreadsheet showed the deferred revenue is \$107,101. The difference is \$11,277.34. Do I miss something? Please let me know.

Thanks,  
Eliza

>>> Heather Hardy 7/11/2013 4:15 PM >>>

Hi Eliza,

They are attached. The other piece of potential backup I can think that might be needed is a transaction listing for 38430-2652 that shows the receipt of all of this revenue, so please let me know if you want that too.

Thanks again,  
Heather

>>> Eliza Tam 7/11/2013 4:12 PM >>>

Hi Heather,

If you don't mind, can you send me the POST reports for each contracts?

Thanks,  
Eliza

>>> Heather Hardy 7/11/2013 3:49 PM >>>

Hi Eliza,

I've attached the list of Deferred Revenue accounts, and I request that you enter the Deferred Revenue Journal. This should be completed as it was for 11/12 - 38430-2652 was Debited, and 38430-5858 was credited. (Virginia crossed out 38430-5858 and replaced it with the Controller's 00001-0780 last year). I have PDF'd POST reports for each of these contracts, so please let me know if you (or Controllers) need to see them.

Please let me know if you have any questions, or if you need anything further from me. (Perhaps a signature?) Thank you once again for all of your help.

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859|Available Monday -

**From:** Heather Hardy  
**To:** Eliza Tam  
**Date:** 7/22/2013 11:00 AM  
**Subject:** Re: Deferred Revenue Journal  
**Attachments:** #28\_Analytical Environment\_Reso#072499\_1.pdf

Hi Eliza,

I'm sorry - I should have explained. When we receive a contract of this type, the applicant gives us 110% of the contract's value. The AES/Ascension Heights Contract is for \$113,075. (Executed BoS Agreement is attached). I used \$107,101 (\$113,075 - \$5,974) because that is what should be appropriated to pay the remainder of the contract in FY13-14.

(For the TRA Edgewood Contract, you will also note that the contract total is \$53,000 and we received \$58,300 or 110%).

There's now a small update to this - I just contacted AES one more time to make sure that we have all of the June billing. They do have more June hours and hadn't billed it out to us yet. They are working to get a total ASAP. I believe that I will need to subtract that total from the Deferred Revenue, and we will need to do an Expense Accrual JE.

I'll update you as soon as I can. I'm in an 11-12 meeting so will be away from my desk. Please let me know if you have any additional questions.

Thank you,  
Heather

>>> Eliza Tam 7/22/2013 10:51 AM >>>  
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Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859|Available Monday -  
Friday, 8:30 - 5:30

**From:** Eliza Tam  
**To:** Heather Hardy  
**Date:** 7/22/2013 11:14 AM  
**Subject:** Re: Deferred Revenue Journal

Thank you for the explanation. It is very clear now. So give me the revised number when you are ready.

Thanks,  
Eliza

>>> Heather Hardy 7/22/2013 11:00 AM >>>  
Hi Eliza,

I'm sorry - I should have explained. When we receive a contract of this type, the applicant gives us 110% of the contract's value. The AES/Ascension Heights Contract is for \$113,075. (Executed BoS Agreement is attached). I used \$107,101 (\$113,075 - \$5,974) because that is what should be appropriated to pay the remainder of the contract in FY13-14.

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Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859|Available Monday -  
Friday, 8:30 - 5:30

**AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND  
ANALYTICAL ENVIRONMENTAL SERVICES**

THIS AGREEMENT, entered into this 7 day of May 2013, by and between the COUNTY OF SAN MATEO, hereinafter called "County," and Analytical Environmental Services, hereinafter called "Contractor."

W I T N E S S E T H:

WHEREAS, pursuant to Government Code, Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof;

WHEREAS, it is necessary and desirable that Contractor be retained for the purpose of preparing an Environmental Impact Report for the proposed Ascensions Heights subdivision project (County File number PLN2002-00517) to be re-circulated.

**NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:**

**1. Exhibits and Attachments**

The following exhibits and attachments are included hereto and incorporated by reference herein:

- Exhibit A—Services
- Exhibit B—Payments and rates
- Exhibit C—Scope of Work

**2. Services to be performed by Contractor**

In consideration of the payments set forth herein and in Exhibit "B," Contractor shall perform services for County in accordance with the terms, conditions and specifications set forth herein and in Exhibit "A."

**3. Payments**

In consideration of the services provided by Contractor in accordance with all terms, conditions and specifications set forth herein and in Exhibit "A," County shall make payment to Contractor based on the rates and in the manner specified in Exhibit "B." The County reserves the right to withhold payment if the County determines that the quantity or quality of the work performed is unacceptable. In no event shall the County's total fiscal obligation under this Agreement exceed One Hundred Thirteen Thousand Seventy-Five Dollars, \$113,075.

**4. Term and Termination**

Subject to compliance with all terms and conditions, the term of this Agreement shall be from May 9, 2013 through May 9, 2014.

This Agreement may be terminated by Contractor, the Director of Community Development or his/her designee at any time without a requirement of good cause upon thirty (30) days' written notice to the other party.

In the event of termination, all finished or unfinished documents, data, studies, maps, photographs, reports, and materials (hereafter referred to as materials) prepared by Contractor under this Agreement shall become the property of the County and shall be promptly delivered to the County. Upon termination, the Contractor may make and retain a copy of such materials. Subject to availability of funding, Contractor shall be entitled to receive payment for work/services provided prior to termination of the Agreement. Such payment shall be that portion of the full payment which is determined by comparing the work/services completed to the work/services required by the Agreement.

**5. Availability of Funds**

The County may terminate this Agreement or a portion of the services referenced in the Attachments and Exhibits based upon unavailability of Federal, State, or County funds, by providing written notice to Contractor as soon as is reasonably possible after the County learns of said unavailability of outside funding.

**6. Relationship of Parties**

Contractor agrees and understands that the work/services performed under this Agreement are performed as an independent Contractor and not as an employee of the County and that Contractor acquires none of the rights, privileges, powers, or advantages of County employees.

**7. Hold Harmless**

Contractor shall indemnify and save harmless County, its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description, brought for, or on account of: (A) injuries to or death of any person, including Contractor, or (B) damage to any property of any kind whatsoever and to whomsoever belonging, (C) any sanctions, penalties, or claims of damages resulting from Contractor's failure to comply with the requirements set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all Federal regulations promulgated thereunder, as amended, or (D) any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of County, its officers, agents, employees, or servants, resulting from the performance of any work required of Contractor or payments made pursuant to this Agreement, provided that this shall not apply to injuries or damage for which County has been found in a court of competent jurisdiction to be solely liable by reason of its own negligence or willful misconduct.

The duty of Contractor to indemnify and save harmless as set forth herein, shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

**8. Assignability and Subcontracting**

Contractor shall not assign this Agreement or any portion thereof to a third party or subcontract with a third party to provide services required by contractor under this Agreement without the prior written consent of County. Any such assignment or subcontract without the County’s prior written consent shall give County the right to automatically and immediately terminate this Agreement.

**9. Insurance**

The Contractor shall not commence work or be required to commence work under this Agreement unless and until all insurance required under this paragraph has been obtained and such insurance has been approved by Risk Management, and Contractor shall use diligence to obtain such insurance and to obtain such approval. The Contractor shall furnish the County with certificates of insurance evidencing the required coverage, and there shall be a specific contractual liability endorsement extending the Contractor's coverage to include the contractual liability assumed by the Contractor pursuant to this Agreement. These certificates shall specify or be endorsed to provide that thirty (30) days' notice must be given, in writing, to the County of any pending change in the limits of liability or of any cancellation or modification of the policy.

(1) **Worker's Compensation and Employer's Liability Insurance** The Contractor shall have in effect during the entire life of this Agreement Workers' Compensation and Employer's Liability Insurance providing full statutory coverage. In signing this Agreement, the Contractor certifies, as required by Section 1861 of the California Labor Code, that it is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of the Code, and will comply with such provisions before commencing the performance of the work of this Agreement.

(2) **Liability Insurance** The Contractor shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect him/her while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage which may arise from contractors operations under this Agreement, whether such operations be by himself/herself or by any sub-contractor or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than the amount specified below.

Such insurance shall include:

- |   |             |
|---|-------------|
| (a) Comprehensive General Liability . . . . .   | \$1,000,000 |
| (b) Motor Vehicle Liability Insurance . . . . . | \$1,000,000 |
| (c) Professional Liability . . . . .            | \$1,000,000 |

County and its officers, agents, employees and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that the insurance afforded thereby to the County, its officers, agents, employees and servants shall be primary insurance to the full limits of liability of the policy, and that if the County or its officers and employees have other insurance against the loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, the County of San Mateo at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

**10. Compliance with laws; payment of Permits/Licenses**

All services to be performed by Contractor pursuant to this Agreement shall be performed in accordance with all applicable Federal, State, County, and municipal laws, ordinances and regulations, including, but not limited to, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and the Federal Regulations promulgated thereunder, as amended, and will comply with the Business Associate requirements set forth in Attachment "H," and the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended and attached hereto and incorporated by reference herein as Attachment "I," which prohibits discrimination on the basis of handicap in programs and activities receiving any Federal or County financial assistance. Such services shall also be performed in accordance with all applicable ordinances and regulations, including, but not limited to, appropriate licensure, certification regulations, provisions pertaining to confidentiality of records, and applicable quality assurance regulations. In the event of a conflict between the terms of this Agreement and State, Federal, County, or municipal law or regulations, the requirements of the applicable law will take precedence over the requirements set forth in this Agreement. Further, Contractor certifies that the Contractor and all of its subcontractors will adhere to all applicable provisions of Chapter 4.106 of the San Mateo County Ordinance Code, which regulates the use of disposable food service ware.

Contractor will timely and accurately complete, sign, and submit all necessary documentation of compliance.

**11. Non-Discrimination and Other Requirements**

- A. *Section 504 applies only to Contractors who are providing services to members of the public.* Contractor shall comply with § 504 of the Rehabilitation Act of 1973, which provides that no otherwise qualified handicapped individual shall, solely by reason of a disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in the performance of this Agreement.
- B. *General non-discrimination.* No person shall, on the grounds of race, color, religion, ancestry, gender, age (over 40), national origin, medical condition (cancer), physical or mental disability, sexual orientation, pregnancy, childbirth or related medical condition, marital status, or political affiliation be denied any benefits or subject to discrimination under this Agreement.

- C. *Equal employment opportunity.* Contractor shall ensure equal employment opportunity based on objective standards of recruitment, classification, selection, promotion, compensation, performance evaluation, and management relations for all employees under this Agreement. Contractor's equal employment policies shall be made available to County of San Mateo upon request.
- D. *Violation of Non-discrimination provisions.* Violation of the non-discrimination provisions of this Agreement shall be considered a breach of this Agreement and subject the Contractor to penalties, to be determined by the County Manager, including but not limited to
  - i) termination of this Agreement;
  - ii) disqualification of the Contractor from bidding on or being awarded a County contract for a period of up to 3 years;
  - iii) liquidated damages of \$2,500 per violation;
  - iv) imposition of other appropriate contractual and civil remedies and sanctions, as determined by the County Manager.

To effectuate the provisions of this section, the County Manager shall have the authority to examine Contractor's employment records with respect to compliance with this paragraph and/or to set off all or any portion of the amount described in this paragraph against amounts due to Contractor under the Contract or any other Contract between Contractor and County.

Contractor shall report to the County Manager the filing by any person in any court of any complaint of discrimination or the filing by any person of any and all charges with the Equal Employment Opportunity Commission, the Fair Employment and Housing Commission or any other entity charged with the investigation of allegations within 30 days of such filing, provided that within such 30 days such entity has not notified Contractor that such charges are dismissed or otherwise unfounded. Such notification shall include the name of the complainant, a copy of such complaint, and a description of the circumstance. Contractor shall provide County with a copy of their response to the Complaint when filed.

- E. *Compliance with Equal Benefits Ordinance.* With respect to the provision of employee benefits, Contractor shall comply with the County Ordinance which prohibits contractors from discriminating in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse.
- F. The Contractor shall comply fully with the non-discrimination requirements required by 41 CFR 60-741.5(a), which is incorporated herein as if fully set forth.

## **12. Compliance with Contractor Employee Jury Service Ordinance**

Contractor shall comply with the County Ordinance with respect to provision of jury duty pay to employees and have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service in San Mateo County. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employees' regular pay the fees received for jury service.

**13. Retention of Records, Right to Monitor and Audit**

(a) CONTRACTOR shall maintain all required records for three (3) years after the COUNTY makes final payment and all other pending matters are closed, and shall be subject to the examination and/or audit of the County, a Federal grantor agency, and the State of California.

(b) Reporting and Record Keeping: CONTRACTOR shall comply with all program and fiscal reporting requirements set forth by appropriate Federal, State and local agencies, and as required by the COUNTY.

(c) CONTRACTOR agrees to provide to COUNTY, to any Federal or State department having monitoring or review authority, to COUNTY's authorized representatives, and/or their appropriate audit agencies upon reasonable notice, access to and the right to examine all records and documents necessary to determine compliance with relevant Federal, State, and local statutes, rules and regulations, and this Agreement, and to evaluate the quality, appropriateness and timeliness of services performed.

**14. Merger Clause**

This Agreement, including the Exhibits attached hereto and incorporated herein by reference, constitutes the sole Agreement of the parties hereto and correctly states the rights, duties, and obligations of each party as of this document's date. In the event that any term, condition, provision, requirement or specification set forth in this body of the agreement conflicts with or is inconsistent with any term, condition, provision, requirement or specification in any exhibit and/or attachment to this agreement, the provisions of this body of the agreement shall prevail. Any prior agreement, promises, negotiations, or representations between the parties not expressly stated in this document are not binding. All subsequent modifications shall be in writing and signed by the parties.

**15. Controlling Law and Venue**

The validity of this Agreement and of its terms or provisions, as well as the rights and duties of the parties hereunder, the interpretation, and performance of this Agreement shall be governed by the laws of the State of California. Any dispute arising out of this Agreement shall be venued either in the San Mateo County Superior Court or in the United States District Court for the Northern District of California.

**16. Notices**

Any notice, request, demand, or other communication required or permitted hereunder shall be deemed to be properly given when both (1) transmitted via facsimile to the telephone number listed below and (2) either deposited in the United State mail, postage prepaid, or when deposited for overnight delivery with an established overnight courier that provides a tracking number showing confirmation of receipt, for transmittal, charges prepaid, addressed to:

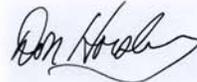
**In the case of County, to:**  
Director of Community Development  
Planning & Building Department  
455 County Center, Mail Drop PLN122  
Redwood City, CA 94063

**In the case of Contractor, to:**  
Analytical Environmental Services  
1801 7<sup>th</sup> Street, Ste 100  
Sacramento, CA 95811

In the event that the facsimile transmission is not possible, notice shall be given both by United States mail and an overnight courier as outlined above.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

COUNTY OF SAN MATEO



By: \_\_\_\_\_  
President, Board of Supervisors, San Mateo County

Date: May 7, 2013

ATTEST:   
By: \_\_\_\_\_  
Clerk of Said Board

Analytical Environmental Services (AES)  
  
\_\_\_\_\_  
Contractor's Signature

Date: 12-11-12

Resolution #072499

Exhibit "A"

In consideration of the payments set forth in Exhibit "B", Contractor shall provide the following services:

Contractor shall complete the preparation of an Environmental Impact Report for the proposed Ascensions Heights project (County File number PLN2002-00517) to be re-circulated. A complete Scope of Work is included in Exhibit C.

Exhibit "B"

In consideration of the services provided by Contractor in Exhibit "A", County shall pay Contractor based on the following fee schedule in attached Exhibit "B":

# EXHIBIT B - SCHEDULE OF CHARGES

AES schedule of hourly wage rates for the listing the labor categories, associated wage rates, and reimbursable expenses have been provided below.

Employee Category	Hourly Billing Rate
Principal	\$245
<b>Project Manager</b>	<b>\$140</b>
Analyst III	\$120
<b>Analyst II</b>	<b>\$110</b>
<b>Analyst I</b>	<b>\$105</b>
Cultural Resources Specialist	\$120
<b>Archaeologist III</b>	<b>\$110</b>
Archaeologist II	\$105
Archaeologist I	\$100
<b>Biologist III</b>	<b>\$120</b>
Biologist II	\$110
Biologist I	\$105
Sr. Graphic Designer	\$105
<b>Graphic Designer II</b>	<b>\$100</b>
Graphic Designer I	\$95
Office Administrator	\$100
Administrative Assistant III	\$90
Administrative Assistant II	\$85
<b>Administrative Assistant I</b>	<b>\$80</b>

Direct Costs	
Postage/Overnight Mail	Actual cost + 15%
Courier Charges	Actual cost + 15%
Mileage	Federal Rate - currently \$0.55 per mile + 15%
Other Direct Costs	Actual cost + 15%
In-house Copying Charges:	
Black & White	\$0.10 per page + 15%
Color	\$1 per page + 15%
CD duplication w/label & case	\$2.50 each + 15%

# EXHIBIT C - SCOPE OF WORK

## Project Understanding

The **Ascension Heights Subdivision Project (Proposed Project)** entails a request by the project proponent for the County of San Mateo to approve subdivision of six parcels on 21.13 acres into 21 lots for development of 19 single-family residences with the remaining 2 lots (approximately 7.81-acres) maintained as a conservation area. The project site is located adjacent to Ascension Drive and Bel Aire Road in unincorporated San Mateo County, approximately 0.87 miles north east of Highway 280 and 0.51 miles west of highway 92. Potable water would be provided by connection to the Mid-Peninsula Water District and wastewater collection would be provided by the Crystal Springs Sanitation District with treatment at the City of San Mateo Wastewater Treatment Plant. Development of the 19 subdivided lot into single-family residences would require 40,920 cubic yards of grading, of which 28,270 cubic yards would require exportation from the site. Accordingly, the project applicant also requires a grading permit from the County. Based on the size of the development, a Water Supply Assessment is not required for the Proposed Project. One significant consideration is the Cease and Desist Order (CDO) issued by the San Francisco Bay Regional Water Quality Control Board to the City of San Mateo, town of Hillsborough, and Crystal Springs County Sanitation District. The CDO was issued as a result of high infiltration rates of non wastewater during wet weather into the wastewater conveyance system resulting in associated decreases in sewage conveyance capacity which lead to unregulated releases of wastewater to surface waters. This issue will be addressed in the Draft EIR.

The Proposed Project is a re-design of a previous project that was denied by the San Mateo County Planning Commission in 2009. A Draft Environmental Impact Report (Draft EIR) and Final Environmental Impact Report (Final EIR) were prepared for the previously proposed project. The scope of services will utilize, to the extent feasible, existing information from the previous environmental process to provide a Revised EIR that meets the current CEQA guidelines as well as current legal precedent for the analysis of environmental impacts developed through CEQA case law.

## Scope of Services

### *Program Description*

The overall objective and focus of the work plan outlined below is the efficient preparation of a Revised EIR that meets the legal requirements of a complete, adequate, and objective statement of the Proposed Project's environmental consequences while incorporating background information and analysis prepared during the previous EIR process to the extent feasible and reasonable in a cost effective manner. The resulting Revised EIR document will provide a concise, integrated source of information for the public, county decision makers, and other permitting agencies including the California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board.

## *County Direction*

AES works as an extension of County staff. Our Project Manager would take direction from the assigned County Project Manager. In this role, AES will pro-actively assist with meeting the stated project objectives by maintaining an up-to-date schedule that indicates deliverable due dates and responsible parties. AES has enjoyed similar working relationships with a variety of federal, state, and municipal agencies.

## *Proposed Course of Action*

**Task 1: Kick-Off Meeting, Project Initiation and Information Review.** AES will meet with the County to establish lines of communication, determine the nature and format of the document to be prepared, and obtain relevant documentation and project details. Following this meeting, AES will review all project documentation and related planning materials, including the additional information for the previous EIR that may not have been provided during development of this Scope of Work, and available planning documents including General Plan materials, utility master plans, the County's subdivision regulations, tree regulations, and the Countywide Transportation Plan. Following this review, AES will develop a final project schedule and work plan that meets the needs of the County.

**Deliverables:** AES will prepare a final work plan and schedule to be distributed to the project team via email within five (5) days of the project initiation meeting.

**Task 2: Initial Study, NOP and Scoping.** Following the project initiation meeting, AES will prepare a draft Initial Study (IS) that includes a checklist consistent with Appendix G of the CEQA Guidelines and County guidance. The IS will be used to screen nonsignificant environmental issues from further consideration within the EIR. Following completion of the IS, AES will prepare a Notice of Preparation (NOP). Flexibility will be built into the NOP in anticipation of minor adjustments to project layout and design. This Scope of Work assumes that the County will coordinate circulation of the IS/NOP to the public. AES's Sacramento Office is located mere blocks from the State Clearinghouse and can readily deliver the IS/NOP in a cost effective manner. AES will attend and provide environmental expertise at one public town hall/scoping meeting during the 30-day public review period starting with release of the NOP. It is assumed that the County will be responsible for reserving an appropriate venue for the meeting. AES shall prepare up to 4 poster board exhibits for the public town hall/scoping meeting.

**Deliverables:** AES will provide the County with an electronic version of the IS. AES will revise the IS based on a comprehensive set of comments received on the electronic version from the County. The IS will be included as an appendix to the Administrative Draft EIR. AES will provide an electronic copy of the draft NOP to the County for review. AES will revise the NOP based on a comprehensive set of comments received on the electronic version from the County. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall/scoping meeting for approval.

**Task 3: Administrative Draft Revised EIR Preparation.** AES will conduct field studies and analysis as necessary to prepare an Administrative Draft EIR (ADEIR) in accordance with the State CEQA Guidelines, and relevant case law. AES will review the results of the IS and scoping comments submitted during the NOP comment period to focus the EIR analysis on those issues that are identified as potentially significant. AES will prepare a summary list of relevant issues to be addressed within the project analysis and consult with the County regarding any revisions to the scope of EIR services, if necessary. Given the nature of the Proposed Project, AES anticipates the EIR will be rather comprehensive, with sections analyzing the direct, indirect, and cumulative effects associated with each of the following issue areas:

- Aesthetics
- Agricultural Resources
- Air Quality and Greenhouse Gases
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems
- Transportation and Traffic

As Lead Agency, the County will make the final determination regarding the content of the EIR. Upon award of the contract, AES and the County would consider each issue area and draft a more detailed work plan that clearly outlines the expectations of the County and the obligations of AES.

**Deliverables:** AES will provide the County with a total of three (3) bound hardcopies and one (1) CD copy in color PDF format of the ADEIR.

### *ADEIR Contents*

Executive Summary. This section will provide an overview of the Draft EIR (DEIR) and include a summary table of all identified environmental effects, mitigation, and the significance level of impacts before and after mitigation.

Introduction. This section will explain the applicability of CEQA to the Proposed Project, describes the CEQA public review process, summarizes significant issues raised during the scoping process, and outlines the organization of the EIR.

Project Description. This section will present the background of the Proposed Project and identify the County's objectives in pursuing the project. AES will incorporate detailed project information and exhibits provided by the Applicant and County to describe each component of the Proposed Project in sufficient detail to enable identification of the largest envelope of potential environmental impacts. All anticipated approvals, permits, and other actions that will rely on the EIR will be identified.

Environmental Setting and Analysis. Considered the heart of the EIR, this section will provide a separate subsection for each environmental issue area in which a potentially significant impact was identified during the IS and scoping process. Each issue area subsection will discuss the existing setting, regulatory framework, analysis methods and thresholds, anticipated project-related impacts, and recommended mitigation measures to reduce or avoid adverse effects.

Cumulative Impacts. AES will assess the cumulative impacts of the Proposed Project in connection with other reasonably foreseeable projects and build-out of the County's General Plan. If available, the cumulative analysis will also consider growth projections anticipated in the County's on-going General Plan Update. AES will work with the County and relevant agencies to develop a list of relevant projects and define the geographical scope of the cumulative analysis. Cumulative analysis will cover each issue area addressed under the Environmental Setting and Analysis section of the EIR. Anticipated project-related cumulative impacts will be identified and mitigation measures will be recommended to reduce or avoid adverse effects.

Project Alternatives. In accordance with CEQA Guidelines Section 15126.6, AES will work with the County and Applicant to develop up to four (4) alternatives that could feasibly attain most of the basic objectives of the Proposed Project and would substantially lessen one or more of the project's significant environmental effects. The following alternatives may be considered as part of this process, although it is anticipated that one or more may be eliminated from detailed consideration due to the increased potential for environmental impacts:

1. No Project Alternative. As required by CEQA, one of the alternatives will be a No Project Alternative. This alternative will assume that the Proposed Project would not occur. While it is anticipated that some environmental impacts would be reduced, the basic objectives of the project would not be accomplished and may result in greater effects associated with water quality and noncompliance with permit requirements.
2. Reduced Footprint Alternative. AES will work with the County to identify a mitigated project footprint alternative within the boundaries of the project site. It is anticipated that a reconfiguration of land uses and clustering of high density residential development would accomplish the goals of this alternative.
3. Reduced Density Alternative. AES will work with the County to define a reduced density alternative that would result in fewer residents on the project site, and thus fewer demands on public utilities and infrastructure.

According to CEQA Guidelines Section 15126.6(d), “the significant effects of an alternative shall be discussed, but in less detail than the significant effects of the project as proposed.” The assessment of project alternatives will be consistent with this requirement by presenting a sufficient amount of detail necessary to afford decision makers with a reasoned choice. In most cases, environmental analyses conducted for the Proposed Project will be applicable to alternative development scenarios. Qualitative analysis of air quality and noise impacts associated with project alternatives will be conducted.

### *Issue Area Analysis and Assumptions*

Aesthetics. Development of the Proposed Project would alter the visual character of the project site from open space to urban; however, the surrounding areas consist of housing developments of similar density and therefore impacts are anticipated to be less than significant. Using visual representations of the project to be provided by the Applicant and existing analysis from the 2009 EIR to the extent possible, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation:

- Review the relevant visual quality standards contained in the County’s General Plan and consider the applicability of planning policies and ordinances related to aesthetics.
- Conduct reconnaissance field studies to assess the visual character of the project site and surrounding public view areas. Document existing visual conditions on the project site through photographs and detailed descriptions.
- Incorporate the existing three dimensional visual design exhibits of the proposed facilities prepared by Lea and Braze Engineering, Inc. for the Applicant into site and aerial photographs of the project site to assess impacts to aesthetics and viewsheds of the project region.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the aesthetics section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts and ensure consistency with relevant visual quality standards of the County’s General Plan.

Air Quality. Development of the Proposed Project would result in short-term emissions and fugitive dust during the construction phase and long-term emissions associated with vehicle traffic. AES will complete the following tasks to determine the level of potential air quality impacts and the need for mitigation.

- Review relevant local/regional air quality standards for the project area, including those issued by the Bay Area Air Quality Management District (AQMD) and California Air Resources Board (CARB).
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Federal Clean Air Act and California Clean Air Act.
- Document existing sources of air pollution and identify sensitive receptors that may be affected by development of the Proposed Project.
- AES will conduct a HRA for the Proposed Project. The assessment will use accepted County or Air District protocols to determine the necessity for dispersion modeling. AES will use either AeMOD

or CAL3QHCR modeling software to estimate concentrations at defined receptor locations and will consult with the Air District and County to determine the appropriate level of analysis.

- Identify short-term air quality impacts from construction emissions using CARB-approved URBEMIS- modeling software. In order to estimate construction emissions, AES will coordinate with the County and Applicant to acquire information regarding the nature of construction activities, types of equipment that will likely be used, and the anticipated total area of disturbance.
- Identify long-term regional air quality impacts from mobile and area source emissions using CARB approved URBEMIS modeling software. This analysis will include quantification of criteria air pollutants identified in the local air quality management plans and shall be conducted according to district methodologies. Mobile source emissions will be estimated using vehicle trip generation and distribution information provided in the traffic study prepared by RKH.
- Quantify greenhouse gas emissions as recommended within the recent amendments to the CEQA Guidelines. In accordance with this guidance, AES will provide a qualitative, performance based approach to reducing impacts. This effort will be closely coordinated within the County's General Plan Update Process to ensure consistent methodology and thresholds are being applied.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the air quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts from both construction and operation of the Proposed Project. Modeling runs will be included as an appendix to the EIR.

Agricultural Resources. The Proposed Project would not result in the conversion of prime agricultural land. Additionally, no Williamson Act contracts are held on the subject parcels. AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process. Should it be determined that Agricultural Resources should be included within the EIR, AES will complete the following tasks using the existing analysis from the 2009 EIR to the extent possible to determine the level of potential impacts to agricultural resources and the need for mitigation:

- Review the relevant local policies concerning the protection of farmlands, including those contained in the County General Plan and General Plan Update.
- Describe and map the important agricultural soils in the project area including Prime Farmland, Farmland of Statewide Importance and Unique Farmland.
- Review information on existing agricultural resource in the region and current urbanization trends.
- AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process.

Biological Resources. Development of the Proposed Project has the potential to impact special-status species and other biological resources, including the endangered Mission Blue Butterfly. This scope of work does not provide for protocol-level biological surveys or permitting. AES will complete the following tasks to determine the level of potential biological impacts and the need for mitigation:

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Federal Endangered Species Act, Fish and Wildlife Coordination Act, Migratory Bird Treaty Act, Clean Water Act (Sections 401 and 404), Magnuson Fisheries-Stevens Fishery

Conservation and Management Act, California Endangered Species Act, California Fish and Game Code, and Porter-Cologne Water Quality Control Act.

- Review existing information related to biological resources included within the Biological Resources Assessment prepared for the 2009 EIR.
- Conduct an updated query of the California Natural Diversity Database/RareFind, California Native Plant Society's Electronic Inventory, and the California Wildlife-Habitat Relationships database, and obtain current special-status species lists for the project area from the U.S. Fish and Wildlife Service (USFWS).
- Conduct a biological field survey of the project site to establish the potential for occurrences of special-status species or critical habitat and confirm the findings of the Biological Resources Assessment prepared by the Applicant.
- Incorporate information from existing studies and findings into the biological resources section of the EIR and recommend avoidance or mitigation measures to reduce any potentially significant impacts. In coordination with the County, AES will informally consult with USFWS and the California Department of Fish and Game to refine mitigation measures and meet regulatory requirements. This coordination will promote an efficient environmental review process for the Proposed Project.

Cultural Resources. Development of the Proposed Project could result in adverse impacts to previously documented, newly identified, or inadvertently discovered cultural resources. Preliminary site reconnaissance indicates that the project site has been substantially disturbed from agricultural activities; however, impacts to unanticipated archaeological resources discovered during construction are always a possibility. AES will complete the following tasks during preparation of the cultural resources section of the EIR.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: CEQA Guidelines 15064.5 and PRC 21083.2, SB-18 – Tribal Consultation (required for General Plan Amendment), Section 106 of the National Historic Preservation Act (required for 404 permits)
- Conduct an updated records search at the Northwest Information Center of the California Historical Resources Information System.
- Request a sacred lands search and stakeholders list from the Native American Heritage Commission (NAHC). AES will send preliminary consultation letters to all Native American stakeholders identified by the NAHC.
- Conduct an intensive Phase-I pedestrian survey of the project site. The survey will include recordation of any newly identified sites on appropriate DPR forms. Records of previously identified sites will be updated if necessary. This scope of work assumes that no more than two relatively simple resources will require recordation or updating. Evaluation of site significance is not included in the enclosed cost estimate. If it is determined that identified site(s) need to be evaluated, AES will provide a detailed scope of work and cost estimate for this work.

- Assist the County with SB-18 consultation. SB-18 assistance will include identification of stakeholders, provision of invitation to consult language, and attendance at up to two meetings with tribal representatives.
- Conduct all surveys and records searches in compliance with Section 106 of National Historic Preservation Act in the event that federal permitting is required.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the cultural resources section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts. This Scope of Work does not provide for testing or data recovery of any identified archaeological sites.

Geology and Soils. Development of the Proposed Project has the potential to result in soil erosion or subject people or property to geologic or seismic risks. AES is teaming with Michelucci and Associates to conduct an Updated Geotechnical Study to supplement the geotechnical study they prepared for the 2009 EIR. AES will complete the following tasks during preparation of the geology and soils section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to geology, soils and seismic hazards within the project area, including those contained in the County's General Plan.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Soil and Water Conservation Act, National Earthquake Hazards Reduction Program, Alquist-Priolo Earthquake Fault Zoning Act, Seismic Hazards Mapping Act, and California Building Standards Code.
- Identify soils types within the project area based on a review of U.S. Department of Agriculture soils surveys and field investigations to estimate the potential for erosion, settlement, and liquefaction; however, it is assumed that a geotechnical report or other appropriate analysis shall be conducted that determines the shrink/swell potential and stability of the soil to support the proposed facilities prior to construction.
- Review regional/local earthquake fault and seismic hazard maps to determine the potential for seismic related hazards.
- Incorporate findings of the Geotechnical Study prepared by Michelucci and Associates and existing analysis from the 2009 EIR to the extent possible into the geology and soils section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hazards and Hazardous Materials. Development of the Proposed Project may subject people to hazardous materials or hazards. The majority of the project site has been formerly used for agricultural purposes. AES will complete the following tasks during preparation of the Hazards/Hazardous Materials section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to hazards and hazardous materials within the project area, including those contained in the County's General Plan.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Resources Conservation and Recovery Act, Hazardous and Solid Waste Management Acts, and Comprehensive Environmental Response, Compensation, and Liability Act.
- Request a database search from Environmental Data Services to identify whether the project site is listed on various local, state, or federal hazardous materials databases. AES will also search online database resources regarding facilities or sites identified as meeting the “Cortese List” requirements pursuant to Government Code Section 65962.5.
- AES will research historic land usage within and adjacent to the project site, including review of historic topographic maps and aerial photographs.
- AES will incorporate findings and existing analysis from the 2009 EIR to the extent possible into the hazards and hazardous materials section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hydrology and Water Quality. Development of the Proposed Project would alter the existing drainage patterns on the project site during both construction and operation, potentially impacting run-off quantity and quality. AES understands that Lea and Braze have already completed an updated hydrological evaluation of the project site to assess drainage impacts associated with the development of impervious surfaces on the project site. AES will complete the following tasks during preparation of the Hydrology and Water Quality Section of the EIR:

- Review existing information concerning water quality in the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Clean Water Act and Porter-Cologne Water Quality Act.
- Identify flood hazards on the site or in the immediate project area through Review of FEMA Flood Insurance maps, the proposed flood protection/prevention measures of the project (if needed), and determine residual effects on localized or downstream flooding.
- Peer review drainage plans, estimates of storm water volumes, and existing system capacities provided to AES by Lea and Braze during the hydrological study, the County and/or the Applicant.
- Using existing information, identify the general types and sources of water quality changes that may result from the proposed development. Evaluate potential impacts of runoff from the project site on the quality of receiving waters.
- Discuss the need to apply for an NPDES permit for construction activities. Identify guidelines and policies of the SFBRWQCB, U.S. Environmental Protection Agency, and County plans regarding water quality impacts from storm water runoff.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Hydrology and Water Quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Land Use and Planning. The Proposed Project would result in the subdivision of the project site for the development of 19 single-family residential units. Implementation of the Proposed Project must be

considered in light of existing policies included within the County's General Plan and General Plan Update. Additionally, the Proposed Project will introduce new land uses that may be incompatible with existing or planned land uses on adjacent properties. Based on an initial review of the General Plan and Land Use designations for the project site, the Proposed Project is consistent with the land use planning documents governing development on the project site and the density of development is consistent with zoning designations. Accordingly, AES anticipates that impacts to Land Use and Planning will be less than significant and no mitigation will be required. To ensure a complete analysis is provided, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted land use studies associated with the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Identify existing, approved, and proposed land use and zoning designations within and surrounding the project site.
- Consider the consistency of the Proposed Project with existing applicable planning documents, and include "planning consistency matrix" as an appendix to the EIR.
- Assess potential long-term compatibility issues, as well as short-term issues associated with phased development and non-conforming land uses.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Land Use and Planning section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Noise. Development of the Proposed Project would result in a short-term increase in noise and vibration during the construction phase and would result in long-term noise increases related to traffic and operational activities that may impact sensitive receptors. AES will conduct a noise assessment of the project site and incorporate the analysis and conclusions into the Noise Section of the EIR. AES will complete the following task to determine the level of potential impacts and the need for mitigation.

- Existing Noise Levels: Conduct a detailed ambient noise survey to quantify existing noise conditions at the project site and at the nearest potentially affected noise-sensitive land uses. The survey will consist of continuous and short-term noise level measurements at as many locations deemed necessary to thoroughly identify existing noise conditions for the project area which will include traffic noise from State Route 280 and 92. To the extent that information contained in the 2009 EIR is still relevant, AES will make use of it.
- Prepare Technical Report in Support of the EIR Noise Section that will contain the results of the previous task in the above-described scope of work, as well as graphics showing noise measurement locations and potential noise mitigation locations as appropriate. The report will be included as an appendix to the EIR. AES will incorporate existing analysis from the 2009 EIR to the extent possible.

Public Services and Recreation: Development of the Proposed Project would result in an increased demand for public services and recreation, including public schools, law enforcement, and fire protection. Additionally, the increase in population as a result of the project will result in increased use of County and

regional recreational facilities. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the project site and consider the applicability of relevant local/regional planning policies and ordinances..
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including:
  - Uniform Fire Code
  - California Health and Safety Code
- AES will update the public service provided questionnaires provided Appendix C of the 2009 Draft EIR. AES will contact local service providers, including the Sheriff's Department, Fire Department, County Parks Department, County Public Libraries, and School Districts to determine existing service levels in the project area and need for additional personnel, equipment, and facilities.
- Estimate the new service demands resulting from the development of the Proposed Project, including the increase in student enrollment, law enforcement demands, fire protection demands, and use of recreational facilities.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Recreation section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Traffic and Circulation: Development of the Proposed Project would result in an increase in local traffic. AES is teaming with RKH for the preparation of a traffic analysis and study for the Proposed Project to determine the potential for adverse effects on traffic circulation and identify appropriate traffic improvements. AES will complete the following tasks during preparation of the transportation/traffic section of the EIR.

- Incorporate findings of the traffic impact analysis into the Transportation and Circulation section of the EIR.
- Assess potential impacts associated with pedestrian, bicycle, and public transportation, and recommend appropriate mitigation measures.
- Discuss potential short-term impacts associated with construction activities. It is anticipated that mitigation will likely include specific measures to be included within a Traffic Control Plan for construction activities.

Utilities and Service Systems: Development of the Proposed Project would result in an increased demand for public utilities, including potable water, wastewater treatment, drainage facilities, and solid waste services. AES is teaming with NV5, formerly Nolte and Associates to assess the potential impacts to sewer and water conveyance systems. The cost and scope assumes that the level of effort required is to update the analysis within the 2009 EIR and no modeling of conveyance capacities are required. AES will assess the potential impacts to other utility and service systems including solid waste, electricity, and telecommunications. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the 2009 EIR and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: California Health and Safety Code, Integrated Waste Management Act, Water Management Planning Act, SB 610 – Water Availability Assessment. Based on the number of residential units, a Water Supply Assessment is not required under SB 610, which will be duly noted in the EIR.
- Coordinate with the County’s Public Utilities Department and local service providers to determine existing service levels in the project area.
- Estimate the new service demands resulting from the development of the Proposed Project, including water supply, wastewater, drainage and solid waste.
- Evaluate impacts to wastewater treatment and drainage facilities in light of information provided within NV5’s technical assessment.
- In accordance with thresholds provided in Appendix G of the CEQA Guidelines, evaluate physical environmental impacts resulting from proposed improvements to utility systems, including the any proposed upgrades to Crystal Springs County Special District and San Mateo Wastewater Treatment plant. This task does not include site visits to assess existing conditions of off-site improvements that may be required to update wastewater infrastructure to meet the wastewater demands of the project.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Utilities section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

**Task 4: Draft EIR and Public Circulation.** AES will meet with the County to clarify any comments and questions raised during review of the ADEIR. AES will revise the ADEIR based on a single set of comprehensive comments provided by the County. AES will provide an electronic screen check version of the Draft EIR with track changes to the County for review prior to production. Following approval by the County, AES will facilitate preparation of the Notice of Availability (NOA) and public release of the DEIR.

AES technical staff will coordinate and attend one (1) public comment town hall meeting during the 45-day public comment period on the DEIR. AES will provide up to three (3) poster board displays for the meeting. It is assumed that the County will be responsible for reserving an appropriate venue. If desired, a court reporter will be provided by the County.

**Deliverables:** AES will provide the County with ten (10) bound hardcopies one (1) CD copy in color PDF format of the Draft EIR. Fifteen (15) CD copies of the Draft EIR with hardcopies of the Executive Summary will be submitted as required to the State Clearinghouse with the Notice of Availability. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall meeting for approval.

**Task 5: Final EIR and Mitigation Monitoring and Reporting Plan.** AES will compile comments received from the public and other interested parties during the 45-day public review period for the Draft EIR, and summarize key issues for discussion with the County. AES will meet with County staff to go over the approach for responding to key issues raised during the DEIR public review period. Following this meeting, AES will formulate responses, and make any necessary revisions to the EIR. This Scope of Work assumes a moderate level of effort will be required to respond to comments. A moderate level of effort is considered to be less than 15 comment letters and 50 individual substantive comments that require a response beyond comment noted. The Response to Comments and any refinements to the DEIR text will be incorporated into a “freestanding” Final EIR. AES will prepare a Mitigation Monitoring and Reporting Plan (MMRP) to support the County’s certification of the Final EIR. The MMRP will be referenced within the text of the Final EIR and will be included as an appendix in the final document.

**Deliverables:** AES will provide the County with a total of ten (10) bound hardcopies and one (1) CD copy in PDF format of the Final EIR.

**Task 6: Findings and Final EIR Certification Support.** AES will assist with preparation of the Findings of Fact and Statement of Overriding Considerations. AES will attend/present at one meeting with the Planning Commission, and up to two staff meetings for certification of the Final EIR and Findings and Statement of Overriding Considerations.

**Task 7: Project Management and Meetings.** The AES management team will complete the myriad of small and often unforeseen tasks required to implement the preparation of an EIR. This includes numerous phone calls and emails necessary to facilitate information exchange between the Project Team and jurisdictional agencies, as well as the time required to prepare agendas, meeting minutes, schedules, and other such documents. Under this task, AES will:

- Attend a scoping hearing;
- Participate in up to 3 (3) two-hour project coordination meetings with planning staff at the County offices for the development of the Draft EIR;
- Attend up to two (2) Planning Commission hearings; and
- Participate in up to ten (10) one-hour project related conference calls with members of the project team and jurisdictional agencies.

**Deliverables:** AES will submit monthly status reports to the Project Team via email by the fifth business day of each month. AES will prepare and distribute minutes for each project-related meeting that will outline key decisions and action items.

**From:** Heather Hardy  
**To:** Trenton Wilson  
**Date:** 7/22/2013 11:31 AM  
**Subject:** RE: Question: June Billing for County of San Mateo

I just checked in again with our Fiscal specialist - she actually received a bill for \$4,025.58 in this morning's mail! I will use that total. Thanks again for your help.  
Heather

>>> Trenton Wilson <twilson@analyticalcorp.com> 7/22/2013 10:34 AM >>>

Sorry, that did appear confusing, the July dated invoice that should be in the mail is for the June hours. I am looking into the total now!

**TRENTON WILSON**  
**ANALYTICAL ENVIRONMENTAL SERVICES**  
Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com  
**1801 7th Street, Ste 100 | Sacramento, CA 95811**  
**916.447.3479 | Fax 447.1665**  
**www.analyticalcorp.com**

**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Monday, July 22, 2013 10:30 AM  
**To:** Trenton Wilson  
**Subject:** RE: Question: June Billing for County of San Mateo

Thank you - and to clarify - the invoice includes June hours?

>>> Trenton Wilson <twilson@analyticalcorp.com> 7/22/2013 10:29 AM >>>

There is an invoice for July, I will find out the total ASAP for you.

**TRENTON WILSON**  
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**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Monday, July 22, 2013 10:13 AM  
**To:** Trenton Wilson  
**Subject:** Question: June Billing for County of San Mateo

Hello Mr. Wilson,

I hope you can help with a question in regards to the Ascension Heights project - if not please refer me to the correct person. By noon tomorrow, I need to notify the County's Controller if there were any billable hours through June 30, 2013 aside from the \$5,974 we have already been billed and have paid.

Please respond at your earliest opportunity. Thank you!

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** hhardy@smcgov.org  
**Date:** 7/22/2013 11:36 AM  
**Subject:** RE: Question: June Billing for County of San Mateo

Anytime! I will let our accountant know that you found the total. If you need anything in the future, please feel free to contact me and I will hunt down whatever you need!

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From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Monday, July 22, 2013 11:32 AM  
To: Trenton Wilson  
Subject: RE: Question: June Billing for County of San Mateo

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[cid:image001.gif@01CE86CF.AE7AF8D0]  
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From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Monday, July 22, 2013 10:30 AM  
To: Trenton Wilson  
Subject: RE: Question: June Billing for County of San Mateo

Thank you - and to clarify - the invoice includes June hours?

[cid:image001.gif@01CE86CF.AE7AF8D0]  
>>> Trenton Wilson <twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>> 7/22/2013 10:29 AM >>>

There is an invoice for July, I will find out the total ASAP for you.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: Heather Hardy [mailto:hhardy@smcgov.org]

Sent: Monday, July 22, 2013 10:13 AM  
To: Trenton Wilson  
Subject: Question: June Billing for County of San Mateo

Hello Mr. Wilson,

I hope you can help with a question in regards to the Ascension Heights project - if not please refer me to the correct person. By noon tomorrow, I need to notify the County's Controller if there were any billable hours through June 30, 2013 aside from the \$5,974 we have already been billed and have paid.

Please respond at your earliest opportunity. Thank you!

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30

[cid:image001.gif@01CE86CF.AE7AF8D0]

**From:** Heather Hardy  
**To:** Eliza Tam  
**Date:** 7/22/2013 12:08 PM  
**Subject:** Re: Deferred Revenue Journal

Hi Eliza,

I spoke with Virginia (our Administrative Services Manager who retired in March and used to handle Year End). She pointed out that since we've already disencumbered our contracts, we don't have money left in the PO to pay the new AES statement (it arrived Friday and is for about \$4,000). As a result, we are not changing our deferred revenue total. We will pay this statement when A/P re-opens. I apologize for the confusion. Please proceed with the JE as planned.

Let me know if you have any questions. Thanks!

Heather

>>> Eliza Tam 7/22/2013 11:14 AM >>>

Thank you for the explanation. It is very clear now. So give me the revised number when you are ready.

Thanks,  
Eliza

>>> Heather Hardy 7/22/2013 11:00 AM >>>

Hi Eliza,

I'm sorry - I should have explained. When we receive a contract of this type, the applicant gives us 110% of the contract's value. The AES/Ascension Heights Contract is for \$113,075. (Executed BoS Agreement is attached). I used \$107,101 (\$113,075 - \$5,974) because that is what should be appropriated to pay the remainder of the contract in FY13-14.

(For the TRA Edgewood Contract, you will also note that the contract total is \$53,000 and we received \$58,300 or 110%).

There's now a small update to this - I just contacted AES one more time to make sure that we have all of the June billing. They do have more June hours and hadn't billed it out to us yet. They are working to get a total ASAP. I believe that I will need to subtract that total from the Deferred Revenue, and we will need to do an Expense Accrual JE.

I'll update you as soon as I can. I'm in an 11-12 meeting so will be away from my desk. Please let me know if you have any additional questions.

Thank you,  
Heather

>>> Eliza Tam 7/22/2013 10:51 AM >>>

Hi Heather,

The attached PO#P1305592 showed a zero balance. On the transaction listing report, it showed that you received \$124,352.34 (CR244013) from Ascension Heights Development. You made a payment of \$5,974. So \$124,352.34 minus \$5,974 equals \$118,378.34. But your spreadsheet showed the deferred

revenue is \$107,101. The difference is \$11,277.34. Do I miss something? Please let me know.

Thanks,  
Eliza

>>> Heather Hardy 7/11/2013 4:15 PM >>>

Hi Eliza,

They are attached. The other piece of potential backup I can think that might be needed is a transaction listing for 38430-2652 that shows the receipt of all of this revenue, so please let me know if you want that too.

Thanks again,  
Heather

>>> Eliza Tam 7/11/2013 4:12 PM >>>

Hi Heather,

If you don't mind, can you send me the POST reports for each contracts?

Thanks,  
Eliza

>>> Heather Hardy 7/11/2013 3:49 PM >>>

Hi Eliza,

I've attached the list of Deferred Revenue accounts, and I request that you enter the Deferred Revenue Journal. This should be completed as it was for 11/12 - 38430-2652 was Debited, and 38430-5858 was credited. (Virginia crossed out 38430-5858 and replaced it with the Controller's 00001-0780 last year). I have PDF'd POST reports for each of these contracts, so please let me know if you (or Controllers) need to see them.

Please let me know if you have any questions, or if you need anything further from me. (Perhaps a signature?) Thank you once again for all of your help.

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859|Available Monday -  
Friday, 8:30 - 5:30

**From:** Eliza Tam  
**To:** Heather Hardy  
**Date:** 7/22/2013 12:40 PM  
**Subject:** Re: Deferred Revenue Journal

Okay. Please tell me when you are available to sign the JE batch. I will bring it over.

Eliza

>>> Heather Hardy 7/22/2013 12:08 PM >>>

Hi Eliza,

I spoke with Virginia (our Administrative Services Manager who retired in March and used to handle Year End). She pointed out that since we've already disencumbered our contracts, we don't have money left in the PO to pay the new AES statement (it arrived Friday and is for about \$4,000). As a result, we are not changing our deferred revenue total. We will pay this statement when A/P re-opens. I apologize for the confusion. Please proceed with the JE as planned.

Let me know if you have any questions. Thanks!

Heather

>>> Eliza Tam 7/22/2013 11:14 AM >>>

Thank you for the explanation. It is very clear now. So give me the revised number when you are ready.

Thanks,  
Eliza

>>> Heather Hardy 7/22/2013 11:00 AM >>>

Hi Eliza,

I'm sorry - I should have explained. When we receive a contract of this type, the applicant gives us 110% of the contract's value. The AES/Ascension Heights Contract is for \$113,075. (Executed BoS Agreement is attached). I used \$107,101 (\$113,075 - \$5,974) because that is what should be appropriated to pay the remainder of the contract in FY13-14.

(For the TRA Edgewood Contract, you will also note that the contract total is \$53,000 and we received \$58,300 or 110%).

There's now a small update to this - I just contacted AES one more time to make sure that we have all of the June billing. They do have more June hours and hadn't billed it out to us yet. They are working to get a total ASAP. I believe that I will need to subtract that total from the Deferred Revenue, and we will need to do an Expense Accrual JE.

I'll update you as soon as I can. I'm in an 11-12 meeting so will be away from my desk. Please let me know if you have any additional questions.

Thank you,  
Heather

>>> Eliza Tam 7/22/2013 10:51 AM >>>  
Hi Heather,

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Thanks,  
Eliza

>>> Heather Hardy 7/11/2013 4:15 PM >>>  
Hi Eliza,

They are attached. The other piece of potential backup I can think that might be needed is a transaction listing for 38430-2652 that shows the receipt of all of this revenue, so please let me know if you want that too.

Thanks again,  
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>>> Eliza Tam 7/11/2013 4:12 PM >>>  
Hi Heather,

If you don't mind, can you send me the POST reports for each contracts?

Thanks,  
Eliza

>>> Heather Hardy 7/11/2013 3:49 PM >>>  
Hi Eliza,

I've attached the list of Deferred Revenue accounts, and I request that you enter the Deferred Revenue Journal. This should be completed as it was for 11/12 - 38430-2652 was Debited, and 38430-5858 was credited. (Virginia crossed out 38430-5858 and replaced it with the Controller's 00001-0780 last year). I have PDF'd POST reports for each of these contracts, so please let me know if you (or Controllers) need to see them.

Please let me know if you have any questions, or if you need anything further from me. (Perhaps a signature?) Thank you once again for all of your help.

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859|Available Monday -  
Friday, 8:30 - 5:30

**From:** Heather Hardy  
**To:** Trenton Wilson  
**Date:** 7/22/2013 12:50 PM  
**Subject:** RE: Question: June Billing for County of San Mateo

Thank you! As the invoice was received after our A/P cutoff, payment likely won't be received until after the 7/30 due date. The Controller cuts off our A/P after about 7/12, and will reopen it in late July or early August. Thank you,

Heather

>>> Trenton Wilson <twilson@analyticalcorp.com> 7/22/2013 11:36 AM >>>

Anytime! I will let our accountant know that you found the total. If you need anything in the future, please feel free to contact me and I will hunt down whatever you need!

**TRENTON WILSON**  
**ANALYTICAL ENVIRONMENTAL SERVICES**  
Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com  
**1801 7th Street, Ste 100 | Sacramento, CA 95811**  
**916.447.3479 | Fax 447.1665**  
**www.analyticalcorp.com**

**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Monday, July 22, 2013 11:32 AM  
**To:** Trenton Wilson  
**Subject:** RE: Question: June Billing for County of San Mateo

I just checked in again with our Fiscal specialist - she actually received a bill for \$4,025.58 in this morning's mail! I will use that total. Thanks again for your help.

Heather

>>> Trenton Wilson <twilson@analyticalcorp.com> 7/22/2013 10:34 AM >>>

Sorry, that did appear confusing, the July dated invoice that should be in the mail is for the June hours. I am looking into the total now!

**TRENTON WILSON**  
**ANALYTICAL ENVIRONMENTAL SERVICES**  
Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com  
**1801 7th Street, Ste 100 | Sacramento, CA 95811**  
**916.447.3479 | Fax 447.1665**  
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**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Monday, July 22, 2013 10:30 AM  
**To:** Trenton Wilson  
**Subject:** RE: Question: June Billing for County of San Mateo

Thank you - and to clarify - the invoice includes June hours?

>>> Trenton Wilson <twilson@analyticalcorp.com> 7/22/2013 10:29 AM >>>

There is an invoice for July, I will find out the total ASAP for you.

**TRENTON WILSON**  
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Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com  
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**Sent:** Monday, July 22, 2013 10:13 AM  
**To:** Trenton Wilson  
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Please respond at your earliest opportunity. Thank you!

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30

**From:** Heather Hardy  
**To:** Eliza Tam  
**Date:** 7/22/2013 1:17 PM  
**Subject:** Re: Deferred Revenue Journal

Hi Eliza,

Anytime between 3 and 5 sounds good, or anytime tomorrow. Thanks again for handling.

Heather

>>> Eliza Tam 7/22/2013 12:39 PM >>>

Okay. Please tell me when you are available to sign the JE batch. I will bring it over.

Eliza

>>> Heather Hardy 7/22/2013 12:08 PM >>>

Hi Eliza,

I spoke with Virginia (our Administrative Services Manager who retired in March and used to handle Year End). She pointed out that since we've already disencumbered our contracts, we don't have money left in the PO to pay the new AES statement (it arrived Friday and is for about \$4,000). As a result, we are not changing our deferred revenue total. We will pay this statement when A/P re-opens. I apologize for the confusion. Please proceed with the JE as planned.

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>>> Eliza Tam 7/22/2013 11:14 AM >>>

Thank you for the explanation. It is very clear now. So give me the revised number when you are ready.

Thanks,  
Eliza

>>> Heather Hardy 7/22/2013 11:00 AM >>>

Hi Eliza,

I'm sorry - I should have explained. When we receive a contract of this type, the applicant gives us 110% of the contract's value. The AES/Ascension Heights Contract is for \$113,075. (Executed BoS Agreement is attached). I used \$107,101 (\$113,075 - \$5,974) because that is what should be appropriated to pay the remainder of the contract in FY13-14.

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Eliza

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Heather

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Eliza

>>> Heather Hardy 7/11/2013 3:49 PM >>>  
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Please let me know if you have any questions, or if you need anything further from me. (Perhaps a signature?) Thank you once again for all of your help.

Heather

**From:** Heather Hardy  
**To:** Helen P. Souranoff  
**CC:** Ann Mitchell  
**Date:** 7/25/2013 3:41 PM  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hi Helen,

I would like to confirm for September 25. I apologize - I still haven't received a response about the mics - but I will update you ASAP. Please let me know what the next step is. Thank you for all of your help and patience as we figure this out.

Heather

>>> "Souranoff, Helen P." <souranoff@smccd.edu> 7/22/2013 8:07 AM >>>

Sept 25 and 26 are both available.  
That would be a better date for us, most probably. Please let me know asap.

Best,

## Helen P. Souranoff

Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu  
www.collegeofsanmateo.edu/theatre

**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Friday, July 19, 2013 3:45 PM  
**To:** Souranoff, Helen P.  
**Cc:** Mitchell, Ann  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hello again Helen,

I'm still working out about finding out the mic quantity and configuration. I'll update you as soon as I can. In light of the potential first week of school chaos, we are considering changing our dates. Are September 25 and/or 26th available?

Thank you again,

Heather

>>> "Souranoff, Helen P." <souranoff@smccd.edu> 7/17/2013 11:22 AM >>>

Attached is a preliminary contract to get the ball rolling on the requirements.  
Please look over and inform if any adjustments are needed.  
As to the microphones, how many? As in, will this be a panel discussion, or a q/a or both? Podium placement?  
Thank you.

Best,

## Helen P. Souranoff

Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu  
www.collegeofsanmateo.edu/theatre

**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Tuesday, July 16, 2013 12:49 PM  
**To:** Souranoff, Helen P.  
**Cc:** Mitchell, Ann  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hello Helen,

I apologize for the delay - your message was in my "Spam" folder. I've filled in the missing information below.

Info needed for preliminary contract:

Date: August 21st, 2013 (We could potentially use August 20th. Do you have a recommendation about if traffic/parking would be the same or worse/better if we changed dates?)

Time of load in: 6P

Time of show start: 7P

Time of show end/ load out: 9P

Expecting full house? Anticipating approximately 100 attendees, based on previous attendance.

Any charge for admission none

Any food, drinks, other items sold: no

Tech requirements: please list what you would need for your program; i.e.: microphones, rigging, special lighting, audio, any projections? Microphones, podium, projector, screen

Talent requirements: any talent, organizers physically disabled? No.

If food trucks:

The vendor show a valid SM Health Department permit to prepare and sell food and if a vehicle is involved , a valid SM County Health Department certification of that vehicle as a place where food can be prepared and served. (N/A for this meeting)

With this information, I will be able to generate a preliminary contract thank you.

Best,

## Helen P. Souranoff

Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu  
www.collegeofsanmateo.edu/theatre

**From:** Souranoff, Helen P.  
**Sent:** Wednesday, July 10, 2013 11:57 AM  
**To:** 'Heather Hardy'  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Parking will be difficult, no doubt. Classes start at 6:30p and 7p. Anyone taking classes in the evening would be arriving before your event begins most probably.  
Would you have any technical details for me to generate a preliminary estimate?

Best,

## Helen P. Souranoff

Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu  
www.collegeofsanmateo.edu/theatre

**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Tuesday, July 09, 2013 5:23 PM  
**To:** Souranoff, Helen P.  
**Subject:** Re: FW: Availability Inquiry - August 20th, 21st, 22nd

Hello Helen,

Thank you so much for the fast response. I'm waiting on some confirmations, but I feel that 8/21 may be our date. The event would be from approximately 7 to 9 in the evening. Do you think that parking (and first week chaos) would be an issue that late in the evening? (It's been awhile since I was in college, so I'm not sure how these things go these days!)

Thanks again,

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M- F, 8:30 - 5:30

>>> "Souranoff, Helen P." <souranoff@smccd.edu> 7/9/2013 8:39 AM >>>

Hello, Heather.

Received your request. All three evenings are available, but please note it will be the first week of classes, so parking/first week madness will be occurring.

Are there any other dates I can interest you in? the week after?

## Helen P. Souranoff

Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu  
www.collegeofsanmateo.edu/theatre

**From:** CSM Theatre  
**Sent:** Tuesday, July 09, 2013 8:02 AM  
**To:** Souranoff, Helen P.  
**Subject:** FW: Availability Inquiry - August 20th, 21st, 22nd

**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Monday, July 08, 2013 3:21 PM  
**To:** CSM Theatre  
**Subject:** Availability Inquiry - August 20th, 21st, 22nd

Good afternoon,

I'm writing because my organization is going to schedule a public meeting - the Ascension Heights Environmental Impact Report Scoping meeting. Our initial meeting was held at your facility. Name of organization - County of San Mateo Planning & Building Department Phone number - 650-363-1859 Proposed date of use - either August 20th, 21st, or 22nd Time of use - evening (perhaps 7 - 9 or

similar) Profit or non-profit status - Non-profit (governmental) agency Technical requirements; these don't have to be specific yet, just an overview of the show. - microphones, podium, I will gather more specifics

Please let me know if you can accommodate our dates.

Thank you,

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**From:** "Souranoff, Helen P." <souranoff@smccd.edu>  
**To:** hhardy@smcgov.org  
**CC:** mitchella@smccd.edu  
**Date:** 7/29/2013 8:07 AM  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

This would be instead of August 21st, correct? Thank you.

Helen P. Souranoff  
Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu  
[www.collegeofsanmateo.edu/theatre](http://www.collegeofsanmateo.edu/theatre)

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Thursday, July 25, 2013 3:42 PM  
To: Souranoff, Helen P.  
Cc: Mitchell, Ann  
Subject: RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hi Helen,

I would like to confirm for September 25. I apologize - I still haven't received a response about the mics - but I will update you ASAP. Please let me know what the next step is. Thank you for all of your help and patience as we figure this out.

Heather

[cid:image001.gif@01CE8C32.8FE05420]

>>> "Souranoff, Helen P." <souranoff@smccd.edu<mailto:souranoff@smccd.edu>> 7/22/2013 8:07 AM  
>>>

Sept 25 and 26 are both available.

That would be a better date for us, most probably. Please let me know asap.

Best,

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Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu<mailto:souranoff@smccd.edu>  
[www.collegeofsanmateo.edu/theatre](http://www.collegeofsanmateo.edu/theatre)<<http://www.collegeofsanmateo.edu/theatre>>

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Friday, July 19, 2013 3:45 PM  
To: Souranoff, Helen P.  
Cc: Mitchell, Ann  
Subject: RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hello again Helen,

I'm still working out about finding out the mic quantity and configuration. I'll update you as soon as I can. In light of the potential first week of school chaos, we are considering changing our dates. Are September 25 and/or 26th available?

Thank you again,  
Heather

[cid:image001.gif@01CE8C32.8FE05420]

>>> "Souranoff, Helen P." <souranoff@smccd.edu<mailto:souranoff@smccd.edu>> 7/17/2013 11:22 AM

>>>

Attached is a preliminary contract to get the ball rolling on the requirements.

Please look over and inform if any adjustments are needed.

As to the microphones, how many? As in, will this be a panel discussion, or a q/a or both? Podium placement?

Thank you.

Best,

Helen P. Souranoff

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souranoff@smccd.edu<mailto:souranoff@smccd.edu>

www.collegeofsanmateo.edu/theatre<http://www.collegeofsanmateo.edu/theatre>

From: Heather Hardy [mailto:hhardy@smcgov.org]

Sent: Tuesday, July 16, 2013 12:49 PM

To: Souranoff, Helen P.

Cc: Mitchell, Ann

Subject: RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hello Helen,

I apologize for the delay - your message was in my "Spam" folder. I've filled in the missing information below.

Info needed for preliminary contract:

Date: August 21st, 2013 (We could potentially use August 20th. Do you have a recommendation about if traffic/parking would be the same or worse/better if we changed dates?)

Time of load in: 6P

Time of show start: 7P

Time of show end/ load out: 9P

Expecting full house? Anticipating approximately 100 attendees, based on previous attendance.

Any charge for admission none

Any food, drinks, other items sold: no

Tech requirements: please list what you would need for your program; i.e.: microphones, rigging, special lighting, audio, any projections? Microphones, podium, projector, screen

Talent requirements: any talent, organizers physically disabled? No.

If food trucks:

The vendor show a valid SM Health Department permit to prepare and sell food and if a vehicle is involved , a valid SM County Health Department certification of that vehicle as a place where food can be prepared and served. (N/A for this meeting)

With this information, I will be able to generate a preliminary contract thank you.

Best,  
Helen P. Souranoff  
Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu<mailto:souranoff@smccd.edu>  
www.collegeofsanmateo.edu/theatre<http://www.collegeofsanmateo.edu/theatre>

From: Souranoff, Helen P.  
Sent: Wednesday, July 10, 2013 11:57 AM  
To: 'Heather Hardy'  
Subject: RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Parking will be difficult, no doubt. Classes start at 6:30p and 7p. Anyone taking classes in the evening would be arriving before your event begins most probably.  
Would you have any technical details for me to generate a preliminary estimate?

Best,

Helen P. Souranoff  
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Office: 650.574.6191  
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Subject: Re: FW: Availability Inquiry - August 20th, 21st, 22nd

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Thanks again,  
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[cid:image001.gif@01CE8C32.8FE05420]

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859 | Available M- F, 8:30 - 5:30

[cid:image001.gif@01CE8C32.8FE05420]

>>> "Souranoff, Helen P." <souranoff@smccd.edu<mailto:souranoff@smccd.edu>> 7/9/2013 8:39 AM

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Are there any other dates I can interest you in? the week after?

Helen P. Souranoff  
Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu<mailto:souranoff@smccd.edu>  
www.collegeofsanmateo.edu/theatre<http://www.collegeofsanmateo.edu/theatre>

From: CSM Theatre  
Sent: Tuesday, July 09, 2013 8:02 AM  
To: Souranoff, Helen P.  
Subject: FW: Availability Inquiry - August 20th, 21st, 22nd

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Monday, July 08, 2013 3:21 PM  
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- \* Name of organization - County of San Mateo Planning & Building Department
- \* Phone number - 650-363-1859
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**From:** Heather Hardy  
**To:** Helen P. Souranoff  
**CC:** Ann Mitchell  
**Date:** 7/29/2013 9:10 AM  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

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**Sent:** Thursday, July 25, 2013 3:42 PM  
**To:** Souranoff, Helen P.  
**Cc:** Mitchell, Ann  
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**To:** 'Heather Hardy'

**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

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**To:** hhardy@smcgov.org  
**CC:** mitchella@smccd.edu  
**Date:** 7/29/2013 9:25 AM  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

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**From:** "Mitchell, Ann" <mitchella@smccd.edu>  
**To:** souranoff@smccd.edu; hhardy@smcgov.org  
**Date:** 7/29/2013 10:02 AM  
**Subject:** RE: Availability Inquiry - August 20th, 21st, 22nd  
**Attachments:** 4-11037 SM County Forum.xls

Hi Heather,

Attached is the revised contract with the correct date.  
Thank you,  
Annie

Annie Mitchell-Calija  
Facilities Rental  
College of San Mateo  
1700 W. Hillsdale Blvd, 10-439  
650 574-6220  
mitchella@smccd.edu

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SAN MATEO COUNTY  
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Control Number

4-11037 Revised

# SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT APPLICATION AND PERMIT FOR USE OF FACILITIES

Canada College  
4200 Farm Hill Blvd, Redwood City  
650-306-3459

Skyline College  
330 College Dr., San Bruno  
650-355-7000

College of San Mateo  
1700 W. Hillsdale Blvd, San Mateo  
650-574-6220

**Application Date** 7/23/2012 **Non-Profit IS/SSN** \_\_\_\_\_

**Organization/Division** SM County Planning and Building Dept **Internal**  **External**

**Address** 455 County Center, 2nd. Floor, Redwood City **State** CA **Zip** 94063

**Contact** Heather Hardy **Title** Representative

**Phone** 650 363-1859 **Mobile** \_\_\_\_\_ **E-mail** hhardy@smcgov.org

**Event Date** 9/125/13 **Estimated Attendance** 100

**Arrival Time** 6:00 PM **Departure Time** 9:00 PM Show starts at 7:00 PM

**Will food be served or sold?**  Yes  No **Description** Forum

**Will tickets be sold?**  Yes  No **Admission Fee** \_\_\_\_\_

**Proof of Insurance:** \_\_\_\_\_

**Type of Facility**

<p><b>Gymnasium</b></p> <input type="checkbox"/> Main Gym <input type="checkbox"/> Small Gym <input type="checkbox"/> Multi-Purpose Room <input type="checkbox"/> Locker Room	<p><b>Fine Arts</b></p> <input type="checkbox"/> Studio Theater <input checked="" type="checkbox"/> Main Theater <input type="checkbox"/> Gallery Theater <input type="checkbox"/> Choral Room	<p><b>Academic Building</b></p> <input type="checkbox"/> 10-25 capacity Bldg # _____ Rm # _____ <input type="checkbox"/> 26-45 capacity Bldg # _____ Rm # _____ <input type="checkbox"/> 46-100 capacity Bldg # _____ Rm # _____ <input type="checkbox"/> _____ Bldg # _____ Rm # _____
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<p><b>Athletic Fields</b></p> <input type="checkbox"/> Baseball <input type="checkbox"/> Soccer <input type="checkbox"/> Football <input type="checkbox"/> Track	<p><input type="checkbox"/> Tennis Courts  <input type="checkbox"/> Stadium  <input type="checkbox"/> Swimming Pools  <input type="checkbox"/> Throwing Events</p>	<p><b>Auxiliary Spaces</b></p> <input type="checkbox"/> Main Cafeteria <input type="checkbox"/> South Cafeteria <input type="checkbox"/> Planetarium <input type="checkbox"/> Parking Lot # _____	<p><b>Other</b></p> <hr/> <hr/> <hr/>
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**Furniture Requirements**

<p><b>Tables</b></p> <input type="checkbox"/> 6 foot <u>          </u> <input type="checkbox"/> 8 foot <u>          </u> <input type="checkbox"/> Round <u>          </u>	<p><b>Quantity</b></p>	<p><input type="checkbox"/> Lectern <u>          </u>  <input checked="" type="checkbox"/> Podium <u>          </u> 1  <input type="checkbox"/> Choral Shells <u>          </u>  <input type="checkbox"/> Choral Risers <u>2 ft</u> <u>6 ft</u> <u>8 ft</u></p>	<p><b>Quantity</b></p>	<p><input type="checkbox"/> Music Stands <u>          </u>  <input type="checkbox"/> Staging (Include set-up diagram)          Height: 2 ft <input type="checkbox"/> 4 ft <input type="checkbox"/> 6 ft <input type="checkbox"/></p>	<p><b>Quantity</b></p>
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**Technical Requirements (Note: not all venues are equipped with all items - please inquire).**

<input type="checkbox"/> TV <input type="checkbox"/> VCR <input type="checkbox"/> DVD Player <input type="checkbox"/> Overhead Projector <input type="checkbox"/> Slide Projector	<input type="checkbox"/> Screen <input type="checkbox"/> Media Cart <input type="checkbox"/> LCD Media Cart (no computer) <input type="checkbox"/> CD Player <input type="checkbox"/> Speakers	<input checked="" type="checkbox"/> Microphones # <u>1</u> <input checked="" type="checkbox"/> Theater Lighting <input type="checkbox"/> _____ <input type="checkbox"/> _____
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**Personnel Requirements**

Type	# of Staff	Estimated Fees	Type	#of Staff	Estimated Fees	Type	# of Staff	Estimated Fees
Security			Maintenance Engineer		\$0.00	Special Tech		192
Custodial	1	\$108.00	Groundskeeper		\$0.00	Student		
						Manager		192

**Account Numbers**

**Special Requirements and Instructions**

CUSTODIAL: Please have facility clean and ready for use. Clean all areas. Staff on duty  
 SECURITY: For your info

Estimated Commission Amount	<u>\$0.00</u>	Total Estimated Fees	<u>\$492.00</u>
Deposit Amount (due at signing)	<u>\$246.00</u>	Permittee is responsible for actual costs	
Deposit Return Date	<u>                    </u>	Amount Returned	
Explanation			
I understand and agree to pay charges that may be incurred due to these special services.			

**SCHEDULING.** Application and permit must be completed 45 days prior to the date of use.

**COMMISSION.** A 10% commission on fees collected by the Permittee will be paid to the institution.

**DEPOSIT.** 50% of estimated fees required with return of contract. Fees are due by \_\_\_\_\_.

**CANCELLATION.** 10% of the deposit, minimum of \$20, is nonrefundable if the event is cancelled by Permittee.

**HOLD HARMLESS, INDEMNITY AND DUTY TO DEFEND.** The Permittee using San Mateo Community College District (the "District") facilities agrees to indemnify, hold harmless, and defend in accordance with Civil Code §2778, the District, its Board of Trustees, officers, agents, employees and representatives from all claims, lawsuits or actions of every name, kind and description, brought for, or on account of injuries to or death of any person, including user or any employee, agent or invitee of user, or damage to property including intangible property and to whomsoever belonging, where such injuries, death or damages occurred in, upon, or due to user's use of the District's premises or property provided that this indemnity obligation shall not apply to injuries for which the District has been found in a competent jurisdiction to be solely liable by reason of its own negligence.

**INSURANCE.** Permittee shall provide a Certificate of Insurance with coverage to respond as primary coverage and the College/District named as additional insured. Unless otherwise amended by written agreement executed by the Executive Vice Chancellor of the District, Permittee shall procure and maintain the following coverages for the duration of this permit: comprehensive General Liability insurance which provides for injuries including accidental death, per any on occurrence in an amount not less than \$2,000,000 per occurrence and \$4,000,000 annual

aggregate; property damage insurance in an amount not less than \$1,000,000 per occurrence; and automobile liability insurance in an amount not less than \$1,000,000 including coverage for owned, non-owned and hired vehicles.

**PROPERTY DAMAGE.** The Permittee is liable for the care and protection of District property and will be charged for any damages sustained to the premises, furniture, or equipment because of the occupancy of District premises by Permittee. Motor vehicles may not be driven on the white concrete areas on the campus grounds

**AVAILABILITY OF FACILITIES.** This agreement shall be considered as a reasonable guarantee from the District to the Permittee that the facility will be available for use as specified. Should facilities be needed on an emergency basis for instruction or instruction-related purposes, the College reserves the right to reassign space or to cancel the contract up to forty-eight hours preceding the scheduled event. (Alternative space will be provided by campus).

**ADDITIONAL CONDITIONS.** In addition to the conditions listed above, this agreement shall be subject to all of the District's rules and regulations, including but not limited to the regulations regarding the Community use and charges for the use of District Facilities as indicated in Exhibit A The use or possession of narcotics, dangerous drugs, alcoholic beverages, or gambling equipment on college property is prohibited (Community Use of District Facilities Section 8.80).

PERMITTEE HEREBY ACCEPTS THIS AGREEMENT AND AGREES TO BE BOUND BY THE TERMS AND CONDITIONS AS OUTLINED ABOVE AND AS STATED IN EXHIBIT A ATTACHED.

Requestor: Heather Hardy Date: \_\_\_\_\_

Division Dean: \_\_\_\_\_ Date: \_\_\_\_\_

Facility Monitor: \_\_\_\_\_ Date: \_\_\_\_\_

Vice President and Business Officer: Jennifer Hughes  
 Approve  Deny  Date: \_\_\_\_\_

Approved by President Claire for Permittee to possess liability insurance below required minimum \_\_\_\_\_



College of San Mateo



**From:** "Mitchell, Ann" <mitchella@smccd.edu>  
**To:** hhardy@smcgov.org  
**CC:** souranoff@smccd.edu  
**Date:** 7/29/2013 10:05 AM  
**Subject:** FW: Availability Inquiry - August 20th, 21st, 22nd  
**Attachments:** 4-11037 SM County Forum.xls

Sorry, I had to correct the date.  
Thank you,  
Annie

Annie Mitchell-Calija  
Facilities Rental  
College of San Mateo  
1700 W. Hillsdale Blvd, 10-439  
650 574-6220  
mitchella@smccd.edu

From: Mitchell, Ann  
Sent: Monday, July 29, 2013 10:01 AM  
To: 'Heather Hardy'; Souranoff, Helen P.  
Subject: RE: Availability Inquiry - August 20th, 21st, 22nd

Hi Heather,

Attached is the revised contract with the correct date.  
Thank you,  
Annie

Annie Mitchell-Calija  
Facilities Rental  
College of San Mateo  
1700 W. Hillsdale Blvd, 10-439  
650 574-6220  
mitchella@smccd.edu<mailto:mitchella@smccd.edu>

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Monday, July 29, 2013 9:11 AM  
To: Souranoff, Helen P.  
Cc: Mitchell, Ann  
Subject: RE: Availability Inquiry - August 20th, 21st, 22nd

Hello Helen,

Yes - the September 25 date is to replace the reservation for August 21. Please let me know if you have any other questions.

Thanks,  
Heather

[cid:image001.gif@01CE8C42.9747AC30]

>>> "Souranoff, Helen P." <souranoff@smccd.edu<mailto:souranoff@smccd.edu>> 7/29/2013 8:06 AM  
>>>

This would be instead of August 21st, correct? Thank you.

Helen P. Souranoff

Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu<mailto:souranoff@smccd.edu>  
www.collegeofsanmateo.edu/theatre<http://www.collegeofsanmateo.edu/theatre>

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Thursday, July 25, 2013 3:42 PM  
To: Souranoff, Helen P.  
Cc: Mitchell, Ann  
Subject: RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hi Helen,

I would like to confirm for September 25. I apologize - I still haven't received a response about the mics - but I will update you ASAP. Please let me know what the next step is. Thank you for all of your help and patience as we figure this out.

Heather

[cid:image001.gif@01CE8C42.9747AC30]  
>>> "Souranoff, Helen P." <souranoff@smccd.edu<mailto:souranoff@smccd.edu>> 7/22/2013 8:07 AM  
>>>  
Sept 25 and 26 are both available.  
That would be a better date for us, most probably. Please let me know asap.

Best,

Helen P. Souranoff  
Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu<mailto:souranoff@smccd.edu>  
www.collegeofsanmateo.edu/theatre<http://www.collegeofsanmateo.edu/theatre>

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Friday, July 19, 2013 3:45 PM  
To: Souranoff, Helen P.  
Cc: Mitchell, Ann  
Subject: RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hello again Helen,

I'm still working out about finding out the mic quantity and configuration. I'll update you as soon as I can. In light of the potential first week of school chaos, we are considering changing our dates. Are September 25 and/or 26th available?

Thank you again,  
Heather

[cid:image001.gif@01CE8C42.9747AC30]  
>>> "Souranoff, Helen P." <souranoff@smccd.edu<mailto:souranoff@smccd.edu>> 7/17/2013 11:22 AM  
>>>  
Attached is a preliminary contract to get the ball rolling on the requirements.  
Please look over and inform if any adjustments are needed.  
As to the microphones, how many? As in, will this be a panel discussion, or a q/a or both? Podium placement?  
Thank you.

Best,

Helen P. Souranoff  
Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu<mailto:souranoff@smccd.edu>  
www.collegeofsanmateo.edu/theatre<http://www.collegeofsanmateo.edu/theatre>

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Tuesday, July 16, 2013 12:49 PM  
To: Souranoff, Helen P.  
Cc: Mitchell, Ann  
Subject: RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hello Helen,  
I apologize for the delay - your message was in my "Spam" folder. I've filled in the missing information below.

Info needed for preliminary contract:

Date: August 21st, 2013 (We could potentially use August 20th. Do you have a recommendation about if traffic/parking would be the same or worse/better if we changed dates?)

Time of load in: 6P

Time of show start: 7P

Time of show end/ load out: 9P

Expecting full house? Anticipating approximately 100 attendees, based on previous attendance.

Any charge for admission none

Any food, drinks, other items sold: no

Tech requirements: please list what you would need for your program; i.e.: microphones, rigging, special lighting, audio, any projections? Microphones, podium, projector, screen

Talent requirements: any talent, organizers physically disabled? No.

If food trucks:

The vendor show a valid SM Health Department permit to prepare and sell food and if a vehicle is involved , a valid SM County Health Department certification of that vehicle as a place where food can be prepared and served. (N/A for this meeting)

With this information, I will be able to generate a preliminary contract thank you.

Best,  
Helen P. Souranoff  
Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu<mailto:souranoff@smccd.edu>  
www.collegeofsanmateo.edu/theatre<http://www.collegeofsanmateo.edu/theatre>

From: Souranoff, Helen P.  
Sent: Wednesday, July 10, 2013 11:57 AM  
To: 'Heather Hardy'  
Subject: RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Parking will be difficult, no doubt. Classes start at 6:30p and 7p. Anyone taking classes in the evening would be arriving before your event begins most probably.  
Would you have any technical details for me to generate a preliminary estimate?

Best,

Helen P. Souranoff  
Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu<mailto:souranoff@smccd.edu>  
www.collegeofsanmateo.edu/theatre<http://www.collegeofsanmateo.edu/theatre>

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Tuesday, July 09, 2013 5:23 PM  
To: Souranoff, Helen P.  
Subject: Re: FW: Availability Inquiry - August 20th, 21st, 22nd

Hello Helen,

Thank you so much for the fast response. I'm waiting on some confirmations, but I feel that 8/21 may be our date. The event would be from approximately 7 to 9 in the evening. Do you think that parking (and first week chaos) would be an issue that late in the evening? (It's been awhile since I was in college, so I'm not sure how these things go these days!)

Thanks again,  
Heather

[cid:image001.gif@01CE8C42.9747AC30]

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859 | Available M- F, 8:30 - 5:30  
[cid:image001.gif@01CE8C42.9747AC30]

>>> "Souranoff, Helen P." <souranoff@smccd.edu<mailto:souranoff@smccd.edu>> 7/9/2013 8:39 AM  
>>>  
Hello, Heather.

Received your request. All three evenings are available, but please note it will be the first week of classes, so parking/first week madness will be occurring.

Are there any other dates I can interest you in? the week after?

Helen P. Souranoff  
Theatre/Events Manager

Office: 650.574.6191  
souranoff@smccd.edu<mailto:souranoff@smccd.edu>  
www.collegeofsanmateo.edu/theatre<http://www.collegeofsanmateo.edu/theatre>

From: CSM Theatre  
Sent: Tuesday, July 09, 2013 8:02 AM  
To: Souranoff, Helen P.  
Subject: FW: Availability Inquiry - August 20th, 21st, 22nd

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Monday, July 08, 2013 3:21 PM  
To: CSM Theatre  
Subject: Availability Inquiry - August 20th, 21st, 22nd

Good afternoon,

I'm writing because my organization is going to schedule a public meeting - the Ascension Heights Environmental Impact Report Scoping meeting. Our initial meeting was held at your facility.

- \* Name of organization - County of San Mateo Planning & Building Department
- \* Phone number - 650-363-1859
- \* Proposed date of use - either August 20th, 21st, or 22nd
- \* Time of use - evening (perhaps 7 - 9 or similar)
- \* Profit or non-profit status - Non-profit (governmental) agency
- \* Technical requirements; these don't have to be specific yet, just an overview of the show. -

microphones, podium, I will gather more specifics

Please let me know if you can accommodate our dates.

Thank you,

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859  
[cid:image001.gif@01CE8C42.9747AC30]



SAN MATEO COUNTY  
COMMUNITY COLLEGE DISTRICT

Control Number

4-11037 Revised

# SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT APPLICATION AND PERMIT FOR USE OF FACILITIES

Canada College  
4200 Farm Hill Blvd, Redwood City  
650-306-3459

Skyline College  
330 College Dr., San Bruno  
650-355-7000

College of San Mateo  
1700 W. Hillsdale Blvd, San Mateo  
650-574-6220

**Application Date** 7/23/2012 **Non-Profit IS/SSN** \_\_\_\_\_

**Organization/Division** SM County Planning and Building Dept **Internal**  **External**

**Address** 455 County Center, 2nd. Floor, Redwood City **State** CA **Zip** 94063

**Contact** Heather Hardy **Title** Representative

**Phone** 650 363-1859 **Mobile** \_\_\_\_\_ **E-mail** hhardy@smcgov.org

**Event Date** 9/125/13 **Estimated Attendance** 100

**Arrival Time** 6:00 PM **Departure Time** 9:00 PM Show starts at 7:00 PM

**Will food be served or sold?**  Yes  No **Description** Forum

**Will tickets be sold?**  Yes  No **Admission Fee** \_\_\_\_\_

**Proof of Insurance:** \_\_\_\_\_

**Type of Facility**

<p><b>Gymnasium</b></p> <input type="checkbox"/> Main Gym <input type="checkbox"/> Small Gym <input type="checkbox"/> Multi-Purpose Room <input type="checkbox"/> Locker Room	<p><b>Fine Arts</b></p> <input type="checkbox"/> Studio Theater <input checked="" type="checkbox"/> Main Theater <input type="checkbox"/> Gallery Theater <input type="checkbox"/> Choral Room	<p><b>Academic Building</b></p> <input type="checkbox"/> 10-25 capacity Bldg # _____ Rm # _____ <input type="checkbox"/> 26-45 capacity Bldg # _____ Rm # _____ <input type="checkbox"/> 46-100 capacity Bldg # _____ Rm # _____ <input type="checkbox"/> _____ Bldg # _____ Rm # _____
<p><b>Athletic Fields</b></p> <input type="checkbox"/> Baseball <input type="checkbox"/> Soccer <input type="checkbox"/> Football <input type="checkbox"/> Track <input type="checkbox"/> Tennis Courts <input type="checkbox"/> Stadium <input type="checkbox"/> Swimming Pools <input type="checkbox"/> Throwing Events	<p><b>Auxiliary Spaces</b></p> <input type="checkbox"/> Main Cafeteria <input type="checkbox"/> South Cafeteria <input type="checkbox"/> Planetarium <input type="checkbox"/> Parking Lot # _____	<p><b>Other</b></p> <hr/> <hr/> <hr/>

**Furniture Requirements**

<p><b>Tables</b></p> <input type="checkbox"/> 6 foot _____ <input type="checkbox"/> 8 foot _____ <input type="checkbox"/> Round _____	<p><b>Quantity</b></p>	<p><b>Quantity</b></p> <input type="checkbox"/> Lectern _____ <input checked="" type="checkbox"/> Podium <u>1</u> <input type="checkbox"/> Choral Shells _____ <input type="checkbox"/> Choral Risers 2 ft _____ 6 ft _____ 8 ft _____	<p><b>Quantity</b></p> <input type="checkbox"/> Music Stands _____ <input type="checkbox"/> Staging (Include set-up diagram) Height: 2 ft <input type="checkbox"/> 4 ft <input type="checkbox"/> 6 ft <input type="checkbox"/>
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**Chairs** \_\_\_\_\_

**Technical Requirements (Note: not all venues are equipped with all items - please inquire).**

<input type="checkbox"/> TV <input type="checkbox"/> VCR <input type="checkbox"/> DVD Player <input type="checkbox"/> Overhead Projector <input type="checkbox"/> Slide Projector	<input type="checkbox"/> Screen <input type="checkbox"/> Media Cart <input type="checkbox"/> LCD Media Cart (no computer) <input type="checkbox"/> CD Player <input type="checkbox"/> Speakers	<input checked="" type="checkbox"/> Microphones # <u>1</u> <input checked="" type="checkbox"/> Theater Lighting <input type="checkbox"/> _____ <input type="checkbox"/> _____
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**Personnel Requirements**

Type	# of Staff	Estimated Fees	Type	#of Staff	Estimated Fees	Type	# of Staff	Estimated Fees
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Custodial	1	\$108.00	Groundskeeper		\$0.00	Student		
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**Account Numbers** \_\_\_\_\_

**Special Requirements and Instructions**

CUSTODIAL: Please have facility clean and ready for use. Clean all areas. Staff on duty

SECURITY: For your info

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Estimated Commission Amount	<u>\$0.00</u>	Total Estimated Fees	<u>\$492.00</u>
Deposit Amount (due at signing)	<u>\$246.00</u>	Permittee is responsible for actual costs	
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Explanation			
I understand and agree to pay charges that may be incurred due to these special services.			

**SCHEDULING.** Application and permit must be completed 45 days prior to the date of use.

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**DEPOSIT.** 50% of estimated fees required with return of contract. Fees are due by \_\_\_\_\_.

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**HOLD HARMLESS, INDEMNITY AND DUTY TO DEFEND.** The Permittee using San Mateo Community College District (the "District") facilities agrees to indemnify, hold harmless, and defend in accordance with Civil Code §2778, the District, its Board of Trustees, officers, agents, employees and representatives from all claims, lawsuits or actions of every name, kind and description, brought for, or on account of injuries to or death of any person, including user or any employee, agent or invitee of user, or damage to property including intangible property and to whomsoever belonging, where such injuries, death or damages occurred in, upon, or due to user's use of the District's premises or property provided that this indemnity obligation shall not apply to injuries for which the District has been found in a competent jurisdiction to be solely liable by reason of its own negligence.

**INSURANCE.** Permittee shall provide a Certificate of Insurance with coverage to respond as primary coverage and the College/District named as additional insured. Unless otherwise amended by written agreement executed by the Executive Vice Chancellor of the District, Permittee shall procure and maintain the following coverages for the duration of this permit: comprehensive General Liability insurance which provides for injuries including accidental death, per any on occurrence in an amount not less than \$2,000,000 per occurrence and \$4,000,000 annual

aggregate; property damage insurance in an amount not less than \$1,000,000 per occurrence; and automobile liability insurance in an amount not less than \$1,000,000 including coverage for owned, non-owned and hired vehicles.

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PERMITTEE HEREBY ACCEPTS THIS AGREEMENT AND AGREES TO BE BOUND BY THE TERMS AND CONDITIONS AS OUTLINED ABOVE AND AS STATED IN EXHIBIT A ATTACHED.

Requestor: Heather Hardy Date: \_\_\_\_\_

Division Dean: \_\_\_\_\_ Date: \_\_\_\_\_

Facility Monitor: \_\_\_\_\_ Date: \_\_\_\_\_

Vice President and Business Officer: Jennifer Hughes  
 Approve  Deny  Date: \_\_\_\_\_

Approved by President Claire for Permittee to possess liability insurance below required minimum \_\_\_\_\_



College of San Mateo



**From:** Heather Hardy  
**To:** Eliza Tam  
**Date:** 7/30/2013 10:51 AM  
**Subject:** Re: Year End Reports to Controller due 7/31/13

Hi Eliza,

Thanks for your note - and I'm sorry for the delayed response while I was out of office. Last year, Virginia answered NONE for all of these forms. I do not know of any AR from NGO's, and we haven't received or paid any grants. For the Fund Balance Questionnaire, she also entered "NONE" for Restricted Fund Balance, Committed Fund Balance (Unrestricted), or Assigned Fund Balance (Unrestricted). We do have some funds we are carrying forward from FY12-13 to FY13-14, and I'll list it all below. Can you help me determine if any of it should appear on the Fund Balance Questionnaire?

#1 Ascension Heights Project (vendor is AES). \$107,101. This is applicant funds and the contract and ATR were approved at the June 4 BoS meeting. (Appeared in Deferred Revenue Journal)

#2 Edgewood Canyon Project (vendor is TRA). \$53,000. This is also applicant funding that was received to pay for the contract. (Appeared in Deferred Revenue Journal)

The other deferred revenue items were also in existence at Year End 11-12, and Virginia didn't note them on the Questionnaire, so I don't think we need to worry about them. The other funds I can think of are

#3 The Princeton Land Use project (also BoS action on 6/4/13). We received \$250,00 in FY12-13, and didn't use a lot of it in 12-13. The CMO I believe is funding this contract.

#4 We were also given a \$600,000 loan by CMO to fund our Accela Automation Upgrade and some funds carry over for that.

Please let me know if you think that any of this qualifies as Restricted, Committed, or Assigned. Thank you!  
Heather

Thank you,  
Heather

>>> Eliza Tam 7/26/2013 9:57 AM >>>  
Good morning Heather,

Just wanted to check if your department had Accounts Receivable from Non-Governmental Agencies, Grant Receivable or Payable, Fund Balance as of June 30, 2013. Those are due on 7/31/13.

Thank you and have a wonderful weekend.

Eliza

**From:** Heather Hardy  
**To:** Ann Mitchell  
**Date:** 7/30/2013 12:47 PM  
**Subject:** Re: FW: Availability Inquiry - August 20th, 21st, 22nd

Hi Annie,

Thank you so much for the contract. I know that we owe 50% immediately; what kind of payments do you accept?

Thank you,  
Heather

>>> "Mitchell, Ann" <mitchella@smccd.edu> 7/29/2013 10:04 AM >>>

Sorry, I had to correct the date.  
Thank you,  
Annie

Annie Mitchell-Calija  
Facilities Rental  
College of San Mateo  
1700 W. Hillsdale Blvd, 10-439  
650 574-6220  
mitchella@smccd.edu

**From:** Mitchell, Ann  
**Sent:** Monday, July 29, 2013 10:01 AM  
**To:** 'Heather Hardy'; Souranoff, Helen P.  
**Subject:** RE: Availability Inquiry - August 20th, 21st, 22nd

Hi Heather,

Attached is the revised contract with the correct date.  
Thank you,  
Annie

Annie Mitchell-Calija  
Facilities Rental  
College of San Mateo  
1700 W. Hillsdale Blvd, 10-439  
650 574-6220  
mitchella@smccd.edu

**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Monday, July 29, 2013 9:11 AM  
**To:** Souranoff, Helen P.  
**Cc:** Mitchell, Ann

**Subject:** RE: Availability Inquiry - August 20th, 21st, 22nd

Hello Helen,

Yes - the September 25 date is to replace the reservation for August 21. Please let me know if you have any other questions.

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>>> "Souranoff, Helen P." <souranoff@smccd.edu> 7/29/2013 8:06 AM >>>

This would be instead of August 21st, correct? Thank you.

## Helen P. Souranoff

Theatre/Events Manager  
Office: 650.574.6191  
souranoff@smccd.edu  
www.collegeofsanmateo.edu/theatre

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**Sent:** Thursday, July 25, 2013 3:42 PM  
**To:** Souranoff, Helen P.  
**Cc:** Mitchell, Ann  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

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**To:** 'Heather Hardy'  
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Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M- F, 8:30 - 5:30

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**Subject:** FW: Availability Inquiry - August 20th, 21st, 22nd

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**Sent:** Monday, July 08, 2013 3:21 PM  
**To:** CSM Theatre  
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Please let me know if you can accommodate our dates.

Thank you,

Heather

**From:** "Mitchell, Ann" <mitchella@smccd.edu>  
**To:** hhardy@smcgov.org  
**Date:** 7/30/2013 12:50 PM  
**Subject:** RE: FW: Availability Inquiry - August 20th, 21st, 22nd

Hi Heather,  
The deposit is due before the event. Generally a check is fine made out to the College of San Mateo. We could do a credit card, but I don't have the machine so I would need to get all the info from you and have the cashier's office process the charge.

Thank you,  
Annie  
Annie Mitchell-Calija  
Facilities Rental  
College of San Mateo  
1700 W. Hillsdale Blvd, 10-439  
650 574-6220  
mitchella@smccd.edu

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Tuesday, July 30, 2013 12:48 PM  
To: Mitchell, Ann  
Subject: Re: FW: Availability Inquiry - August 20th, 21st, 22nd

Hi Annie,

Thank you so much for the contract. I know that we owe 50% immediately; what kind of payments do you accept?

Thank you,  
Heather

[cid:image001.gif@01CE8D23.51B21480]  
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microphones, podium, I will gather more specifics

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Thank you,

**From:** Heather Hardy  
**To:** Jan Miller  
**Date:** 7/30/2013 2:54 PM  
**Subject:** Facilities rental contract  
**Attachments:** 4-11037 SM County Forum.xls

Hi Jan,

I'm helping James Castaneda to organize a public meeting for September 25 for the AES/Ascension Heights project. They need 50% of the contract amount pretty soon. Do you think the best thing for me to do is pay it an expense it? Please let me know what you think.

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SAN MATEO COUNTY  
COMMUNITY COLLEGE DISTRICT

Control Number

4-11037 Revised

# SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT APPLICATION AND PERMIT FOR USE OF FACILITIES

Canada College  
4200 Farm Hill Blvd, Redwood City  
650-306-3459

Skyline College  
330 College Dr., San Bruno  
650-355-7000

College of San Mateo  
1700 W. Hillsdale Blvd, San Mateo  
650-574-6220

Application Date 7/23/2012 Non-Profit IS/SSN \_\_\_\_\_

Organization/Division SM County Planning and Building Dept Internal  External

Address 455 County Center, 2nd. Floor, Redwood City State CA Zip 94063

Contact Heather Hardy Title Representative

Phone 650 363-1859 Mobile \_\_\_\_\_ E-mail hhardy@smcgov.org

Event Date 9/125/13 Estimated Attendance 100

Arrival Time 6:00 PM Departure Time 9:00 PM Show starts at 7:00 PM

Will food be served or sold?  Yes  No Description Forum

Will tickets be sold?  Yes  No Admission Fee \_\_\_\_\_

Proof of Insurance: \_\_\_\_\_

**Type of Facility**

<p><b>Gymnasium</b></p> <input type="checkbox"/> Main Gym <input type="checkbox"/> Small Gym <input type="checkbox"/> Multi-Purpose Room <input type="checkbox"/> Locker Room	<p><b>Fine Arts</b></p> <input type="checkbox"/> Studio Theater <input checked="" type="checkbox"/> Main Theater <input type="checkbox"/> Gallery Theater <input type="checkbox"/> Choral Room	<p><b>Academic Building</b></p> <input type="checkbox"/> 10-25 capacity Bldg # _____ Rm # _____ <input type="checkbox"/> 26-45 capacity Bldg # _____ Rm # _____ <input type="checkbox"/> 46-100 capacity Bldg # _____ Rm # _____ <input type="checkbox"/> _____ Bldg # _____ Rm # _____
--	---	--

<p><b>Athletic Fields</b></p> <input type="checkbox"/> Baseball <input type="checkbox"/> Soccer <input type="checkbox"/> Football <input type="checkbox"/> Track	<p><b>Tennis Courts</b></p> <input type="checkbox"/> Tennis Courts <input type="checkbox"/> Stadium <input type="checkbox"/> Swimming Pools <input type="checkbox"/> Throwing Events	<p><b>Auxiliary Spaces</b></p> <input type="checkbox"/> Main Cafeteria <input type="checkbox"/> South Cafeteria <input type="checkbox"/> Planetarium <input type="checkbox"/> Parking Lot # _____	<p><b>Other</b></p> <hr/> <hr/> <hr/>
---	---	--	---------------------------------------

**Furniture Requirements**

<p><b>Tables</b></p> <input type="checkbox"/> 6 foot _____ <input type="checkbox"/> 8 foot _____ <input type="checkbox"/> Round _____	<p><b>Quantity</b></p>	<p><b>Quantity</b></p> <input type="checkbox"/> Lectern _____ <input checked="" type="checkbox"/> Podium <u>1</u> <input type="checkbox"/> Choral Shells _____ <input type="checkbox"/> Choral Risers 2 ft _____ 6 ft _____ 8 ft _____	<p><b>Quantity</b></p> <input type="checkbox"/> Music Stands _____ <input type="checkbox"/> Staging (Include set-up diagram) Height: 2 ft <input type="checkbox"/> 4 ft <input type="checkbox"/> 6 ft <input type="checkbox"/>
---	------------------------	---	--

**Technical Requirements (Note: not all venues are equipped with all items - please inquire).**

<input type="checkbox"/> TV <input type="checkbox"/> VCR <input type="checkbox"/> DVD Player <input type="checkbox"/> Overhead Projector <input type="checkbox"/> Slide Projector	<input type="checkbox"/> Screen <input type="checkbox"/> Media Cart <input type="checkbox"/> LCD Media Cart (no computer) <input type="checkbox"/> CD Player <input type="checkbox"/> Speakers	<input checked="" type="checkbox"/> Microphones # <u>1</u> <input checked="" type="checkbox"/> Theater Lighting <input type="checkbox"/> _____ <input type="checkbox"/> _____
---	--	--

**Personnel Requirements**

Type	# of Staff	Estimated Fees	Type	#of Staff	Estimated Fees	Type	# of Staff	Estimated Fees
Security			Maintenance Engineer		\$0.00	Special Tech		192
Custodial	1	\$108.00	Groundskeeper		\$0.00	Student		
						Manager		192

**Account Numbers**

**Special Requirements and Instructions**

CUSTODIAL: Please have facility clean and ready for use. Clean all areas. Staff on duty  
 SECURITY: For your info

Estimated Commission Amount	<u>\$0.00</u>	Total Estimated Fees	<u>\$492.00</u>
Deposit Amount (due at signing)	<u>\$246.00</u>	Permittee is responsible for actual costs	
Deposit Return Date	<u>                    </u>	Amount Returned	
Explanation			
I understand and agree to pay charges that may be incurred due to these special services.			

**SCHEDULING.** Application and permit must be completed 45 days prior to the date of use.

**COMMISSION.** A 10% commission on fees collected by the Permittee will be paid to the institution.

**DEPOSIT.** 50% of estimated fees required with return of contract. Fees are due by \_\_\_\_\_.

**CANCELLATION.** 10% of the deposit, minimum of \$20, is nonrefundable if the event is cancelled by Permittee.

**HOLD HARMLESS, INDEMNITY AND DUTY TO DEFEND.** The Permittee using San Mateo Community College District (the "District") facilities agrees to indemnify, hold harmless, and defend in accordance with Civil Code §2778, the District, its Board of Trustees, officers, agents, employees and representatives from all claims, lawsuits or actions of every name, kind and description, brought for, or on account of injuries to or death of any person, including user or any employee, agent or invitee of user, or damage to property including intangible property and to whomsoever belonging, where such injuries, death or damages occurred in, upon, or due to user's use of the District's premises or property provided that this indemnity obligation shall not apply to injuries for which the District has been found in a competent jurisdiction to be solely liable by reason of its own negligence.

**INSURANCE.** Permittee shall provide a Certificate of Insurance with coverage to respond as primary coverage and the College/District named as additional insured. Unless otherwise amended by written agreement executed by the Executive Vice Chancellor of the District, Permittee shall procure and maintain the following coverages for the duration of this permit: comprehensive General Liability insurance which provides for injuries including accidental death, per any on occurrence in an amount not less than \$2,000,000 per occurrence and \$4,000,000 annual

aggregate; property damage insurance in an amount not less than \$1,000,000 per occurrence; and automobile liability insurance in an amount not less than \$1,000,000 including coverage for owned, non-owned and hired vehicles.

**PROPERTY DAMAGE.** The Permittee is liable for the care and protection of District property and will be charged for any damages sustained to the premises, furniture, or equipment because of the occupancy of District premises by Permittee. Motor vehicles may not be driven on the white concrete areas on the campus grounds

**AVAILABILITY OF FACILITIES.** This agreement shall be considered as a reasonable guarantee from the District to the Permittee that the facility will be available for use as specified. Should facilities be needed on an emergency basis for instruction or instruction-related purposes, the College reserves the right to reassign space or to cancel the contract up to forty-eight hours preceding the scheduled event. (Alternative space will be provided by campus).

**ADDITIONAL CONDITIONS.** In addition to the conditions listed above, this agreement shall be subject to all of the District's rules and regulations, including but not limited to the regulations regarding the Community use and charges for the use of District Facilities as indicated in Exhibit A The use or possession of narcotics, dangerous drugs, alcoholic beverages, or gambling equipment on college property is prohibited (Community Use of District Facilities Section 8.80).

PERMITTEE HEREBY ACCEPTS THIS AGREEMENT AND AGREES TO BE BOUND BY THE TERMS AND CONDITIONS AS OUTLINED ABOVE AND AS STATED IN EXHIBIT A ATTACHED.

Requestor: Heather Hardy Date: \_\_\_\_\_

Division Dean: \_\_\_\_\_ Date: \_\_\_\_\_

Facility Monitor: \_\_\_\_\_ Date: \_\_\_\_\_

Vice President and Business Officer: Jennifer Hughes  
 Approve  Deny  Date: \_\_\_\_\_

Approved by President Claire for Permittee to possess liability insurance below required minimum \_\_\_\_\_



**From:** Eliza Tam  
**To:** Heather Hardy  
**Date:** 7/31/2013 8:47 AM  
**Subject:** Re: Year End Reports to Controller due 7/31/13

Good morning Heather,

Sorry, I was super busy yesterday and I didn't read your email in details. For items (1) and (2), they were reported as Deferred Income, so they are good. Items (3) and (4), can you provide more info? e.g. board resolution, loan #, org & acct, expenditures on both and then we can figure out the balance.

We need to report Fund Balance today.

Thanks,  
Eliza

>>> Heather Hardy 7/30/2013 10:51 AM >>>  
Hi Eliza,

Thanks for your note - and I'm sorry for the delayed response while I was out of office. Last year, Virginia answered NONE for all of these forms. I do not know of any AR from NGO's, and we haven't received or paid any grants. For the Fund Balance Questionnaire, she also entered "NONE" for Restricted Fund Balance, Committed Fund Balance (Unrestricted), or Assigned Fund Balance (Unrestricted). We do have some funds we are carrying forward from FY12-13 to FY13-14, and I'll list it all below. Can you help me determine if any of it should appear on the Fund Balance Questionnaire?

#1 Ascension Heights Project (vendor is AES). \$107,101. This is applicant funds and the contract and ATR were approved at the June 4 BoS meeting. (Appeared in Deferred Revenue Journal)

#2 Edgewood Canyon Project (vendor is TRA). \$53,000. This is also applicant funding that was received to pay for the contract. (Appeared in Deferred Revenue Journal)

The other deferred revenue items were also in existence at Year End 11-12, and Virginia didn't note them on the Questionnaire, so I don't think we need to worry about them. The other funds I can think of are #3 The Princeton Land Use project (also BoS action on 6/4/13). We received \$250,00 in FY12-13, and didn't use a lot of it in 12-13. The CMO I believe is funding this contract.

#4 We were also given a \$600,000 loan by CMO to fund our Accela Automation Upgrade and some funds carry over for that.

Please let me know if you think that any of this qualifies as Restricted, Committed, or Assigned. Thank you!  
Heather

Thank you,  
Heather

>>> Eliza Tam 7/26/2013 9:57 AM >>>  
Good morning Heather,

Just wanted to check if your department had Accounts Receivable from Non-Governmental Agencies, Grant Receivable or Payable, Fund Balance as of June 30, 2013. Those are due on 7/31/13.

Thank you and have a wonderful weekend.

**From:** Heather Hardy  
**To:** ecr@smcgov.org  
**Date:** 8/22/2013 4:08 PM  
**Subject:** ECR - P1305592  
**Attachments:** AES\_POContracts\_1.pdf; 20130716\_P1305592.pdf; ECR-Form\_P1305592.pdf

Please see the attached ECR and supporting documentation. Please let me know if you have any questions. Thank you!

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 -  
5:30

**From:** Heather Hardy  
**To:** Shanna Collins  
**CC:** Garrett Dunwoody  
**Date:** 8/26/2013 10:56 AM  
**Subject:** Fwd: Re: Your help requested: the Highway 1 grant  
**Attachments:** 3800B\_SeptemberRevisions\_20130826.xls

Hi Shanna,

I apologize I didn't send this sooner; my department is plagued with a cold (half my Admin staff are out today!) and I had to stay home on Friday. Please see the attached. The document is open to Tab 5 - LRP. Please let me know if you recommend a different entry for the Highway 1 project.

Thank you,  
Heather

>>> Shanna Collins 8/22/2013 3:57 PM >>>

Heather,

That is perfect. You can send me the September revision worksheet and I can review it.

Shanna

>>> Heather Hardy 8/22/2013 3:28 PM >>>

Hello Shanna and Garrett,

Is this answer sufficient for our purposes? As we are funding the Transportation Authority's project (and no reference is made to staff hours), I intend to budget this \$150,000 expense in Long Range Planning's Other Professional Contract Services sub account 38320-5858. Please let me know if you feel I should do something different.

Thanks,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 -  
5:30>>> Steve Monowitz 8/22/2013 2:26 PM >>>

Hi Heather,

The funds will be used to satisfy the "local match" requirements of the Measure A transportation funds we obtained from the Transportation Authority (TA) to implement the Highway One pedestrian crossings, medians, and turn lanes suggested by the Midcoast Safety and Mobility Studies. Specifically, in accordance with the Scope of Work developed in coordination with the TA, the local match will be used to help fund the TA's completion of a Preliminary Planning Study (PPS) and Project Implementation Document (PID).

I've copied Nicholas on this message to make sure that this is an accurate summary and see if he has anything to add.

Thanks to you both. Let me know if additional information is needed.

Steve

>>> Heather Hardy 8/21/2013 4:52 PM >>>

Hi Steve,

I'm meeting with Shanna in CMO tomorrow at 3PM to discuss how we account for the Highway 1 project on our September Revision template. She has notified me where the revenue is coming from - but how

do we intend to spend it? Please let me know the monetary breakdown for how you intend to spend it. (Is it salaries? A contract?) Can you let me know by 2:30 so that I can pop it into the template and mail it to CMO before the meeting?

Thanks again,

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 -  
5:30

**COUNTY OF SAN MATEO  
PURCHASE ORDER STATUS INQUIRY**

Report Date: 07/16/2013

**PURCHASE ORDER INFORMATION**

PO Number: P1305592 Vendor: A051292 ANALYTICAL ENVIRONMENTAL SERVICES  
 PR Number: CR27020 Addr Cd:  A 1801 7TH ST STE 100  
 Sec Code: PLAN SACRAMENTO, CA 95811

**Partially Paid**

<b>Confirm:</b> James Castaneda <b>Account:</b> <b>Bid:</b> 113075 <b>Contract:</b> 3800013R072499 <b>Ship To:</b> SPLN122 <b>Bill To:</b> B38000	<b>Requested by:</b> <b>Approved by:</b> LAURENTE, RIZA (SOL) <b>Approval Code:</b> APRV <b>Printed by:</b> LAURENTR <b>End Use:</b> EIR - Ascension Hts	<b>Req. Dt:</b> 6/18/2013 <b>Apr Dt:</b> 6/20/2013 <b>Print Dt:</b> 6/20/2013	<b>Blanket Number:</b> <b>Blanket Amount:</b> 0.00 <b>Blanket Remaining:</b> 0.00 <b>Buyer:</b> <b>Req. Codes:</b> <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 20px; height: 20px;"></td> </tr> </table>					

**ITEMS**

Item	Qty Ordered	Unit	Unit Price	Key	Object	Tax1 Tax2	Discount Charges	Extended	Catalog Ship To	F/A Whse	Print Chg
0001	1.00	EA	5,974.00	GL 38430	5858	0.00	0.00	5,974.00		N	Y
						0.00	0.00				
		<u>Qty Received</u>		<u>Receipt Date</u>	<u>Packing Slip</u>	<u>Receiver's User ID</u>					
		0.00	Total Quantity Received								

EIR - May billing

**ENCUMBRANCES**

Item #	Key	Object	Reference #	Post Date	EN Amount	PD Amount	Balance	Tp	Pay
0001	38430	5858	P1305592	6/20/2013	5,974.00		5,974.00	EN	
0001	38430	5858	P1305592	6/30/2013		5,974.00		PP	
<b>Balance:</b>					5,974.00	5,974.00			

**OPEN HOLD ACTIVITY**

Item	Key	Object	Check #	Check Date	Qty	Unit Price	Tax Amt	PD Amount	Invoice #	Invoice Date
<i>Paid</i> 0001	38430	5858	02181076	7/2/2013	1.00	5,974.00	0.00	5,974.00	608641	5/31/2013
								5,974.00	TOTAL CHECK AP 02181076	
								5,974.00	<b>TOTALS FOR P1305592</b>	

**WORK FLOW HISTORY**

WF Role	Approver	Approved?	Assigned	Responded	Delegatee
	HARDYH	Accepted	2013/6/18 16:14:52	2013/6/18 16:14:56	
WF_DEPT_PLAN1	MILLERJ	Accepted	2013/6/18 16:15:14	2013/6/18 16:15:14	
WF_DEPT_PLAN1	MILLERJ	Accepted	2013/6/18 16:15:15	2013/6/18 16:51:13	
WF_CONTRACT	LAURENTR	Expired	2013/6/18 16:52:00	2013/6/19 15:53:10	
WF_CONTRACT	LAURENTR	Accepted	2013/6/19 15:53:10	2013/6/20 7:30:13	

**County of San Mateo  
Contract Encumbrance Change Request**

**(USE THE TAB KEY TO MOVE THROUGH FIELDS)**

Send To: ECR@smcgov.org Questions: contact ECR@smcgov.org  
 From: Heather Hardy Planning & Building 1859  
*Name Dept. Ext.*  
 Date: August 22, 2013 \*Approver: Heather Hardy  
*Name / Signature*

\* Either type approver's name and approver submits form via email **OR** approver signs, scans and submits form via email. **All supporting documentation MUST be sent along with the form.**

<b>CR No.</b>	<b>PO No.</b> P1305592	<b>Contract No.</b>
<b>Vendor Name:</b> Analytical Environmental Services		

**Reason for Change:**

- Adjust encumbrance amount
- Reopen a DE (Disencumbered) or FP (Fully Paid) PO
- Revise GL/JL account coding
- Add new line item: Description \_\_\_\_\_
- Change "Remit To" PEID to \_\_\_\_\_
- \* Change contract amount to \_\_\_\_\_
- \* Extend contract expiration date to \_\_\_\_\_
- Other. Please specify: \_\_\_\_\_

(\* A change order or board resolution is required to support the change requested.)

Item No.	Total Encumbered Amount for the Item			General Ledger		Job Ledger	
	Before Change	Increase <Decrease>	After Change	Sub Unit	Sub Acct	Job Org	Job Object
001	\$0	\$ 107,101	\$ 107,101	38430	5858		
002	\$	\$	\$				
003	\$	\$	\$				
004	\$	\$	\$				
005	\$	\$	\$				
006	\$	\$	\$				
007	\$	\$	\$				
008	\$	\$	\$				
009	\$	\$	\$				
010	\$	\$	\$				

**Submit this request form and any supporting documents as attachments  
via email to ECR@smcgov.org**

<b>For Controller's Use Only:</b>	
<input type="checkbox"/> Approver's signature verified.	Processed by: _____
<input type="checkbox"/> Supporting document reviewed (if applicable).	Date: _____
<input type="checkbox"/> Change completed.	

**SUMMARY INFORMATION**

INDIVIDUAL DECISION PACKAGE SUMMARY	Positions	Approp/ Reserves	Intra-Fund Transfer	Fund Balance	Revenues	Net County Cost
<b>Budget Unit: 3830P Long Range Planning</b> <b>Fiscal Year: 2013-14</b> <b>Prepared By: Heather Hardy</b> <b>Date Prepared: August 23, 2013</b>  <b>ONE-TIME <input checked="" type="checkbox"/> ONGOING <input type="checkbox"/></b>						
<b>Highway 1 Improvement Implementation</b>	0	\$150,000	(\$150,000)	\$0	\$0	\$0
\$150,000 will be received via Non-Departmental ERAF Reserves to fund the implementation of pedestrian crossings, medians, and turn lanes as suggested by the Midcoast Safety and Mobility Studies. This project is in accordance with the Scope of Work developed with the Transit Authority and will contribute to funding completion of a Preliminary Planning Study (PPS) and Project Implementation Document (PID).						

**DETAIL INFORMATION**

INDIVIDUAL DECISION PACKAGE DETAIL	Org/Acct	Amount				
Account/Class Code Description	Org/Acct	Amount				
<b>Revenue Accounts:</b>						
Total to Revenues Column		\$0				
<b>Fund Balance Adjustments:</b>						
Total to Fund Balance Column		\$0	<b>POSITION INFORMATION</b>			
			<b>Class/Step</b>	<b># Pos</b>	<b>Type</b>	<b>Start/End Dates</b>
<b>Appropriation/Reserves Accounts:</b>						
Other Professional Contract Sv	38320/5858	\$150,000				
Total to Approp/Reserves Column		\$150,000	0			
<b>Intrafund Transfer Accounts:</b>						
Other Intrafund Transfers	38320/8142	(\$150,000)				
Total to Intrafund Transfers Column		(\$150,000)				
<b>NET COUNTY COST</b>		<b>\$0</b>				

**From:** ECR  
**To:** Hardy, Heather  
**CC:** Miller, Jan  
**Date:** 8/26/2013 2:28 PM  
**Subject:** Fwd: ECR - P1305592 (Heather Hardy)  
**Attachments:** AES\_POContracts\_1.pdf; 20130716\_P1305592.pdf; ECR-Form\_P1305592.pdf

Hi Heather,

The "Before Change" on attached ECR form should be 5,974.00

The "After Change" amount will then be 113,075.00.

Please resubmit attached ECR. Also, someone will have to send for approval as you filled out the form.

Thanks,  
Lourdes

>>> Heather Hardy 8/22/2013 4:08 PM >>>

Please see the attached ECR and supporting documentation. Please let me know if you have any questions. Thank you!

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 -  
5:30

**From:** Heather Hardy  
**To:** Jan Miller  
**Date:** 8/26/2013 3:49 PM  
**Subject:** Fwd: ECR - P1305592 (Heather Hardy)  
**Attachments:** AES\_POContracts\_1.pdf; 20130716\_P1305592.pdf; ECR-Form\_P1305592.pdf

Hi Jan,  
Please send the documents below to ECR@smcgov.org. Let me know if you have any questions.  
Thanks,

Heather

>>> ECR 8/26/2013 2:28 PM >>>  
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5:30



## County of San Mateo Contract Encumbrance Change Request

(USE THE TAB KEY TO MOVE THROUGH FIELDS)

Send To: [ECR@smcgov.org](mailto:ECR@smcgov.org) Questions: contact [ECR@smcgov.org](mailto:ECR@smcgov.org)  
 From: Heather Hardy Planning & Building 1859  
Name Dept. Ext.  
 Date: August 22, 2013 \*Approver: Jan Miller  
Name / Signature

\* Either type approver's name and approver submits form via email **OR** approver signs, scans and submits form via email. **All supporting documentation MUST be sent along with the form.**

<b>CR No.</b>	<b>PO No.</b> P1305592	<b>Contract No.</b>
<b>Vendor Name:</b> Analytical Environmental Services		

**Reason for Change:**

- Adjust encumbrance amount
- Reopen a DE (Disencumbered) or FP (Fully Paid) PO
- Revise GL/JL account coding
- Add new line item: Description \_\_\_\_\_
- Change "Remit To" PEID to \_\_\_\_\_
- \* Change contract amount to \_\_\_\_\_
- \* Extend contract expiration date to \_\_\_\_\_
- Other. Please specify: \_\_\_\_\_

(\* A change order or board resolution is required to support the change requested.)

Item No.	Total Encumbered Amount for the Item			General Ledger		Job Ledger	
	Before Change	Increase <Decrease>	After Change	Sub Unit	Sub Acct	Job Org	Job Object
001	\$ 5,974	\$ 101,127	\$ 107,101	38430	5858		
002	\$	\$	\$				
003	\$	\$	\$				
004	\$	\$	\$				
005	\$	\$	\$				
006	\$	\$	\$				
007	\$	\$	\$				
008	\$	\$	\$				
009	\$	\$	\$				
010	\$	\$	\$				

**Submit this request form and any supporting documents as attachments  
via email to [ECR@smcgov.org](mailto:ECR@smcgov.org)**

For Controller's Use Only:	
<input type="checkbox"/> Approver's signature verified. <input type="checkbox"/> Supporting document reviewed (if applicable). <input type="checkbox"/> Change completed.	Processed by: _____  Date: _____

**County of San Mateo  
Contract Encumbrance Change Request**

**(USE THE TAB KEY TO MOVE THROUGH FIELDS)**

Send To: ECR@smcgov.org Questions: contact ECR@smcgov.org  
 From: Heather Hardy Planning & Building 1859  
*Name Dept. Ext.*  
 Date: August 22, 2013 \*Approver: Heather Hardy  
*Name / Signature*

\* Either type approver's name and approver submits form via email **OR** approver signs, scans and submits form via email. **All supporting documentation MUST be sent along with the form.**

<b>CR No.</b>	<b>PO No.</b> P1305592	<b>Contract No.</b>
<b>Vendor Name:</b> Analytical Environmental Services		

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- Other. Please specify: \_\_\_\_\_

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Item No.	Total Encumbered Amount for the Item			General Ledger		Job Ledger	
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002	\$	\$	\$				
003	\$	\$	\$				
004	\$	\$	\$				
005	\$	\$	\$				
006	\$	\$	\$				
007	\$	\$	\$				
008	\$	\$	\$				
009	\$	\$	\$				
010	\$	\$	\$				

**Submit this request form and any supporting documents as attachments  
via email to ECR@smcgov.org**

<b>For Controller's Use Only:</b>	
<input type="checkbox"/> Approver's signature verified.	Processed by: _____
<input type="checkbox"/> Supporting document reviewed (if applicable).	Date: _____
<input type="checkbox"/> Change completed.	

**COUNTY OF SAN MATEO  
PURCHASE ORDER STATUS INQUIRY**

Report Date: 07/16/2013

**PURCHASE ORDER INFORMATION**

PO Number: P1305592 Vendor: A051292 ANALYTICAL ENVIRONMENTAL SERVICES  
 PR Number: CR27020 Addr Cd:  A 1801 7TH ST STE 100  
 Sec Code: PLAN SACRAMENTO, CA 95811

**Partially Paid**

<b>Confirm:</b> James Castaneda <b>Account:</b> <b>Bid:</b> 113075 <b>Contract:</b> 3800013R072499 <b>Ship To:</b> SPLN122 <b>Bill To:</b> B38000	<b>Requested by:</b> <b>Approved by:</b> LAURENTE, RIZA (SOL) <b>Approval Code:</b> APRV <b>Printed by:</b> LAURENTR <b>End Use:</b> EIR - Ascension Hts	<b>Req. Dt:</b> 6/18/2013 <b>Apr Dt:</b> 6/20/2013 <b>Print Dt:</b> 6/20/2013	<b>Blanket Number:</b> <b>Blanket Amount:</b> 0.00 <b>Blanket Remaining:</b> 0.00 <b>Buyer:</b> <b>Req. Codes:</b> <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 20px; height: 20px;"></td> </tr> </table>					

**ITEMS**

Item	Qty Ordered	Unit	Unit Price	Key	Object	Tax1 Tax2	Discount Charges	Extended	Catalog Ship To	F/A Whse	Print Chg
0001	1.00	EA	5,974.00	GL 38430	5858	0.00	0.00	5,974.00		N	Y
						0.00	0.00				
		<u>Qty Received</u>	<u>Receipt Date</u>	<u>Packing Slip</u>	<u>Receiver's User ID</u>						
		0.00	Total Quantity Received								

EIR - May billing

**ENCUMBRANCES**

Item #	Key	Object	Reference #	Post Date	EN Amount	PD Amount	Balance	Tp	Pay
0001	38430	5858	P1305592	6/20/2013	5,974.00		5,974.00	EN	
0001	38430	5858	P1305592	6/30/2013		5,974.00		PP	
<b>Balance:</b>					5,974.00	5,974.00			

**OPEN HOLD ACTIVITY**

Item	Key	Object	Check #	Check Date	Qty	Unit Price	Tax Amt	PD Amount	Invoice #	Invoice Date
<i>Paid</i> 0001	38430	5858	02181076	7/2/2013	1.00	5,974.00	0.00	5,974.00	608641	5/31/2013
								5,974.00	TOTAL CHECK AP 02181076	
								5,974.00	<b>TOTALS FOR P1305592</b>	

**WORK FLOW HISTORY**

WF Role	Approver	Approved?	Assigned	Responded	Delegatee
	HARDYH	Accepted	2013/6/18 16:14:52	2013/6/18 16:14:56	
WF_DEPT_PLAN1	MILLERJ	Accepted	2013/6/18 16:15:14	2013/6/18 16:15:14	
WF_DEPT_PLAN1	MILLERJ	Accepted	2013/6/18 16:15:15	2013/6/18 16:51:13	
WF_CONTRACT	LAURENTR	Expired	2013/6/18 16:52:00	2013/6/19 15:53:10	
WF_CONTRACT	LAURENTR	Accepted	2013/6/19 15:53:10	2013/6/20 7:30:13	

**From:** COSM Production <root@asp.sungardps.com>  
**To:** hhardy@smcgov.org  
**Date:** 8/26/2013 4:04 PM  
**Subject:** IFAS JOB #J1786--prog:: GLREFLTR  
**Attachments:** O37981.txt

IFAS JOB #J1786--prog:: GLREFLTR, RUN BY: HARDYH

**From:** Heather Hardy  
**To:** Garrett Dunwoody  
**CC:** Jim Eggemeyer; Steve Monowitz  
**Date:** 8/26/2013 5:14 PM  
**Subject:** September Revisions Deliverables  
**Attachments:** 3800B\_SeptemberRevisions.xls; 3800B\_Measure A Template.xls; 3800B\_Year End Financial Template -50%.xlsx

Hello Garrett,

Please find attached the following documents from Planning & Building:

September Revision Package  
Year End Financial Template  
Measure A Template

Please let us know if you have any questions or need anything additional. Thank you,

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 -  
5:30

**SUMMARY INFORMATION**

INDIVIDUAL DECISION PACKAGE SUMMARY	Positions	Approp/ Reserves	Intra-Fund Transfer	Fund Balance	Revenues	Net County Cost
<b>Budget Unit: 3810P Administration &amp; Support</b> <b>Fiscal Year: 2013-14</b> <b>Prepared By: Heather Hardy</b> <b>Date Prepared: August 23, 2013</b>  <b>ONE-TIME <input checked="" type="checkbox"/> ONGOING <input type="checkbox"/></b>						
<b>Additional Fund Balance Adjustment</b>	0	\$344,478	\$0	\$344,478	\$0	\$0
The majority of the additional fund balance (\$233,478) will be placed in reserves. At the request of Department Head Jim Eggemeyer, \$107,320 will be appropriated to fund Long Range Planning (\$21,000) and Current Planning Expenses (\$86,320).						

**DETAIL INFORMATION**

INDIVIDUAL DECISION PACKAGE DETAIL			POSITION INFORMATION			
Account/Class Code Description	Org/Acct	Amount	Class/Step	# Pos	Type	Start/End Dates
<b>Revenue Accounts:</b>						
Total to Revenues Column		\$0				
<b>Fund Balance Adjustments:</b>						
Fund Balance	38100/0333	\$344,478				
Total to Fund Balance Column		\$344,478				
<b>Appropriation/Reserves Accounts:</b>						
Departmental Reserves	38100/8612	\$237,158				
Planning Services	38100/5862	107,320				
Total to Approp/Reserves Column		\$344,478		0		
<b>Intrafund Transfer Accounts:</b>						
Total to Intrafund Transfers Column		\$0				
<b>NET COUNTY COST</b>		<b>\$0</b>				

**SUMMARY INFORMATION**

INDIVIDUAL DECISION PACKAGE SUMMARY	Positions	Approp/ Reserves	Intra-Fund Transfer	Fund Balance	Revenues	Net County Cost
<b>Budget Unit: Planning &amp; Building</b> <b>Fiscal Year: FY 2013-14</b> <b>Prepared By: Heather Hardy</b> <b>Date Prepared: August 23, 2013</b>  <b>ONE-TIME _____ ONGOING <u>X</u></b>						
<b>North Fair Oaks General Plan Implementation</b>	0	\$3,403,500	\$0	\$0	\$3,403,500	\$0
The Board of Supervisors adopted the North Fair Oaks Community Plan in 2011, establishing goals and policies to improve land use, transportation, health and wellness, and other conditions in the North Fair Oaks Community. The adopted Plan is now in the implementation stage. The Department will implement the Plan through the following measures: Redesign and make safety improvements to Middlefield Road. Construction of NFO entry signage at four intersections. Installation of anti-dumping signs.						

**DETAIL INFORMATION**

INDIVIDUAL DECISION PACKAGE DETAIL	Org/Acct	Amount				
Account/Class Code Description	Org/Acct	Amount				
<b>Revenue Accounts:</b>						
Sales & Use Tax - Measure A	38320/1135	\$3,403,500				
Total to Revenues Column		\$3,403,500				
<b>Fund Balance Adjustments:</b>						
Total to Fund Balance Column		\$0				
			<b>POSITION INFORMATION</b>			
			<b>Class/Step</b>	<b># Pos</b>	<b>Type</b>	<b>Start/End Dates</b>
<b>Appropriation/Reserves Accounts:</b>						
Miscellaneous Other Contributions	38320/6265	\$3,403,500				
Total to Approp/Reserves Column		\$3,403,500		0		
<b>Intrafund Transfer Accounts:</b>						
Total to Intrafund Transfers Column		\$0				
<b>NET COUNTY COST</b>		<b>\$0</b>				

FY 12-13 Year-End Variance Analysis (+/- 10% of Budget)

Budget Unit Name (ID)

EXPLANATION OF VARIANCES:

**REVENUE (Explain by Revenue Class):**

Taxes	N/A
Licenses, Permits, Franchises	No variance.
Fines, Forfeitures, Penalties	This variance is due to the resolution of more than 50% of Stop Work Notice cases as a result of a Program initiative to revisit previous cases. In addition, improvements in the economic climate have resulted in fewer instances of unpermitted building activities.
Use of Money and Property	N/A
Intergovernmental Revenue	Federal grant funding for the Energy Efficiency Climate Action Plan was lower than anticipated.
Charges for Services	Improvements in the economic climate and an increase in construction projects and building activity has resulted in an increase in plan checking revenues.
Interfund Revenue	Revenues relating to the Airport Community Roundtable were lower than anticipated during a transitional year for the program.
Miscellaneous Revenue	A total of \$286,033.98 (132% of budget) was received in this revenue class due to the addition of the midyear Ascension Heights project. However, due to delays in some substantial projects, \$172,131.99 was debited as "Deferred Revenue". Those funds will be appropriated in Fiscal Year 2013-14.
Other Financing Sources	N/A

**EXPENDITURES (Explain by Expenditure Object):**

Salaries and Benefits	No variance.
Services and Supplies	This variance is due to lower than forecast expenditures on several major projects which will resume at higher levels in Fiscal Year 2013-14. Significant examples include Plan Princeton, Ascension Heights Subdivision, and the Accela technology upgrade.
Other Charges	No variance.
Fixed Assets	N/A
Other Financing Uses	N/A
Intrafund Transfers	No variance.

**From:** Heather Hardy  
**To:** Garrett Dunwoody  
**CC:** Jim Eggemeyer; Steve Monowitz  
**Date:** 8/26/2013 5:14 PM  
**Subject:** September Revisions Deliverables  
**Attachments:** 3800B\_SeptemberRevisions.xls; 3800B\_Measure A Template.xls; 3800B\_Year End Financial Template -50%.xlsx

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**From:** Heather Hardy  
**To:** Heather Hardy  
**Date:** 8/27/2013 5:31 PM  
**Subject:** Completed today 8/27/13

Lined up initial Mail Handling training with Ana Santiago, sent invitation to Admin Staff  
Contacted A.S. regarding LOA expiration  
Rescheduled 26 Big Tree meeting  
Sent and approved agendas for publication for Planning Commission (SM Times) and Coastside Design Review (SM Times, HMB Review)  
Sent Coastside Design Review to GovDelivery subscribers  
Posted 9/11/13 PC agenda in outdoor kiosks  
Signed event contract for 9/25 public meeting (Ascension Heights), requested insurance through Risk Management  
Suggested STARS award entry to Matt & Steve (EECAP)  
Contacted District 4 regarding NFO Plan Implementation Meeting scheduling (scheduled for Tuesday 9/3, 10AM)  
Emailed Steve w/ PPT template for Budget presentation (due 9/5)  
Reserved Board Chambers for 11/20. We have Chambers for 11/6 & 11/20. (Scheduled meeting is 11/13 but Chambers are not available)  
Met with Frances C. to thank her for her work this week and also to check on workload (Janna H-L's father passed away today, Pam was out sick all day yesterday 8/26 and half of today 8/27)  
Scheduled WPC's Accela training  
Spoke to Annie Hi regarding Admin Accela training and 600 ft radius for Ascension Heights letter

**For tomorrow:**

Speak to Frances C. about interaction  
Schedule Irma, Heather, Jan Accela training  
Labels for PC Agenda mailing (500ft + interested parties)

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30

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**From:** James Castaneda  
**To:** Marshall Wilson  
**CC:** Heather Hardy  
**Date:** 8/28/2013 1:49 PM  
**Subject:** Press Release for Ascension Heights

Good afternoon Marshall,  
Again, thank you for take a moment to chat with me yesterday regarding the Ascension Heights project. I just wanted to give you a heads up it doesn't look like Ill be getting you anything this week, so I'm planning on sending you the letter notification on Tuesday. Hopefully we can get that out Wednesday. Ill touch base with you Tuesday morning on that matter. Have a great Labor Day weekend.

Regards,  
JAMES

**James A. Castañeda, AICP**  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
smcplanning.org | sforoundtable.org

**From:** James Castaneda  
**To:** Monowitz, Steve  
**CC:** Hardy, Heather  
**Date:** 8/29/2013 8:06 AM  
**Subject:** Draft Notice Letter, Ascension Heights  
**Attachments:** 20130903\_PLN2002-517 Announce Draft v2.docx

Good morning Steve,

When you have an opportunity, please review the attached announcement for the Ascension Heights project. We're getting ready for the EIR scoping session at the end of September, and gearing up for active community feedback. My goal with this letter was to serve as a general announcement that this project is becoming active, but also start off on the right foot by emphasizing community inclusivity. As you know, in the past has generated a great deal of community involvement, and I have no doubt we'll receive the same on this go around. I'd like to make sure we're being proactive and timely with dates as possible, and be selective with our wording as to avoid the ridged notifications that is sometimes perceived not as welcoming.

If you don't many edits/concerns, work through Heather to get this over to Word Processing so they can get it into the system and I can finalize on Tuesday. Otherwise, we can discuss this further Tuesday morning. Ill be out of the office today and tomorrow. Thanks Steve, have a great Labor Day weekend.

JAMES

James A. Castañeda, AICP  
Planner III, San Mateo County Planning & Building Department  
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August 30, 2013

Dear Baywood & San Mateo Highlands Residence,

The San Mateo County Planning & Building Department in the coming months will begin processing an application for a proposed subdivision for the development 19 lots on Water Tank Hill, at the corner of Ascension Drive and Bel Aire Road. A previous plan for 25 lots, with a fire access road, was considered and denied by the Planning Commission in December 2009. The project applicant has submitted a revised plan, which will require full review by County agencies, a new Environmental Impact Report, comments and feedback from the community, and final consideration by the Planning Commission.

With the processing of a major subdivision application, there are two inherent parts. The first is review of the proposed subdivision to ensure compliance with County subdivision and zoning regulations. The second is environmental review in the form of an Environmental Impact Report (EIR), which is developed to inform decision-makers of any significant environmental effects. These two parts are considered together by the Planning Commission. Community input and participation is both important and essential in these two parts.

In the coming six to nine months during which the project will be reviewed and the environmental document drafted, your assistance is needed in providing valuable community feedback on the project. As the review process progresses, there will be three opportunities to participate in the process: 1) the public scoping process, 2) review of the draft environmental impact report, and 3) the project as a whole.

As we prepare to begin the environmental review work, we like to invite you to this first opportunity to get an overview of the project, and share what you think are the most pressing environmental concerns that should be addressed in the EIR. This scoping open house session will be held on:

Wednesday, September 25, 2013 - 7:00pm  
College of San Mateo Theater - Doors open at 6:15pm

At this event, you'll be able to meet and ask questions from the Planning staff, project applicant, and the County's Environmental Consultants, as well as provide important feedback on the environmental resources you feel may be the most impacted by the subdivision project that will help us steer the environmental review.

We're also providing an opportunity to share feedback on this part of the process online at:

[www.smcspeakout.com/ascension-scoping](http://www.smcspeakout.com/ascension-scoping)

For the most up to date information and to sign up to receive email updates, visit the project's website at:

<http://goo.gl/XUDqLC>

If you have any questions, please don't hesitate to contact us. Be expecting addition updates and notifications of important dates, meetings, and opportunities to share your essential input about your community.

Regards,

James A. Castañeda, AICP

**From:** Heather Hardy  
**To:** Heather Hardy  
**Date:** 8/29/2013 10:26 AM  
**Subject:** Completed today 8/28/13

Spoke to Pam C. about ongoing personnel/employee relations issue, made plan of action  
Contacted Annie H. about direction for Admin training  
Mailed 9/11/13 PC Agenda to 166 interested parties + 500 FT radius. (Save the Date was sent to the same parties during the previous week)  
Spoke to Janna H-L by phone  
Scheduled Room 101 for Dave Holbrook's pre-app meeting  
Worked with James C. regarding 9/25/13 Ascension Heights public meeting  
Sent contract and Certificate of Insurance to Theatre at College of San Mateo for 9/25/13 meeting  
Corresponded with A. Sandoval regarding LOA (she has extended her LOA to 10/18/13, the date of 1-year expiration)  
At Steve M's request, transmitted several emails to Sup. Slocum and P. Jensen  
Arranged coverage for Friday 10AM meeting, discussed meeting w/ Lisa A.

\*Shorter day for me due to medical labwork (long lunchtime)

**From:** Steve Monowitz  
**To:** James Castaneda  
**CC:** Heather Hardy  
**Date:** 9/3/2013 9:55 AM  
**Subject:** Re: Draft Notice Letter, Ascension Heights

Hi James,  
I'll get you my edits ASAP.  
Steve

>>> James Castaneda 8/29/2013 8:06 AM >>>

Good morning Steve,

When you have an opportunity, please review the attached announcement for the Ascension Heights project. We're getting ready for the EIR scoping session at the end of September, and gearing up for active community feedback. My goal with this letter was to serve as a general announcement that this project is becoming active, but also start off on the right foot by emphasizing community inclusivity. As you know, in the past has generated a great deal of community involvement, and I have no doubt we'll receive the same on this go around. I'd like to make sure we're being proactive and timely with dates as possible, and be selective with our wording as to avoid the ridged notifications that is sometimes perceived not as welcoming.

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**From:** James Castaneda  
**To:** twilson@analyticalcorp.com  
**CC:** Heather Hardy  
**Date:** 9/3/2013 12:35 PM  
**Subject:** Ascension Heights, Scoping Mtg Logistics/Equipment  
**Attachments:** 15342\_196993922855\_1955169\_n.jpg; Ascension Scoping Mtg Strategy.doc

Good afternoon Trent,

Hope your Labor Day weekend went well. With our meeting quickly approaching (and me out of the office for a week starting next Tuesday), I wanted to start going over the setup of the scoping meeting, and start figuring out what equipment we'll need (either to have you, us, or the theater to provide). I've attached a photo from the last time we were there in December 2009 for the Planning Commission hearing. For that, we had the commission at one end, and had a projector setup off stage for them to see, and we utilized the theater's projector and big screen for the audience. Staff was on the other end of the stage. We three microphones on the commissions table, and two on the staff table. We had a mic also for the audience at the bottom of the center aisle.

That said, what are your thoughts in our setup with tables and mics on the stage, as well as what we have available for the attendees? I'm assuming we'll use their projector again, as well as tables and mics provide, but we need to start getting the layout and equipment in order so they can adequately prepare such. Heather, Jim's admin assistant, will be helping out coordinating this effort.

Per your meeting plan (attached for Heather's benefit), I think it looks good. Ill expect to look at the Powerpoint (which I'm guess will be the only item we'll be presenting on the big screen?) no later Wednesday, September 18th.

Let me know what else we need, and if there is anything additional I should task the applicant with. Again, I just want to start getting everything planned and set in motion before next Tuesday and makes the week leading up to the meeting easy. Thanks Trent.

JAMES

# Ascension Heights Subdivision Project

## Scoping Meeting Plan

### Location:

Theatre at College of San Mateo  
1700 W. Hillsdale Blvd  
San Mateo, CA 94402  
650-574-6161

### Format:

Information session followed by power point presentation / invite project-related questions and comments on the content of the Draft EIR and alternatives.

### Set-Up:

1) Information session:

In the lobby, we need three tables, one for the County, one for the Applicant's Team, and one for AES. These should be in close proximity so we can all communicate as needed. County will have an aerial of the site as an exhibit, Applicant's team will have the site plan on an aerial, and AES's team will have an exhibit explaining the CEQA process. These tables will be stationed throughout the evening, with a focus of most staff being available prior to the initiation of the presentation.

2) Presentation:

Table and chairs with microphones for at least one representative from the County, the Applicant's Team, and AES up on the stage to either the right or left of the presentation screen at an angle facing the audience. Presentation will be given with Powerpoint. Need a podium with microphone set up in front and facing the stage to take public comments, preferably aligned with center aisle so participants can walk up, give their comment, and then return to their seats. AES will give the presentation (if preferred) and then open up the session for comments. Those that wish to speak will fill out comments cards that will be made available as soon as the doors open. After the presentation, AES will announce each speaker in the order the comments are received. The commenter will have 2 minutes to provide a comment; AES has a timer for such a purpose.

### Staffing:

1) County

- a. Personnel to attend information table in lobby
- b. One staff member to attend main table on stage

2) Applicant

- a. Personnel to attend information table in lobby
- b. One staff member to attend main table on stage

3) AES

- a. One staff to attend table
- b. One staff to attend main table on stage

- c. Two staff members to roam and collect speaker card/comment cards, present speaker cards to the front table on the stage during the comment session, general assistance for attendees.

**Poster Boards (to be provided by AES):**

- Site Plan
- Site Aerial
- CEQA Process

**Public Information Materials:**

- NOA

**Supply Checklist:**

- Powerpoint Presentation (AES, to be submitted to County at least two weeks prior to Scoping Meeting)
- Sign In Sheet (AES)
- Speaker Card (AES)
- Comment Forms (AES)
- Comment Box (AES)
- Pens (AES)
- Exhibits (AES)
- Easels (AES)
- Tape (AES)
- Meeting Signs (AES)

**County Tasks:**

- Arrange for audio recorder (court reporter works well) and staff member to prepare meeting minutes
- Plan attendance by County and Applicant's team

**From:** Heather Hardy  
**To:** Jie He  
**Date:** 9/3/2013 3:34 PM  
**Subject:** Ascension Heights Notification List (PLN 2002-00517) 600ft

Hi Annie,

Thanks again for creating the labels for our Ascension Heights letter! James Castaneda has asked if there's a spreadsheet that was created. Do you have one that you can email me?

Thanks,  
Heather

**From:** Jie He  
**To:** Heather Hardy  
**Date:** 9/3/2013 3:57 PM  
**Subject:** Re: Ascension Heights Notification List (PLN 2002-00517) 600ft  
**Attachments:** AffectedParcelMailing.xls; Jie He.vcf

Here it is

Jie He (Annie)  
IT Analyst  
San Mateo County Planning & Building Department

455 County Center, 2nd Floor  
Redwood City, CA 94063  
650-363-1827  
jhe@co.sanmateo.ca.us  
Our office open  
Monday-Friday  
7:30 - 5:00  
[www.co.sanmateo.ca.us/planning](http://www.co.sanmateo.ca.us/planning)

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038162090	Gunn Andrenna Est Of	1514 Parroto Dr	San Mateo
038162100	Quon Andrew	1526 Parrott Dr	San Mateo
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038162120	Cassinelli Sharon E Tr	1550 Parrott Dr	San Mateo
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041111160	Orourke John	607 Huntleigh Dr	Lafayette
041111270	Orourke John	607 Huntleigh Dr	Lafayette
041111280	Orourke John	607 Huntleigh Dr	Lafayette
041111320	Orourke John	607 Huntleigh Dr	Lafayette
041111360	Orourke John	607 Huntleigh Dr	Lafayette
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041222040	Lau Sharon V	1450 Bel Aire Rd	San Mateo
041222050	Roach Geraldine R	1456 Bel Aire Rd	San Mateo
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041222120	Fabris Edward L Tr	1447 Enchanted Way	San Mateo
041222130	Kanaga Stephen R Tr	1441 Enchanted Way	San Mateo
041222140	Ottoboni Gary Tr	1435 Enchanted Way	San Mateo
041222150	Abramson Scott Allen & P A Trs	1429 Enchanted Way	San Mateo
041222160	Goodwine James K Jr & H L Trs	1423 Enchanted Way	San Mateo
041222170	Phan Ngan	1417 Enchanted Way	San Mateo
041222190	Musgrave Regan J Tr	1407 Enchanted Way	San Mateo
041222200	Pitkin Peter B Tr	1411 Enchanted Way	San Mateo
041223030	Khilani Anil	1485 Ascension Dr	San Mateo
041223040	Sakurai Jennifer L	1479 Ascension Dr	San Mateo
041223110	Russo Anthony M Tr	1475 Ascension Dr	San Mateo
041223150	Novy Brian J Tr	1471 Ascension Dr	San Mateo
041223160	Schane Dale E Tr	2276 Blue Heron Loop	Lincoln
041223210	Mcsheery Tracy D	119 Starlite Dr	San Mateo

041223230	Chen Laurent	107 Starlite Dr	San Mateo
041223240	Haslam Robert T Tr	1410 Enchanted Way	San Mateo
041223250	Hens Christopher D Tr	1420 Enchanted Way	San Mateo
041223260	Haw David Lawrence Tr	1428 Enchanted Wy	San Mateo
041223270	Ozanne Gerard M & Linda C	1434 Enchanted Way	San Mateo
041223280	Mitroff George B	1440 Enchanted Way	San Mateo
041223290	Thacker Benjamin H Tr	1446 Enchanted Wy	San Mateo
041231010	Witte Randall Jeffry Tr	1313 Laurel St #222	San Carlos
041231020	Lin Kevin	1506 Ascension Dr San Mateo	San Mateo
041231030	Givechi Ali	1512 Ascension Dr	San Mateo
041231040	Russell Riley R Tr	1518 Ascension Dr	San Mateo
041231050	Aliamus Robert J & M J Trs	1524 Ascension Dr	San Mateo
041231060	Suyehiro David K Tr	1530 Ascension Dr	San Mateo
041231070	Whitham Calvin D	1536 Ascension Dr	San Mateo
041231080	Lawrence Peter C & Diane F Trs	1542 Ascension Dr	San Mateo
041231090	Bhatia Hemant B	1548 Ascension Dr	San Mateo
041231100	Raphael Al Tr	100 Valley View Ct	San Mateo
041231110	Anguiano Robert	98 Valley View Ct	San Mateo
041231120	Brugioni Robert Tr	411 Horn Ave	Santa Rosa
041231130	Nishimoto Kevin P	92 Valley View Ct	San Mateo
041231140	Mason Harry J Tr	88 Valley View Ct	San Mateo
041231150	Hance Daniel J & Grace Trs	84 Valley View Ct	San Mateo
041231170	Nomura Mark J	76 Valley View Court	San Mateo
041231180	Mcclintock Dana Elaine	72 Valley View Ct	San Mateo
041231190	Carmichael Sean A	68 Valley View Court	San Mateo
041231200	Martucci Dean Thomas Tr	64 Valley View Ct	San Mateo
041231210	Grosey Judith G Tr	60 Valley View Court	San Mateo
041231220	Abreu Antonio Pedro Teixeira Tr	244 Exeter Ave	San Carlos
041231230	Juricich Linda	52 Valley View Ct	San Mateo
041231240	Bronstein Matthew A & Amy J N/A	48 Valley View Ct	San Mateo
041231250	Nelson Wanda Jean Tr	44 Valley View Ct	San Mateo
041231260	Shahbazi Farshad	40 Valley View Ct	San Mateo
041231270	Michaels Elsa H Tr	36 Valley View Ct	San Mateo
041231280	Hockett Paul John Tr	32 Valley View Ct	San Mateo
041231290	Malardino Marc T Tr	28 Valley View Ct	San Mateo
041231320	Lam Kevin	1462 Ascension Dr	San Mateo
041231330	Toti Argentina J Tr	1468 Ascension Dr	San Mateo
041231340	Hart James J & Ellen P	1474 Ascension Dr	San Mateo
041231350	Petryniak Magdalena A	24 Valley View Ct	San Mateo
041231360	Haithcox Marilyn M Tr	1486 Ascension Dr	San Mateo
041231370	Tomas Mark A li	1492 Ascension Dr	San Mateo
041231380	Yan Edward Z	1498 Ascension Dr	San Mateo
041231390	Moroni Donald Tr	1496 Bel Aire Rd	San Mateo
041231400	Fava Bruno & Lida Trs	2748 Bromley Dr	San Carlos
041231410	Button Nellie B Tr	12 Valley View Ct	San Mateo
041231420	Pagani Aurelio B & L M Trs	16 Valley View Ct	San Mateo
041231430	Ficklin Vernon W & Dora L	20 Valley View Ct	San Mateo

041231440	Chandler Helen Anne Tr	80 Valley View Ct	San Mateo
041231450	Rudberg Paul K	78 Valley View Ct	San Mateo
041330110	San Mateo County Community	3401 Csm Dr	San Mateo
041330120	San Mateo County Community	3401 Csm Dr	San Mateo
041391010	Meade Paul Tr	194 Kristin Ct	San Mateo
041391020	Ng Nelson & Belle Lim	192 Kristin Ct	San Mateo
041391030	Huvane Thomas P & Jane C Trs	188 Kristin Ct	San Mateo
041391040	Hsu Chia Chu	180 Kristin Ct	San Mateo
041391050	Leung Wilfred K & Linda H	172 Kristin Ct	San Mateo
041391060	Oh Edward	164 Kristin Court	San Mateo
041391070	Jeung Patricia Y Tr	156 Csm Dr	San Mateo
041391080	Ho James F Tr	148 Csm Dr	San Mateo
041391090	Grames Jalene H Tr	140 Csm Dr	San Mateo
041391100	Mikulic Stephen & B S Trs	132 Csm Dr	San Mateo
041391110	Orouourke Thomas M Tr	124 Csm Dr	San Mateo
041391120	Chew Karen Louie Tr	116 Csm Dr	San Mateo
041391130	Strauch June G Tr	108 Csm Dr	San Mateo
041391150	Bussey Lee Barlow Tr	1561 Ascension Dr	San Mateo
041391160	Velarde Robert John Tr	1575 Ascension Dr	San Mateo
041391170	Isaac Haroutioun Tr	1581 Ascension Dr	San Mateo
041391180	Shissler Frank J Tr	1583 Ascension Dr	San Mateo
041391190	Uyeda Yoshio & Hiromi Trs	1587 Ascension Dr	San Mateo
041391200	Ruben Marlies Tr	1591 Ascension Dr	San Mateo
041391210	Chang Henry	1593 Ascension Dr	San Mateo
041391220	Glasgow Edwin M & C F Trs	1597 Ascension Dr	San Mateo
041391230	Dubrow Patricia Ann Tr	1705 Los Altos Dr	San Mateo
041392010	Lertora Ronald J Tr	1554 Ascension Dr	San Mateo
041392020	Aflak Bahram Et Al	1560 Ascension Dr	San Mateo
041392030	Moser Heinz	1566 Ascension Dr	San Mateo
041392040	Giometti Rhoda L Tr	1570 Ascension Dr	San Mateo
041392050	Tsivikas Eula Tr	1574 Ascension Dr	San Mateo
041392060	Martin Elio L Tr	1578 Ascension Dr	San Mateo
041392070	Wong Hay C	1582 Ascension Dr	San Mateo
041392080	Llerena Alex L Tr	1586 Ascension Dr	San Mateo
041392090	Guzman Edward G & Brenda F	1590 Ascension Dr	San Mateo
041392100	Schaffer Peter W	1596 Ascension Dr	San Mateo
041392110	Tuohey Thomas J & L M Trs	1598 Ascension Dr	San Mateo
041392120	Ciranni Eugene H & Ruth A	1606 Ascension Dr	San Mateo
041392130	Mcguire D Pat & Doris A Trs	1610 Ascension Dr	San Mateo
041401010	Leibs David & Lydia	1709 Los Altos Dr	San Mateo
041401020	Paek Sandra	1713 Los Altos Dr	San Mateo
041401030	Sullivan Barbara Tr	1717 Los Altos Dr	San Mateo
041401040	Ma Sammy Shun Chow	551 Railroad Ave	So San Francisco
041402010	Jabaghourian Ara R	1601 Ascension Dr	San Mateo
041402020	Yuan Denise J	1706 Los Altos Dr	San Mateo
041402030	Bull Yvonne L Tr	1712 Los Altos Dr	San Mateo
041402430	Velkovich Miroslav	1611 Ascension Dr	San Mateo

041402440	Sosnick Jeffrey H & Marian J	1605 Ascension Dr	San Mateo
041411010	Conrad Janie H Tr	1614 Ascension Dr	San Mateo
093141030	City & Co Of S. F. Water Dept	525 Golden Gate Ave 10th Floor	San Francisco

State	Zip
CA	94402-3630
CA	94402-3630
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CA 94402-3614  
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CA 94102

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 9/3/2013 4:03 PM  
**Subject:** Fwd: Re: Ascension Heights Notification List (PLN 2002-00517) 600ft  
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Jie He (Annie)  
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041222110	Scarcella John P Tr	1453 Enchanted Way	San Mateo
041222120	Fabris Edward L Tr	1447 Enchanted Way	San Mateo
041222130	Kanaga Stephen R Tr	1441 Enchanted Way	San Mateo
041222140	Ottoboni Gary Tr	1435 Enchanted Way	San Mateo
041222150	Abramson Scott Allen & P A Trs	1429 Enchanted Way	San Mateo
041222160	Goodwine James K Jr & H L Trs	1423 Enchanted Way	San Mateo
041222170	Phan Ngan	1417 Enchanted Way	San Mateo
041222190	Musgrave Regan J Tr	1407 Enchanted Way	San Mateo
041222200	Pitkin Peter B Tr	1411 Enchanted Way	San Mateo
041223030	Khilani Anil	1485 Ascension Dr	San Mateo
041223040	Sakurai Jennifer L	1479 Ascension Dr	San Mateo
041223110	Russo Anthony M Tr	1475 Ascension Dr	San Mateo
041223150	Novy Brian J Tr	1471 Ascension Dr	San Mateo
041223160	Schane Dale E Tr	2276 Blue Heron Loop	Lincoln
041223210	Mcsheery Tracy D	119 Starlite Dr	San Mateo

041223230	Chen Laurent	107 Starlite Dr	San Mateo
041223240	Haslam Robert T Tr	1410 Enchanted Way	San Mateo
041223250	Hens Christopher D Tr	1420 Enchanted Way	San Mateo
041223260	Haw David Lawrence Tr	1428 Enchanted Wy	San Mateo
041223270	Ozanne Gerard M & Linda C	1434 Enchanted Way	San Mateo
041223280	Mitroff George B	1440 Enchanted Way	San Mateo
041223290	Thacker Benjamin H Tr	1446 Enchanted Wy	San Mateo
041231010	Witte Randall Jeffry Tr	1313 Laurel St #222	San Carlos
041231020	Lin Kevin	1506 Ascension Dr San Mateo	San Mateo
041231030	Givechi Ali	1512 Ascension Dr	San Mateo
041231040	Russell Riley R Tr	1518 Ascension Dr	San Mateo
041231050	Aliamus Robert J & M J Trs	1524 Ascension Dr	San Mateo
041231060	Suyehiro David K Tr	1530 Ascension Dr	San Mateo
041231070	Whitham Calvin D	1536 Ascension Dr	San Mateo
041231080	Lawrence Peter C & Diane F Trs	1542 Ascension Dr	San Mateo
041231090	Bhatia Hemant B	1548 Ascension Dr	San Mateo
041231100	Raphael Al Tr	100 Valley View Ct	San Mateo
041231110	Anguiano Robert	98 Valley View Ct	San Mateo
041231120	Brugioni Robert Tr	411 Horn Ave	Santa Rosa
041231130	Nishimoto Kevin P	92 Valley View Ct	San Mateo
041231140	Mason Harry J Tr	88 Valley View Ct	San Mateo
041231150	Hance Daniel J & Grace Trs	84 Valley View Ct	San Mateo
041231170	Nomura Mark J	76 Valley View Court	San Mateo
041231180	Mcclintock Dana Elaine	72 Valley View Ct	San Mateo
041231190	Carmichael Sean A	68 Valley View Court	San Mateo
041231200	Martucci Dean Thomas Tr	64 Valley View Ct	San Mateo
041231210	Grosey Judith G Tr	60 Valley View Court	San Mateo
041231220	Abreu Antonio Pedro Teixeira Tr	244 Exeter Ave	San Carlos
041231230	Juricich Linda	52 Valley View Ct	San Mateo
041231240	Bronstein Matthew A & Amy J N/A	48 Valley View Ct	San Mateo
041231250	Nelson Wanda Jean Tr	44 Valley View Ct	San Mateo
041231260	Shahbazi Farshad	40 Valley View Ct	San Mateo
041231270	Michaels Elsa H Tr	36 Valley View Ct	San Mateo
041231280	Hockett Paul John Tr	32 Valley View Ct	San Mateo
041231290	Malardino Marc T Tr	28 Valley View Ct	San Mateo
041231320	Lam Kevin	1462 Ascension Dr	San Mateo
041231330	Toti Argentina J Tr	1468 Ascension Dr	San Mateo
041231340	Hart James J & Ellen P	1474 Ascension Dr	San Mateo
041231350	Petryniak Magdalena A	24 Valley View Ct	San Mateo
041231360	Haithcox Marilyn M Tr	1486 Ascension Dr	San Mateo
041231370	Tomas Mark A li	1492 Ascension Dr	San Mateo
041231380	Yan Edward Z	1498 Ascension Dr	San Mateo
041231390	Moroni Donald Tr	1496 Bel Aire Rd	San Mateo
041231400	Fava Bruno & Lida Trs	2748 Bromley Dr	San Carlos
041231410	Button Nellie B Tr	12 Valley View Ct	San Mateo
041231420	Pagani Aurelio B & L M Trs	16 Valley View Ct	San Mateo
041231430	Ficklin Vernon W & Dora L	20 Valley View Ct	San Mateo

041231440	Chandler Helen Anne Tr	80 Valley View Ct	San Mateo
041231450	Rudberg Paul K	78 Valley View Ct	San Mateo
041330110	San Mateo County Community	3401 Csm Dr	San Mateo
041330120	San Mateo County Community	3401 Csm Dr	San Mateo
041391010	Meade Paul Tr	194 Kristin Ct	San Mateo
041391020	Ng Nelson & Belle Lim	192 Kristin Ct	San Mateo
041391030	Huvane Thomas P & Jane C Trs	188 Kristin Ct	San Mateo
041391040	Hsu Chia Chu	180 Kristin Ct	San Mateo
041391050	Leung Wilfred K & Linda H	172 Kristin Ct	San Mateo
041391060	Oh Edward	164 Kristin Court	San Mateo
041391070	Jeung Patricia Y Tr	156 Csm Dr	San Mateo
041391080	Ho James F Tr	148 Csm Dr	San Mateo
041391090	Grames Jalene H Tr	140 Csm Dr	San Mateo
041391100	Mikulic Stephen & B S Trs	132 Csm Dr	San Mateo
041391110	Orouourke Thomas M Tr	124 Csm Dr	San Mateo
041391120	Chew Karen Louie Tr	116 Csm Dr	San Mateo
041391130	Strauch June G Tr	108 Csm Dr	San Mateo
041391150	Bussey Lee Barlow Tr	1561 Ascension Dr	San Mateo
041391160	Velarde Robert John Tr	1575 Ascension Dr	San Mateo
041391170	Isaac Haroutioun Tr	1581 Ascension Dr	San Mateo
041391180	Shissler Frank J Tr	1583 Ascension Dr	San Mateo
041391190	Uyeda Yoshio & Hiromi Trs	1587 Ascension Dr	San Mateo
041391200	Ruben Marlies Tr	1591 Ascension Dr	San Mateo
041391210	Chang Henry	1593 Ascension Dr	San Mateo
041391220	Glasgow Edwin M & C F Trs	1597 Ascension Dr	San Mateo
041391230	Dubrow Patricia Ann Tr	1705 Los Altos Dr	San Mateo
041392010	Lertora Ronald J Tr	1554 Ascension Dr	San Mateo
041392020	Aflak Bahram Et Al	1560 Ascension Dr	San Mateo
041392030	Moser Heinz	1566 Ascension Dr	San Mateo
041392040	Giometti Rhoda L Tr	1570 Ascension Dr	San Mateo
041392050	Tsivikas Eula Tr	1574 Ascension Dr	San Mateo
041392060	Martin Elio L Tr	1578 Ascension Dr	San Mateo
041392070	Wong Hay C	1582 Ascension Dr	San Mateo
041392080	Llerena Alex L Tr	1586 Ascension Dr	San Mateo
041392090	Guzman Edward G & Brenda F	1590 Ascension Dr	San Mateo
041392100	Schaffer Peter W	1596 Ascension Dr	San Mateo
041392110	Tuohey Thomas J & L M Trs	1598 Ascension Dr	San Mateo
041392120	Ciranni Eugene H & Ruth A	1606 Ascension Dr	San Mateo
041392130	Mcguire D Pat & Doris A Trs	1610 Ascension Dr	San Mateo
041401010	Leibs David & Lydia	1709 Los Altos Dr	San Mateo
041401020	Paek Sandra	1713 Los Altos Dr	San Mateo
041401030	Sullivan Barbara Tr	1717 Los Altos Dr	San Mateo
041401040	Ma Sammy Shun Chow	551 Railroad Ave	So San Francisco
041402010	Jabaghourian Ara R	1601 Ascension Dr	San Mateo
041402020	Yuan Denise J	1706 Los Altos Dr	San Mateo
041402030	Bull Yvonne L Tr	1712 Los Altos Dr	San Mateo
041402430	Velkovich Miroslav	1611 Ascension Dr	San Mateo

041402440	Sosnick Jeffrey H & Marian J	1605 Ascension Dr	San Mateo
041411010	Conrad Janie H Tr	1614 Ascension Dr	San Mateo
093141030	City & Co Of S. F. Water Dept	525 Golden Gate Ave 10th Floor	San Francisco

State	Zip
CA	94402-3630
CA	94402-3630
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CA	94401
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CA 94402-3614  
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CA 94402-3614  
CA 94402-3615  
CA 94102

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** shenderson@analyticalcorp.com; hhardy@smcgov.org  
**Date:** 9/4/2013 9:20 AM  
**Subject:** RE: Ascension Heights, Scoping Mtg Logistics/Equipment

That set-up would be perfect for the scoping meeting, very similar. Typically, we only have one table up on the stage since we only need myself and representatives from the County on stage. We will be answering questions in the lobby about the project description and scope of the environmental review, but we don't respond to the comments given for the record. I will have the powerpoint to you before the 18th and that will be the only presentation on the screen. I recommend we publish the NOP mid-next week so the scoping hearing lands in the middle of the comment period, this is the best timing way to allow adequate time for review before and after the scoping hearing to facilitate public involvement. I will look over the plan again and see if there are any other recommendations I can think of to provide for a smooth set-up.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com

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

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Tuesday, September 03, 2013 12:36 PM  
To: Trenton Wilson  
Cc: Heather Hardy  
Subject: Ascension Heights, Scoping Mtg Logistics/Equipment

Good afternoon Trent,

Hope your Labor Day weekend went well. With our meeting quickly approaching (and me out of the office for a week starting next Tuesday), I wanted to start going over the setup of the scoping meeting, and start figuring out what equipment we'll need (either to have you, us, or the theater to provide). I've attached a photo from the last time we were there in December 2009 for the Planning Commission hearing. For that, we had the commission at one end, and had a projector setup off stage for them to see, and we utilized the theater's projector and big screen for the audience. Staff was on the other end of the stage. We three microphones on the commissions table, and two on the staff table. We had a mic also for the audience at the bottom of the center aisle.

That said, what are your thoughts in our setup with tables and mics on the stage, as well as what we have available for the attendees? I'm assuming we'll use their projector again, as well as tables and mics provide, but we need to start getting the layout and equipment in order so they can adequately prepare such. Heather, Jim's admin assistant, will be helping out coordinating this effort.

Per your meeting plan (attached for Heather's benefit), I think it looks good. Ill expect to look at the Powerpoint (which I'm guess will be the only item we'll be presenting on the big screen?) no later Wednesday, September 18th.

Let me know what else we need, and if there is anything additional I should task the applicant with. Again, I just want to start getting everything planned and set in motion before next Tuesday and makes the week leading up to the meeting easy. Thanks Trent.

JAMES

**From:** James Castaneda  
**To:** Trenton Wilson  
**CC:** Heather Hardy; Stephanie Henderson  
**Date:** 9/4/2013 10:07 AM  
**Subject:** RE: Ascension Heights, Scoping Mtg Logistics/Equipment

Thanks Trent, a couple of follow up questions:

Regarding the NOP, what are the notification requirements for the community? While it's getting sent out far later than I anticipated for various issues this week, the letter I shared with you last week will hopefully go out tomorrow. Again, it was to act as a "softer" notification of the scoping meeting to those within 600-ft of the project site, and other interested parties I had from our last mailing list. Per CEQA, should it be expected these same people receive the NOP as well?

That said, Ill need the final NOP draft (which I think I sent back a few edits already, but let me know if you don't have those), any distribution mailings we're obligated to do by Monday, September 9th. I'd like to have that all prepped for staff to do later in the week in my absents.

Thanks for your help Trent.

JAMES

>>> On 9/4/2013 at 09:10, Trenton Wilson <[twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)> wrote:  
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**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** hhardy@smcgov.org; shenderson@analyticalcorp.com  
**Date:** 9/4/2013 10:15 AM  
**Subject:** RE: Ascension Heights, Scoping Mtg Logistics/Equipment

I will give you a rundown of NOP procedures, required mailings, and the Final Draft NOP tomorrow via an email if that is OK? I have the NOP edits and was planning on having everything finalized by tomorrow anyway.

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www.analyticalcorp.com

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

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, September 04, 2013 10:07 AM  
To: Trenton Wilson  
Cc: Stephanie Henderson; Heather Hardy  
Subject: RE: Ascension Heights, Scoping Mtg Logistics/Equipment

Thanks Trent, a couple of follow up questions:

Regarding the NOP, what are the notification requirements for the community? While it's getting sent out far later than I anticipated for various issues this week, the letter I shared with you last week will hopefully go out tomorrow. Again, it was to act as a "softer" notification of the scoping meeting to those within 600-ft of the project site, and other interested parties I had from our last mailing list. Per CEQA, should it be expected these same people receive the NOP as well?

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> TRENTON WILSON  
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>  
> -----Original Message-----  
> From: James Castaneda [mailto:jcastaneda@smcgov.org]  
> Sent: Tuesday, September 03, 2013 12:36 PM  
> To: Trenton Wilson  
> Cc: Heather Hardy  
> Subject: Ascension Heights, Scoping Mtg Logistics/Equipment  
>  
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**From:** James Castaneda  
**To:** Trenton Wilson  
**CC:** Heather Hardy; Stephanie Henderson  
**Date:** 9/4/2013 11:34 AM  
**Subject:** RE: Ascension Heights, Scoping Mtg Logistics/Equipment

Sounds perfect. Ill be around tomorrow and Friday morning.

JAMES

>>> On 9/4/2013 at 10:15, Trenton Wilson <[twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)> wrote:

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Sent: Wednesday, September 04, 2013 10:07 AM  
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> again and see if there are any other recommendations I can think of to  
> provide for a smooth set-up.  
>  
> TRENTON WILSON  
> ANALYTICAL ENVIRONMENTAL SERVICES  
> Project Manager/Sr. Technical Analyst | [twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)  
> 1801 7th Street, Ste 100 | Sacramento, CA 95811  
> 916.447.3479 | Fax 447.1665  
> [www.analyticalcorp.com](http://www.analyticalcorp.com)  
>  
> -----Original Message-----  
> From: James Castaneda [<mailto:jcastaneda@smcgov.org>]  
> Sent: Tuesday, September 03, 2013 12:36 PM  
> To: Trenton Wilson  
> Cc: Heather Hardy  
> Subject: Ascension Heights, Scoping Mtg Logistics/Equipment  
>  
> Good afternoon Trent,  
> Hope your Labor Day weekend went well. With our meeting quickly approaching  
> (and me out of the office for a week starting next Tuesday), I wanted to  
> start going over the setup of the scoping meeting, and start figuring out  
> what equipment we'll need (either to have you, us, or the theater to  
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> 18th.  
>  
> Let me know what else we need, and if there is anything additional I  
should  
> task the applicant with. Again, I just want to start getting  
everything  
> planned and set in motion before next Tuesday and makes the week  
leading up  
> to the meeting easy. Thanks Trent.  
>  
> JAMES

**From:** James Castaneda  
**To:** Marshall Wilson  
**CC:** Heather Hardy  
**Date:** 9/5/2013 9:09 AM  
**Subject:** Press Release, Ascension Heights  
**Attachments:** 20130905 Notice to Press Release.docx

Good morning Marshall,

Attached is a copy of the notification we're planning to send out this afternoon to residence within 600-feet of the Ascension Heights project. Hopefully this will be enough to generate a press release, but please let me know if you need any additional information. Also, please advise when it could go out. Unfortunately, we were a little delayed getting the website ready, which held up getting the notice out earlier. Please advise when the earliest (yet most appropriate) time this could be sent out. Thanks for your help. I greatly appreciate it.

JAMES

--

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
smcplanning.org | sforoundtable.org

September 5, 2013

Dear Baywood and San Mateo Highlands Residents, and Interested Parties:

In the coming months, the San Mateo County Planning and Building Department will begin processing an application for a proposed subdivision for the development of 19 lots on Water Tank Hill, at the corner of Ascension Drive and Bel Aire Road. A previous plan for 25 lots, with a fire access road, was considered and denied by the Planning Commission in December 2009. The project applicant has submitted a revised plan, which will require full review by County agencies, a new Environmental Impact Report, comments and feedback from the community, and final consideration by the Planning Commission.

With the processing of a major subdivision application, there are two inherent parts. The first is review of the proposed subdivision to ensure compliance with County subdivision and zoning regulations. The second is environmental review in the form of an Environmental Impact Report (EIR), which is developed to inform decision makers of any significant environmental effects and measures to mitigate them. These two parts are considered together by the Planning Commission. Community input and participation are both important and essential in these two parts.

In the coming six to nine months during which the project will be reviewed and the environmental document drafted, your assistance is needed in providing valuable community feedback on the project. As the review process progresses, there will be three opportunities to participate in the process: (1) the public scoping process, (2) review of the Draft Environmental Impact Report, and (3) the project as a whole.

As we prepare to begin the environmental review work, we would like to invite you to this first opportunity to get an overview of the project, and share what you think are the most pressing environmental concerns that should be addressed in the EIR. This scoping open house session will be held on:

Wednesday, September 25, 2013  
7:00 p.m.  
College of San Mateo Theater  
1700 W. Hillsdale Boulevard, San Mateo, California  
Doors Open at 6:15 p.m.

Baywood and San Mateo Highlands Residents, and Interested Parties  
September 5, 2013  
Page 2

At this event, you will be able to meet and ask questions of the Planning staff, project applicant, and the County's Environmental Consultants, as well as provide important feedback on the environmental resources you feel may be the most impacted by the subdivision project. These comments will help steer the environmental review.

We are also providing an opportunity to share feedback on this part of the process online at:

<http://www.smcspeakout.com/water-tank-hill-proposed-subdivision-environmental-concerns>

For the most up to date information and to sign up to receive email updates, visit the project's website at:

<http://goo.gl/XUDqLC>

If you have any questions, please do not hesitate to contact us. Also, expect additional updates and notifications of important dates, meetings, and opportunities to share your essential input about your community.

Regards,

James A. Castañeda, AICP  
jcastaneda@smcgov.org  
(650) 363-1853

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** hhardy@smcgov.org; shenderson@analyticalcorp.com  
**Date:** 9/5/2013 9:39 AM  
**Subject:** RE: Ascension Heights, Scoping Mtg Logistics/Equipment  
**Attachments:** Ascension EIR-Notice of Preparation\_v2.docx

NOP:

Surprisingly, the NOP requirements from the CEQA guidelines state that "the lead agency shall send to the Office of Planning and Research (OPR) and each responsible and trustee agency a notice of preparation stating that an environmental impact report will be prepared". The public is not mentioned, but lead agencies typically include a notice such as you will be releasing. But it is better to keep the public notice separate from the NOP.

Responsible agencies are defined as those public agencies having discretionary approval power over the project.

Trustee agencies have jurisdiction by law over natural resources that would be affected by the project. Basically any agency/entity the County and Applicant would have to work with/consult during design and construction of the PP.

Typical NOP lists include the following agencies:  
 Regional Water Board  
 CDFW  
 USFWS  
 AQMD  
 Water District/WW District/Other Special District  
 School District  
 Utility Service Companies (Power, communications)  
 Adjacent City planning departments

Since OPR is down the street, we can hand deliver the NOP to start the 30-day comment period. Let me know if you want further help defining the NOP list.

TRENTON WILSON  
 ANALYTICAL ENVIRONMENTAL SERVICES  
 Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com  
 1801 7th Street, Ste 100 | Sacramento, CA 95811  
 916.447.3479 | Fax 447.1665  
 www.analyticalcorp.com

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

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
 Sent: Wednesday, September 04, 2013 11:34 AM  
 To: Trenton Wilson  
 Cc: Stephanie Henderson; Heather Hardy  
 Subject: RE: Ascension Heights, Scoping Mtg Logistics/Equipment

Sounds perfect. Ill be around tomorrow and Friday morning.

JAMES

>>> On 9/4/2013 at 10:15, Trenton Wilson <twilson@analyticalcorp.com> wrote:

I will give you a rundown of NOP procedures, required mailings, and the Final Draft NOP tomorrow via an email if that is OK? I have the NOP edits and was planning on having everything finalized by tomorrow anyway.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com

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

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, September 04, 2013 10:07 AM  
To: Trenton Wilson  
Cc: Stephanie Henderson; Heather Hardy  
Subject: RE: Ascension Heights, Scoping Mtg Logistics/Equipment

Thanks Trent, a couple of follow up questions:

Regarding the NOP, what are the notification requirements for the community? While it's getting sent out far later than I anticipated for various issues this week, the letter I shared with you last week will hopefully go out tomorrow. Again, it was to act as a "softer" notification of the scoping meeting to those within 600-ft of the project site, and other interested parties I had from our last mailing list. Per CEQA, should it be expected these same people receive the NOP as well?

That said, Ill need the final NOP draft (which I think I sent back a few edits already, but let me know if you don't have those), any distribution mailings we're obligated to do by Monday, September 9th. I'd like to have that all prepped for staff to do later in the week in my absents.

Thanks for your help Trent.

JAMES

>>> On 9/4/2013 at 09:10, Trenton Wilson <twilson@analyticalcorp.com> wrote:

- > That set-up would be perfect for the scoping meeting, very similar.
- > Typically, we only have one table up on the stage since we only need myself
- > and representatives from the County on stage. We will be answering questions
- > in the lobby about the project description and scope of the environmental
- > review, but we don't respond to the comments given for the record.
- |
- will

> have the powerpoint to you before the 18th and that will be the only  
> presentation on the screen. I recommend we publish the NOP mid-next  
week so  
> the scoping hearing lands in the middle of the comment period, this  
is the  
> best timing way to allow adequate time for review before and after  
the  
> scoping hearing to facilitate public involvement. I will look over  
the plan  
> again and see if there are any other recommendations I can think of  
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> provide for a smooth set-up.  
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> TRENTON WILSON  
> ANALYTICAL ENVIRONMENTAL SERVICES  
> Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com  
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> -----Original Message-----  
> From: James Castaneda [mailto:jcastaneda@smcgov.org]  
> Sent: Tuesday, September 03, 2013 12:36 PM  
> To: Trenton Wilson  
> Cc: Heather Hardy  
> Subject: Ascension Heights, Scoping Mtg Logistics/Equipment  
>  
> Good afternoon Trent,  
> Hope your Labor Day weekend went well. With our meeting quickly  
approaching  
> (and me out of the office for a week starting next Tuesday), I  
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> we'll use their projector again, as well as tables and mics provide, but we  
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> coordinating this effort.  
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> Per your meeting plan (attached for Heather's benefit), I think it looks  
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> item we'll be presenting on the big screen?) no later Wednesday, September  
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> Let me know what else we need, and if there is anything additional I should  
> task the applicant with. Again, I just want to start getting everything  
> planned and set in motion before next Tuesday and makes the week leading up  
> to the meeting easy. Thanks Trent.  
>  
> JAMES

## **NOTICE OF EIR PREPARATION NOTICE OF EIR SCOPING MEETING**

---

**To:** Responsible Agencies, Trustee Agencies, and Other Interested Parties  
**Subject:** **Notice of Preparation of a Draft Environmental Impact Report**  
**From:** County of San Mateo  
**Street Address:** 455 County Center, 2nd Floor  
**City/State/Zip:** Redwood City, California 94063  
**Contact:** James Castañeda, AICP

---

The County of San Mateo (County) is the Lead Agency and will prepare an Environmental Impact Report (EIR) for the proposed Ascension Heights Subdivision Project identified below in compliance with the California Environmental Quality Act (CEQA). The purpose of this Notice of Preparation (NOP) is to describe the Ascension Heights Subdivision Project and potential environmental effects in order to allow agencies and interested parties to provide input on the scope and content of the EIR.

Due to the time limits mandated by state law, your response to this notice must be sent at the earliest possible date but **not later than October 30 days** after receipt of this notice.

Please send your response to:

The County of San Mateo  
Attention: James Castañeda, AICP  
Planning and Building Department  
455 County Center, 2nd Floor  
Redwood City, California 94063.

Please provide a contact name for your agency, if applicable, with your comments.

**Project Title:** Ascension Heights Subdivision Project

**Project Applicant:** County of San Mateo

**Project Location:** The project site is located in the Baywood Park area of unincorporated San Mateo County at the northeast corner of Bel Aire Road and Ascension Drive, east of Interstate 280 and west of State Route 92. The College of San Mateo is located approximately 0.25 miles to the northeast of the project site. The City of Redwood City is approximately 7 miles southeast of the project site, and the City of San Francisco is approximately 20 miles to the north.

**Proposed Project:** The Ascension Heights Subdivision Project (Proposed Project) entails a request by the project proponent for the County of San Mateo to approve subdivision of six parcels on 21.13 acres into 21 lots for development of 19 single-family residences with the remaining 2 lots (approximately 7.81-acres) maintained as a conservation area. Potable water would be provided by connection to the Mid-

Peninsula Water District, and wastewater collection would be provided by the Crystal Springs Sanitation District with treatment at the City of San Mateo Wastewater Treatment Plant. Development of the 19 subdivided lot into single-family residences would require 40,920 cubic yards of grading, of which 28,270 cubic yards would require exportation from the site. Accordingly, the project applicant also requires a grading permit from the County.

**Project Background:** The Proposed Project is a re-design of a previous project, which proposed a subdivision of the project site into 27 parcels, of which 25 would have been developed. A Draft Environmental Impact Report (Draft EIR) and Final Environmental Impact Report (Final EIR) were prepared for the previously proposed project. In 2009, the San Mateo County Planning Commission (Planning Commission) denied the applications for a Major Subdivision and Grading Permit and declined to certify the Final EIR. Based on an appeal and subsequent submission by the applicant of an alternative concept design plan to address the Planning Commission's concerns raised on the project, the County Board of Supervisors remanded the project back to the Planning Commission.

The applicant and County engaged the community in a discussion of the project and the revised project for reconsideration. County planning staff hosted a series of dialogs between the applicant and members of the community to discuss the topics of concern raised during the environmental review process of the previous project. The project as currently proposed was redesigned as a reduced intensity project limiting residential development to the northwestern portion of the project site, thereby reducing the subdivision request and associated number of proposed residential units.

**Environmental Effects:**

The County has determined that an EIR is the appropriate environmental document for the project and that the EIR should address, at a minimum, the following issues:

Aesthetics – The EIR will address the potential impacts to the visual character of the project site and surrounding public view areas. Potential impacts to ambient lighting conditions will also be addressed.

Air Quality – The EIR will address the project's potential fugitive dust impacts, odor impacts, and regional air pollutant impacts, including green house gas emissions. Potential impacts to sensitive receptors will also be addressed. The analysis will address both short-term impacts from construction and long-term impacts from operation. A preliminary health risk assessment for diesel particulate matter will be developed in support of the EIR.

Biological Resources – The EIR will analyze the project's short-term (construction) and long-term (operation) impacts on threatened and endangered species, migratory birds, habitats, and other biological resources in light of applicable state and federal regulatory frameworks.

Geology and Soils – The EIR will assess the proposed project's potential for soil erosion during construction and the level of geologic and seismic risks. The level of risk to people and property will be determined based on analysis of the project site's soil properties and seismic hazard potential.

Greenhouse Gas Emissions – The EIR will assess the proposed project's potential for impacts to greenhouse gas emissions in relation to applicable and adopted plans, policies, and regulations.

Hazards – The EIR will evaluate potential impacts from the use of chemicals and practices common to construction of residential areas as well as address the increase in use of residential hazardous substances.

Hydrology and Water Quality – The EIR will analyze the project's impacts to surface and groundwater on a local and regional level. Potential impacts to

surface water quality and changes in local hydrological conditions will be addressed.

Land Use, Planning, and Agriculture – The EIR will evaluate the consistency of the proposed project with the adopted plans and policies of County, including but not limited to the respective General Plans and Zoning Ordinances. The EIR will also analyze the proposed project’s compatibility with surrounding land uses.

Noise/Vibration – The EIR will evaluate the potential impacts on ambient noise levels from construction-related and operation-related noise. Primary issues include short-term increase in noise and vibration that may impact sensitive receptors and the creation of land use conflicts regarding noise.

Public Services and Utility Systems – The EIR will evaluate the potential impact on public services and utility systems in the surrounding region. The EIR will determine if additional or expanded facilities or utilities are required to meet the needs of the residential units.

Traffic and Circulation – The EIR will address the potential impacts to surrounding roadways resulting from the increase in motor vehicle traffic along roadways during construction (short-term, temporary increase) and operations.

Growth-Inducing and Cumulative Effects – The EIR will analyze potential growth-inducing and cumulative impacts resulting from the proposed project pursuant to CEQA Guidelines 15126(d) and 15130, respectively.

**Discussion of Alternatives:**

CEQA Guideline 15126.6(a) requires that an EIR describe a range of reasonable alternatives for the project. The EIR will evaluate the comparative merits of the alternatives, including the No-Project alternative. The alternatives will be determined, in part, by public input received during the NOP comment period. To ensure that the Environmental Impact Report adequately addresses the full range of issues and alternatives related to the proposed project and that all significant issues are identified, comments and suggestions are invited from all interested parties.

**Notice of Scoping Meeting:**

Pursuant to CEQA Guidelines section 15082 (Notice of Preparation and Determination of Scope of EIR), the County of San Mateo will conduct a scoping meeting for the purpose of soliciting views of adjacent cities, responsible agencies, agencies with jurisdiction by law, trustee agencies, and interested parties requesting notice, as to the appropriate scope and content of the EIR.

The scoping session will be conducted by the County of San Mateo on September 25, 2013 at 7:00 P.M. (doors will open at 6:15 P.M.) at:

The Theatre at College of San Mateo  
1700 W. Hillsdale Blvd  
San Mateo, CA 94402  
650-574-6161

Please contact James Castañeda, Planner, for further information.

---

James A. Castañeda, AICP

---

Date

Telephone: 650/363-1853  
FAX: 650/363-4819  
E-mail: [jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)

**From:** James Castaneda  
**To:** Hardy, Heather  
**Date:** 9/7/2013 7:09 PM  
**Subject:** Meeting with Jim and Mike, ARGENT

Heather,

Given the feedback we've started to receive on the Ascension Heights scoping meeting, I'm going to need with Jim along with Mike regarding the project sometimes Monday. I leave on Tuesday for a week and need to prep Jim in order to make any decisions on the project in my absents.

JAMES

**From:** James Castaneda  
**To:** Dave Pine  
**CC:** David Burruto; Heather Hardy; Jim Eggemeyer; Mike Schaller; twilson@...  
**Date:** 9/9/2013 7:19 AM  
**Subject:** Fwd: Re: Ascension Hts Discussions Jun 8

Ill see what I do regarding everything you listed for today's meeting, but I really do need an opportunity to discuss this with Jim (who is back from vacation today) before meeting today to be advised on the matter. JAMES

>>> On 9/8/2013 at 21:45, Dave Pine <dpine@smcgov.org> wrote:

James,

I do think Jerry Ozanne has a point about the community needing time to get organized in advance of the Scoping Session. Providing adequate time is particularly critical if there will only be one scoping session. We discussed the number scoping sessions briefly when we talked on the phone on Friday, and you said holding only one session was typical, though you indicated you would check on whether we have conducted more than one on other projects. Note that the AES contract states that "*AES will attend and provide environmental expertise at one public town hall/scoping meeting during the 30-day public review period starting with release of the NOP.*"

When we meet, let's discuss whether it is still possible to push the scoping session out a few weeks. I assume it is unless the formal NOP has been circulated. If for some reason we can't push out the scoping session, we may indeed need a second scoping session. It is fair for the neighborhood, and good for us, if concerned citizens have the time to provide their best input in the early stages of the review process.

Dave

>>> Dave Pine 9/8/2013 9:31 PM >>>

Jerry,

Let's plan on talking by phone as soon as you are back in town on Wednesday. Please call my cell: 650-

I do not believe that any actions have been taken by AES or the Planning Department that will limit the public scoping session. However, I see your point about needing adequate time for the community to prepare for the scoping session. I will discuss this issue when I meet with James Castanada on Monday.

I hope you are enjoying your vacation.

Dave

**Dave Pine**  
**San Mateo County Supervisor, First District**  
**400 County Center, 1st Floor**  
**Redwood City, CA 94063**  
**(650) 363-4571 (w)**  
**(650) (m)**  
**dpine@smcgov.org**

>>> Gerard Ozanne <

9/6/2013 10:36 PM >>>

Dave,  
I'm on vacation until next Wed with limited email access.

When we discussed the next steps at our meeting in June, you and I agreed neighborhood representatives should meet with Planning prior to the Scoping meeting to review our experiences (as you outline below) and provide our input into the preliminary stages spelled out in the EIR consultant contract. Some of these preliminary stages may be used to limit the scope of the study prior to, and independent of, the public scoping meeting.

I am concerned that the neighborhood has not been consulted on the timing of the scoping meeting to allow sufficient time for community preparation. Following our meeting with the Planning Dept, we will hold a neighborhood meeting to prepare for the formal scoping session. Two weeks is insufficient time to accomplish this work. Consequently, it is impossible to have the necessary and informed community input for the Ascension Hts scoping meeting by September 25.

I look forward to discussing a new date for the scoping meeting when I return on the 11th.

Thank you for your help and efforts on this,  
Jerry

Sent from my iPhone

On Sep 6, 2013, at 3:46 PM, "Dave Pine" <dpine@smcgov.org> wrote:

Jerry,

Thank you for your email.

The next step in the Ascension project will be to conduct the public EIR scoping process. I have just learned that a meeting has been set for that purpose on September 25th at 7:00 pm at the College of San Mateo Theater. Attached is a letter from SMC Planner James Castaneda about the meeting. The letter was mailed yesterday to all residences within 600-feet of the project site, as well other interested parties that the SMC Planning Department is aware of. In addition, a press release will be issued about the meeting early next week.

No work has been performed on the project by the SMC Planning Department since we last discussed this matter on June 8th (when I toured the project site) with the exception of putting in place a contract with Analytical Environmental Services (AES) to conduct the EIR. The first step of the EIR process is to hold the scoping session scheduled for September 25th.

I am scheduled to meet with James on Monday to review the entire planning and review process going forward. We are both committed to transparency, robust citizen involvement, and applying the "lessons learned" from any shortcomings in the review process conducted for the first Ascension proposal.

I will give you a call over the weekend to discuss this matter further. Among other issues, I would like to discuss what steps need to be taken to ensure that residents who live MORE than 600-feet away from the project site are also notified of the scoping session and kept up to date on the project's status.

Regards,

Dave

**Dave Pine**  
**San Mateo County Supervisor, First District**  
**400 County Center, 1st Floor**  
**Redwood City, CA 94063**  
**(650) 363-4571 (w)**  
**(650) (m)**  
**dpine@smcgov.org**

>>> Gerard Ozanne 9/4/2013 8:55 PM >> (  
mailto: )

Hi Dave,

We are concerned the Ascension Hts project may be proceeding through Planning Dept processes without community input. Can you bring us up to date on the status of the project?

Thank you,

Jerry

<Ascension EIR Scoping Notice.09.05.13.pdf.pdf>

**From:** James Castaneda  
**To:** Trenton Wilson  
**CC:** Heather Hardy  
**Date:** 9/9/2013 4:09 PM  
**Subject:** RE: Postponed Scoping Meeting, Ascension Heights

Great! If Heather doesn't contact you later this week with anything she needs, Ill be in touch next week with an update. Thanks for your help Trent.

JAMES

>>> On 9/9/2013 at 15:39, Trenton Wilson <twilson@analyticalcorp.com> wrote:

Understandable and there are no conflicts as I had set aside October to work on the EIR, we'll make whatever schedule work for you!!!

**TRENTON WILSON**  
**ANALYTICAL ENVIRONMENTAL SERVICES**  
Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com  
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**916.447.3479 | Fax 447.1665**  
**www.analyticalcorp.com**

**From:** James Castaneda [mailto:jcastaneda@smcgov.org]  
**Sent:** Monday, September 09, 2013 3:34 PM  
**To:** Trenton Wilson  
**Subject:** Postponed Scoping Meeting, Ascension Heights

Trent,

Fresh out of the meeting with Supervisor Pine, looks like their will be a postponement of the scoping meeting for at least two weeks. Heather Hardy will confirm and coordinate later this week, but other than pushing the overall timeline out, is there any other ramifications on your end or possible conflicts if we look at dates mid week the second week in October? Let me know.

JAMES

**From:** James Castaneda  
**To:** hhardy@smcgov.org  
**Date:** 9/9/2013 4:18 PM  
**Subject:** RE: Postponed Scoping Meeting, Ascension Heights (OUT OF THE OFFICE)

I'm currently out of the office till Wednesday, September 18, 2013. Ill return any inquires at that time. For general questions, please contact the counter planner at 650/363-1853.  
>>> Heather Hardy 09/09/13 16:18 >>>

Great! I'll work with the venue and will update Trent once I know its availability for October 8, 9, and 10. Thank you to you both.

Heather

>>> James Castaneda 9/9/2013 4:09 PM >>>  
Great! If Heather doesn't contact you later this week with anything she needs, Ill be in touch next week with an update. Thanks for your help Trent.

JAMES

>>> On 9/9/2013 at 15:39, Trenton Wilson <twilson@analyticalcorp.com> wrote:

Understandable and there are no conflicts as I had set aside October to work on the EIR, we'll make whatever schedule work for you!!!

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**From:** James Castaneda [mailto:jcastaneda@smcgov.org]  
**Sent:** Monday, September 09, 2013 3:34 PM  
**To:** Trenton Wilson  
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Fresh out of the meeting with Supervisor Pine, looks like their will be a postponement of the scoping meeting for at least two weeks. Heather Hardy will confirm and coordinate later this week, but other than pushing the overall timeline out, is there any other ramifications on your end or possible conflicts if we look at dates mid week the second week in October? Let me know.

JAMES

**From:** Heather Hardy  
**To:** James Castaneda; Trenton Wilson  
**Date:** 9/9/2013 4:18 PM  
**Subject:** RE: Postponed Scoping Meeting, Ascension Heights

Great! I'll work with the venue and will update Trent once I know its availability for October 8, 9, and 10. Thank you to you both.

Heather

>>> James Castaneda 9/9/2013 4:09 PM >>>  
Great! If Heather doesn't contact you later this week with anything she needs, Ill be in touch next week with an update. Thanks for your help Trent.

JAMES

>>> On 9/9/2013 at 15:39, Trenton Wilson <twilson@analyticalcorp.com> wrote:

Understandable and there are no conflicts as I had set aside October to work on the EIR, we'll make whatever schedule work for you!!!

**TRENTON WILSON**  
**ANALYTICAL ENVIRONMENTAL SERVICES**  
Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com  
**1801 7th Street, Ste 100 | Sacramento, CA 95811**  
**916.447.3479 | Fax 447.1665**  
**www.analyticalcorp.com**

**From:** James Castaneda [mailto:jcastaneda@smcgov.org]  
**Sent:** Monday, September 09, 2013 3:34 PM  
**To:** Trenton Wilson  
**Subject:** Postponed Scoping Meeting, Ascension Heights

Trent,

Fresh out of the meeting with Supervisor Pine, looks like their will be a postponement of the scoping meeting for at least two weeks. Heather Hardy will confirm and coordinate later this week, but other than pushing the overall timeline out, is there any other ramifications on your end or possible conflicts if we look at dates mid week the second week in October? Let me know.

JAMES

**From:** Heather Hardy  
**To:**  
**Date:** 9/11/2013 4:54 PM  
**Subject:** Scheduling: Ascension Heights Discussion

Hello Mr. Ozanne,

I'm writing to ask for your availability on September 18th and 20th. I'll be coordinating a meeting involving yourself and various County staff to discuss the planned Scoping Meeting for the Ascension Heights project. Please let me know your availability for those two days, and I will confirm once the meeting time has been determined.

Thank you,

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 -  
5:30

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** hhardy@smcgov.org  
**Date:** 9/13/2013 10:48 AM  
**Subject:** RE: Rescheduled Ascension Heights Meeting

Sounds good, it's on our calendar for now!! Have a great weekend!

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Friday, September 13, 2013 10:39 AM  
To: Trenton Wilson  
Subject: Rescheduled Ascension Heights Meeting

Hi Trent,

I hope you are well. Happy Friday! I'm writing to tell you that I have tentatively booked the meeting venue (Theatre at College of San Mateo) for Wednesday October 9. I'll of course let you know if I hear anything different.

Thanks,  
Heather

**From:** Gerard Ozanne <  
**To:** hhardy@smcgov.org  
**Date:** 9/13/2013 2:12 PM  
**Subject:** Re: Scheduling: Ascension Heights Discussion

Hi Heather,  
Can you tell me if the Initial Study and the Notice of Preparation have been completed? and distributed?

Thanks,

Jerry

On Sep 11, 2013, at 4:54 PM, Heather Hardy <hhardy@smcgov.org> wrote:

> Hello Mr. Ozanne,

>

> I'm writing to ask for your availability on September 18th and 20th. I'll be coordinating a meeting involving yourself and various County staff to discuss the planned Scoping Meeting for the Ascension Heights project. Please let me know your availability for those two days, and I will confirm once the meeting time has been determined.

>

> Thank you,

>

> Heather

>

>

> Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30

**From:** Gerard Ozanne <  
**To:** hhardy@smcgov.org  
**CC:** JEggemeyer@smcgov.org; DPine@smcgov.org  
**Date:** 9/13/2013 2:50 PM  
**Subject:** Re: Scheduling: Ascension Heights Discussion

Hi Heather,  
To follow up on your phone call today, Supervisor Pine and I would like to schedule a meeting with Mr. Eggemeyer in his office at 4pm on Wed., September 18.

Thank you,

Jerry

On Sep 13, 2013, at 2:12 PM, Gerard Ozanne < > wrote:

> Hi Heather,  
> Can you tell me if the Initial Study and the Notice of Preparation have been completed? and distributed?  
>  
> Thanks,  
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> Jerry  
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> On Sep 11, 2013, at 4:54 PM, Heather Hardy <hhardy@smcgov.org> wrote:  
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>> Hello Mr. Ozanne,  
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>> Thank you,  
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>> Heather  
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>>  
>> Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455 County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30  
>

**From:** Heather Hardy  
**To:** Gerard Ozanne  
**CC:** Dave Pine; Jim Eggemeyer  
**Date:** 9/13/2013 3:00 PM  
**Subject:** Re: Scheduling: Ascension Heights Discussion

Good afternoon Mr. Ozanne,

Thank you for the follow up. Jim Eggemeyer will attend the meeting next Wednesday 9/18/13 at 4:00 PM in Supervisor Pine's office. In response to your earlier question below, Jim told me that neither the Initial Study nor the Notice of Preparation have been completed or distributed. Please let me know if you have any further questions.

Thank you,  
Heather

>>> Gerard Ozanne < > 9/13/2013 2:50 PM >>>

Hi Heather,

To follow up on your phone call today, Supervisor Pine and I would like to schedule a meeting with Mr. Eggemeyer in his office at 4pm on Wed., September 18.

Thank you,

Jerry

On Sep 13, 2013, at 2:12 PM, Gerard Ozanne < > wrote:

Hi Heather,

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Thanks,

Jerry

On Sep 11, 2013, at 4:54 PM, Heather Hardy <hhardy@smcgov.org> wrote:

Hello Mr. Ozanne,

I'm writing to ask for your availability on September 18th and 20th. I'll be coordinating a meeting involving yourself and various County staff to discuss the planned Scoping Meeting for the Ascension Heights project. Please let me know your availability for those two days, and I will confirm once the meeting time has been determined.

Thank you,

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San

**From:** Heather Hardy  
**To:** David Burruto  
**Date:** 9/13/2013 3:03 PM  
**Subject:** Fwd: Re: Scheduling: Ascension Heights Discussion  
**Attachments:** Re: Scheduling: Ascension Heights Discussion

Hi David,

I imagine that the Supervisor will send this to you also, but I'm forwarding just in case. I have this on calendar now for Jim Eggemeyer and James Castaneda.

Thank you,  
Heather

**From:** Gerard Ozanne <  
**To:** Heather Hardy <hhardy@smcgov.org>  
**CC:** Pine Dave <dpine@smcgov.org>, Eggemeyer Jim <JEggemeyer@smcgov.org>  
**Date:** 9/13/2013 2:50 PM  
**Subject:** Re: Scheduling: Ascension Heights Discussion

Hi Heather,  
To follow up on your phone call today, Supervisor Pine and I would like to schedule a meeting with Mr. Eggemeyer in his office at 4pm on Wed., September 18.

Thank you,

Jerry

On Sep 13, 2013, at 2:12 PM, Gerard Ozanne < wrote:

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> Can you tell me if the Initial Study and the Notice of Preparation have been completed? and distributed?  
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>>  
>> Thank you,

>>  
>> Heather

>>  
>> Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455 County Center 2nd Floor  
Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30

>

**From:** Marshall Wilson  
**To:** Castaneda, James  
**CC:** Hardy, Heather  
**Date:** 9/16/2013 1:44 PM  
**Subject:** Re: Press Release, Ascension Heights

Hi James,

Just checking in re the draft news release I sent you last week.

Marshall

>>> James Castaneda 9/5/2013 9:09 AM >>>

Good morning Marshall,

Attached is a copy of the notification we're planning to send out this afternoon to residence within 600-feet of the Ascension Heights project. Hopefully this will be enough to generate a press release, but please let me know if you need any additional information. Also, please advise when it could go out. Unfortunately, we were a little delayed getting the website ready, which held up getting the notice out earlier. Please advise when the earliest (yet most appropriate) time this could be sent out. Thanks for your help. I greatly appreciate it.

JAMES

--

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
smcplanning.org | sforoundtable.org

**From:** Heather Hardy  
**To:** James Castaneda; Marshall Wilson  
**Date:** 9/16/2013 2:47 PM  
**Subject:** Re: Press Release, Ascension Heights

Hello Marshall,

James is out of the country, returning this Wednesday 9/18. When he left for vacation last Monday 9/9, he told me that the meeting would be rescheduled. At present, the tentative plan is for Wednesday 10/9. James and our department head Jim Eggemeyer are meeting this Wednesday with Supervisor Dave Pine, and I believe they will update me with more information at that time.

Thank you,  
Heather

>>> Marshall Wilson 9/16/2013 1:42 PM >>>  
Hi James,

Just checking in re the draft news release I sent you last week.

Marshall

>>> James Castaneda 9/5/2013 9:09 AM >>>  
Good morning Marshall,

Attached is a copy of the notification we're planning to send out this afternoon to residence within 600-feet of the Ascension Heights project. Hopefully this will be enough to generate a press release, but please let me know if you need any additional information. Also, please advise when it could go out. Unfortunately, we were a little delayed getting the website ready, which held up getting the notice out earlier. Please advise when the earliest (yet most appropriate) time this could be sent out. Thanks for your help. I greatly appreciate it.

JAMES

--

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department  
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T 650.363.1853 | F 650.363.4819  
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**From:** Gerard Ozanne <  
**To:** hhardy@smcgov.org  
**Date:** 9/16/2013 3:53 PM  
**Subject:** Re: Scheduling: Ascension Heights Discussion

Hi Heather,  
Did you receive this email? Will this time work?

Jerry

On Sep 13, 2013, at 2:50 PM, Gerard Ozanne < > wrote:

> Hi Heather,  
> To follow up on your phone call today, Supervisor Pine and I would like to schedule a meeting with Mr. Eggemeyer in his office at 4pm on Wed., September 18.

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>>> Thank you,  
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>>> Heather

>>>  
>>> Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455 County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30

>>  
>

**From:** Heather Hardy  
**To:** Gerard Ozanne  
**Date:** 9/16/2013 4:11 PM  
**Subject:** Re: Scheduling: Ascension Heights Discussion

Hi Mr. Ozanne,

Yes this time works - thanks for confirming. I emailed you at 3PM on Friday (please see the text below.)  
Have a good evening,

Heather

Good afternoon Mr. Ozanne,

Thank you for the follow up. Jim Eggemeyer will attend the meeting next Wednesday 9/18/13 at 4:00 PM in Supervisor Pine's office. In response to your earlier question below, Jim told me that neither the Initial Study nor the Notice of Preparation have been completed or distributed. Please let me know if you have any further questions.

Thank you,  
Heather

>>> Gerard Ozanne < > 9/16/2013 3:53 PM >>>  
Hi Heather,  
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Jerry

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Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** hhardy@smcgov.org  
**Date:** 9/18/2013 2:32 PM  
**Subject:** RE: Question: Ascension Heights Scoping Meeting

Podiums are not required, and if a hassle the microphone stands will be fine. Two stands as she recommended will work great and we'll just make sure to direct the audience to the nearest microphone stand when they present their comments.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Project Manager/Sr. Technical Analyst | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Wednesday, September 18, 2013 1:33 PM  
To: Trenton Wilson  
Subject: Question: Ascension Heights Scoping Meeting

Hello Trent,

At your convenience, please see the attached question from the meeting venue and let me know your thoughts.

Thanks,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30

**From:** James Castaneda  
**To:** Heather Hardy  
**Date:** 9/18/2013 2:51 PM  
**Subject:** Notification Lists for Accession Heights  
**Attachments:** 20130918\_PLN2002-00517 Agency List.xls; 20130918\_PLN2002-00517 600-ft List.xls

Heather,  
Attached are the two notification lists (one which Annie provided of those within 600-ft from the project), and interested agencies. We'll use this for the notice WP is currently drafting.

JAMES

CA Dept. of Real Estate	ATTN: J. A. Edmonds Jr.
City of San Mateo Planning Division	ATTN: Community Development Director
Hillsborough Planning Division	ATTN: Director
LAFCO	ATTN: Martha Poyatos
Bay Area Open Space Council	ATTN: John Woodbury
San Mateo Co. Dept. of Housing & Comm. Dev.	
San Mateo County Managers Office	ATTN: John Maltbie
Committee for Green Foothills	ATTN: Lennie Roberts
San Mateo Highlands Community Assoc	ATTN: Cliff Donley
Baywood Park Homeowners Assoc	ATTN: Gerald Ozanne

2201 Broadway	Sacramento	CA	95818
330 West 20th Ave	San Mateo	CA	94403
1600 Floribunda Avenue PLN-122	Hillsborough	CA	94010-6418
246 John Street	Oakland	CA	94611
262 Harbor Blvd, Bldg A CMO-105	Belmont	CA	94002
339 La Cuesta Dr.	Portola Valley	CA	94028
30 Shelburne Pl	San Mateo	CA	94402
1434 Enchanted Way	San Mateo	CA	94402

APN	Owner	Address	City
038151050	Cooney Thomas J & Linda A	1375 Parrott Dr	San Mateo
038151060	Logan Gail Charlotte Tr	1383 Parrott Dr	San Mateo
038151070	Strickley Robert G	1399 Parrott Dr	San Mateo
038151080	Wong Gary K Tr	1419 Parrott Dr	San Mateo
038151090	Dowse Mitzi J Tr	1427 Parrott Dr	San Mateo
038151100	Dean Evelyn E Tr	1435 Parrott Dr	San Mateo
038151110	Wulf Nathan	1443 Parrott Dr	San Mateo
038151120	Gin Marvin	1459 Parrott Dr	San Mateo
038152050	Chang Wesley Tr	950 Stockton St Ste 406	San Francisco
038152060	Tognotti Michael John Tr	1384 Parrott Dr	San Mateo
038152070	Johnson Ronald I & Arlene M Tr	1398 Parrott Dr	San Mateo
038152080	Wong Robert H	1399 Bel Aire Rd	San Mateo
038152090	Hager Daniel M Tr	1383 Bel Aire Rd	San Mateo
038152100	Peak Scott J	1375 Bel Aire Rd	San Mateo
038155010	Metz James John Tr	1426 Bel Aire Rd	San Mateo
038155020	Wong Michael Shan	156 Bay View Drive	San Carlos
038155030	Volkov Grigoriy	1398 Bel Aire Rd	San Mateo
038155040	Soon Dennis L Tr	1392 Bel Aire Rd	San Mateo
038155050	Salvador Melencio Manalac Tr	1374 Bel Aire Rd	San Mateo
038155110	Mukha Peter	1405 Enchanted Way	San Mateo
038161010	Codemo David J	1475 Parrott Dr	San Mateo
038161020	Loomis Mary Wales Tr	1487 Parrott Dr	San Mateo
038161030	Romano Peter J & Glenda L	1499 Parrott Dr	San Mateo
038161040	Greenwood Doris A Tr	1515 Parrott Dr	San Mateo
038161050	Grinstead Arthur W Tr	1527 Parrot Dr	San Mateo
038161060	Galati Edward	1539 Parrott Dr	San Mateo
038161070	Jones Albert L & Sussan	1551 Parrott Dr	San Mateo
038161080	Murray Nevair Tr	1563 Parrott Dr	San Mateo
038161090	Elgin Onder	1575 Parrott Dr	San Mateo
038161100	Perez Jacinto I	1587 Parrott Dr	San Mateo
038161110	Shehadeh Joseph J	1599 Parrott Dr	San Mateo
038162020	Gasparini Louis Tr	1426 Parrott Dr	San Mateo
038162040	Lapier Marie I Tr	1438 Parrott Dr	San Mateo
038162060	Nishizaki Craig M Tr	1474 Parrott Dr	San Mateo
038162070	Luong Trang	1486 Parrott Drive	San Mateo
038162080	Cura George L	1498 Parrott Dr	San Mateo
038162090	Gunn Andrenna Est Of	1514 Parroto Dr	San Mateo
038162100	Quon Andrew	1526 Parrott Dr	San Mateo
038162110	Nagle Donald R	1538 Parrott Dr	San Mateo
038162120	Cassinelli Sharon E Tr	1550 Parrott Dr	San Mateo
038162130	Ditlevsen Laura J	1556 Parrott Dr	San Mateo
038162140	Wright Elsie W Tr	1574 Parrott Dr	San Mateo
038162150	Cummings Roger Wesley Tr	1586 Parrott Dr	San Mateo
038162160	Patel Anil P	1598 Parrott Drive	San Mateo
038162170	Mathon John	1450 Parrott Dr	San Mateo
038162180	Dozier Nithila	1414 Parrott Dr	San Mateo

038281390	San Mateo County Community	3401 Csm Dr	San Mateo
038283010	San Mateo County Community	3401 Csm Dr	San Mateo
038401030	Morgan William R Tr	1265 Tournament Dr	Hillsborough
038402020	Jajah Jad Tr	1280 Tournament Dr	Hillsborough
038402030	Ynares Casimiro M	1270 Tournament Dr	Hillsborough
038402040	Chin Gilmore F Tr	1260 Tournament Dr	Hillsborough
038402050	Ginsburg Lee A Tr	1250 Tournament Dr	Hillsborough
038402060	Chinn Richard B Tr	1240 Tournament Dr	Hillsborough
038402070	Wong Paul Y Tr	1230 Tournament Dr	Hillsborough
041111020	California Water Service Co	1720 N 1st St	San Jose
041111130	Orourke John	607 Huntleigh Dr	Lafayette
041111160	Orourke John	607 Huntleigh Dr	Lafayette
041111270	Orourke John	607 Huntleigh Dr	Lafayette
041111280	Orourke John	607 Huntleigh Dr	Lafayette
041111320	Orourke John	607 Huntleigh Dr	Lafayette
041111360	Orourke John	607 Huntleigh Dr	Lafayette
041121010	Davis Edwin W Iii Tr	1615 Parrott Dr	San Mateo
041121020	Ngo Loan P	1627 Parrott Drive	San Mateo
041122010	Lanfranco Martin J Tr	1616 Parrott Dr	San Mateo
041122020	Estupinian Joy E Tr	1628 Parrott Dr	San Mateo
041221020	Blackton Louanna	1438 Bel Aire Rd	San Mateo
041221030	Blackton Louanna	1438 Bel Aire Rd	San Mateo
041222010	Kidera Jean Allen Tr Et Al	1432 Bel Aire Rd	San Mateo
041222020	Blackton Louanna Tr	1438 Bel Aire Rd	San Mateo
041222030	Yu Raymond W N/A	1444 Bel Aire Rd	San Mateo
041222040	Lau Sharon V	1450 Bel Aire Rd	San Mateo
041222050	Roach Geraldine R	1456 Bel Aire Rd	San Mateo
041222060	Swartz Jonathan T	1462 Bel Aire Rd	San Mateo
041222070	Poon Arnold Koon-Chee	1468 Bel Aire Road	San Mateo
041222080	Hsu Joseph T & Sharon S	1474 Bel Aire Rd	San Mateo
041222090	Thomas Robert Earl Tr	1480 Bel Aire Rd	San Mateo
041222100	Jacobs Martha S Tr	1459 Enchanted Wy	San Mateo
041222110	Scarcella John P Tr	1453 Enchanted Way	San Mateo
041222120	Fabris Edward L Tr	1447 Enchanted Way	San Mateo
041222130	Kanaga Stephen R Tr	1441 Enchanted Way	San Mateo
041222140	Ottoboni Gary Tr	1435 Enchanted Way	San Mateo
041222150	Abramson Scott Allen & P A Trs	1429 Enchanted Way	San Mateo
041222160	Goodwine James K Jr & H L Trs	1423 Enchanted Way	San Mateo
041222170	Phan Ngan	1417 Enchanted Way	San Mateo
041222190	Musgrave Regan J Tr	1407 Enchanted Way	San Mateo
041222200	Pitkin Peter B Tr	1411 Enchanted Way	San Mateo
041223030	Khilani Anil	1485 Ascension Dr	San Mateo
041223040	Sakurai Jennifer L	1479 Ascension Dr	San Mateo
041223110	Russo Anthony M Tr	1475 Ascension Dr	San Mateo
041223150	Novy Brian J Tr	1471 Ascension Dr	San Mateo
041223160	Schane Dale E Tr	2276 Blue Heron Loop	Lincoln
041223210	Mcsheery Tracy D	119 Starlite Dr	San Mateo

041223230	Chen Laurent	107 Starlite Dr	San Mateo
041223240	Haslam Robert T Tr	1410 Enchanted Way	San Mateo
041223250	Hens Christopher D Tr	1420 Enchanted Way	San Mateo
041223260	Haw David Lawrence Tr	1428 Enchanted Wy	San Mateo
041223270	Ozanne Gerard M & Linda C	1434 Enchanted Way	San Mateo
041223280	Mitroff George B	1440 Enchanted Way	San Mateo
041223290	Thacker Benjamin H Tr	1446 Enchanted Wy	San Mateo
041231010	Witte Randall Jeffry Tr	1313 Laurel St #222	San Carlos
041231020	Lin Kevin	1506 Ascension Dr San Mateo	San Mateo
041231030	Givechi Ali	1512 Ascension Dr	San Mateo
041231040	Russell Riley R Tr	1518 Ascension Dr	San Mateo
041231050	Aliamus Robert J & M J Trs	1524 Ascension Dr	San Mateo
041231060	Suyehiro David K Tr	1530 Ascension Dr	San Mateo
041231070	Whitham Calvin D	1536 Ascension Dr	San Mateo
041231080	Lawrence Peter C & Diane F Trs	1542 Ascension Dr	San Mateo
041231090	Bhatia Hemant B	1548 Ascension Dr	San Mateo
041231100	Raphael Al Tr	100 Valley View Ct	San Mateo
041231110	Anguiano Robert	98 Valley View Ct	San Mateo
041231120	Brugioni Robert Tr	411 Horn Ave	Santa Rosa
041231130	Nishimoto Kevin P	92 Valley View Ct	San Mateo
041231140	Mason Harry J Tr	88 Valley View Ct	San Mateo
041231150	Hance Daniel J & Grace Trs	84 Valley View Ct	San Mateo
041231170	Nomura Mark J	76 Valley View Court	San Mateo
041231180	Mcclintock Dana Elaine	72 Valley View Ct	San Mateo
041231190	Carmichael Sean A	68 Valley View Court	San Mateo
041231200	Martucci Dean Thomas Tr	64 Valley View Ct	San Mateo
041231210	Grosey Judith G Tr	60 Valley View Court	San Mateo
041231220	Abreu Antonio Pedro Teixeira Tr	244 Exeter Ave	San Carlos
041231230	Juricich Linda	52 Valley View Ct	San Mateo
041231240	Bronstein Matthew A & Amy J N/A	48 Valley View Ct	San Mateo
041231250	Nelson Wanda Jean Tr	44 Valley View Ct	San Mateo
041231260	Shahbazi Farshad	40 Valley View Ct	San Mateo
041231270	Michaels Elsa H Tr	36 Valley View Ct	San Mateo
041231280	Hockett Paul John Tr	32 Valley View Ct	San Mateo
041231290	Malardino Marc T Tr	28 Valley View Ct	San Mateo
041231320	Lam Kevin	1462 Ascension Dr	San Mateo
041231330	Toti Argentina J Tr	1468 Ascension Dr	San Mateo
041231340	Hart James J & Ellen P	1474 Ascension Dr	San Mateo
041231350	Petryniak Magdalena A	24 Valley View Ct	San Mateo
041231360	Haithcox Marilyn M Tr	1486 Ascension Dr	San Mateo
041231370	Tomas Mark A li	1492 Ascension Dr	San Mateo
041231380	Yan Edward Z	1498 Ascension Dr	San Mateo
041231390	Moroni Donald Tr	1496 Bel Aire Rd	San Mateo
041231400	Fava Bruno & Lida Trs	2748 Bromley Dr	San Carlos
041231410	Button Nellie B Tr	12 Valley View Ct	San Mateo
041231420	Pagani Aurelio B & L M Trs	16 Valley View Ct	San Mateo
041231430	Ficklin Vernon W & Dora L	20 Valley View Ct	San Mateo

041231440	Chandler Helen Anne Tr	80 Valley View Ct	San Mateo
041231450	Rudberg Paul K	78 Valley View Ct	San Mateo
041330110	San Mateo County Community	3401 Csm Dr	San Mateo
041330120	San Mateo County Community	3401 Csm Dr	San Mateo
041391010	Meade Paul Tr	194 Kristin Ct	San Mateo
041391020	Ng Nelson & Belle Lim	192 Kristin Ct	San Mateo
041391030	Huvane Thomas P & Jane C Trs	188 Kristin Ct	San Mateo
041391040	Hsu Chia Chu	180 Kristin Ct	San Mateo
041391050	Leung Wilfred K & Linda H	172 Kristin Ct	San Mateo
041391060	Oh Edward	164 Kristin Court	San Mateo
041391070	Jeung Patricia Y Tr	156 Csm Dr	San Mateo
041391080	Ho James F Tr	148 Csm Dr	San Mateo
041391090	Grames Jalene H Tr	140 Csm Dr	San Mateo
041391100	Mikulic Stephen & B S Trs	132 Csm Dr	San Mateo
041391110	Oroureke Thomas M Tr	124 Csm Dr	San Mateo
041391120	Chew Karen Louie Tr	116 Csm Dr	San Mateo
041391130	Strauch June G Tr	108 Csm Dr	San Mateo
041391150	Bussey Lee Barlow Tr	1561 Ascension Dr	San Mateo
041391160	Velarde Robert John Tr	1575 Ascension Dr	San Mateo
041391170	Isaac Haroutioun Tr	1581 Ascension Dr	San Mateo
041391180	Shissler Frank J Tr	1583 Ascension Dr	San Mateo
041391190	Uyeda Yoshio & Hiromi Trs	1587 Ascension Dr	San Mateo
041391200	Ruben Marlies Tr	1591 Ascension Dr	San Mateo
041391210	Chang Henry	1593 Ascension Dr	San Mateo
041391220	Glasgow Edwin M & C F Trs	1597 Ascension Dr	San Mateo
041391230	Dubrow Patricia Ann Tr	1705 Los Altos Dr	San Mateo
041392010	Lertora Ronald J Tr	1554 Ascension Dr	San Mateo
041392020	Aflak Bahram Et Al	1560 Ascension Dr	San Mateo
041392030	Moser Heinz	1566 Ascension Dr	San Mateo
041392040	Giometti Rhoda L Tr	1570 Ascension Dr	San Mateo
041392050	Tsivikas Eula Tr	1574 Ascension Dr	San Mateo
041392060	Martin Elio L Tr	1578 Ascension Dr	San Mateo
041392070	Wong Hay C	1582 Ascension Dr	San Mateo
041392080	Llerena Alex L Tr	1586 Ascension Dr	San Mateo
041392090	Guzman Edward G & Brenda F	1590 Ascension Dr	San Mateo
041392100	Schaffer Peter W	1596 Ascension Dr	San Mateo
041392110	Tuohey Thomas J & L M Trs	1598 Ascension Dr	San Mateo
041392120	Ciranni Eugene H & Ruth A	1606 Ascension Dr	San Mateo
041392130	Mcguire D Pat & Doris A Trs	1610 Ascension Dr	San Mateo
041401010	Leibs David & Lydia	1709 Los Altos Dr	San Mateo
041401020	Paek Sandra	1713 Los Altos Dr	San Mateo
041401030	Sullivan Barbara Tr	1717 Los Altos Dr	San Mateo
041401040	Ma Sammy Shun Chow	551 Railroad Ave	So San Francisco
041402010	Jabaghourian Ara R	1601 Ascension Dr	San Mateo
041402020	Yuan Denise J	1706 Los Altos Dr	San Mateo
041402030	Bull Yvonne L Tr	1712 Los Altos Dr	San Mateo
041402430	Velkovich Miroslav	1611 Ascension Dr	San Mateo

041402440	Sosnick Jeffrey H & Marian J	1605 Ascension Dr	San Mateo
041411010	Conrad Janie H Tr	1614 Ascension Dr	San Mateo
093141030	City & Co Of S. F. Water Dept	525 Golden Gate Ave 10th Floor	San Francisco

**From:** James Castaneda  
**To:** ALBINI, Bryan; Hardy, Heather  
**Date:** 9/19/2013 7:33 AM  
**Subject:** Update to Ascension Heights page

Bryan,

As soon as you get an opportunity, can you please update the "LATEST UPDATE" section of the Ascension Heights webpage with the following to replace the first paragraph:

The Environmental scoping and project overview open house scheduled for September 25, 2013 has postponed. The new date be posted, and new notifications will be sent as soon as that date becomes available. We apologize for any inconvenience.

You can leave the rest of the stuff below the first paragraph alone, which are the "To start sharing..." link.

Heather will work with you today in doing another update as we anticipate figuring out the new date. If you have any questions, work with her as I won't be in the office today (but reachable via email), and on 9/80 tomorrow.

Heather: if anything comes up, feel free to email or call my cell if something time critical (

JAMES

**From:** Heather Hardy  
**To:** Janna Hing-Lewis; Lisa Cosey-Stevens; Pamela Cattich  
**CC:** Jan Miller  
**Date:** 9/19/2013 4:45 PM  
**Subject:** Ascension Heights Meeting

Hello all,

I heard a little while ago that Jim & Supervisor Pine have determined that the date for the Ascension Heights Scoping meeting is definitely 10/9/13. As a result, we will be stuffing & labeling 300ish letters to go out to the 900ft radius of the six affected parcels tomorrow. Janna, please final the letter with the 10/9/13 date. Frances will be on vacation, and it's Irma's 9/80 day. Please pitch in as much as you're able.

Thanks,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 -  
5:30

**From:** James Castaneda  
**To:** Wilson, Marshall  
**CC:** Hardy, Heather  
**Date:** 9/19/2013 5:06 PM  
**Subject:** Re: Press Release, Ascension Heights

Hi Marshall,

Sorry for the delay in my response. As Heather had mentioned, I was out of the office earlier this week, and just got back in yesterday. After a few meetings with Supervisor Pine, Jim and one of the key community members, we now have a rescheduled date for the event, which will be Wednesday, October 9, 2013 at 7:00pm (doors open at 6:15pm). I was wondering if it would be possible to have your press release draft to reflect the change of date (as we already had sent out a mailer reflecting September 25th), but also keep with the context of the original notice to explain the purpose of the meeting. We're planning to send out a notice to residence tomorrow morning nothing the changed date (Heather can provide you with a copy if you need one). Let me know if you need anything else. Thanks for your help Marshall.

JAMES

>>> Marshall Wilson 09/16/13 1:44 PM >>>  
Hi James,

Just checking in re the draft news release I sent you last week.

Marshall

>>> James Castaneda 9/5/2013 9:09 AM >>>

Good morning Marshall,

Attached is a copy of the notification we're planning to send out this afternoon to residence within 600-feet of the Ascension Heights project. Hopefully this will be enough to generate a press release, but please let me know if you need any additional information. Also, please advise when it could go out. Unfortunately, we were a little delayed getting the website ready, which held up getting the notice out earlier. Please advise when the earliest (yet most appropriate) time this could be sent out. Thanks for your help. I greatly appreciate it.

JAMES

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James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
smcplanning.org | sforoundtable.org

**From:** Lisa Cosey-Stevens  
**To:** Heather Hardy  
**Date:** 9/20/2013 9:34 AM  
**Subject:** Re: Ascension Heights Meeting

Heather,  
If you or someone can run those letters through the folding machine, I can label them all. It won't take that long.

Lisa

>>> Heather Hardy 9/19/2013 4:45 PM >>>  
Hello all,

I heard a little while ago that Jim & Supervisor Pine have determined that the date for the Ascension Heights Scoping meeting is definitely 10/9/13. As a result, we will be stuffing & labeling 300ish letters to go out to the 900ft radius of the six affected parcels tomorrow. Janna, please final the letter with the 10/9/13 date. Frances will be on vacation, and it's Irma's 9/80 day. Please pitch in as much as you're able.

Thanks,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 9/20/2013 5:02 PM  
**Subject:** Re: Question: Dennis T.  
**Attachments:** AscensionHeights\_900Ft.xlsx

Hi James,

The mailing went out today as planned, and I've attached the list of 900 ft owners. We mailed today to that list and also to your agency contacts list that you sent me on Wednesday. I hope you enjoy the weekend.

Heather

>>> James Castaneda 9/20/2013 9:36 AM >>>

He knows he needs to be present at the event. But to be clear the idea of "asking questions for staff and the applicant" as noted in the letter was more at the lobby before the event, not necessarily during the scoping session itself as a Q&A. AES idea was having some tables set up in the lobby of the theater where we'd all be available to talk to informally before the event. Ill run through this with Dennis via email next week, and the expectations of him and his staff, but in my opinion he needs to be ready to answer any questions the consultant may not be able to respond to. Again, I can email Dennis the information in detail on Monday, but if this is something Jim isn't comfortable regarding the notice, then feel free to change the notice to be more generic as I'm not going to be able to have a conversation with Dennis or his staff today.

JAMES

>>> Heather Hardy 09/20/13 9:15 AM >>>

Hi James,

Sorry to bother you during your 9/80. We're still on track to send out the Change of Date notice today to the expanded 900ft radius people. Jim has a question though - the letter states that the public can ask questions of the applicant. Does Dennis know that is the case? Is he prepared to answer public questions?

Thank you,  
Heather

APN	OWNER	ADDRESS	CITY	ST	ZIP
38101010	Huang Steve C & Angela S	1235 Tourr Hillsborou	CA		94010-7402
38101020	Pau Peter S Tr	20 Brooke	Hillsborou	CA	94010-7458
38101040	Malka Benjamin H	1315 Tourr Hillsborou	CA		94010-7400
38101050	Chow Hilton H & Kam-Fung L Trs	140 Occide Burlingame	CA		94010
38102010	Kwan John Che K & Susan Ting	Po Box 473 Hong Kong			
38151020	Preiser Larry S Tr	1351 Parro San Mateo	CA		94402-3630
38151030	Chang Rachel W	1359 Parro San Mateo	CA		94402
38151040	Woodard Wendy Tr	1367 Parro San Mateo	CA		94402-3630
38151050	Cooney Thomas J & Linda A	1375 Parro San Mateo	CA		94402-3630
38151060	Logan Gail Charlotte Tr	1383 Parro San Mateo	CA		94402-3630
38151070	Strickley Robert G	1399 Parro San Mateo	CA		94402-3630
38151080	Wong Gary K Tr	1419 Parro San Mateo	CA		94402-3632
38151090	Dowse Mitzi J Tr	1427 Parro San Mateo	CA		94402-3632
38151100	Dean Evelyn E Tr	1435 Parro San Mateo	CA		94402-3632
38151110	Wulf Nathan	1443 Parro San Mateo	CA		94401
38151120	Gin Marvin	1459 Parro San Mateo	CA		94402-3632
38152020	Joelson Ealon M Tr	1352 Parro San Mateo	CA		94402-3631
38152030	Danigelis William K	1360 Parro San Mateo	CA		94402-3631
38152040	Yamamoto Robert K & Kazuko Trs	1368 Parro San Mateo	CA		94402-3631
38152050	Chang Wesley Tr	950 Stockt	San Francis	CA	94108
38152060	Tognotti Michael John Tr	1384 Parro San Mateo	CA		94402-3631
38152070	Johnson Ronald I & Arlene M Tr	1398 Parro San Mateo	CA		94402-3631
38152080	Wong Robert H	1399 Bel Ai San Mateo	CA		94402-3616
38152090	Hager Daniel M Tr	1383 Bel Ai San Mateo	CA		94402-3616
38152100	Peak Scott J	1375 Bel Ai San Mateo	CA		94402-3616
38152110	Tong Vincent Mitchell Tr	1367 Bel Ai San Mateo	CA		94402-3616
38152120	Kalkbrenner Robert L & E A	1359 Bel Ai San Mateo	CA		94402-3616
38152130	Won Lilly	1351 Bel Ai San Mateo	CA		94402-0000
38152140	Hui Keith A Tr	1343 Bel Ai San Mateo	CA		94402-3616
38153030	Schilling James Walter Jr	1350 Bel Ai San Mateo	CA		94402-3650
38153040	Merrill Wallace C Tr	1371 Ench	San Mateo	CA	94402-3619
38155010	Metz James John Tr	1426 Bel Ai San Mateo	CA		94402-3618
38155020	Wong Michael Shan	156 Bay Vi	San Carlos	CA	94070
38155030	Volkov Grigoriy	1398 Bel Ai San Mateo	CA		94402-3649
38155040	Soon Dennis L Tr	1392 Bel Ai San Mateo	CA		94402
38155050	Salvador Melencio Manalac Tr	1374 Bel Ai San Mateo	CA		94402-3649
38155060	Ghosh Jayant	1366 Bel Ai San Mateo	CA		94402-3649
38155070	Chu Jeffrey N	1358 Bel Ai San Mateo	CA		94402
38155080	Hann Mike & Helen R	1383 Ench	San Mateo	CA	94402-3647
38155090	Fung Willie W & Martha L	1474 Bel Ai San Mateo	CA		94402-3618
38155100	Kosmiskas Mario	1395 Ench	San Mateo	CA	94402-3647
38155110	Mukha Peter	1405 Ench	San Mateo	CA	94402-3621
38161010	Codemo David J	1475 Parro San Mateo	CA		94402-3632
38161020	Loomis Mary Wales Tr	1487 Parro San Mateo	CA		94402-3632
38161030	Romano Peter J & Glenda L	1499 Parro San Mateo	CA		94402-3632
38161040	Greenwood Doris A Tr	1515 Parro San Mateo	CA		94402-3604

38161050 Grinstead Arthur W Tr	1527 Parro San Mateo CA	94402-3605
38161060 Galati Edward	1539 Parro San Mateo CA	94402
38161070 Jones Albert L & Sussan	1551 Parro San Mateo CA	94402-3604
38161080 Murray Nevair Tr	1563 Parro San Mateo CA	94402-3604
38161090 Elgin Onder	1575 Parro San Mateo CA	94402
38161100 Perez Jacinto I	1587 Parro San Mateo CA	94402-3604
38161110 Shehadeh Joseph J	1599 Parro San Mateo CA	94402-3604
38162020 Gasparini Louis Tr	1426 Parro San Mateo CA	94402-3633
38162040 Lapier Marie I Tr	1438 Parro San Mateo CA	94402-3633
38162060 Nishizaki Craig M Tr	1474 Parro San Mateo CA	94402-3633
38162070 Luong Trang	1486 Parro San Mateo CA	94402
38162080 Cura George L	1498 Parro San Mateo CA	94402
38162090 Gunn Andrenna Est Of	1514 Parro San Mateo CA	94402-3605
38162100 Quon Andrew	1526 Parro San Mateo CA	94402-3605
38162110 Nagle Donald R	1538 Parro San Mateo CA	94402-3605
38162120 Cassinelli Sharon E Tr	1550 Parro San Mateo CA	94402-3605
38162130 Ditlevsen Laura J	1556 Parro San Mateo CA	94402-3605
38162140 Wright Elsie W Tr	1574 Parro San Mateo CA	94402-3605
38162150 Cummings Roger Wesley Tr	1586 Parro San Mateo CA	94402-3605
38162160 Patel Anil P	1598 Parro San Mateo CA	94402-3827
38162170 Mathon John	1450 Parro San Mateo CA	94402-3633
38162180 Dozier Nithila	1414 Parro San Mateo CA	94402-3633
38171180 Fukatsu Tomonobu	1424 Rainb San Mateo CA	94402
38171190 Balestreri Thomas A & Nancy B	1428 Rainb San Mateo CA	94402-3637
38173010 Rios Robert Noel & Rona Molina	108 Starlite San Mateo CA	94402-3639
38173020 Massoudi Jahanbakhsh Tr	116 Starlite San Mateo CA	94402-3639
38173030 Curran Brian S Tr	124 Starlite San Mateo CA	94402-3639
38173040 Galatolo Mark A & Norma J	132 Starlite San Mateo CA	94402
38173190 Grialou Robert L Tr	131 Lakesh San Mateo CA	94403-0000
38173200 Small Ian S	123 Lakesh San Mateo CA	94402-3623
38174010 Michal Steven P Tr	1427 Rainb San Mateo CA	94402-3636
38174060 Walker Richard H & G P Trs	P O Box 71 San Carlos CA	94070
38174070 Dittia Zubin	139 Starlite San Mateo CA	94402-3638
38281390 San Mateo County Community	3401 Csm I San Mateo CA	94402
38401010 Wong Richard Tr	1245 Tourr Hillsboroug CA	94010-7402
38401020 Wyse Roger Tr	1255 Tourr Hillsboroug CA	94010-7402
38401030 Morgan William R Tr	1265 Tourr Hillsboroug CA	94010-7402
38401040 Mendes Robert P Tr	1275 Tourr Hillsboroug CA	94010-7402
38401050 Li Kam T & Betty W	1285 Tourr Hillsboroug CA	94010-7402
38402010 Acw Trust Investments	1290 Tourr Hillsboroug CA	94010-7433
38402020 Jajeh Jad Tr	1280 Tourr Hillsboroug CA	94010
38402030 Ynares Casimiro M	1270 Tourr Hillsboroug CA	94010-7433
38402040 Chin Gilmore F Tr	1260 Tourr Hillsboroug CA	94010
38402050 Ginsburg Lee A Tr	1250 Tourr Hillsboroug CA	94010-7433
38402060 Chinn Richard B Tr	1240 Tourr Hillsboroug CA	94010-7433
38402070 Wong Paul Y Tr	1230 Tourr Hillsboroug CA	94010-7433
38402080 Evangel Peter & Despina Trs	1220 Tourr Hillsboroug CA	94010-7433

38402090 Kong Jessica	1210 Tourr Hillsboroug CA	94010-7433
41063050 Callegari Alfred M Tr	45 Oriskan San Mateo CA	94402
41063060 Kwok Warren Tr	55 Oriskan San Mateo CA	94402-3839
41063070 Occhipinti Frank J Tr	65 Oriskan San Mateo CA	94402-3839
41063080 Nayberg Mikhail Tr	75 Oriskan San Mateo CA	94402-3839
41090160 Highlands Recreation District	1851 Lexin San Mateo CA	94402-4026
41111020 California Water Service Co	1720 N 1st San Jose CA	95112-4598
41111130 Orourke John	607 Huntle Lafayette CA	94549
41121010 Davis Edwin W Iii Tr	1615 Parro San Mateo CA	94402-3606
41121020 Ngo Loan P	1627 Parro San Mateo CA	94402
41121030 Friedman Marvin A & S K Trs	1635 Parro San Mateo CA	94402-3606
41121040 Zhao Wenguang Tr	1643 Parro San Mateo CA	94402-3606
41121050 Mok Edmond	1651 Parro San Mateo CA	94402-3606
41122010 Lanfranco Martin J Tr	1616 Parro San Mateo CA	94402
41122020 Estupinian Joy E Tr	1628 Parro San Mateo CA	94402-3607
41122030 Sparks Marni K Tr	1636 Parro San Mateo CA	94402-3607
41122040 Sakkestad Robert & Olga V Trs	1644 Parro San Mateo CA	94402-3607
41122050 Hinch William E Tr	1652 Parro San Mateo CA	94402-3607
41221020 Blackton Louanna	1438 Bel Ai San Mateo CA	94402-3618
41222010 Kidera Jean Allen Tr Et Al	1432 Bel Ai San Mateo CA	94402-3618
41222020 Blackton Louanna Tr	1438 Bel Ai San Mateo CA	94402-3618
41222030 Yu Raymond W N/A	1444 Bel Ai San Mateo CA	94402-3618
41222040 Lau Sharon V	1450 Bel Ai San Mateo CA	94402-3618
41222050 Roach Geraldine R	1456 Bel Ai San Mateo CA	94402-3618
41222060 Swartz Jonathan T	1462 Bel Ai San Mateo CA	94402-3618
41222070 Poon Arnold Koon-Chee	1468 Bel Ai San Mateo CA	94402
41222080 Hsu Joseph T & Sharon S	1474 Bel Ai San Mateo CA	94402-3618
41222090 Thomas Robert Earl Tr	1480 Bel Ai San Mateo CA	94402
41222100 Jacobs Martha S Tr	1459 Ench San Mateo CA	94402-0000
41222110 Scarcella John P Tr	1453 Ench San Mateo CA	94402-3621
41222120 Fabris Edward L Tr	1447 Ench San Mateo CA	94402
41222130 Kanaga Stephen R Tr	1441 Ench San Mateo CA	94402-3621
41222140 Ottoboni Gary Tr	1435 Ench San Mateo CA	94402-3621
41222150 Abramson Scott Allen & P A Trs	1429 Ench San Mateo CA	94402-3621
41222160 Goodwine James K Jr & H L Trs	1423 Ench San Mateo CA	94402-3621
41222170 Phan Ngan	1417 Ench San Mateo CA	94402-3621
41222190 Musgrave Regan J Tr	1407 Ench San Mateo CA	94402
41222200 Pitkin Peter B Tr	1411 Ench San Mateo CA	94402
41223030 Khilani Anil	1485 Ascer San Mateo CA	94402
41223040 Sakurai Jennifer L	1479 Ascer San Mateo CA	94402-3646
41223070 Stefanac Peter M Trust	2773 Chror Hayward CA	94542
41223110 Russo Anthony M Tr	1475 Ascer San Mateo CA	94402-3646
41223130 Yan Michael K Tr	1443 Rainb San Mateo CA	94402-3636
41223150 Novy Brian J Tr	1471 Ascer San Mateo CA	94402-3646
41223160 Schane Dale E Tr	2276 Blue I Lincoln CA	95648
41223170 Tripplett Larry Calvin Tr	1435 Rainb San Mateo CA	94402-3636
41223180 Craig Stephen L	1439 Rainb San Mateo CA	94402

41223190	Kyle Stephan E	133 Starlite San Mateo CA	94402
41223200	Singh Gagandeep	125 Starlite San Mateo CA	94402
41223210	Mcsheery Tracy D	119 Starlite San Mateo CA	94402-3638
41223220	Chan Brian Tr	113 Starlite San Mateo CA	94402-3638
41223230	Chen Laurent	107 Starlite San Mateo CA	94402-3638
41223240	Haslam Robert T Tr	1410 Ench San Mateo CA	94403
41223250	Hens Christopher D Tr	1420 Ench San Mateo CA	94402-3622
41223260	Haw David Lawrence Tr	1428 Ench San Mateo CA	94402
41223270	Ozanne Gerard M & Linda C	1434 Ench San Mateo CA	94402-3622
41223280	Mitroff George B	1440 Ench San Mateo CA	94402-3622
41223290	Thacker Benjamin H Tr	1446 Ench San Mateo CA	94403-3777
41231010	Witte Randall Jeffry Tr	1313 Laure San Carlos CA	94070
41231020	Lin Kevin	1506 Ascer San Mateo CA	94402
41231030	Givechi Ali	1512 Ascer San Mateo CA	94402-3613
41231040	Russell Riley R Tr	1518 Ascer San Mateo CA	94402-3613
41231050	Aliamus Robert J & M J Trs	1524 Ascer San Mateo CA	94402-3613
41231060	Suyehiro David K Tr	1530 Ascer San Mateo CA	94402-3613
41231070	Whitham Calvin D	1536 Ascer San Mateo CA	94402-3613
41231080	Lawrence Peter C & Diane F Trs	1542 Ascer San Mateo CA	94402-3613
41231090	Bhatia Hemant B	1548 Ascer San Mateo CA	94402
41231100	Raphael Al Tr	100 Valley San Mateo CA	94402-3600
41231110	Anguiano Robert	98 Valley V San Mateo CA	94402
41231120	Brugioni Robert Tr	411 Horn A Santa Rosa CA	95407
41231130	Nishimoto Kevin P	92 Valley V San Mateo CA	94402-3641
41231140	Mason Harry J Tr	88 Valley V San Mateo CA	94402-3641
41231150	Hance Daniel J & Grace Trs	84 Valley V San Mateo CA	94402-3641
41231170	Nomura Mark J	76 Valley V San Mateo CA	94402
41231180	Mcclintock Dana Elaine	72 Valley V San Mateo CA	94402-3641
41231190	Carmichael Sean A	68 Valley V San Mateo CA	94402
41231200	Martucci Dean Thomas Tr	64 Valley V San Mateo CA	94402-3641
41231210	Grosey Judith G Tr	60 Valley V San Mateo CA	94402-3641
41231220	Abreu Antonio Pedro Teixeira Tr	244 Exeter San Carlos CA	94070-1611
41231230	Juricich Linda	52 Valley V San Mateo CA	94402-3640
41231240	Bronstein Matthew A & Amy J N/A	48 Valley V San Mateo CA	94402-3640
41231250	Nelson Wanda Jean Tr	44 Valley V San Mateo CA	94402-3640
41231260	Shahbazi Farshad	40 Valley V San Mateo CA	94402-3640
41231270	Michaels Elsa H Tr	36 Valley V San Mateo CA	94402-3640
41231280	Hockett Paul John Tr	32 Valley V San Mateo CA	94402-3640
41231290	Malardino Marc T Tr	28 Valley V San Mateo CA	94402-3640
41231300	Husfeld Craig	1450 Ascer San Mateo CA	94402-3989
41231310	Fronczak David W	1456 Ascer San Mateo CA	94402-3611
41231320	Lam Kevin	1462 Ascer San Mateo CA	94402-3611
41231330	Toti Argentina J Tr	1468 Ascer San Mateo CA	94402-3611
41231340	Hart James J Tr	1474 Ascer San Mateo CA	94402-3611
41231350	Petryniak Magdalena A	24 Valley V San Mateo CA	94402
41231360	Haithcox Marilyn M Tr	1486 Ascer San Mateo CA	94402-3611
41231370	Tomas Mark A li	1492 Ascer San Mateo CA	94402-3611

41231380 Yan Edward Z	1498 Ascer San Mateo CA	94402-3611
41231390 Moroni Donald Tr	1496 Bel Ai San Mateo CA	94402-3648
41231400 Fava Bruno & Lida Trs	2748 Brom San Carlos CA	94070
41231410 Button Nellie B Tr	12 Valley V San Mateo CA	94402-3640
41231420 Pagani Aurelio B & L M Trs	16 Valley V San Mateo CA	94402-3640
41231430 Ficklin Vernon W & Dora L	20 Valley V San Mateo CA	94402-3640
41231440 Chandler Helen Anne Tr	80 Valley V San Mateo CA	94402-3641
41231450 Rudberg Paul K	78 Valley V San Mateo CA	94402
41232010 Talbot Kurt A Tr	1461 Ascer San Mateo CA	94402-3610
41232020 Schaible Robert L Tr	608 Point F Las Vegas NV	89145
41232030 Hilby Timotht R	1449 Ascer San Mateo CA	94402-3610
41330020 Western Hills Church San Mateo	3399 Csm I San Mateo CA	94402-0000
41391010 Meade Paul Tr	194 Kristin San Mateo CA	94402-3652
41391020 Ng Nelson & Belle Lim	192 Kristin San Mateo CA	94402-3652
41391030 Huvane Thomas P & Jane C Trs	188 Kristin San Mateo CA	94402-3652
41391040 Hsu Chia Chu	180 Kristin San Mateo CA	94402-3652
41391050 Leung Wilfred K & Linda H	172 Kristin San Mateo CA	94402-3652
41391060 Oh Edward	164 Kristin San Mateo CA	94402-3652
41391070 Jeung Patricia Y Tr	156 Csm Di San Mateo CA	94402-0000
41391080 Ho James F	148 Csm Di San Mateo CA	94402
41391090 Grames Jalene H Tr	140 Csm Di San Mateo CA	94402-3601
41391100 Mikulic Stephen & B S Trs	132 Csm Di San Mateo CA	94402-3601
41391110 Orourke Thomas M Tr	124 Csm Di San Mateo CA	94402-0000
41391120 Chew Karen Louie Tr	116 Csm Di San Mateo CA	94402-3601
41391130 Strauch June G Tr	108 Csm Di San Mateo CA	94402
41391150 Bussey Lee Barlow Tr	1561 Ascer San Mateo CA	94402-3612
41391160 Velarde Robert John Tr	1575 Ascer San Mateo CA	94402-3612
41391170 Isaac Haroutioun Tr	1581 Ascer San Mateo CA	94402
41391180 Shissler Frank J Tr	1583 Ascer San Mateo CA	94402-3612
41391190 Uyeda Yoshio & Hiromi Trs	1587 Ascer San Mateo CA	94402-3612
41391200 Ruben Marlies Tr	1591 Ascer San Mateo CA	94402-3612
41391210 Chang Henry	1593 Ascer San Mateo CA	94402-3612
41391220 Glasgow Edwin M & C F Trs	1597 Ascer San Mateo CA	94402-3612
41391230 Wade Garrett D Tr	1705 Los A San Mateo CA	94402-3602
41392010 Lertora Ronald J Tr	1554 Ascer San Mateo CA	94402-3613
41392020 Aflak Bahram Et Al	1560 Ascer San Mateo CA	94402-3613
41392030 Moser Heinz	1566 Ascer San Mateo CA	94402-3613
41392040 Giometti Rhoda L Tr	1570 Ascer San Mateo CA	94402-3613
41392050 Tsivikas Eula Tr	1574 Ascer San Mateo CA	94402-3613
41392060 Martin Elio L Tr	1578 Ascer San Mateo CA	94402-3613
41392070 Wong Hay C	1582 Ascer San Mateo CA	94402-3613
41392080 Llerena Alex L Tr	1586 Ascer San Mateo CA	94402
41392090 Guzman Edward G & Brenda F	1590 Ascer San Mateo CA	94402-3613
41392100 Schaffer Peter W	1596 Ascer San Mateo CA	94402-3613
41392110 Tuohey Thomas J & L M Trs	1598 Ascer San Mateo CA	94402-3613
41392120 Ciranni Eugene H & Ruth A	1606 Ascer San Mateo CA	94402-3615
41392130 Mcguire D Pat & Doris A Trs	1610 Ascer San Mateo CA	94402-3615

41401010 Leibs David & Lydia	1709 Los A San Mateo CA	94402-3602
41401020 Paek Sandra	1713 Los A San Mateo CA	94402-3602
41401030 Sullivan Barbara Tr	1717 Los A San Mateo CA	94402-0000
41401040 Ma Sammy Shun Chow	551 Railroa So San Frar CA	94080
41401050 Pileri Carl M & Lois D Trs	1725 Los A San Mateo CA	94402-3602
41401060 Barney Edward R Tr	1729 Los A San Mateo CA	94402-3602
41401070 Hibson Donald W & Nancy T Trs	1733 Los A San Mateo CA	94402-3602
41401080 Wright Steven	1739 Los A San Mateo CA	94402-3602
41401090 Dsd Partners Llç	100 New Pl Hillsborouç CA	94010-6448
41402010 Jabaghourian Ara R	1601 Ascer San Mateo CA	94402-3614
41402020 Yuan Denise J	1706 Los A San Mateo CA	94402-3603
41402030 Bull Yvonne L Tr	1712 Los A San Mateo CA	94402-3603
41402060 Tosetti Richard J & Donna M	1730 Los A San Mateo CA	94402-3603
41402070 Chan Guinness K Tr	1736 Los A San Mateo CA	94402-3603
41402080 Jadallah Charles & Janine	1742 Los A San Mateo CA	94402-3603
41402390 Leyva Jose Inez Tr	1631 Ascer San Mateo CA	94402-3614
41402400 Ricket Thomas R	1625 Ascer San Mateo CA	94402-3614
41402410 Zimmerman David R & M J Trs	1621 Ascer San Mateo CA	94402-3614
41402420 Ricossa Melinda A Tr	1615 Ascer San Mateo CA	94402-3614
41402430 Velkovich Miroslav	1611 Ascer San Mateo CA	94402-3614
41402440 Sosnick Jeffrey H & Marian J	1605 Ascer San Mateo CA	94402-3614
41402450 Phillips John R Jr	1724 Los A San Mateo CA	94402-3603
41402460 Tang Chih-Fung Gary Et Al	1718 Los A San Mateo CA	94402-3603
41411010 Conrad Janie H Tr	1614 Ascer San Mateo CA	94402-3615
41411020 Gagliardi Carmen F & K D Trs	1620 Ascer San Mateo CA	94402-3615
41411030 Harms Darlene C Tr	1622 Ascer San Mateo CA	94402-3615
41411040 Behzadi Hassen Tr	1624 Ascer San Mateo CA	94402-3615
41411050 Stucker Anthony J	1630 Ascer San Mateo CA	94402
41411060 Viotti Raynold C Tr	1634 Ascer San Mateo CA	94402-3615
93141030 City & Co Of S. F. Water Dept	525 Golder San Francis CA	94102
93142010 City & Co Of S F Water Dept	525 Golder San Francis CA	94102

**From:** Heather Hardy  
**To:** Jim Eggemeyer  
**Date:** 10/8/2013 11:00 AM  
**Subject:** MindMixer URL

Hi Jim,

The MindMixer site for the Water Tank Hill/Ascension Heights project is here:

<http://www.smcspeakout.com/water-tank-hill-proposed-subdivision-environmental-concerns>

Please let me know if I can help with anything else.

Thanks,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 -  
5:30

**From:** "Uccelli & Associates" <reporters@uccellireporting.com>  
**To:** hhardy@smcgov.org  
**Date:** 10/9/2013 1:01 PM  
**Subject:** RE: Ascension Heights Scoping Meeting, 10/9/13

Good morning Heather,

Just checking that everything is still going forward for this evening's meeting - 7pm at CSM Theatre Building 03, Lobby 1700 West Hillsdale Boulevard San Mateo, CA 94402.

Thanks,

Mandy

UCCELLI & ASSOCIATES

TRIAL & DEPOSITION

CERTIFIED SHORTHAND REPORTERS

1243 Mission Road

South San Francisco, CA 94080

[www.uccellireporting.com](http://www.uccellireporting.com) <<http://www.uccellireporting.com/>>

T: 650-952-0774

F: 650-952-8688

<http://www.fire-house.net/graphics/wbelogo.png>

cid:image002.jpg@01CE6E6A.830BCB20  
<<http://www.facebook.com/pages/Uccelli-Associates-Court-Reporters/418151571532373>> <https://www.uccellireporting.com/images/icon-facebook.gif>  
<<https://twitter.com/DepoReporters>>  
<https://www.uccellireporting.com/images/twitter-icon.gif>  
<<http://www.linkedin.com/company/3006365>>  
<https://www.uccellireporting.com/images/linkedin-in.jpg>

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all copies of it from your system, destroy any hard copies of it and notify the sender.

From: Heather Hardy [mailto:hhardy@smcgov.org]  
Sent: Monday, October 07, 2013 4:36 PM  
To: reporters@uccellireporting.com  
Subject: Ascension Heights Scoping Meeting, 10/9/13

Hello Mandy,

Please visit my department's website at this address:

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

One can also visit the event's listing on the College of San Mateo website:

<http://www.collegeofsanmateo.edu/calendar/events/index.php?com=detail>  
<<http://www.collegeofsanmateo.edu/calendar/events/index.php?com=detail&eID=11505>> &eID=11505

We have the venue reserved from 6-9, and expect the meeting to begin at 7 and end at approximately 8:30. Please let me know if I can help with any further information. I'll look forward to talking to you tomorrow. In a pinch, the reporter is also welcome to call or text me on my cell  
(

Thanks,

Heather

**From:** Heather Hardy  
**To:** Uccelli & Associates  
**Date:** 10/9/2013 1:04 PM  
**Subject:** RE: Ascension Heights Scoping Meeting, 10/9/13

Hi Mandy,

We are still good to go for tonight's meeting - yes. Thanks for checking in!

Heather

>>> "Uccelli & Associates" <reporters@uccellireporting.com> 10/8/2013 11:38 AM >>>

Good morning Heather,  
Just checking that everything is still going forward for this evening's meeting - 7pm at CSM Theatre Building 03, Lobby 1700 West Hillsdale Boulevard San Mateo, CA 94402.  
Thanks,  
Mandy

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**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Monday, October 07, 2013 4:36 PM  
**To:** reporters@uccellireporting.com  
**Subject:** Ascension Heights Scoping Meeting, 10/9/13

Hello Mandy,

Please visit my department's website at this address:

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

One can also visit the event's listing on the College of San Mateo website:

<http://www.collegeofsanmateo.edu/calendar/events/index.php?com=detail&eID=11505>

We have the venue reserved from 6-9, and expect the meeting to begin at 7 and end at approximately 8:30. Please let me know if I can help with any further information. I'll look forward to talking to you tomorrow. In a pinch, the reporter is also welcome to call or text me on my cell (

Thanks,

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30

**From:** Heather Hardy  
**To:** Lisa Aozasa  
**Date:** 10/15/2013 1:19 PM  
**Subject:** FY 12/13 Actuals needed  
**Attachments:** 10\_ProgramSummary\_38430\_20131015.doc

Hello Lisa,

I've attached your Current Planning Program Summary that we turned in to CMO back in June. We need to send Garrett our updated actuals (the yellow highlighted fields). Can you complete this by noon tomorrow (Wednesday)? Right now, the "target" numbers are populated. Sorry about the quick turnaround.

Thanks,  
Heather

## Current Planning (3843P)

San Mateo County

Livable Community

Planning and Building Department

Current Planning

### Program Outcome Statement

Enhance quality of life and the environment through enforcement of land use, development, and environmental regulations.

### Program Results

Current Planning protects and improves the community and the environment by processing permits for land use and development projects in the unincorporated areas of San Mateo County, ensuring compliance with the County General Plan, Local Coastal Program, Zoning/Subdivision Regulations and State and County environmental statutes. At the Development Review Center, staff receive and review plans and permit applications in addition to providing the public with information about zoning, land use, and environmental regulations and best management practices to improve the quality of future development, protecting neighborhood character and property values. Current Planning also provides project coordination, research and analysis, reports and recommendations for compliance with land use regulations to 11 Boards, Commissions and Committees, including the Board of Supervisors, that provide a forum for resolving land use conflicts and make land use recommendations and decisions.

Initiatives to be undertaken to improve performance in the next two years include: (1) expanding capacity and developing procedures for electronic information distribution and document management to increase efficiency and improve public outreach; (2) revising appeal procedures to decrease permit delays; (3) offering enhanced services/products to the public relative to property records research/analysis; (4) providing more detailed review of commercial development to improve land use compatibility; (5) installing and transitioning to a new permit tracking system to increase efficiency and accountability; (6) revising staff procedures to increase accuracy of information provided; (7) cross-training/sharing resources with Long Range Planning to update zoning regulations and policies.

### Performance Measures

	FY 2011-12 Actual	FY 2012-13 Actual	FY 2012-13 Estimate	FY 2013-14 Target	FY 2014-15 Target
% of Customers Assisted within 20 minutes/Phone Calls Answered or Returned Same Day <sup>1</sup>	83%	N/A	84%	85%	90%
% of Hearing-level Permits Processed within 4 months. Staff-level Permits Processed within 2 months <sup>2</sup>	68%	75%	70%	75%	80%
Average Number of Days from Application to Decision of Design Review Applications <sup>3</sup>	54	50	22	21	20

<sup>1</sup> FY2011-12 and FY2012-13 data for customers assisted only.

<sup>2</sup> From date application complete for hearing-level permits, from date of application submittal for staff-level permits. FY 2011-12 and FY2012-13 data for hearing-level permits only.

<sup>3</sup> Marin County/SMCounty; includes only DR permits exempt from environmental review.

**Resource Allocation Table**

	Actual 2010-11	Actual 2011-12	Revised 2012-13	Recomm. 2013-14	Change 2012-13	Recomm. 2014-15	Change 2014-15
Salary Resolution							
Funded FTE							
Total Requirements		AUTO	Filled	From	BRASS		
Total Sources							
Net County Cost							

**FY 2013-14 Program Funding Adjustments**

The following are significant changes from the FY 2012-13 Revised to the FY 2013-14 Recommended Budget:

1. **Adjustments to Provide Current Level Services:**

Budget adjustments have been made to reflect current costs for existing levels of service and performance: inclusion of merit increases, and increases in retirement contributions and health benefit costs. The variances below are explained by a change in budget methodology. Prior to the FY 2013-14 budget cycle, costs were tracked across programs using intra-departmental transfers. The decrease in Total Sources is due to anticipated decline in Zoning Permit and Land Division Permit revenues. This decrease is partially offset by anticipated gains in Plan Checking Fees and Interfund Revenue. Increases in Total Requirements are the result of several one-time appropriations including the Princeton Land Use Update and the Ascension Heights Subdivision.

Total Requirements	Total Sources	Net County Cost	Positions
\$832,540	(\$230,473)	\$1,063,013	0

**FY 2014-15 Program Funding Adjustments**

The following are significant changes from the FY 2013-14 Recommended Budget to the FY 2014-15 Recommended Budget:

1. **Adjustments to Provide Current Level Services:**

Budget adjustments have been made to reflect current costs for existing levels of service and performance: inclusion of merit increases, and increases in retirement contributions and health benefit costs. The variance in Total Requirements is due to the deletion of one-time appropriations including the Princeton Land Use Update, Ascension Heights Subdivision, and the Edgewood Canyon Estates Mitigation Monitoring Program.

Total Requirements	Total Sources	Net County Cost	Positions
(\$182,527)	\$20,775	(\$203,302)	0

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 10/22/2013 1:09 PM  
**Subject:** Question: Dec 3

Hi James,

Jim had relayed to me the dates for the next two Ascension Heights meetings. I noticed that you declined one - is December 3 a bad day for you? I believe you're a mandatory member of these meetings, so I can work with District 1 and the Ozannes to identify a new date if necessary.

Please let me know. Thanks,

Heather

**From:** James Castaneda  
**To:** Heather Hardy  
**Date:** 10/22/2013 1:29 PM  
**Subject:** Re: Question: Dec 3

Heather,

I just responded to the request I denied indicating that I recall the meeting was for 2pm after I indicated to the group it would be difficult for me to stay past 3:45pm that Friday. As I'm sure Jim has indicated, these meetings can run long, and 90 minutes tends to be more reasonable time to allocate. If the meeting for November 8th is scheduled for 2:30pm, that might be do-able.

For December 3rd, I can be available through 4:30pm.

JAMES

>>> On 10/22/2013 at 01:09 PM, Heather Hardy <hhardy@smcgov.org> wrote:

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Please let me know. Thanks,

Heather

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 10/22/2013 3:07 PM  
**Subject:** Re: Question: Dec 3

Hi James,

This is how the meetings are scheduled at present:

Friday November 8, 2:00 - 3:30 PM  
Tuesday December 3, 3:00 - 4:30 PM

That seems okay within the parameters you list below, but please let me know if I'm mistaken.

Thanks,  
Heather

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Please let me know. Thanks,

Heather

**From:** James Castaneda  
**To:** Heather Hardy  
**Date:** 10/22/2013 3:08 PM  
**Subject:** Re: Question: Dec 3

Those work great for me.

>>> On 10/22/2013 at 03:07 PM, Heather Hardy <hhardy@smcgov.org> wrote:

Hi James,

This is how the meetings are scheduled at present:

Friday November 8, 2:00 - 3:30 PM

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Please let me know. Thanks,

Heather

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 10/22/2013 3:09 PM  
**Subject:** Re: Question: Dec 3

Great - thanks - we will stick with that schedule. Also, the meetings are now here in 201. See you tomorrow,

Heather

>>> James Castaneda 10/22/2013 3:08 PM >>>

Those work great for me.

>>> On 10/22/2013 at 03:07 PM, Heather Hardy <hhardy@smcgov.org> wrote:

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Heather

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For December 3rd, I can be available through 4:30pm.

JAMES

>>> On 10/22/2013 at 01:09 PM, Heather Hardy <hhardy@smcgov.org> wrote:

Hi James,

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 10/22/2013 6:20 PM  
**Subject:** Re: Question: Dec 3

Also - I'm re-sending the appointments to you since I think you declined them and I want to make sure this gets on your calendar.

Thanks,  
Heather

>>> James Castaneda 10/22/2013 3:08 PM >>>

Those work great for me.

>>> On 10/22/2013 at 03:07 PM, Heather Hardy <hhardy@smcgov.org> wrote:

Hi James,

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Tuesday December 3, 3:00 - 4:30 PM

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Heather

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For December 3rd, I can be available through 4:30pm.

JAMES

>>> On 10/22/2013 at 01:09 PM, Heather Hardy <hhardy@smcgov.org> wrote:

Hi James,

**From:** Heather Hardy  
**To:** Gerard Ozanne  
**Date:** 10/22/2013 7:03 PM  
**Subject:** November and December Ascension Heights meetings

Good afternoon Jerry,

At the request of Jim Eggemeyer, I'm writing to confirm the next two Ascension Heights meetings:

Friday November 8, 2:00 PM - 3:30 PM  
Room 201, Planning & Building Department, 455 County Center

Tuesday December 3, 3:00 - 4:30 PM  
Room 201, Planning & Building Department, 455 County Center

Please let me know if you have any questions.

Thank you,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 |

**From:** Heather Hardy  
**To:** James Castaneda; Jim Eggemeyer; Tim Fox  
**Date:** 10/24/2013 4:23 PM  
**Subject:** Transcript of October 9, 2013 Ascension Heights Scoping Meeting  
**Attachments:** REPORTER'S TRANSCRIPT OF PROCEEDINGS 10-09-2013.pdf

Please see the attached. As Supervisor Dave Pine and David Burruto have requested the transcript, I'll send it to them also.

Thanks,

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 |

**From:** Heather Hardy  
**To:** Dave Pine; David Burruto  
**Date:** 10/24/2013 4:27 PM  
**Subject:** Transcript of October 9, 2013 Ascension Heights Scoping Meeting  
**Attachments:** REPORTER'S TRANSCRIPT OF PROCEEDINGS 10-09-2013.pdf

Good afternoon Supervisor Pine and David,

Please see the attached transcript which was prepared for the County by Uccelli & Associates. Thank you,

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 |

**From:** Gerard Ozanne <  
**To:** hhardy@smcgov.org  
**Date:** 10/28/2013 10:25 AM  
**Subject:** Re: November and December Ascension Heights meetings

Hi Heather,  
Both dates will work for me.

Thanks,

Jerry

On Oct 22, 2013, at 10:03 PM, "Heather Hardy" <hhardy@smcgov.org> wrote:

> Good afternoon Jerry,  
>  
> At the request of Jim Eggemeyer, I'm writing to confirm the next two Ascension Heights meetings:  
>  
> Friday November 8, 2:00 PM - 3:30 PM  
> Room 201, Planning & Building Department, 455 County Center  
>  
> Tuesday December 3, 3:00 - 4:30 PM  
> Room 201, Planning & Building Department, 455 County Center  
>  
> Please let me know if you have any questions.  
>  
> Thank you,  
> Heather  
>  
>  
> Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455  
County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859 |

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COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT  
NOTICE OF EIR PREPARATION  
EIR SCOPING MEETING

**CERTIFIED TRANSCRIPT**

REPORTER'S TRANSCRIPT OF MEETING PROCEEDINGS

OCTOBER 9, 2013

7:00 P.M.

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## 1 PROCEEDINGS

2 MR. EGGEMEYER: I'm the director for the  
3 Planning and Building Department with San Mateo  
4 County. Once again, I'd like to thank you for  
5 spending and taking time out of your schedules to be  
6 with us tonight, and before we get started, a few  
7 introductions that I'd like to share with you. First,  
8 directly to my left is James Castaneda. He is the  
9 project planner for this project, and then to his left  
10 is the County's consultant, Trent Wilson, with AES.  
11 He will be making the majority of the presentation  
12 this evening, but before I pass the mic off to him,  
13 there's a few other people I'd like to acknowledge  
14 here that have joined us. And directly down in this  
15 first row off to my left is our County Counsel, Tim  
16 Fox, and then also, county supervisor Dave Pine is up  
17 right there standing up. I want to let you know that  
18 he's here tonight, and that this legislative aid is  
19 right behind him.

20 So I want to make sure that you are aware of  
21 some speaker cards, the blue cards, as well as comment  
22 cards. They are the yellow cards and they will be  
23 very helpful if you could fill those out in one  
24 fashion or another -- your preference -- and so we'll  
25 be calling on some speakers a little bit later on, and

1 I really want to stress how the objective tonight is  
 2 really to hear what you have to share with us as we  
 3 initiate this environmental impact report process, and  
 4 Trent will be going into a little bit more details,  
 5 but I want to let you know that's our main objective  
 6 is really to hear from you after we go through this  
 7 presentation. So with that, I'm going to pass it off  
 8 to Trent.

9 MR. WILSON: All right. Thank you very  
 10 much. We all appreciate you coming. We'd like to go  
 11 move forward with the presentation is give an  
 12 introduction to the proposed project. Many of you are  
 13 familiar with the previously proposed project and know  
 14 this is a revision of that older project. So we want  
 15 to summarize what the changes are as well as  
 16 explaining the EIR process; why we are here, what the  
 17 future steps are and how there's more opportunity for  
 18 involvement throughout this EIR process. We want to  
 19 kind of explain the anticipated scope of what we plan  
 20 on assessing, and mixing that in conjunction with the  
 21 comments we receive from the public and other agencies  
 22 as well. Then we want to move this open to the kind  
 23 of the testimony portion, which is actually taking  
 24 your comments on the project itself, potential project  
 25 alternatives, and what impact should be assessed in

1 the environmental impact report.

2           Some commonly used terms, really quickly,  
3 CEQA, California Environmental Quality Act, which is  
4 the regulation we are complying with in conducting the  
5 EIR. EIR is environmental impact report. When we say  
6 "project", we mean the Ascension Heights subdivision  
7 project. One that's not up there, which is why we are  
8 here, is called scoping, and that's what we are  
9 conducting tonight, which is the process of involving  
10 the public and receiving input on what should be  
11 included within the CEQA environmental review process  
12 as well as collecting comments on the proposed project  
13 itself.

14           Project overview -- and forgive me, it is  
15 not too often I give a presentation without seeing the  
16 slides. As shown, we show where the project is  
17 located, just southwest of the college itself.

18           So the project size is located southwest of  
19 where we are now, with regional access from the 280  
20 and the 92. Closer view, which many of you have seen  
21 these, as they are already upstairs on the desk, but  
22 we definitely want to point out that the parcel for  
23 the California Water Service Company is not included  
24 in the project site. So that will remain untouched  
25 and is not included in the development. Adjacent to

1 the site to the northeast, we have the Baywood Park  
 2 neighborhood.

3           The Enchanted Hills is to the southeast  
 4 and southwest and the Starlight Heights neighborhood  
 5 is to the northwest. Here we see the development  
 6 footprint, which we also have upstairs that many of  
 7 you have been discussing with the civil engineer. The  
 8 applicant is now proposing to subdivide the six  
 9 parcels totalling 3.25 acres into the 21 lots, 19 of  
 10 which are planned to be developed. The other two  
 11 would remain as open space and will not be developed.  
 12 Access, obviously will be provided from Bel Air Road,  
 13 and then the development features itself, I want to  
 14 point out, approximately 5.44 acres of the site is  
 15 what plans to be developed, and those include the 19  
 16 homes, the associated infrastructure, including  
 17 circulation and then the dedication of 7.81 acres of  
 18 the project site. Potable water will be provided by  
 19 the Mid-Peninsula Water District and Waste Water will  
 20 be provided by Crystal Springs and city of San Mateo  
 21 Plant.

22           As we discussed, this is a revision of  
 23 a previously proposed project, so we want to kind of  
 24 provide a comparison of the project details that the  
 25 previous project was denied in December, 2009 and

1 currently we are in the beginning of the environmental  
2 review phase. The project site remains the same. The  
3 single familiar residences have been reduced from 25  
4 to 19 lots, and the area of disturbance have been  
5 reduced from 8.49 to 5.44. The open space has been  
6 increased by about three acres, and with the current  
7 proposed project, there's no development planned for  
8 that southwest portion of the project site.

9                   Now, within the environmental impact  
10 report, the environmental impact report itself is an  
11 informational documents. The purpose of the document  
12 is to inform the lead agency, which is the County of  
13 San Mateo, on the potentially significant impacts of  
14 this proposed subdivision and development. The other  
15 purpose is to also inform the public as well, as well  
16 as other agencies that may have some involvement with  
17 the project, either state, county or local agencies.  
18 The real main purpose is to identify the direct  
19 impacts. Direct impacts are defined as, for example,  
20 physically removing a sensitive habitat. The indirect  
21 impacts, indirect are defined as impacts removed more  
22 in time and space. So for example, the use of a  
23 certain public service would require that facility to  
24 be expanded that would cause indirect physical impact.  
25 Then cumulative impacts, which are impacts that are

1 defined as while the proposed project itself, that  
2 specific impact might not be potentially significant.  
3 In combination with all other projects and even some  
4 past projects, there has a potential to be a  
5 significant impact in the culmination with all these  
6 impacts.

7 I think one of the most important  
8 aspects of CEQA is that we must present feasible  
9 mitigation measures to lessen the significant impacts,  
10 and the lead agency is responsible that those  
11 mitigation measures become implemented. The overall  
12 process will be -- right now we are in the notice of  
13 the preparation, and the scoping process, so we are  
14 taking input into what should be assessed as far as  
15 these indirect, direct and cumulative impacts as well  
16 as potential alternatives. After this 30 day comment  
17 period, which ends November 4th, we then pick up speed  
18 and develop the EIR, incorporating comments, received  
19 by the public and other agencies and we are looking at  
20 finishing the draft EIR in winter, 2013-2014. Once the  
21 draft EIR is completed, we release it to a public  
22 comment period, 45 day comment period, which there  
23 will be another opportunity to comment on the  
24 environmental impact report itself. As we will  
25 discuss later in the slides, there are other

1 opportunities for the public to be involved. Right  
 2 now this is discussing the environmental review  
 3 process, and we plan on having a final EIR in spring,  
 4 2014.

5                   The final EIR includes and incorporates  
 6 comments received on the draft, response to those  
 7 comments, and review any change to be made on comments  
 8 received. One of the important issues we want to  
 9 discuss as well is scoping also helps the lead agent  
 10 project proponent and ourselves when writing the  
 11 document kind of scope out potential alternatives.  
 12 According to CEQA, we must review feasible  
 13 alternatives, including a no-action alternative, and  
 14 that will be assessed in the document as well, and as  
 15 we addressed in the NOP, that will be based on the  
 16 comments received from the public and other agencies  
 17 if we receive such comments.

18                   The scope of the EIR is laid out in the  
 19 CEQA guidelines and it depicts what environmental  
 20 resource areas should be assessed. One thing to note  
 21 is CEQA is very specific in that it addresses physical  
 22 impacts; for example, under public services, it's not  
 23 just will it impact, for example, residents, there may  
 24 be more call for law enforcement activities, but would  
 25 that increase in services force a need for new

1 physical facilities that the construction of would  
2 physically impact the environment. So that's one of  
3 the specifics of CEQA, that it's about physical  
4 impacts to the environment.

5           The proposed scope that we are looking  
6 at includes all of the required environmental  
7 resources that are required to look through, and that  
8 includes aesthetics associated with the elevations and  
9 doing some figures within the document itself to show  
10 those aesthetic impacts. Air quality, we will be  
11 looking at the impacts of not only construction  
12 operation, but we will also be conducting a health  
13 risk assessment to determine impacts from diesel  
14 particulate matter from construction and the increase  
15 in traffic from the project itself. Some of the  
16 issues as many of you have been discussing upstairs  
17 with the site plan, you see the delineated area in the  
18 southwest corner, that will be addressed in the  
19 biological resources section of the document, and then  
20 you can see, we will go through the other resource  
21 areas. But what helps us in this scoping is to make  
22 sure we see what specific issues with some of these  
23 environmental resources the public may have to  
24 address.

25           So the review of future public

1 involvement opportunities as discussed earlier, there  
 2 is a 45 day review period of the draft EIR when it's  
 3 complete and released to the public, and there will be  
 4 another public forum similar to this one where we  
 5 actually take public comments on the document; its  
 6 content, the alternatives that were included and how  
 7 they were analyzed. And once again, please note that  
 8 those forms are specifically to the environmental  
 9 review process and do not relate necessarily to the  
 10 Planning Commission's approval. It's just to the  
 11 environmental document itself.

12                   Within the final EIR, we give the  
 13 public notice and then with the Planning Commission  
 14 hearing, those are the opportunities to speak on some  
 15 of the other issues outside of the environmental  
 16 review process.

17                   So as we stated, we have the yellow  
 18 cards. If you prefer to provide a written comment or  
 19 to mail a comment in, the address is on those yellow  
 20 cards that are up front. If you want to grab one on  
 21 the way out, please include your name, return address  
 22 and subject line to make sure they get to the right  
 23 person about scoping comments, Ascension Heights  
 24 subdivision project.

25                   So now what we will do to move forward

1 with collecting the public testimony, we have the  
 2 comment cards we received from the beginning. If  
 3 there are any more, feel free just to hand them to  
 4 Stephanie. Many of you met out front. Or you can  
 5 walk them up if you are closer or have someone bring  
 6 them to me. When we call your name, please walk up to  
 7 the nearest microphone and state your name clearly so  
 8 we can get it for the public record because these do  
 9 go into what's called the administrative record for  
 10 the project for the environmental impact report. And  
 11 if you could, to allow appropriate time in general, we  
 12 have a presentation by the Homeowner's Association  
 13 first, but after that, we typically like to limit it  
 14 to a three to four minute comment as appropriate. So  
 15 I think now, we will begin with the public testimony.  
 16 If we can get the Homeowner's Association and their  
 17 presentation, we can get under way.

18 HOMEOWNER'S ASSOCIATION: Good evening.  
 19 Can you hear me all right?

20 We would like to start off, and I will not  
 21 take very long on this part of it, but I thought we  
 22 have a little bit of review of where we've been,  
 23 because the project history actually goes back before  
 24 2001, but we've had original scoping back then. We  
 25 then had a draft EIR and '09 as was discussed and was

1 rejected by the Planning Commission on a four to zero  
2 vote. We as a neighborhood and community felt it had  
3 substantial inadequacies in the EIR, draft EIR.  
4 Nearly every aspect of it was, the analyses were  
5 limited and only impacts that were significant. They  
6 had unacceptable positions in it, and I'll just read  
7 one comment here, one section of it. It states, "At  
8 this time, the standard Bay Area Air Quality  
9 Management District control measures have not been  
10 incorporated into the project nor has the project  
11 applicant acknowledged that these measures would be  
12 implemented."

13           What these measures are is very simple. This  
14 is -- most of these are designed to keep the dust down  
15 and reduce the amount of air pollution. The standard  
16 way of doing that is washing down the trucks before  
17 they leave the project, and if you remember, a  
18 tremendous number of truck loads were going back and  
19 forth through the neighborhood. So simple matter of  
20 covering the trucks themselves. There are about less  
21 10 or 12 different standard ways in which it is  
22 accepted procedure to do this.

23           This is the draft EIR. There's no resolution  
24 at this point as to whether they will or will not, but  
25 the applicant had not acknowledged it was going to do

1 that, and this is now going to the Planning Commission  
2 to make a decision. I consider that -- we consider  
3 that inadequate. We don't know what's going to happen  
4 and what's not going to happen. How could anyone make  
5 a reasonable decision based on that kind of  
6 information?

7           We then went through the draft EIR and  
8 filled in many, many comments as were outlined, and  
9 this one, of course, is the same way. The responses  
10 were basically inadequate. It was -- if it were  
11 serious, it would have been laughable. There are many  
12 of the sections where we would point to a paragraph  
13 that was not clear, ask detailed questions about the  
14 paragraph. The response back from the consultant at  
15 the time was to basically restate your answer is --  
16 restate verbatim the paragraph that we were asking  
17 questions about. So it was absolutely unacceptable in  
18 terms of that response, and I trust we won't have the  
19 same level of response this time. But if you think  
20 about what the process is, how much do we know now  
21 about where the project is actually going? We know  
22 it's fewer lots. We don't know how much less dirt is  
23 going to be displaced. We don't know the truck loads  
24 that are going to have to be required. We don't know  
25 very much, and you are being asked to make comments

1 about it that may go into the public record and from  
 2 that, we are going to get some answers back, not on  
 3 the scoping part, but that's to first lay out the  
 4 scope of what the issues are. But the draft EIR is  
 5 the same process, and I find that very inadequate for  
 6 us. I think we need a lot more information and we are  
 7 going to do our best to be able to get that out.

8 I want to talk a little bit about the health  
 9 impacts. I am a physician and anesthesiologist at  
 10 UCSF and I have worked with many of these issues  
 11 relating to pulmonary cardiac problems because that is  
 12 my job; to keep them stable and steady. This  
 13 particular issue in terms of the air quality has some  
 14 interesting facts about it. We will get into those in  
 15 just a minute, and I will do a very brief summary of  
 16 the rest of it and then other people can come up here  
 17 and talk about it.

18 We just hope that our expectations in 2013  
 19 are that they are going to be different in terms of  
 20 how they were in 2009 in terms of the information and  
 21 quality of it and the detail and quality.

22 So just briefly, the air pollution issues  
 23 are significant. People at risk who are sensitive  
 24 receptors, which I don't quite like that name, young  
 25 children, elderly, compromised immune system,

1 asthmatics, people with COPD and cardiac vascular  
2 illness. Long term, pretty much everyone probably  
3 assumes that that's the issue, that you end up with  
4 cancer or pulmonary diseases from air pollution. But  
5 in the last half dozen years ago, there's been a lot  
6 of work done on what the immediate causes are, and if  
7 you remember even the last Spare the Air day that we  
8 had, we were all cautioned to close our windows, stay  
9 in doors and not go out and exercise. And the issue  
10 there is, there are immediate impacts. And the  
11 studies they have done, the cause and effect is often  
12 questionable, but if you plot elevations in air  
13 pollution and then look at the number of emergency  
14 room visits, heart attacks, strokes and deaths, they  
15 go in parallel. And there are some good scientific  
16 reasons to probably point to the causes as to why that  
17 is, but it's quite clear that in fact, that is an  
18 event. I mean, it is an expected outcome of air  
19 pollution. So it's not trivial and it is an issue.  
20 It is an issue that is something that needs to be  
21 considered, and I'm glad to hear that we are going to  
22 do health risks as part of this assessment.

23           The Bay Area Air Quality Management District  
24 adopted -- they made a decision after looking at the  
25 data that it wasn't -- the construction related

1 pollution issues were significant. There was a legal  
2 case that put that, it's now under appeal, but it put  
3 that process in hold, so it isn't mandated in the  
4 state of California. But it doesn't prevent the lead  
5 agency from using the information and using some of  
6 that knowledge that has been gained about that, so I  
7 expect that we will hear a lot more about air  
8 pollution.

9           This is just one example of what happens  
10 after a single hour of operation of an off road  
11 diesel. These very small particles are actually the  
12 most dangerous ones, because they go the deepest into  
13 the lung, absorbed into the blood stream and what  
14 causes the inflammation process then increases the  
15 propensity for clotting to form, and that's where the  
16 heart attacks and strokes are presumed to come from,  
17 new clots being formed as a result of breathing. So  
18 that's something that happens within hours of  
19 exposure, and you see that this level is quite high,  
20 actually, at 20 micrograms per liters per cube, but at  
21 600 feet spread out that far at a high level, and in  
22 the closer to the diesel, in the center there, it's  
23 even higher. If you look at the project here and you  
24 take one device, just one off road device, you start  
25 getting in one hour that 600 feet spreads out to that

1 distance, and in two hours, now covered most of the  
2 project, and three, four hours, it's all of it plus  
3 some neighbors, and six hours it's out to there. It's  
4 not trivial. If you look at the project, the area in  
5 the purple is an area that you can't see very well,  
6 but it is downstream deep in it. It's lower than the  
7 project. This is most of the area around that. And  
8 in six hours, with a little bit of wind, possibly, you  
9 have quite a bit of spread of this from one diesel at  
10 a level that could be significant. If there's a lot  
11 of wind, it's going to be blown over to the East Bay,  
12 which is not particularly good either, but it doesn't  
13 directly affect us nearly as much.

14           So this is a very significant consideration  
15 because if we have no wind and where we have a  
16 situation where the diesel exhaust is going to flow  
17 downhill, we will be smelling it across the entire  
18 neighborhood for as long as that aspect of the project  
19 goes on.

20           Some of the other -- I'm going to go through  
21 these very briefly and just summarize them, not even  
22 point much to them, but the other people are going to  
23 come up and talk about it. There are issues about  
24 civility and the soil protected slopes seem to exceed  
25 what the City of San Mateo's limits are. Air quality

1 just discussed, and issues about monitoring and how  
2 you make that significant and unavoidable. What does  
3 that mean? You know, there are newer diesel engines  
4 that are better fuels. They all cost more, but they  
5 have substantial reduction, sometimes a factor of one  
6 tenth of what is the exhaust is normally in the  
7 typical diesel. Lots of truck traffic. Where is it  
8 going to go? How frequent is it? Last analysis did  
9 not include CSM traffic, which we all know is  
10 substantial. So the traffic analysis was not done  
11 during the school hours. There was no discussion  
12 about retention or replanting of landscaping. There  
13 may be some, but the fair amount proposed, we haven't  
14 seen those details this time, but I have yet to see a  
15 replanting in our neighborhood anywhere around here  
16 that lasted more than one or two seasons at most, even  
17 though they try and water it. So does that mean that  
18 we are just guaranteed that whatever planting is there  
19 is going to be gone for some time?

20           There's a question about privacy on Parrott  
21 properties because of the design of it. You can see  
22 the slope. It's actually very, very steep as we all  
23 know, because we drive by this one way or another all  
24 the time. But this is one drawing of the houses of  
25 one plan by the developer that places the house at

1 basically 45 degrees and just slightly 20 feet away  
 2 from the property line. So these are houses on  
 3 Parrott, and these are the new houses, and you can  
 4 see, actually, the fill makes the house even higher.  
 5 This is the current outline of the present slope and  
 6 this is what the fill is. So it's actually raising  
 7 the house higher than the current level by a fair  
 8 amount.

9 Other issues -- this was never covered in  
 10 the previous draft EIR assessment, but there are  
 11 underground streams, if you talk to people along  
 12 Parrott and also San Mateo Oaks, they have sump pumps  
 13 and they have a fair amount of water that comes in  
 14 under their houses and have issues with that.  
 15 Disturbing those underground streams is again an  
 16 unknown and they may end up having some problems as a  
 17 result of that.

18 The storm and water run off is at issue. 10  
 19 year storm ranges were what was used in calculations  
 20 where we all know that we are sort of getting 50 or  
 21 hundred year storms here, not necessarily right here  
 22 at this time, but certainly parts of the country. So  
 23 we don't think a 10 year storm limit is what should be  
 24 looked at.

25 Construction noise was another interesting

1 component in the last EIR, draft EIR. Noise from one  
2 piece of equipment was considered significant and  
3 determined to be unavoidable. That was one. There  
4 was no assessment how many would be operating  
5 simultaneously. So when you add them up where they  
6 were relative to the houses, what does it mean and how  
7 was the assessment done was very inadequate, and when  
8 we pushed back and asked about that, that was the one  
9 where we got the copy of what the description was  
10 about it and no explanation about how to do it. Hours  
11 of operation. Are there ways those could be  
12 minimized? Are there mufflers at work to be effective  
13 on that piece of equipment? I don't know.

14 We will get into the erosion and talk about  
15 that, but that's -- we heard there was going to be,  
16 quote, "no development" in the conservation area,  
17 which has gotten larger which might sound good, but  
18 there are problems with the conservation area and we  
19 will talk about those and deal with that more in  
20 detail, but leaving it untouched is not something that  
21 is pleasant for us to contemplate. Also it's been  
22 stated it could be five to 10 years to build this out.  
23 So there's five to 10 years of the denuded hill that  
24 may have something blown on it or a little bit of  
25 grass that may come back and grow, but then it's going

1 to die out? Is it going to be there? How is it going  
2 to be maintained for five, 10 years and then  
3 homeowners aren't going to be part of the conservation  
4 area which is a substantial portion close to, maybe  
5 more than half as I looked at the last numbers, over  
6 the entire property. So how is the rest of that going  
7 to be maintained?

8                   We are going to be very interested in  
9 hearing about that. This is one of the areas that is  
10 going to remain, according to the 2009, and I didn't  
11 hear anything differently tonight, as a conservation  
12 area is the undisturbed protected and unrepaired. I  
13 find this hard to look at. This is a 2009 picture. I  
14 didn't bother to go out and get the 2013, but there's  
15 substantial erosion from this picture. It's much  
16 worse than this now.

17                   So what's the plan here? Why are we  
18 talking about an area that we don't want to touch, but  
19 we want to take advantage of the rest of it. So I  
20 think that's all I have, and I'm happy to turn it back  
21 to let anyone else comment on it on what the issues  
22 are. Thank you.

23                   MR. WILSON: Thank you. We'll continue on,  
24 and I apologize if I mispronounce any names.  
25 Marie O'Rourke.

1           MARIE O'ROURKE: Most of the stuff that was  
2 just covered is part of what I was going to say as  
3 well. I'm interested in the time line as well,  
4 because I'm on CSM Drive and I'm right below where you  
5 are going to be. The springs come up behind my house  
6 as it is, and they just travel wherever they choose.  
7 So if you are disturbing earth above the courts up  
8 there and on Parrott, we are going to have some very  
9 interesting swimming lessons in my garage. So when  
10 you are talking about a five to ten year time line to  
11 move the earth and then you leave it fallow with  
12 nothing holding it, that's a very significant impact  
13 on our houses and I would imagine on Parrott's as  
14 well. I'm also concerned about the slides, because  
15 the earth moves. We have earthquakes up there. We  
16 are on a fault line. I think the San Andreas runs  
17 right underneath that property. The wild life, I  
18 enjoy the owls and the coyote and all the things that  
19 invade my yard. Traffic impact is a dangerous place  
20 up there. People run the stop signs all the time, and  
21 if you have very large trucks carrying lots of earth  
22 on a very narrow street, I don't see how that's going  
23 to be very healthy for the students who go to school  
24 up there, for those of us who live up there, for our  
25 grandchildren who walk up there, for the people who

1 use the area and watch their neighbors' homes and  
2 things.

3           So the traffic alone is of significance to  
4 us, and then the pollution that those trucks and  
5 movers provide for us. My husband is one of your  
6 COPD people, so when you look at the scope of how that  
7 pollution transfers out, remember, we have wind, so  
8 that wind comes and it goes over to the CSM and the  
9 people who go to school here are also going to be the  
10 beneficiaries of all that pollution.

11           The exits coming out of that hill are  
12 marginal. So when you are coming out of that area,  
13 long term, 10 years from now, when all of those houses  
14 are built, you are going to have families who have  
15 members who are driving who are also impacting the  
16 streets long after all of the traffic and all of the  
17 mess is gone. I'm concerned about the fact that you  
18 are going to leave this land empty after you've raided  
19 it. It's not like a development like San Mateo Oaks  
20 or San Mateo Woods where the developer built the  
21 houses, they were inhabited, they had landscaping,  
22 they were living there. It was a short time event.  
23 The place were put together. You didn't have a lot  
24 here, a builder here, a builder there. It was done  
25 and it was over. But a 10 year span, I hope to live

1 pretty long but that's 10 years out of my life. I  
2 would like to see that all of the things that were  
3 addressed by the gentleman before me are put in  
4 writing so that we have an actual criteria to measure  
5 what you are going to do and when you are going to do  
6 it and how you are going to do it and how we can  
7 measure it so that we can decide whether the pollution  
8 on a particular day is too high and who's going to do  
9 the measuring, and that's going to cost a bit of  
10 money, and who's going to pay for that? I can't read  
11 all my notes, but I think I've exceeded my time.  
12 Thank you very much.

13 MR. WILSON: Thank you. Ron Johnson.

14 RON JOHNSON: My name is Ron Johnson.

15 I live on the corner of Parrott and Laurie Lane where  
16 all of this activity will be coming around that  
17 intersection. I've made a few notes to comment on,  
18 and some of them have been covered, but I'll state a  
19 few things I noted.

20 Homes in this area have experienced large  
21 and small landslides and soil erosion for over the 50  
22 plus years we have lived here. This has caused many  
23 of us much extra expense over the years to install and  
24 maintain drainage pipes and retaining walls to prevent  
25 foundation problems and landslides. The developers

1 and builders have generally been out of business or  
 2 gone from our area by the time the numerous problems  
 3 have developed from unstable ground, and it has been  
 4 left to homeowners, insurance companies, and/or  
 5 attorneys to resolve the many major and minor problems  
 6 between properties. The developer should be required  
 7 to pay for a 30 year bond for the future erosion  
 8 problems for the new buyers and the street repairs  
 9 that will be needed as a result of this large project.  
 10 The County has had much excessive expense in recurring  
 11 earth slides and holes and cracks in the roads in our  
 12 area. Too much grading and hauling away of dirt and  
 13 hauling in of building supplies have caused extreme  
 14 dust and exhaust fumes, traffic, noise and congestion  
 15 and street damage. Our quality of life will be  
 16 greatly diminished for the duration of this project  
 17 and I hope it isn't 10 years.

18 MR. WILSON: Thank you. Laurel Nagle.

19 LAUREL NAGLE: Hi. I am Laurel Nagle and  
 20 I guess I'm involved with the Homeowner's Association,  
 21 so first I'm going to address issues of the project  
 22 and then we have a couple specific to our home. We  
 23 live on Parrott. The first is that the images that  
 24 we've seen in the past renderings have shown an  
 25 easement between Parrott and the homes. Sometimes

1 it's there. Sometimes it's not. But there's always  
2 these mature trees there, and we really want some  
3 information about how big is the easement? If there  
4 is one, who is managing it? What kind of trees? How  
5 fast will they grow? As you saw from pictures, and we  
6 have lots more, the houses really look like they are  
7 on top of us. So our privacy is gone completely.  
8 Secondly, in the proposals, because we have a concern  
9 about water run off, they've proposed swales and we  
10 have asked for precedents for swales being used on  
11 those steep slopes. I studied landscape architecture  
12 and I am a master gardener for San Mateo and San  
13 Francisco Counties, and I've never heard of that. I  
14 won't say it doesn't happen, but I was never taught  
15 that in school, that that would be an appropriate use  
16 of a swale so we asked for details about the mechanics  
17 and if they have precedents. We never received any  
18 information, so our concern is that's an inadequate  
19 way to handle the run off there.

20 Third, removing the soil, you know, the top  
21 soil, stripping it. I've been doing some research and  
22 teaching and also studying. Really involved in the  
23 life cycle the soil. Terry Lingso there has brought  
24 in a lot of speakers and pulling all the good soil  
25 off. Sticking it to the side basically kills it. I

1 know it sounds hippie-ish, but there is a whole life  
2 inside that soil and that life supports the things  
3 that grow. If we pull that all off aside, strip and  
4 regrade for a few years, all that life is going to  
5 die. They are going to put it back, try to plant  
6 trees, spray the grass seed and think that's going  
7 grow in a healthy and quick manner when actually the  
8 soil is going to be missing a lot of what it needs to  
9 help the plants grow. So if something else is  
10 happening, you know, we would like to know what those  
11 improvement to the soil would be. You can look at the  
12 old pictures of erosion and you see grass, and then  
13 you see soil -- I mean, erosion -- or you see a few  
14 bushes or trees. Those haven't done the job, so  
15 that's a big concern for us.

16           Additionally, I know, and somebody else may  
17 speak on this, but Rainbow Street, which was held up  
18 as an example of the engineering progress that's been  
19 made to date to allow a building on such a steep  
20 slope, they are back to having slides again, and  
21 that's an area very near us that continues to have  
22 problems. So we would request that you take that into  
23 consideration or look at that when you are evaluating  
24 these homes.

25           Then personally, let's see. It shows that

1 the water main is going to be tied into the current  
2 easement which runs between our house and the  
3 neighbor's, but would be behind our yard, and our  
4 question is, exactly where? And we have three mature  
5 Monterey pines, aged somewhere between 50 and 75 years  
6 according to two arborists, and we are concerned about  
7 possible damage to their health. So we are hoping  
8 that they are going to use the 2013 arborist standards  
9 when considering what to do with mature trees and how  
10 to protect them. I know they've been updated.

11           Let's see. The hammerhead also points right  
12 to our two kids' bedrooms, so clearly we are concerned  
13 about not only the privacy, but the safety that's  
14 involved there. For everyone who has talked about  
15 their house moving, ours is only eight years old. We  
16 basically rebuilt our house, and I had someone in  
17 today for the second time because the house has moved  
18 and things have been adjusted and it's not a lack of  
19 quality building by the builder; it's just things  
20 move. The ground shifts, and that's Parrott.

21           Finally, on Parrott Drive, there are blind  
22 spots on that road, and we've lived there since 2000  
23 and have seen three accidents where cars have actually  
24 left the street and ended up in yards. So certainly  
25 with any added traffic, we are concerned about that.

1 So I'd like that to be taken into consideration, too.

2 Thank you.

3 MR. WILSON: Angela Strickley.

4 ANGELA STRICKLEY: Hi my name is Angela  
5 and I want to talk about the health impact and the  
6 traffic.

7 As the construction started, our house  
8 will be filled with smoke of the heavy congestion.  
9 Traffic passes our front door every two to three  
10 minutes for 44 days. It's like almost continuously.  
11 It can be a very intense interruption for our daily  
12 life and it will be -- the whole construction will be  
13 lasting for about 10 years, that's a long period of  
14 time. We are very concerned, and these persons, this  
15 person is bringing noise to our beautiful quiet  
16 neighborhood, and these are diesel exhaust and smoke  
17 will cause a long term health impact to all of us.  
18 The pollutants from the dust and diesel engines such  
19 as a nitrogen, oxide and carbon monoxide can cause it  
20 to be hectic on your respiratory system. The  
21 pollution can cause irritation in the respiratory  
22 system. And it's very harmful to someone who is has  
23 asthma and other lung disease such as COPD. It's a  
24 life threatening condition. For people who have an  
25 allergy to the pollutants from dust and diesel exhaust

1 and smoke, the pollutants will cause a bad immune  
2 system by inducing the muscular inflammatory reaction  
3 around the tracheal area. If that happened, the  
4 person will feel like choking. It can be deadly if  
5 not taken to emergency immediately. That kind of life  
6 threatening condition for the County needs to be  
7 considered and the dust and smoke also can cause the  
8 same consequences into many healthy people because of  
9 those pollutants. The normal people, their  
10 respiratory system and the immune system, the normal  
11 can arrest the function.

12           The second concern is the noise,  
13 because those big heavy trucks will be on the road  
14 every two to three minutes in and out for 44 days, and  
15 those are noisy. It's hard to imagine. A lot of  
16 people work at home. They stay at home Monday to  
17 Friday 9:00 to 5:00, and a lot of the elderly people  
18 live here and they stay at home mostly and those  
19 noises can be very annoying. We do not deserve that  
20 kind of congestion to return to our neighborhood into  
21 a dust bowl, dusty, noisy and full of traffic jam. We  
22 do not deserve to raise our children in a dust bowl in  
23 that kind ever environment and let children have a  
24 terrible experience. We do not deserve to live in  
25 this harmful environment. We do not deserve the

1 congestion. It will change our daily living, and for  
 2 the health impact, we are required the developer to  
 3 provide 30 years of health insurance if someone has  
 4 asthma or COPD or has a hearing impaired or ringing  
 5 ear, some kind of, the ear malfunctioning because of  
 6 the noise because of the dust. We ask the developer  
 7 to pay the responsibility for that. And for the  
 8 noise, it's unavoidable. And we would like to ask for  
 9 the compensation and for people who cannot stand the  
 10 noise, they may have to stay away for the 44 days and  
 11 we would like to ask that the developer to pay for the  
 12 moving and the rental for that 44 days. We deserve  
 13 the developer to be responsible on their actions.  
 14 It's their land. We understand they can do what they  
 15 wants by the county permit, but we live here. It's  
 16 our home. When something happens, it's not just to  
 17 the house structure damage. It's someone's home and  
 18 someone's life. I would like to ask the County to  
 19 please consider, and we do want to see the high  
 20 responsibility written from the environmental impact  
 21 reports. Thank you.

22 MR. WILSON: Kim Ricket.

23 KIM RICKET: Hi. I just want to start  
 24 off, my name is Kim Ricket. I live on Ascension  
 25 Drive. I want to say that I'm not opposing to putting

1 houses on the hill, but I want to do it responsibly.  
 2 I understand this is a scoping meeting and that you  
 3 will be referring to the previous EIR, which I think  
 4 is very important. These are things that I want to  
 5 make sure are also included.

6           For geology, you say the EIR will address  
 7 the proposed project for soil erosion during  
 8 construction. Please also consider after  
 9 construction. I don't know if this would be an  
 10 indirect impact that you mentioned. The old EIR  
 11 references the slide between Rainbow and Pulhima and  
 12 the slide and then reslide between Rainbow and  
 13 Starlight. It needs to reference the earth movement,  
 14 and while our HOA was required to build between Los  
 15 Altos Drive and Parrott Drive, to stop those houses  
 16 from falling down, and that's the very same hill right  
 17 around the corner and even after this brand new wall  
 18 was built, the hill continued to slide and repairs  
 19 were needed. So I'd like to see that in the report.

20           Given that the slides have happened all over  
 21 the neighborhood, including on the very same hill, it  
 22 seems very possible that such a wall might be needed  
 23 at some point. I haven't seen anything from the  
 24 developer saying that the way they grade is any  
 25 different than the way that any of these previous

1 developers have graded the land, and if such a wall is  
2 needed to be built, the aesthetics need to be  
3 considered, because looking at one of those big steel  
4 wooden I-beam walls is much different than looking at  
5 simply a graded, slope even if that slope hasn't been  
6 painted.

7 I also think you need to consider what the  
8 financial impact would be if our HOA has required it  
9 build another one of those walls to prevent some of  
10 those houses to come down on us again. For air  
11 quality, please include long term exposure issues. If  
12 the project is not completed on time or is left  
13 unfinished, if they aren't watering down the dirt each  
14 day, how much blow into our neighborhood from under  
15 planted unfinished lots. For air quality and hazards,  
16 please include a method for testing for asbestos, not  
17 just for surface soils or at the beginning of the  
18 project, but as all this excavation is taking place.  
19 You can reference the EIR for the Water District  
20 project that took place on the other side of Ascension  
21 which tested for soil as it was excavated. I have  
22 young children, and if there's asbestos in the soil, I  
23 don't want us breathing it. I don't know if there is,  
24 but there's serpentine rocks on those hillsides. It  
25 needs to be taken into consideration.

1           If trees are removed, please consider how it  
 2 will change the patterns of air flow in surrounding  
 3 neighborhoods. Some of those trees get really heavy  
 4 winds, especially during the afternoons and during  
 5 storms, and losing wind breaks could have a serious  
 6 effect on trees in our yards and have them blow over  
 7 as some trees have done.

8           For biological resources, please make sure  
 9 these are examined at the proper time of the year.  
 10 I've seen mission Blue butterflies in the  
 11 neighborhood. I don't know if they are on the  
 12 hillside, but if you look for them now, you are not  
 13 going to see them. They only come out for a few weeks  
 14 at the end of spring, and finally, I understand you  
 15 will consider a no project, and I also understand that  
 16 for the developer, that's not an ideal situation. So  
 17 I do ask you to also consider something like a minimal  
 18 grading project. Many of the environmental concerns  
 19 relate to the grading and movement of soil. At a  
 20 quick glance, it appears that lots seven and 12 on the  
 21 Los Altos sides and lots 16, 17, 18 and 19 on the  
 22 Ascension side are building built right on those  
 23 steepest edges of the slope and might be requiring  
 24 more grading than is absolutely necessary to build a  
 25 subdivision on this hill. Please do consider that a

1 project that would limit the scope of grading, just  
2 build homes on the flat part of the hill, and that  
3 might alleviate many of these concerns. Thank you  
4 very much for your attention.

5 MR. WILSON: Thank you. We've got more  
6 cards, so what I'm going to do is announce the next  
7 one, and right now can we get Craig Nishizaki, and  
8 following that would be Suzanne Kennedy.

9 CRAIG NISHIZAKI: Name my name is Craig  
10 Nishizaki and I live 1474 Parrott Drive. I'd like to  
11 thank the County very much for hosting this meeting to  
12 get our inputs in the neighborhood. I think we  
13 appreciate that. Also I want to thank all the  
14 neighbors who showed up. Through talking to the  
15 neighbors, neighbors talking to other neighbors, we've  
16 gotten a lot of good feedback from them, and as you  
17 can tell, they are very concerned about this project.  
18 As Kim mentioned, in general, we are not against any  
19 development, but we are really for responsible  
20 development. So I'd like to talk about two issues.

21 I'll start first with issues that affect  
22 residents that live on Parrott Drive that have their  
23 backyards right bordering the project and talk about  
24 some general issues about what we'd like to see in the  
25 environmental impact report. So you saw a slide where

1 on the -- you are looking from what would be our  
2 backyards, and there's a slope, and then the houses,  
3 and the effect is when you are looking up, we are  
4 imagining that these houses are virtually looking like  
5 they are right on top of us, and we talk about  
6 invasion of privacy. It's just -- I think the initial  
7 plan in 2009, there was at least a setback there of  
8 20 feet, 30 feet, whatever, but that really needs to  
9 be studied. Let's put the story poles up. Let's  
10 simulate and let the neighbors see what it's going to  
11 look like because it's really hard to look at and you  
12 are looking straight up, or the neighbors are looking  
13 straight down at you, and it's not a believable  
14 condition. I think also on Parrott during the  
15 construction and also after the construction, we are  
16 imagining the noise and the pollution are going to be  
17 pretty bad for us. Again, I think that needs to be  
18 studied closely. Pushing back the development some  
19 number of distance, I think, will help, but there's a  
20 lot of concern with the closeness of all that  
21 construction.

22           So the other thing, in terms of the draft  
23 environmental impact report, looking back at some of  
24 the issues from the 2009 EIR, I think some of the  
25 improvements we'd like to see or I'd like to see is

1 for the report to be a lot more comprehensive. It  
2 talked about all the environmental issues, but really  
3 it didn't analyze them closely. As mentioned,  
4 traffic, traffic was assessed. They even brought out  
5 trucks to show that the trucks could actually make the  
6 turns, and there was actually a video about that.  
7 What they didn't show was how slow the trucks had to  
8 go around each of these turns and how it potentially  
9 could back up traffic, and actually, if you look at  
10 the end of the video, as the truck is turning from  
11 ferret turning left on Laurie Lane, there's actually a  
12 car that is trying to get around the truck, which  
13 everyone knows that's a very dangerous place to do  
14 that. So there wasn't really enough comprehensive  
15 analysis, not enough study. I don't think the  
16 consultant talked with neighbors at all to get their  
17 concerns and to really probe deeply. I think there  
18 was a lot, as Jerry mentioned, there was a lot of  
19 input and verbiage in the DEIR that seemed to be  
20 dismissive of the concerns that the neighbors have.  
21 So I think those issues should be more thoroughly  
22 researched and not dismissed so easily, and I think  
23 words like in terms of controlling terms of monitoring  
24 air quality and noise, and when there are limits, I  
25 think words like you must adhere to being below those

1 limits as opposed to "should" or "could," I think the  
2 verbiage in the report needs to be much stronger.  
3 Also, the statement that was shown where if air  
4 quality or noise violated the limit, verbiage or words  
5 like or a sentence like they were determined, the  
6 limits were seeking limits and they were determined to  
7 be significant but unavoidable, I think that should be  
8 avoided. I don't think that's very respectful to the  
9 neighborhood that you are telling them "it's okay that  
10 you violate all these limits" for these living  
11 standards and we can't do anything about it. You  
12 definitely can do things about it. You can scale back  
13 the project; you can suggest that the project be  
14 changed so that the neighborhood is protected. And I  
15 think options were covered in the DEIR, but not --  
16 they were just put out there. There was no details on  
17 it. I think an analysis comparative analysis of this  
18 project to some of the options of the consultant is  
19 reviewing so that we can see, okay, if there's another  
20 option of half the homes, how will the traffic impact  
21 be reduced? How will the air quality be reduced? If  
22 the options were in the DEIR but they weren't really  
23 studied, and I think that will help everyone  
24 understand what the impact could be and how it could  
25 be changed. Again, thank you very much for holding

1 this meeting and one thing, I hope that the  
2 consultants can be respectful of the neighborhood. A  
3 lot of people live here. We love living here. Again  
4 we are not opposed to the development, but we care  
5 about our daily lives. Thank you.

6 MR. WILSON: Following Suzanne Kennedy will  
7 be Raymond Yu.

8 SUZANNE KENNEDY: Hi. My name is Suzanne  
9 Kennedy. I live on Los Altos Drive. I had two things  
10 I wanted to touch on that have already been said, but  
11 I just want to reiterate my personal concerns.

12 I have three small children under the age of  
13 ten, and most of my concerns are about our health and  
14 safety. I'm concerned about the impact on the air  
15 quality. They play outside a lot. They ride their  
16 bicycles, so I'm very concerned about how is this  
17 going impact them at a very formative time in their  
18 life. Also I'm a runner and I run pretty much every  
19 day right around this project site, so personally I'm  
20 concerned. I guess I would have to probably cease  
21 running in the local area or outside while a lot of  
22 this work is being done.

23 Also, my home is directly below the  
24 retaining wall that was mentioned before between Los  
25 Altos and Parrott. I'm particularly concerned about

1 any stability issues we might have, and even though  
 2 the wall is maintained by everyone in San Mateo Oaks,  
 3 any movement in it is going to directly impact my  
 4 family or safety or the property. So my main concerns  
 5 are the air quality and the soil stability on the  
 6 hillside. Thank you.

7 MR. WILSON: Thank you. And following  
 8 Raymond Yu will be George Mitroff.

9 RAYMOND YU: Hi. My name is Raymond Yu and  
 10 I'll try to make this quick since my comments are  
 11 specific to just my house, and I'm homeowner at 1444  
 12 Bel Aire Road. From the drawing of the proposed plan,  
 13 my home will be one of the two homes directly across  
 14 the road leading up to the hill; thus I will be  
 15 directly affected by the traffic driving down the hill  
 16 and headed straight at my home. At this point, I'm  
 17 going to keep an open mind about the overall project  
 18 but, if the Planning Department is inclined to move  
 19 forward with the project, I'd ask that the department  
 20 would consider the safety and use of my home in the  
 21 planning of the project. I'd like to point out that  
 22 the road connecting Bel Aire to the hill forms a T  
 23 intersection, and since it leads up to a hill, the  
 24 road will be fairly steep, and that road leads  
 25 directly to the front of my house. Having experienced

1 a number of car accidents involving drivers under the  
2 influence and cars whose brakes have malfunctioned,  
3 there's a strong possibility that an out of control  
4 car will come crashing into my home. If the project  
5 is going to move forward, I ask that the Planning  
6 Department consider that the developer should have to  
7 build a retaining wall of some sort along the front of  
8 my home or along that sidewalk and possibly my  
9 neighbor's homes if he's so inclined. The wall should  
10 also be at least six feet thigh and block car  
11 headlights since cars turning will be aiming  
12 headlights directly into my bedroom window, and that's  
13 my comments. If you have any questions, you can  
14 contact me. My information is on the comment card.  
15 Thanks again.

16 MR. WILSON: Following George will be  
17 Rosemary Thomas.

18 GEORGE MITROFF: I have a very quick  
19 question. Who is buying the court reporter here? Is  
20 that the County doing this?

21 Okay. Then the County is on actual  
22 constructive notice. The reason I bring this out is,  
23 the last time we were here, this is only restricted to  
24 the environmental impact issues. The last time we  
25 were here, we talked about the significant risk of

1 movement of the earth in this project. That ties in  
2 with who is responsible. Ron Johnson brought out a  
3 very interesting principle. He mentioned specifically  
4 having the developer purchase a bond for 30 years that  
5 warrants his development. All the retaining walls,  
6 all these other issues that we bring about. All these  
7 air quality issues are short term, but the real deal  
8 is when the ground starts moving, if he puts all these  
9 homes on this hill, that's going to be a real problem.  
10 It's nearly impossible to sue a County, and certainly  
11 if the developer backs out of the situation by  
12 bankruptcy or whatever, they use all kinds of  
13 nefarious things to shield themselves from personal  
14 immunity, but this construction bond, this warranty,  
15 would certainly alleviate a lot of concerns that this  
16 neighborhood has. I am getting the feeling this  
17 developer is using the bait and switch method. He  
18 starts with a very high number of homes and keeps  
19 scaling back, scaling back, scaling back. But the  
20 bottom line is money. He has to put in a significant  
21 amount of money to keep that hill from moving if he  
22 wants to put all those homes in. So would I think  
23 intuitively, he would figure out that it's cheaper for  
24 me to put fewer homes, charge a higher price so I can  
25 get a return on my investment and not have to put in

1 all this engineering. That would alleviate all these  
2 truck movements and moving mass amounts of dirt and  
3 what not. So I think it all boils down to money, but  
4 I think Mr. Johnson hit the nail right on the head.  
5 The County should insist on a bond of some sort to  
6 warranty that the development that he makes and  
7 ultimately all the engineering and retaining walls  
8 that he's going to have to put in to make this float  
9 actually are funded by some insurance policy that  
10 would keep the homeowners off the hook if the hill  
11 starts moving. Thank you.

12 MR. WILSON: George, could you pronounce  
13 your last name for me?

14 GEORGE MITROFF: Mitroff.

15 MR. WILSON: And then following Rosemarie  
16 Thomas will be John Mathon.

17 ROSEMARIE THOMAS: Thank you. I'm Rosemary  
18 Thomas and we live on Bel Aire road on the corner of  
19 Ascension and Bel Aire across from the ugly erosion  
20 and the pipe. My concern mainly is the traffic and  
21 also fire access. Originally I thought the developer  
22 was going to put in an access road to allow fire  
23 trucks to get onto the property in case of an  
24 emergency, and the last drawing that we saw, that road  
25 was removed. Also access to the property from Bel

1 Aire, the turn is very narrow and it looks like he's  
2 going to have to take out more of the side of the  
3 hill, which is also very steep, going onto the road  
4 that is existing now and that will remove more of the  
5 landscaping, the trees that are there that are  
6 currently holding that property up. So I wanted to  
7 know, or can we address the fact with the developer,  
8 if he's going to have to widen that road so that the  
9 trucks can make that turn onto the property, and also,  
10 is he going to put in an access for fire trucks?  
11 Because if we remember from the Oakland Hills fire,  
12 there was one access in and out, and many homes were  
13 destroyed because the fire trucks could not get in,  
14 and that's one -- several of my concerns. Thank you.

15 MR. WILSON: Thank you. And then following  
16 John we will have Linda Ozanne.

17 JOHN MATHON: John Mathon. I moved into  
18 1450 Parrott. It's where the construction will be  
19 happening. I will be in the unfortunate position that  
20 trucks will be coming by the front of my house,  
21 turning around, and then directly at my back property  
22 line actually constructing the road which abuts my  
23 property at the back property line. So they will be  
24 building that thing right there. All of the earth  
25 moving equipment will be going up and down, right and

1 back, and coming around and coming in front of my  
2 property and literally surrounded by these trucks and  
3 this thing for a period of the construction. It's  
4 kind of a scary thing to think about, and I just moved  
5 into this property two months ago. We saw, a week  
6 after we got, in the notice that the County had this  
7 thing that was going to be proposed and so you can  
8 imagine the shock here of having moved into this  
9 extremely bucolic, serene, neighbors are commenting  
10 how quiet, unbelievable the view is, how, you know, we  
11 feel like this and imagine that in six or nine months,  
12 we are going to be in this war zone of construction  
13 equipment and stuff going on. It's hard to  
14 understand. But one of the things that -- before I  
15 bought my house, I was looking at 1406 Rainbow. This  
16 is mentioned by several other people, but I was  
17 thinking of buying that property and I got all the  
18 disclosure documents. In that disclosure, and as many  
19 people pointed out, the hillsides here have  
20 experienced something like 50 hillside failures in the  
21 last I don't know how many years, but in the reports I  
22 received on all the engineering that was done, that  
23 property was destroyed as the hill fell some number of  
24 years ago, 1999, and then they rebuilt after the hill  
25 was reconstructed. But this \$2.6 million dollar

1 mansion of five bedrooms, five bathrooms, is now  
2 selling for \$1.1 million, and it needs \$400,000 of new  
3 piling and new construction to restraining piers and  
4 deeper construction. So when these people build the  
5 properties on this hill, I'm worried because now that  
6 I've heard from people is this land suitable for  
7 building these kind of homes, the JCP report that went  
8 with Rainbow said there should be no more than about a  
9 15-degree tilt on any house construction, but when I  
10 look at the drawings, some of the houses show  
11 40 degrees or higher tilt. What is the level of tilt  
12 that's allowed in this county and what should be the  
13 amount that is allowed? So I feel there's a lot more  
14 that has to be studied as to why Rainbow failed. They  
15 had done bore holes. They had determined the land was  
16 stable. They had done all this stuff, and yet the  
17 house continues to fall and fell five inches in the  
18 last five years. Obviously, if those people get these  
19 houses, will they be of this kind of potential issue?  
20 How will this be paid for if it impacts us or them?  
21 It seems like a big issue. This land seems  
22 questionable for building this kind of stuff on to me  
23 just looking at what I'm seeing in all these reports  
24 and things.

25 The other thing is the noise. In the

1 existing report that I saw in 2009, they talked about  
2 88 decibels of noise level that will be generated from  
3 some construction activities. That seemed kind of  
4 low, but in any case, we currently experience in our  
5 current ambient sounds probably about 30 decibels, and  
6 I found it. It's around 30. We are in a very bucolic  
7 area. We don't have a city nearby. If you are in a  
8 New York city and somebody is building construction  
9 next to you, it's kind of normal sounds in that area.  
10 When we are here, we are hearing birds all day, little  
11 chirps from half a mile away. We will all be  
12 experiencing at least 20 to 30 DB in additional noise  
13 that we will all for 10 years or five years that we  
14 will be experiencing 20, 30 DB's, higher noise levels.  
15 That's a tremendous impact on the communities and what  
16 our current ambient kind of sound is compared to what  
17 we will get in the near future, and it seems like  
18 something that has to be mitigated and the only way I  
19 can imagine is somebody has to study what is the  
20 current sound, what is the sound that we generated  
21 from these things, what number of houses will be  
22 affected. I'd like to see that kind of stuff in the  
23 new report. I also feel having lived in the Bay Area  
24 for 30 years or so, this is a very windy area up in  
25 the hills here. I don't know in the previous report

1 which described watering the sand and all of the  
2 debris twice a day was what they were projecting.  
3 Would that be adequate considering the wind? Should  
4 we do a wind study and try to understand what are the  
5 winds like in this area at various times of the day in  
6 various areas? Because I do feel like there's a high  
7 probability that debris will be blown around, that the  
8 winds are very severe. I find that my pool cover is  
9 totally removed by the time I wake up in the morning  
10 from the severity of the wind. So there's a lot of  
11 wind here. I think somebody needs to study that.

12 I mentioned some of the privacy issues. As  
13 people have mentioned, the privacy issues both during  
14 the construction and during the actual subsequent,  
15 there will be people around that peak into our  
16 backyard where our pool and hot tub is. It changes  
17 the completely private environment we have. It erodes  
18 the whole value that we feel about this house right  
19 now, and this environment. This neighborhood feels  
20 destroyed, and when people are coming down that road,  
21 their lights from their cars from the high point will  
22 be pointing down into our backyard, and I don't know  
23 if they will actually point directly into our bedroom,  
24 but they will be maybe slightly off from our bedroom.  
25 We don't know the exact amount of light, but it will

1 probably require us to put some modifications to our  
2 house or something to prevent that light, because  
3 otherwise it's going to make sleeping in our bedroom  
4 intolerable.

5           So we just anticipate a tremendous amount of  
6 loss of quality of life from this construction  
7 activity and even the subsequent problems. So  
8 that's -- I could talk about other things, but other  
9 people have talked about it. I hope you can consider  
10 those issues in your report.

11           MR. WILSON: Thank you. And then following  
12 Linda will be Greg Kanaga.

13           LINDA OZANNE: My name is Linda Ozanne.  
14 I live on Enchanted way, and in fact, we live next to  
15 George, who spoke effectively about the density  
16 problem. I think the real issue with this entire  
17 communities is that density problem. The developer  
18 has not compromised on that. To go from 25 to 19  
19 means nothing when you look at his pilot map. His  
20 design is unimaginative. It is ugly. It encroaches  
21 on Parrott. He is dealing with property that has some  
22 of the best views in the entire county. He could take  
23 advantage of that with several, maybe half a dozen  
24 really lovely homes and probably make as much money as  
25 he's hoping to make with the huge footprint of houses

1 that he's putting on tiny lots and encroaching on  
2 Parrott in such a significant way.

3           So I think the real reason the community is  
4 so opposed to the development is because of the  
5 character of it and because of the lack of compromise  
6 on the part of the developer, and I don't think that's  
7 going to change.

8           MR. WILSON: Thank you. Now Greg.

9           GREG KANAGA: My name is Greg Kanaga,  
10 1441 Enchanted Way. My family moved there in 1965,  
11 and so we have beared witness to a lot of change in  
12 the area, a lot of building. And I can tell you  
13 firsthand what it's like having those diesels going up  
14 and down on Ascension Drive, grinding their gears.  
15 They are loud; they are noisy; they smell. And it  
16 goes on all day long. And you know, there wasn't  
17 much -- I was a kid. I couldn't do much about I  
18 didn't have any say on what was going to be developed  
19 but we always used to, at least we've still got the  
20 water tank hill. And now they are taking that away,  
21 and you know, enough is enough. I mean, the reason we  
22 love our neighborhood is because of the aesthetics. I  
23 like to drive home on Parrott and see that foliage on  
24 the left side, and it's just a beautiful thing to be  
25 able to come home and not to see homes and homes and

1 homes and know that there's wild life living up there.  
2 We have red tail hawks that live up there. We have  
3 deer, you know, coyotes, you name it. Mountain lines,  
4 and this is all encroaching on that. I know it's a  
5 small area, but it makes a big difference when you  
6 start, I mean, at what point do we decide that it's  
7 enough? What do we benefit from having those homes up  
8 there? I'd like to know. Is it taxes? Are we going  
9 to benefit from the income of this additional tax that  
10 these homes are going to get? In that's the only  
11 reason for doing it, then I'd like to go on record as  
12 being opposed to it.

13 That's all I have to say.

14 MR. WILSON: Those are all the comment cards  
15 that I have. If no one else would like to speak, then  
16 that would basically conclude the scoping hearing. I  
17 would like to remind everyone that this quote, unquote  
18 "scoping period" of the notice of preparation ends  
19 November 4th, and you can send in your comments. You  
20 don't have to fill those out tonight. You can take  
21 them home, and they have the address to send in  
22 comments. And as we work on the EIR, all these  
23 comments will be considered, and there's special  
24 sections of the EIR that will summarize the comments  
25 that we've received and as we stated earlier in the

1 presentation, once the draft EIR is released, there  
2 will be another opportunity to come in and let us know  
3 the job you think we did, which I know everyone will  
4 love it and give me a standing ovation, and we are all  
5 ready for that. We definitely appreciate you all  
6 coming. This was great. Definitely received some  
7 great comments and we appreciate it.

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(Meeting was concluded at 8:30 p.m.)

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REPORTER'S CERTIFICATE

STATE OF CALIFORNIA )  
 )  
COUNTY OF SAN FRANCISCO ) ss.

I, KRISHANNA M. DERITA, a Certified Shorthand Reporter, licensed by the state of California and empowered to administer oaths and affirmations pursuant to Section 2093 (b) of the Code of Civil Procedure, do hereby certify:

That the said proceedings were recorded by me stenographically and were thereafter transcribed under my direction via computer-assisted transcription;

That the foregoing transcript is a true record of the proceedings which then and there took place;

That I am a disinterested person in this action.

IN WITNESS WHEREOF, I have subscribed my name on October 24, 2013.



KRISHANNA M. DERITA

<p>_____</p> <p style="text-align: center;">\$</p> <p>_____</p> <p><b>\$1.1</b> 47:2</p> <p><b>\$2.6</b> 46:25</p> <p><b>\$400,000</b> 47:2</p> <p>_____</p> <p style="text-align: center;">0</p> <p>_____</p> <p><b>09</b> 12:25</p> <p>_____</p> <p style="text-align: center;">1</p> <p>_____</p> <p><b>10</b> 13:21 20:18,23 21:22,23 22:2 24:13,25 25:1 26:17 30:13 48:13</p> <p><b>11945</b> 1:20</p> <p><b>12</b> 2:11 13:21 35:20</p> <p><b>1243</b> 1:22</p> <p><b>1406</b> 46:15</p> <p><b>1441</b> 51:10</p> <p><b>1444</b> 41:11</p> <p><b>1450</b> 45:18</p> <p><b>1474</b> 36:10</p> <p><b>15-degree</b> 47:9</p> <p><b>16</b> 35:21</p> <p><b>17</b> 35:21</p> <p><b>1700</b> 1:16</p> <p><b>18</b> 35:21</p> <p><b>19</b> 6:9,15 7:4 35:21 50:18</p> <p><b>1965</b> 51:10</p> <p><b>1999</b> 46:24</p> <p>_____</p> <p style="text-align: center;">2</p> <p>_____</p> <p><b>20</b> 17:20 20:1 37:8 48:12,14</p> <p><b>2000</b> 29:22</p> <p><b>2001</b> 12:24</p> <p><b>2009</b> 6:25 15:20 22:10,13 37:7,24 48:1</p> <p><b>2013</b> 1:11 15:18 22:14 29:8 54:17</p> <p><b>2013-2014</b> 8:20</p> <p><b>2014</b> 9:4</p> <p><b>2093</b> 54:8</p> <p><b>21</b> 6:9</p>	<p><b>23</b> 2:12</p> <p><b>24</b> 54:17</p> <p><b>25</b> 2:13 7:3 50:18</p> <p><b>26</b> 2:14</p> <p><b>280</b> 5:19</p> <p>_____</p> <p style="text-align: center;">3</p> <p>_____</p> <p><b>3</b> 1:15 2:4</p> <p><b>3.25</b> 6:9</p> <p><b>30</b> 2:15 8:16 26:7 32:3 37:8 43:4 48:5,6,12,14,24</p> <p><b>32</b> 2:16</p> <p><b>36</b> 2:17</p> <p>_____</p> <p style="text-align: center;">4</p> <p>_____</p> <p><b>4</b> 2:5</p> <p><b>40</b> 2:18 47:11</p> <p><b>408.275.1122</b> 1:24</p> <p><b>41</b> 2:19</p> <p><b>42</b> 2:20</p> <p><b>44</b> 2:21 30:10 31:14 32:10,12</p> <p><b>45</b> 2:22 8:22 11:2 20:1</p> <p><b>4th</b> 8:17 52:19</p> <p>_____</p> <p style="text-align: center;">5</p> <p>_____</p> <p><b>5.44</b> 6:14 7:5</p> <p><b>5:00</b> 31:17</p> <p><b>50</b> 2:23 20:20 25:21 29:5 46:20</p> <p><b>51</b> 2:24</p> <p><b>52</b> 2:8</p> <p>_____</p> <p style="text-align: center;">6</p> <p>_____</p> <p><b>600</b> 17:21,25</p> <p><b>650.952.0774</b> 1:23</p> <p><b>650.952.8688</b> 1:23</p> <p>_____</p> <p style="text-align: center;">7</p> <p>_____</p> <p><b>7.81</b> 6:17</p> <p><b>7:00</b> 1:12</p> <p><b>75</b> 29:5</p>	<p>_____</p> <p style="text-align: center;">8</p> <p>_____</p> <p><b>8.49</b> 7:5</p> <p><b>8:30</b> 53:7</p> <p><b>88</b> 48:2</p> <p>_____</p> <p style="text-align: center;">9</p> <p>_____</p> <p><b>9</b> 1:11</p> <p><b>9:00</b> 31:17</p> <p><b>92</b> 5:20</p> <p><b>94080</b> 1:23</p> <p><b>94402</b> 1:17</p> <p>_____</p> <p style="text-align: center;">A</p> <p>_____</p> <p><b>able</b> 15:7 51:25</p> <p><b>absolutely</b> 14:17 35:24</p> <p><b>absorbed</b> 17:13</p> <p><b>abuts</b> 45:22</p> <p><b>accepted</b> 13:22</p> <p><b>access</b> 5:19 6:12 44:21,22,25 45:10,12</p> <p><b>accidents</b> 29:23 42:1</p> <p><b>according</b> 9:12 22:10 29:6</p> <p><b>acknowledge</b> 3:13</p> <p><b>acknowledged</b> 13:11,25</p> <p><b>acres</b> 6:9,14,17 7:6</p> <p><b>across</b> 18:17 41:13 44:19</p> <p><b>Act</b> 5:3</p> <p><b>action</b> 54:15</p> <p><b>actions</b> 32:13</p> <p><b>activities</b> 9:24 48:3</p> <p><b>activity</b> 25:16 50:7</p> <p><b>actual</b> 25:4 42:21 49:14</p> <p><b>actually</b> 4:23 11:5 12:23 14:21 17:11,20 19:22 20:4,6 28:7 29:23 38:5,6,9,11 44:9 45:22 49:23</p> <p><b>add</b> 21:5</p> <p><b>added</b> 29:25</p> <p><b>additional</b> 48:12 52:9</p> <p><b>Additionally</b> 28:16</p>
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**From:** Heather Hardy  
**To:** Gerard Ozanne  
**Date:** 10/28/2013 10:34 AM  
**Subject:** Re: November and December Ascension Heights meetings

Great - thank you very much for the confirmation. Enjoy your week.

Heather

>>> Gerard Ozanne < >>> 10/28/2013 10:25 AM >>>  
Hi Heather,  
Both dates will work for me.

Thanks,

Jerry

On Oct 22, 2013, at 10:03 PM, "Heather Hardy" <hhardy@smcgov.org> wrote:

Good afternoon Jerry,

At the request of Jim Eggemeyer, I'm writing to confirm the next two Ascension Heights meetings:

Friday November 8, 2:00 PM - 3:30 PM  
Room 201, Planning & Building Department, 455 County Center

Tuesday December 3, 3:00 - 4:30 PM  
Room 201, Planning & Building Department, 455 County Center

Please let me know if you have any questions.

Thank you,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 |

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 10/28/2013 5:27 PM  
**Subject:** Meeting transcript

Hi James,

Jim directed me to give you the hard copy of the Ascension Heights 10/9/13 meeting transcript, so I left it today in your chair. Jim asks if we have plans to post the PDF'd transcript on our website.

Please let me know.

Thanks,  
Heather

**From:** James Castaneda  
**To:** Heather Hardy  
**Date:** 10/29/2013 7:38 AM  
**Subject:** Re: Meeting transcript

Yes, Im hoping by the end of the week.

>>> On 10/28/2013 at 17:27, Heather Hardy <hhardy@smcgov.org> wrote:

Hi James,

Jim directed me to give you the hard copy of the Ascension Heights 10/9/13 meeting transcript, so I left it today in your chair. Jim asks if we have plans to post the PDF'd transcript on our website.

Please let me know.

Thanks,  
Heather

**From:** Heather Hardy  
**To:** James Castaneda  
**Date:** 10/29/2013 9:04 AM  
**Subject:** Re: Meeting transcript

Great - I appreciate the update.  
Heather

>>> James Castaneda 10/29/2013 7:38 AM >>>  
Yes, Im hoping by the end of the week.

>>> On 10/28/2013 at 17:27, Heather Hardy <hhardy@smcgov.org> wrote:

Hi James,

Jim directed me to give you the hard copy of the Ascension Heights 10/9/13 meeting transcript, so I left it today in your chair. Jim asks if we have plans to post the PDF'd transcript on our website.

Please let me know.

Thanks,  
Heather

**From:** Gerard Ozanne <  
**To:** JCastaneda@smcgov.org; JEggemeyer@smcgov.org  
**CC:**  
**Date:** 11/3/2013 11:58 PM  
**Subject:** Baywood Park Homeowners Association Scoping Comments  
**Attachments:** CommunityCommScopeNov4Final.docx

Hi Jim and James,  
We've included the Baywood Park HOA Scoping Comments. We look forward to translating the Community expectations into an effective DEIR.

Please acknowledge receipt of this email and attachment.

Thank you for all your efforts,

Jerry

## Baywood Park Homeowners Association Scoping Comments

Ascension Heights Subdivision  
November 4, 2013

### General Concerns

*[Community Expectations for DEIR:*

1. **Reduced Density Alternative (CEQA).** “.... The assessment of project alternatives will be consistent with this requirement by presenting a sufficient amount of detail necessary to afford decision makers with a reasoned choice.”  
**Statement Of Work—AES**

*There are critical impacts of this project that would be substantially reduced and possibly minimized to “less than significant” by adoption of the Reduced Density Alternative. The Decision Makers cannot be afforded a “reasoned choice” without quantitative impact comparisons between the Proposed Project and the Reduced Density Alternative. We have indicated the impacts most sensitive to Density comparisons, which are essential for achievement of a “reasoned choice”.*

2. *Define who will be responsible for maintaining common areas, Conservation Areas, and subdivision systems (e.g., swales, rainwater control, fugitive dust management, erosion) and who, or what entity, will assume legal liability due to any failures. Specify in the DEIR all Covenants, Conditions and Restrictions (CC&Rs) required for the project and incorporate those CC&Rs in all analyses.*
3. *Describe in one location in the DEIR all impacts on the current homeowners on Parrott Drive adjacent to the proposed development.*
4. *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. The 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.*
5. *Project Phasing: The initial rough grading of the site has been stated to last about 45 days, followed by a 6-month period to construct the private street. It estimates home build-out to be an additional 5-10 years. Until home construction is completed and replanting and landscaping is complete and survives, the site will undergo erosion of exposed sand stone, excess surface water drainage, and dust pollution. Despite the excessively prolonged construction phase, a stable project site must be ensured by the DEIR.*
6. *Hours of the day for construction and truck traffic as well as days of the week activities must be specified.*
7. *Assess how the Parrott homes will be affected during the construction from dirt, debris, and rocks being pushed down the slope onto the Parrott homes, e.g., fences and backyards. Include what will be done to prevent and to fix and clean up these intrusions as they occur.*

8. *Assess the degree of light pollution shining onto neighboring homes from the site at night, and describe how onsite night-time lighting will be shielded from neighboring homes. The construction activities will persist for 5-10 years and impart yet another significant annoyance. Mitigation should be managed through consultation with impacted residents.*
9. *Formally notify CSM of project proposal.]*

## **I. Aesthetics (CEQA)**

**“Would the project:**

**Have a substantial adverse effect on a scenic vista?**

**Substantially degrade the existing visual character or quality of the site and its surroundings?” –CEQA**

*[Community Expectations for DEIR:*

1. *Assess impacts of proposed development on the vistas as seen from nearby homes on both sides of the streets (Parrott, Bel Aire, Ascension, CSM Drive), as well as character and quality of these surroundings.*
2. *Assess impacts of proposed development on the vistas as seen from further distances (e.g., from Polhemus, Bunker Hill), as well as character and quality of these surroundings.*
3. *Assess privacy intrusion on Parrott Drive homes and backyards both during construction and from the proposed development on an ongoing basis. Include the ongoing impact of car lights from the hammerhead turnarounds and the new road illuminating specific Parrott neighbors’ yards and houses. Include the impact of car traffic and car lights from the new road adjacent to the Parrott home shown as “lot 4” (has a pool in its backyard) on the proposed plans given that the new street appears to come within a couple feet of that Parrott home's backyard.*
4. *In addition, assess the privacy intrusion on Parrott Drive homes given the proximity and slope of the proposed properties.*
5. *Assess effectiveness of visual separation provided by newly planted trees (describing appropriate factors including required tree numbers, sizes (heights and spreads), maturity at planting, time to adequate maturity) (a) in the easement between Parrott homes and the development and (b) on the other boundaries of the development*
6. *Evaluate effectiveness of easement proposed by Developer between Parrott and the proposed development to provide visual privacy and noise reduction for residents in each set of homes. Describe easement width and landscaping plan for providing that visual privacy and noise reduction. Describe location for backyard fences for the Ascension Heights properties on their side of the easement.*
7. *Assess landscape maintenance plan for the trees and foliage within the easement*

*between Parrott and the proposed development, including the degree to which the width of the easement will be sufficient for healthy tree growth and maintenance.*

- 8. Evaluate the open space proposed by Developer, including the appropriateness of planned landscaping and re-grading and its contribution to the vistas in the area.*
- 9. Include in the assessment Story Poles, which are essential to adequately assess backyard intrusions due to increased elevation and slope of final graded surface as well as current heavy tree and bush growth, which obscures views.*
- 10. Provide detailed assessments for the Reduced Density Alternative]*

## **II. Agricultural Resources (CEQA)**

*[Community Expectations for DEIR:*

- 1. Evaluate “tree replacement” plan proposed by Developer, including numbers and species of trees removed versus numbers and species of trees planted, chance for healthy growth given the conditions on the hill, size (height and spread) and maturity of replacement trees, maintenance plan for continued tree health, and a multi-year plan and guarantee for tree health.*
- 2. Evaluate the ecological contribution of proposed Open Space, including the diversity and use of native plants.*
- 3. Incorporate the variable conditions on the hill (wind gusts, water, and soil health) on the likelihood of success of the landscape development plans, both during the multi-year build-out period and permanently.*
- 4. Propose a specific solution to ensure 5-10 year longevity for all plantings and estimate cost of the plan.]*

## **III. Air Quality and Greenhouse Gases (CEQA)**

*[Community Expectations for DEIR:*

- 1. Identify all specific classes of ‘sensitive receptors’ including fetuses— reference new study of birth defects secondary to 1<sup>st</sup> trimester exposures.*
- 2. Define assumptions, justifications and expertise used to build the most current URBEMIS model for predicting emission data (e.g., numbers of simultaneously operating equipment, age of diesel engines, type of fuel, exhaust catalyst, etc.) and detail peak and average TAC concentrations for each phase of construction. Include brake lining contaminants if trucks traverse down Laurie, Bel Aire, and Ascension.*
- 3. BAAQMD adopted “thresholds of significance” for air quality for Construction-related activities in 2012. Include these thresholds for evaluating the significance of the project’s air quality impacts.*
- 4. Assess effectiveness in reducing concentrations of PM10 and PM2.5 particles by using new, cleaner diesel fuel and new engines for both ‘off-road’ and ‘on-road’ usage.*
- 5. Include locally measured wind gusts from the site (measured at multiple times, and in particular late afternoons, during storms, and during seasonal transitional weather periods) in all air quality assessments.*

6. *Determine maximum site activity levels during “spare the air” days and any other conditions leading to unacceptably high TAC concentrations.*
7. *Assess effectiveness of CEQA phase 1 and 2 measures used to control fugitive dust.*
8. *Estimate dust volume deposited on houses and yards as function of distance from the construction site, off-site hauling routes and wind dispersion (possibly 40 – 50 mph).*
9. *Assess pollution impact (e.g., particulate matter, dust) from construction on nearby homes (Parrott Drive, CSM Drive, Bel Aire, and Ascension), as function of distance from the construction site, off-site hauling routes and wind dispersion). Include deposits specifically on solar energy panels (electricity and hot water), swimming pools, and outdoor plants.*
10. *Define necessary processes applicant will use to clean and remove dust from affected residences.*
11. *Since project is projected to last 5 -10 years, compute monthly fugitive dust for entire time hillside may be exposed due to non-planting of any area, estimated erosion rates for such areas, failure of plantings to survive the 10-year build-out, estimated erosion rates in those areas with failed plantings, and disruption of plants in Conservation Area.*
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13. *Include in the assessments impacts from trucks and equipment both on site and in use offsite (e.g., trucks that are idling on neighborhood streets awaiting entry onto the site).*
14. *Provide detailed, quantitative assessments for Air Quality Expectations 2,4,5,6,8 for the Reduced Density Alternative*
15. ***Conduct a comprehensive Health Risk Analysis.*** *Health risks of immediate, short-term (24 hours) exposure to air pollution are significant. The levels estimated in the 2009 Project of PM10 and PM2.5 emissions were 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 the Reduced Density Alternative. The preponderance of evidence demonstrating **immediate death, heart attack, stroke, asthma and COPD exacerbations 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:*
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1. *The Mission Blue Butterfly question is key to determining the solution to the heavy, extensive erosion that has worsened substantially in the last six years since the 2007 assessment. A full assessment of the possible presence of the Butterfly does need be completed since the last assessment was indeterminate. The solution proposed in 2009 included no erosion remediation; thereby leaving the area “undisturbed and protected” is unacceptable.*
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1. *The plan conveys many acres into a conservation area, which is steep and has experienced extensive, severe erosion and substantial slides above Bel Aire within the past two years. In 2009 and in subsequent discussions with the developer, there apparently is no intension to repair the erosion. This entire area will require a full assessment and recommendations for repairing and stabilizing the erosion by appropriate experts.*
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- 1. Assess after construction how the Parrott homes will be affected from debris, dirt, and water coming down the slope into their backyards during the initial grading phase, the build-out period, and on an ongoing basis.*
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- 3. Describe effectiveness of swales on equally steep hillsides and catchment areas in other developments.*
- 4. Assess potential for overflows from the swales onto Parrott Drive homes and down Bel Aire as a function of multiple rain falls over a short time time.*
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## **X. Noise (CEQA)**

*[Community Expectations for DEIR:*

- 1. Assessments of peak sound levels at nearby, off-site homes must be calculated*

*with maximum and typical numbers of simultaneously operating engines (note that the noise levels produced by a single diesel engine exceeded thresholds and could not be mitigated according to the 2009 DEIR.). Assess the noise impacts during all phases of construction.*

- 2. Unacceptable sound levels must be defined with mitigation to include reducing the number of operating engines, improving mufflers, shutting off idling engines, etc.*
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## **XI. Population and Housing (CEQA)**

## **XII. Public Services (CEQA)**

*[Community Expectations for DEIR:*

- 1. The conservation areas apparently are to remain untouched by the developer. Eight to twelve foot brush is prevalent on the conservation areas. A fire assessment should be made of the potential for this very dry brush to cause a fire.*
- 2. The street layout includes two hammerhead turn-arounds and steep streets exceeding standard slopes that may impede access of fire trucks. The street layout needs to be re-assessed for fire safety.*
- 3. The entire subdivision has very limited off-street parking capacity, which will result in extensive on-street parking. Assess and describe access for fire trucks in the scenario of maximum used on-street parking from home owners and visitors; compare against current practices considered safe and normal within County and City of San Mateo.*
- 4. Describe the parking capacity for the proposed subdivision, to include on-street and off-street parking.*
- 5. Provide detailed assessments for the Reduced Density Alternative.]*

## **XIII. Recreation (CEQA)**

## **XIV. Utilities and Service Systems (CEQA)**

## **XV. Transportation and Traffic (CEQA)**

*[Community Expectations for DEIR:*

- 1. Assess safety of large trucks traversing neighborhood streets for blind spots, tight turns, brake failures on hills, heavy traffic; specify carrying capacity and dimensions (length, width, height, empty weight, loaded weight) of the trucks used in all traffic*

assessments.

2. *Assess impact from permanent traffic increase due to the proposed development.*
3. *Specifically assess multiple times throughout the day and early evening, with specific intent to include CSM class-change periods and regular morning and afternoon commuter rush hours (due to the increased parking on CSM western parking lots by businesses located on Clearview and the shuttle buses that now run throughout the day from those parking lots, onto CSM Drive, up to Hillsdale, and then down to Clearview and back again) at the following intersections:*
  - a. *– Hillsdale and 92;*
  - b. *– Hillsdale and Clearview;*
  - c. *– Hillsdale and CSM Drive;*
  - d. *– CSM Drive and Parrott;*
  - e. *– Parrott and Laurie;*
  - f. *– Laurie and Bel Aire;*
  - g. *– Bel Aire and the proposed exit from the development;*
  - h. *– Bel Aire and Ascension;*
  - i. *– Ascension and Polhemus;*
  - j. *– Polhemus and DeAnza*
4. *Assess safety impact from construction traffic and permanent traffic on Parrott roughly four to five homes north of the CSM/Parrott intersection (there is a “limited sightline” due to the rapid grade change on Parrott).*
5. *Construction activities will disrupt traffic on Bel Aire, especially CSM student traffic, with impacts on Enchanted way, Rainbow and Starlite, among others. Assessment of these areas must include this additional, displaced traffic when identifying problematic areas such as blind spots and dangerous curves.*
6. *Include a live demonstration of the proposed route for large trucks during construction through all neighborhood intersections from Highway 92 to and from the site. Monitor the speed of the trucks to make sure they will not be slowing down traffic going through the turns. Also have 2 trucks driving by each other in opposite direction to make sure that they can both safely maneuver the roads including turns and parked cars and all intersections, to include but not limited to Hillsdale and CSM Drive. Video this test and notify neighbors and CSM officials so that they can be present during the testing.*
7. *Determine the number of trucks that will need to exit the site to offload the excavated material. Describe the calculation, including truck size (must be the same size used for the demonstration in #6 as well as all traffic assessments), soil aeration estimate (e.g.,  $\frac{3}{4}$  cubic yard becomes 1 cubic yard when dumped into a truck), total excavation volume and total return-soil-to-site volume, specific hours per day truck traffic will drive onto and off the site during excavation and grading, Convert the number of trucks into “a truck will enter or leave the site every x minutes during the soil excavation phase”.*
8. *Describe where trucks will stand to await entry into the site; assess traffic impact and safety any such standing or slow moving trucks, including describing the temporarily narrowed road widths.*

9. *The exit route from the development entails traffic risks due to an elevation of Bel Aire north of the entrance to the subdivision resulting in a blind spot. A thorough traffic safety analysis must be completed providing acceptably safe solution during construction.*
10. *Traffic safety analysis must provide an acceptably safe solution for home owner traffic traversing this blind corner at the subdivision.*
11. *All street damage must be assessed before and after the majority of heavy truck traffic with cost of repairs for returning the surface back to its initial condition to be paid by developer.*
12. *Provide detailed assessments for the Reduced Density Alternative]*

**From:** Dave Pine  
**To:** Castaneda, James; Eggemeyer, Jim; Ozanne, Gerard  
**CC:** (Lyn), Haithcox Marilyn; Burruto, David; Craig, Nishizaki; Donald, Na...  
**Date:** 11/4/2013 10:11 AM  
**Subject:** Re: Baywood Park Homeowners Association Scoping Comments  
**Attachments:** Transcript of EIR Scoping Session.10.09.13.pdf

Jerry,

Thanks for preparing these detailed comments. I will read through them and call you with any questions I might have. I have copied David Burruto of my office and District One Planning Commissioner Laurie Simonson so that they can review your comments as well

Also, in the event you do not already have it, attached is the transcript from the EIR scoping session held on October 8th.

Dave

**Dave Pine**  
**San Mateo County Supervisor, First District**  
**400 County Center, 1st Floor**  
**Redwood City, CA 94063**  
**(650) 363-4571 (w)**  
**(650) (m)**  
**dpine@smcgov.org**

>>> Gerard Ozanne 11/3/2013 11:58 PM >> (mailto: )  
Hi Jim and James,

We've included the Baywood Park HOA Scoping Comments. We look forward to translating the Community expectations into an effective DEIR.

Please acknowledge receipt of this email and attachment.

Thank you for all your efforts,

Jerry

**From:** Heather Hardy  
**To:** Laurie Simonson  
**Date:** 11/4/2013 11:28 AM  
**Subject:** Ascension Heights comments  
**Attachments:** CommunityCommScopeNov4Final\_1.docx

Good morning Commissioner Simonson,

I noticed that the email from Supervisor Dave Pine this morning didn't have the Baywood HOA comments attached, so they are included in this message.

Thanks,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 |

## Baywood Park Homeowners Association Scoping Comments

Ascension Heights Subdivision  
November 4, 2013

### General Concerns

*[Community Expectations for DEIR:*

1. **Reduced Density Alternative (CEQA).** “.... The assessment of project alternatives will be consistent with this requirement by presenting a sufficient amount of detail necessary to afford decision makers with a reasoned choice.”  
**Statement Of Work—AES**

*There are critical impacts of this project that would be substantially reduced and possibly minimized to “less than significant” by adoption of the Reduced Density Alternative. The Decision Makers cannot be afforded a “reasoned choice” without quantitative impact comparisons between the Proposed Project and the Reduced Density Alternative. We have indicated the impacts most sensitive to Density comparisons, which are essential for achievement of a “reasoned choice”.*

2. *Define who will be responsible for maintaining common areas, Conservation Areas, and subdivision systems (e.g., swales, rainwater control, fugitive dust management, erosion) and who, or what entity, will assume legal liability due to any failures. Specify in the DEIR all Covenants, Conditions and Restrictions (CC&Rs) required for the project and incorporate those CC&Rs in all analyses.*
3. *Describe in one location in the DEIR all impacts on the current homeowners on Parrott Drive adjacent to the proposed development.*
4. *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. The 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.*
5. *Project Phasing: The initial rough grading of the site has been stated to last about 45 days, followed by a 6-month period to construct the private street. It estimates home build-out to be an additional 5-10 years. Until home construction is completed and replanting and landscaping is complete and survives, the site will undergo erosion of exposed sand stone, excess surface water drainage, and dust pollution. Despite the excessively prolonged construction phase, a stable project site must be ensured by the DEIR.*
6. *Hours of the day for construction and truck traffic as well as days of the week activities must be specified.*
7. *Assess how the Parrott homes will be affected during the construction from dirt, debris, and rocks being pushed down the slope onto the Parrott homes, e.g., fences and backyards. Include what will be done to prevent and to fix and clean up these intrusions as they occur.*

8. *Assess the degree of light pollution shining onto neighboring homes from the site at night, and describe how onsite night-time lighting will be shielded from neighboring homes. The construction activities will persist for 5-10 years and impart yet another significant annoyance. Mitigation should be managed through consultation with impacted residents.*
9. *Formally notify CSM of project proposal.]*

## **I. Aesthetics (CEQA)**

**“Would the project:**

**Have a substantial adverse effect on a scenic vista?**

**Substantially degrade the existing visual character or quality of the site and its surroundings?” –CEQA**

*[Community Expectations for DEIR:*

1. *Assess impacts of proposed development on the vistas as seen from nearby homes on both sides of the streets (Parrott, Bel Aire, Ascension, CSM Drive), as well as character and quality of these surroundings.*
2. *Assess impacts of proposed development on the vistas as seen from further distances (e.g., from Polhemus, Bunker Hill), as well as character and quality of these surroundings.*
3. *Assess privacy intrusion on Parrott Drive homes and backyards both during construction and from the proposed development on an ongoing basis. Include the ongoing impact of car lights from the hammerhead turnarounds and the new road illuminating specific Parrott neighbors’ yards and houses. Include the impact of car traffic and car lights from the new road adjacent to the Parrott home shown as “lot 4” (has a pool in its backyard) on the proposed plans given that the new street appears to come within a couple feet of that Parrott home's backyard.*
4. *In addition, assess the privacy intrusion on Parrott Drive homes given the proximity and slope of the proposed properties.*
5. *Assess effectiveness of visual separation provided by newly planted trees (describing appropriate factors including required tree numbers, sizes (heights and spreads), maturity at planting, time to adequate maturity) (a) in the easement between Parrott homes and the development and (b) on the other boundaries of the development*
6. *Evaluate effectiveness of easement proposed by Developer between Parrott and the proposed development to provide visual privacy and noise reduction for residents in each set of homes. Describe easement width and landscaping plan for providing that visual privacy and noise reduction. Describe location for backyard fences for the Ascension Heights properties on their side of the easement.*
7. *Assess landscape maintenance plan for the trees and foliage within the easement*

*between Parrott and the proposed development, including the degree to which the width of the easement will be sufficient for healthy tree growth and maintenance.*

- 8. Evaluate the open space proposed by Developer, including the appropriateness of planned landscaping and re-grading and its contribution to the vistas in the area.*
- 9. Include in the assessment Story Poles, which are essential to adequately assess backyard intrusions due to increased elevation and slope of final graded surface as well as current heavy tree and bush growth, which obscures views.*
- 10. Provide detailed assessments for the Reduced Density Alternative]*

## **II. Agricultural Resources (CEQA)**

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- 1. Evaluate “tree replacement” plan proposed by Developer, including numbers and species of trees removed versus numbers and species of trees planted, chance for healthy growth given the conditions on the hill, size (height and spread) and maturity of replacement trees, maintenance plan for continued tree health, and a multi-year plan and guarantee for tree health.*
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- 1. The conservation areas apparently are to remain untouched by the developer. Eight to twelve foot brush is prevalent on the conservation areas. A fire assessment should be made of the potential for this very dry brush to cause a fire.*
- 2. The street layout includes two hammerhead turn-arounds and steep streets exceeding standard slopes that may impede access of fire trucks. The street layout needs to be re-assessed for fire safety.*
- 3. The entire subdivision has very limited off-street parking capacity, which will result in extensive on-street parking. Assess and describe access for fire trucks in the scenario of maximum used on-street parking from home owners and visitors; compare against current practices considered safe and normal within County and City of San Mateo.*
- 4. Describe the parking capacity for the proposed subdivision, to include on-street and off-street parking.*
- 5. Provide detailed assessments for the Reduced Density Alternative.]*

## **XIII. Recreation (CEQA)**

## **XIV. Utilities and Service Systems (CEQA)**

## **XV. Transportation and Traffic (CEQA)**

*[Community Expectations for DEIR:*

- 1. Assess safety of large trucks traversing neighborhood streets for blind spots, tight turns, brake failures on hills, heavy traffic; specify carrying capacity and dimensions (length, width, height, empty weight, loaded weight) of the trucks used in all traffic*

assessments.

2. *Assess impact from permanent traffic increase due to the proposed development.*
3. *Specifically assess multiple times throughout the day and early evening, with specific intent to include CSM class-change periods and regular morning and afternoon commuter rush hours (due to the increased parking on CSM western parking lots by businesses located on Clearview and the shuttle buses that now run throughout the day from those parking lots, onto CSM Drive, up to Hillsdale, and then down to Clearview and back again) at the following intersections:*
  - a. *– Hillsdale and 92;*
  - b. *– Hillsdale and Clearview;*
  - c. *– Hillsdale and CSM Drive;*
  - d. *– CSM Drive and Parrott;*
  - e. *– Parrott and Laurie;*
  - f. *– Laurie and Bel Aire;*
  - g. *– Bel Aire and the proposed exit from the development;*
  - h. *– Bel Aire and Ascension;*
  - i. *– Ascension and Polhemus;*
  - j. *– Polhemus and DeAnza*
4. *Assess safety impact from construction traffic and permanent traffic on Parrott roughly four to five homes north of the CSM/Parrott intersection (there is a “limited sightline” due to the rapid grade change on Parrott).*
5. *Construction activities will disrupt traffic on Bel Aire, especially CSM student traffic, with impacts on Enchanted way, Rainbow and Starlite, among others. Assessment of these areas must include this additional, displaced traffic when identifying problematic areas such as blind spots and dangerous curves.*
6. *Include a live demonstration of the proposed route for large trucks during construction through all neighborhood intersections from Highway 92 to and from the site. Monitor the speed of the trucks to make sure they will not be slowing down traffic going through the turns. Also have 2 trucks driving by each other in opposite direction to make sure that they can both safely maneuver the roads including turns and parked cars and all intersections, to include but not limited to Hillsdale and CSM Drive. Video this test and notify neighbors and CSM officials so that they can be present during the testing.*
7. *Determine the number of trucks that will need to exit the site to offload the excavated material. Describe the calculation, including truck size (must be the same size used for the demonstration in #6 as well as all traffic assessments), soil aeration estimate (e.g.,  $\frac{3}{4}$  cubic yard becomes 1 cubic yard when dumped into a truck), total excavation volume and total return-soil-to-site volume, specific hours per day truck traffic will drive onto and off the site during excavation and grading, Convert the number of trucks into “a truck will enter or leave the site every x minutes during the soil excavation phase”.*
8. *Describe where trucks will stand to await entry into the site; assess traffic impact and safety any such standing or slow moving trucks, including describing the temporarily narrowed road widths.*

9. *The exit route from the development entails traffic risks due to an elevation of Bel Aire north of the entrance to the subdivision resulting in a blind spot. A thorough traffic safety analysis must be completed providing acceptably safe solution during construction.*
10. *Traffic safety analysis must provide an acceptably safe solution for home owner traffic traversing this blind corner at the subdivision.*
11. *All street damage must be assessed before and after the majority of heavy truck traffic with cost of repairs for returning the surface back to its initial condition to be paid by developer.*
12. *Provide detailed assessments for the Reduced Density Alternative]*

**From:** Donald Nagle <  
**To:** JEggemeyer@smcgov.org; JCastaneda@smcgov.org  
**CC:** DPine@smcgov.org;  
**Date:** 11/4/2013 4:35 PM  
**Subject:** Nagle Scoping Comments for Ascension Heights Proposal  
**Attachments:** Nagle letter to County 4Nov2013.doc

Jim and James,  
See attached for our Scoping Comments on the Ascension Heights Proposal.  
Sincerely,  
Laurel and Donald Nagle  
1538 Parrott Drive,  
San Mateo, CA 94402

November 4, 2013

James Castenada  
County of San Mateo  
455 County Center, 2nd floor  
Redwood City, CA 94063

RE: Public Comments due November 4, 2013 for Ascension Heights proposal

Dear Mr. Castenada,

We are residents of 1538 Parrott Drive, and live in a home that abuts directly against the proposed development.

1. As a general statement, we believe the county decision making process would benefit from more comprehensive analyses of the various issues (rather than less comprehensive analysis). Given the steepness of the hillside and the various issues identified during the last DEIR process (culminating in the 2009 denial of the DEIR), we recommend that the DEIR process and resultant report err on the side of more data and more analysis rather than less.

2. We request that mitigations be described and mandated for any issues that are identified.

- This would be in contrast to last time (2009), when the DEIR stated for numerous issues that impacts, particularly but not limited to Parrott Drive neighbors adjacent to the site, were "... determined to be significant but unavoidable" and that several were not sufficiently mitigable to reduce impacts below recommended levels. We believe that mitigations may be put in place for nearly any issue or impact, and look forward to the process this time describing and mandating appropriate mitigations that would result in reducing the impact below recommended levels.
- Additionally, we request that mitigations be described with words like "must" rather than "should" or "could". The former (use of "must") defines prescribed mitigations upon which current residents in the neighborhood can depend, while the latter (use of "could") implies that the developer may do what he would like rather than follow through on the mitigation.

3. We request that Reduced Density Alternatives be created and considered thoughtfully. In meetings dating back to ~2008, the developer has repeatedly said that he has no interest in building anything less than ~25 homes on the site (now reduced to 19 homes in his latest proposal given the rejection of his previous proposal in 2009), and that he does not consider any Reduced Density Alternatives as feasible or of

interest to him. That said, the process leading the DEIR must include appropriate Reduced Density Alternatives for the County to consider thoughtfully.

4. Currently, the water tank on top of the hill has a large outlet pipe that runs straight down the hill to Parrott Drive, along an easement between 1538 Parrott (our home) and 1526 Parrott. The development plans for the propose to re-route this pipe between our property and the water tank, inserting four 90-degree turns into the pipe, and running within a few feet of our property line. We have two specific concerns about this planned re-routing of this water pipe.

- First, as context, we have three very large trees in our backyard adjacent to the property line. The diameters for these trees are ~47 inches, ~49 inches, and ~80 inches when measured ~two feet above ground level. Note that the trees spread out in trunk dimension, and so measuring diameters at the more typical "five feet above ground level" would significantly increase the measured diameters.
- We request that the plan be changed to comply with International Arborist standards which strongly recommends avoiding digging in the tree root zone that extends "1 to 1-1/2 feet away from the tree per inch of tree diameter". Given the 47-inch diameter of our smallest tree, the nearest edge of the excavation for the water pipe, or any development digging for that matter, would be 47 feet from that tree. Using the larger "1-1/2 feet per inch" recommendation, excavation should be no closer than 71 feet from this tree.
- Second, we are concerned about the possible impact from the proposed change in pipe design from a straight pipe which allows any water discharge to flow unencumbered through the pipe to the proposed design which incorporates four sharp turns (90 degrees). The increased pressure generated by these angles will lead to faster erosion inside the pipes. We are concerned and request a comparative analysis of the lifespan of the proposed design versus it's current design.

5. As mentioned above, we have three, very large and old trees. Arborists and original neighbors report the trees as being of, at least, 60, possibly 75, years old. As with most plants, over 70% of root activity occurs within the top few inches of soil. This is where the water, air and nutrition are primarily processed. *Architectural Graphic Standards* contains research by James Urban who determined that the critical factor in determining long-term tree health is the volume of root-supporting soil available. (Also mentioned in *Sustainable Landscape Construction* by J. William Thompson and Kim Sorvig.) The rule of thumb for area that must be untouched (to preserve tree health) is one and one-half times the area of the drip line. The International Arborist Society which certifies US arborists uses the guideline mentioned above in comment #1, bullet #2. By untouched, the guidelines specify no parking, storing materials, or changing the grade. Even 6 inches of additional soil against the trunk can cause disease and removing the top soil

will disproportionately hurt the trees' ability to thrive. Given these professional guidelines, **it is impossible to insure healthy mature trees and put housing or roads as close as they are proposed.**

While most of the proposed trees are not of the width as ours, it is essential that the same guidelines be used for those remaining trees as well.

6. The Developer has stated that all grading for the hill will be done at once and at the beginning of construction. We are very concerned about the potential for erosion and other damage if various precautions are not taken, including ones to conserve the health of the topsoil. The top soil is where growth happens. It also contains its own active ecology which is crucial for plant development. Ideally, the top soil should be removed and saved before grading the subsoil. Soils scientist, teacher at Harvard's School of Design and author of Urban Soils, Phil Craul, makes the following suggestions for keeping the soil as alive and healthy as possible – make several small piles, not one large; depth of piles should be no more than 4 feet for clay soils; keep the piles moderately damp; protect the soil from wind and water erosion by covering or planting; and handle the soil as little as possible. Caltrans has found that reapplication of the top soil works to improve the growth of post construction plantings. (Claasen, V.P. And R.J. Zaoski, "The Effect of Top Soil Reapplications on Vegetation Re-establishment", California Dept. Of Transportation, 1994.

We request that the same precautions be taken on any development on the hill.

7. The hammerhead turn-around points directly into our back yard and windows, specifically 2 of our children's bedrooms. Both of these could be mitigated, though that might require the developer to drop at least 1-2 lots.

8. The separation between the new development and Parrott homes (in 2002 CT referred to a ~25-foot gap between two separate fences, which is the bare minimum we wanted, along with mature trees in that separation) is vague and the developer is sending very mixed messages now. As one example, his plans don't show the trees or the gap between fences or even declare an easement the length of the development next to Parrott, but his artistic renderings from 2+ years ago show very mature pine trees in between "them" and "us". The "skinniest" pine trees I could find on the internet still have a branch spread of ~10-feet in radius, which means 20-feet in diameter, which requires more space than he is now showing; and most pine trees are broader than that. We request a definitive plan drawn and an analysis of the ability of any easement or buffer zone to effectively grow healthy trees, given visual and sound privacy, and not drop leaf/needle debris in an amount that would hurt plantings pools and other elements in the Parrott back yards.

9. Given the steep slope of the project and several areas of erosion, we are concerned that a qualified team of landscape architect, soils scientist and native horticulturalist have not been engaged to advise on the best choices for planting in the development. Some sample drawings have should lush grass on open spaces and standard street trees. This is an unlikely and expensive landscape with little chance for success and reminds us of the developer's ignorance of the site.

10. We request that AES survey the site and surrounding area at various times after rainfalls. Residents continue to manage foundation shifts and add drainage piping to their properties. Our yard regularly flooded until we added drainage trenches in three places, plus a catchment on our patio. Our outgoing sewage pipe was bent due to shift soil and our neighbors are currently going through the same process of having to replace the sewage outpipe.

11. Regarding the traffic on Parrott, between CSM and Laurie Drives, Laurel has personally seen 3 accidents where cars left the road and landed in yards. The third accident actually hit the house. In addition, we have lost 2 side mirrors on cars that were parked legally on the street. Finally, a student on the way to CSM claims she was blinded by the sunlight and rear-ended our minivan which was legally parked on the street. The insurance declared the car "totalled." Traffic speeds by regularly and safety is threatened. An analysis and recommendations for improved safety needs to be taken.

12. We have solar panels which provide for all of our annual electric needs. We request compensation for any dust or other blockages that prevent our panels from working to full capacity.

Thank you for your attention,  
Laurel and Donald Nagle  
1538 Parrott Drive  
San Mateo, CA 94402

## Heather Hardy - Re: Accounting, Ascension Heights

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**From:** "Heather Hardy" <hhardy@smcgov.org>  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**Date:** 2/14/2014 8:21 AM  
**Subject:** Re: Accounting, Ascension Heights

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Hi from 33,000 feet! Thanks for letting me know. I'm glad we're in the black. See you next week.  
 Heather

On Feb 14, 2014, at 7:48 AM, "James Castaneda" <[jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)> wrote:

Update on the remaining funds for Ascension Heights:

>>> On 2/14/2014 at 07:43, Trenton Wilson <[twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)> wrote:

You bet, from here on out there are only 2-3 of us that will be working on the final documents (depending on the comments we get), the big budget crunch is the draft.

**TRENTON WILSON**  
**ANALYTICAL ENVIRONMENTAL SERVICES**  
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**From:** James Castaneda [<mailto:jcastaneda@smcgov.org>]  
**Sent:** Thursday, February 13, 2014 3:38 PM  
**To:** Trenton Wilson  
**Subject:** Accounting, Ascension Heights

Hi Trent,

On the topic of billing, I just want to make sure we're still ok on labor and the remaining funds. With the last invoice (Dec 2013), we have \$18,688 remaining. I've been asked to check and see if the remaining still covers the rest of the work (through the Final EIR), best estimate. When you get a chance, let me know so I can report back on my end. Thanks.

JAMES

**James A. Castañeda, AICP**  
 Planner III - San Mateo County Planning & Building Department  
 Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
 Redwood City, CA 94063  
 T 650.363.1853 | F 650.363.4819  
[smcplanning.org](http://smcplanning.org) | [sforoundtable.org](http://sforoundtable.org)

## Heather Hardy - Fwd: Watertank Hill/Ascension Heights

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**From:** "Heather Hardy" <hhardy@smcgov.org>  
**To:** <planning-commission@smcgov.org>  
**Date:** 1/21/2015 7:45 AM  
**Subject:** Fwd: Watertank Hill/Ascension Heights

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Begin forwarded message:

**From:** "James Castaneda" <jcastaneda@smcgov.org>  
**Date:** January 21, 2015 at 7:42:12 AM PST  
**To:** "Suzanne Simms" <  
**Cc:** "Heather Hardy" <hhardy@smcgov.org>, "Lisa Aozasa" <LAozasa@smcgov.org>  
**Subject: Re: Watertank Hill/Ascension Heights**

Thank you for your email and concerns Ms Simms. Ill make sure that the Planning Commission receives this letter, as they will be the decision makers for this subdivision and take the community's feedback, as well as staff's findings and environmental review, under consideration in their decision.

Regards,  
 James

>>> On 1/20/2015 at 23:23, Suzanne Simms < wrote:

Hello,

I live at 1879 Los Altos Drive and I have questions for you regarding the continuously proposed development of Ascention Hts. or Watertank Hill. Over the past few years, I have attended multiple meetings, along with hundreds of my neighbors to express concern and dismay at the attempt to build on a piece of property that not only clearly looks like it is eroding rapidly, but is surrounded by 3 recent landslides-the current Rainbow Drive, the former Los Altos Drive, and the huge Polhemus road slide. I am not sure why we are talking about the same issues again and again? I have read portions of the EIR and am amazed at the methods that the county would find acceptable to mitigate some very real and severe issues that will arise with any building on that hill. This entire proposal and process continues to beg the question...WHY???

Specifically, does it make sense to grade a hillside, causing 470% greater air pollution to a thriving neighborhood composed of your constituents that are elderly or have young families, during a time when almost every day is a Spare the Air day? How can a neighbor be fined over \$100 if they burn a wood fire one night, yet a developer can be allowed to increase air pollution by 470% above normal without any consequences over a two year+ timeframe? Are there different standards for different parties in regards to the Bay Area Air Quality Board and it's regulations? Is this development the right thing for our neighborhood, our county, your constituents, and why?

Additionally, it is my understanding that this developer would be allowed to build on slopes as steep as 40 degrees or more for a substantial number of the proposed homes. Why? Where is the logic and who is the structural engineer that would take financial responsibility for any slides on those hillsides? My neighborhood was forced to pay \$6,000 per household (approx. 130 households in total or approx. \$780,000) to the San Mateo Oaks HOA in 1996, in order to analyze and build a huge retaining wall to fix the slope that slipped between homes on Parrott and Los

Altos Drive. Thankfully, no one was killed, despite the soil slipping within feet of the home. My neighbor, who tried to act responsibly before he purchased his home, hired a soils engineer before he moved in to assess his hillside. Despite being told everything was good, he had a slide occur years after he moved in. He paid thousands of dollars out of his own pocket to fix his slide and within a few months, the retaining wall had to be re-engineered and rebuilt because it failed.

How will 19 home owners be able to pay for fixing multiple or even one potentially large landslide that **will** occur someday in the future? They will not be able to afford the cost! Why should any homeowner be put through this? Is any development on known, unstable land smart? How will the county label the land--SE for scenic easement or U for unstable and unuseable? Is it good for our county and your constituents? If so, why?

Last, how is it legal (and if it is legal, how is it moral) to establish a Home Owners Association for the real purpose of shifting liability for unstable land from the developer (and the county who authorizes it) to future homeowners? Why is the strategy allowable to saddle unsuspecting homeowners with a substantial future liability? In dry years, people forget about landslide issues.

In our case, years before we moved in, the neighborhood had "disbanded" the HOA. They didn't see the point of paying dues--there were no tennis courts, pool, or playgrounds to maintain and all seemed well. Our RE agent and sellers told us that there was no HOA anymore and to disregard it. Six months later, we were receiving notices that we needed to pay dues for the current year and back dues for years past. We sued our sellers and both agents, as no one disclosed the landslides that occurred years earlier. We won our legal battle, but it doesn't make up for the wasted energy, money, and stress to fight it. Sadly, we are fighting the battle for those 19 future homeowners. Why does the county believe that homeowners are best suited to maintain drainage ditches and retaining walls? It is not the norm in other cities. In the Hallmark subdivision in Belmont, I believe the city maintains all water and drainage issues. Why? It is my understanding that the developer would be allowed to pass the landslide liability and maintenance for retaining walls, drainage, and eventually 5 underground water tanks to the 19 homeowners.

Why would they be assumed to handle this responsibility over decades? If they do not, it will negatively impact everyone around them. Why would this be acceptable to anyone? I believe that if potential home owners fully understood what buying a home on that hillside entailed, no one in their right mind would purchase a home. Again, WHY???

James, David, and Carol, if you could please email me back how you see this development benefiting anyone for the long term, I would really appreciate your efforts. I can see no other benefit, than money in the form of future property taxes for the county and, of course, revenue for the developer. In that case, all liability and costs should also rest with the developer and county.

A real portion of that money should be kept in a fund for future landslides, flooding, sewer systems that are already at capacity and schools that are also at capacity. It seems unconscionable to do anything else.

Respectfully,

[Suzanne Simms](#)

650-703-7708

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**Heather Hardy - Fwd: RE: Landscape Plan, Ascension**

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**From:** James Castaneda  
**To:** Heather Hardy  
**Date:** 6/16/2015 10:56 AM  
**Subject:** Fwd: RE: Landscape Plan, Ascension  
**Attachments:** AES Contract Modification 2\_FEIRRevisions and Additional Hearings\_June 12, 2015\_Itemized.pdf

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Here you go.

>>> On 6/11/2015 at 09:39, Trenton Wilson <[twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)> wrote:

Here you are, with itemized costs

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**From:** James Castaneda [<mailto:jcastaneda@smcgov.org>]  
**Sent:** Thursday, June 11, 2015 9:06 AM  
**To:** Trenton Wilson  
**Cc:** Zachary Thomas  
**Subject:** RE: Landscape Plan, Ascension

Thanks Trent. Ill have Heather get started. If I could trouble you for one more thing, could you send a fee breakdown attachment for the scope? I want to reference that if Mr. Thomas has some questions. Appreciate your help.

James

>>> On 6/11/2015 at 08:19, Trenton Wilson <[twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)> wrote:

Here you are.

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**From:** James Castaneda [<mailto:jcastaneda@smcgov.org>]  
**Sent:** Thursday, June 11, 2015 7:34 AM  
**To:** Trenton Wilson  
**Subject:** RE: Landscape Plan, Ascension

Hi Trent, just following up on the what we talked about on Tuesday. Let me know- Heather is ready to move on the contract for forthcoming edits to the FEIR.

James

>>> On 6/9/2015 at 07:56, Trenton Wilson <[twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)> wrote:

Absolutely. I am in until 9am then booked throughout the day, then in the rest of the week.

-Trent Wilson

----- Original message -----

From: James Castaneda <[jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)>  
Date: 06/09/2015 7:44 AM (GMT-08:00)  
To: Trenton Wilson <[twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)>  
Subject: RE: Landscape Plan, Ascension

That's fine Trent, but can we still have a phone call so I can go over the details before I get Heather working on the contract?

>>> On 6/8/2015 at 15:02, Trenton Wilson <[twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)> wrote:

Sorry, out of paternity leave last week. We will need a contract modification for the scope I gave back in April to finish up the edits. Once we have the contract modification I can give you a concrete schedule.

**TRENTON WILSON**  
**ANALYTICAL ENVIRONMENTAL SERVICES**  
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---

**From:** James Castaneda [<mailto:jcastaneda@smcgov.org>]  
**Sent:** Monday, June 08, 2015 2:17 PM  
**To:** Trenton Wilson  
**Subject:** RE: Landscape Plan, Ascension

Attached is the civil plans. I think between this, the landscaping plan, and the most recent bio report (whihc I think you all have now), I think you guys can start moving forward.

Do you have time tomorrow to do a quick phone call to sync up and go over timelines? Let me know.

James

>>> On 6/3/2015 at 07:00, Trenton Wilson <[twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)> wrote:

Thanks.

On the fun side of management, in February you had asked about invoicing and billing. Looks like we have a few outstanding invoices, any idea when these will be paid.

**TRENTON WILSON**  
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**From:** James Castaneda [<mailto:jcastaneda@smcgov.org>]  
**Sent:** Wednesday, May 13, 2015 1:24 PM  
**To:** Trenton Wilson  
**Subject:** Landscape Plan, Ascension

Good afternoon Trent. I'm starting to get some materials piecemeal from Mr Thomas towards our return to the Planning Commission in July. Attached is what he sent pertaining to the landscape plan.

James

**James A. Castañeda, AICP**  
Planner III - San Mateo County Planning & Building Department



**TO:** Lisa Aozasa, Acting Deputy Director  
James Castañeda, Planner III  
San Mateo County  
Planning & Building Department  
455 County Center  
Redwood City, CA. 94063  
laozasa@smcgov.org  
jcastaneda@smcgov.org

**FROM:** Trenton Wilson, Senior Project Manager

**DATE:** June 11, 2015

**RE: Cost Estimate for Continued CEQA Compliance Services**

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In accordance with the *Agreement Between the County of San Mateo and Analytical Environmental Services* dated May 7<sup>th</sup>, 2013 (Agreement), AES completed an Environmental Impact Report (EIR) for the Ascensions Heights Subdivision Project (County File number PLN2002-0517) and attended the Planning Commission Hearing on January 28, 2015 for the potential approval of the EIR and other project-related planning considerations. Due to the length of time spend on public comment, the hearing was adjourned and set to reconvene on February 25, 2015. Although outside of contracted services, AES Senior Project Manager attended the reconvened Planning Commission Hearing on February 25<sup>th</sup>, 2015; however, no final decision on the EIR or Applicant's requests was made. Based on the Commissioners' comments at the February 25<sup>th</sup> Hearing, AES understands the Applicant has made minor changes to the project and that there now exists an opportunity to address some of the Commissioners' comments in the Final EIR since the document has yet to be certified.

The County has requested AES present a budget to revise the Final EIR (and subsequent revised Draft EIR contained there within) based on comment received from the Planning Commission (subsequently several of the comments are driven by those presented by the General Public), attend additional public meetings, and provide compensation for meetings attended outside of contracted services

**ADDITIONAL CEQA COMPLIANCE SERVICES**

1. Air Quality-AES will revise the discussion of the Health Risk Assessment results to address commenters' concerns regarding the results presented in the discussion in the Draft and Final EIR for a not to exceed time and materials cost of **\$1,500**.
2. Aesthetics –AES will revise the aesthetics portion to include additional design details provided by the applicant for a not to exceed time and materials cost of **\$1,500**.
3. Traffic-AES will revise the discussion of construction traffic to clarify the assumptions utilized in determining the number of construction vehicle trips to address commenters concerns regarding traffic safety. This task will be completed for a not to exceed time and materials cost of **\$1,250**.
4. Biology-AES will add to the discussion of the history of site surveys conducted on the site as well as include results from recent surveys to address commenters' concerns regarding impacts to biological species presented in the discussion in the Draft and Final EIR. AES will also expand upon the reasoning for the mitigation to clarify that mitigation is not being deferred. These tasks will be completed for a not to exceed time and materials cost of **\$1,250**.

5. Public Services, School Impacts-AES will revise the discussion of impacts to schools emphasizing that the payment of impact fees mitigates the projects impacts in accordance with State law to address commenters' concerns that the significance statement in the discussion of impacts to schools in the Draft and Final EIR relied on a failed proposition. This task will be completed for a not to exceed time and materials cost of **\$900**.
6. Environmentally Superior Alternative-AES will revise the discussion of the Environmentally Superior Alternative in accordance with comments provided by the Planning Commission for a not to exceed time and materials cost of **\$640**.
7. AES will prepare a Revised Final EIR and submit to the State Clearinghouse to follow the distribution cycle conducted on the previous Final EIR for a not to exceed time and materials cost of **\$1,960**.
8. AES will attend two Planning Commission hearing at a time and place to be determined for a not to exceed time and materials cost of **\$4,000**.
9. AES will attend a Board of Supervisors meeting at a time and place to be determined for a not to exceed time and materials cost of **\$2,000**.

#### **COST ESTIMATE**

AES will complete the above mentioned services for a cost not-to-exceed **\$15,000** on a time and materials basis.

#### Assumptions

- The applicant will not alter the site plan in such a manner that would result in a new significant impact that wasn't identified in the Final EIR or increase the severity of a significant impact identified in the Final EIR.
- An attendance requirement of four (4) hours is anticipated for each event.
- Each meeting will be attended by the Senior Project Manager. Additional staff can attend if requested at an additional cost.
- The County will provide AES with a determination of the tasks above to be implemented and AES will provide a final cost estimate based on the selection of tasks.

**From:** Jim Eggemeyer  
**To:** Lisa Aozasa; Lisa Grote  
**CC:** Mary Raftery  
**Date:** 10/13/2006 9:27 AM  
**Subject:** Re: Christopher Joseph Associates

I have worked with CAJA now on two projects. The main person I have worked with is Geoff Reilly at CAJA . I like Geoff and his approach to EIRs. He can talk technical and also at a level for others to understand. One thing I like about Geoff is that he doesn't always bring up the "money" issue about if something (an eir issue) seems to be needing more explanation or exploration. He is more interested in a really good product. On the Edgewood Estates project, Sara Bortolussi and I (with Mary Raftery) worked very well with them on the Admin. draft and mitigation measures. Their mitigation measures were reasonable and could be implemented. There were a few items we discussed in greater detail, he investigated and came up with workable solutions. As for Ascension Heights, that is still in prelim. mode (honestly, I don't know the status of the alt. design Dennis Thomas was working out. I saw a prelim., but I think it still needed some more modifications before CAJA could proceed), so we haven't seen an Admin. Draft (at least not that I am aware of).

Another notable item is that Geoff is always prepared. He does his homework and knows the issues. How did he/they do in the interview identifying the key top three issues? Just curious. He seems to always be right on target.

Given the nature of this project (big wave) and the length of time we and they will be working on this project, they will be a good team to work with in the long haul. I think this will be Geoff's first time working in the Coastal Zone, unless he has or is working on anything for Half Moon Bay, Pacifica, or other points north (since Geoff's office is in the way north bay area). I think he can handle it.

I copied Mary R. on my response. Maybe you might want to contact here for her thoughts too.

Hope this helps.

jke

>>> Lisa Aozasa 10/12/2006 2:17 PM >>>

Hi Guys - Lisa G. and I are trying to pin down which EIR consultant to go with for the Big Wave project, and "CAJA" is one of two we're considering. Can you let us know your thoughts about them, based on your experiences on the Edgewood Estates and Ascension Dr. subdivisions? Any input you may have about their ability to handle complex biological issues, in particular, would be helpful. But really, we'd like to hear any thoughts/concerns/issues you may have. We're trying to decide by tomorrow or Monday at the latest, so the sooner the better. Thanks! Lisa A.

**From:** Steve Monowitz  
**To:** Lisa Grote  
**CC:** Jim Eggemeyer  
**Date:** 1/17/2008 3:14 PM  
**Subject:** Fwd: Thomas subdivision

Hi Lisa,

An old subdivision application that was assigned to Matt and put on hold is becoming active again, as described in the message below. Would you like us to pass it on to current planning, or keep Matt on it?  
Steve

>>> Matthew Seubert 1/17/2008 2:37 PM >>>  
Steve,

Here is the info. for the Thomas subdivision. Mr. Thomas resubmitted a revised set of drawings today. The next step would be to prepare a revised contract amendment for the EIR consultant and take it to the BOS for approval, then have them begin the revised EIR.

Project description: EIR, Grading Permit & Major Subdivision to subdivide 13.25 acre parcel into 25 residential lots. Improvements to include new public roads (including emergency fire exit road), storm drains, new sanitary sewer & realign water main; 'tot lot' & conservation area. Includes street naming for 'Ascension Heights Drive' and removal of 4 significant eucalyptus trees.

Applicant: Dennis Thomas

Location: Ascension Drive, Highlands

Case #: PLN2002-00517

-Matt

**From:** Jim Eggemeyer  
**To:** Lisa Grote; Virginia Diehl  
**CC:** Matthew Seubert  
**Date:** 5/6/2008 9:13 AM  
**Subject:** CAJA Contract / BOS Hearing

Just to let you know, the amended contract for the Dennis Thomas Subdivision (Ascension Heights) stayed on Consent Calendar today with the BOS (5-0 vote).

jke

**From:** Lisa Grote  
**To:** Jim Eggemeyer; Virginia Diehl  
**CC:** Matthew Seubert  
**Date:** 5/6/2008 1:43 PM  
**Subject:** Re: CAJA Contract / BOS Hearing

Perfect. Thanks for the update.

Matt, let us know the amended schedule and when CAJA expects to have a draft finished.

Thanks,  
Lisa

>>> Jim Eggemeyer 5/6/2008 9:13 AM >>>

Just to let you know, the amended contract for the Dennis Thomas Subdivision (Ascension Heights) stayed on Consent Calendar today with the BOS (5-0 vote).

jke

**From:** Matthew Seubert  
**To:** Jim Eggemeyer; Lisa Grote; Virginia Diehl  
**Date:** 5/6/2008 2:16 PM  
**Subject:** Re: CAJA Contract / BOS Hearing

Lisa et al,

Will do, have requested it from CAJA.

-Matt

>>> Lisa Grote 5/6/2008 1:43 PM >>>  
Perfect. Thanks for the update.

Matt, let us know the amended schedule and when CAJA expects to have a draft finished.

Thanks,  
Lisa

>>> Jim Eggemeyer 5/6/2008 9:13 AM >>>

Just to let you know, the amended contract for the Dennis Thomas Subdivision (Ascension Heights) stayed on Consent Calendar today with the BOS (5-0 vote).

jke

**From:** Matthew Seubert  
**To:** Jim Eggemeyer  
**Date:** 7/2/2008 12:14 PM  
**Subject:** Fwd: Ascension Heights Update  
**Attachments:** Ascension EIR status report\_08.0701.pdf; 2010135TNT-C-3 GRAD.PDF

Jim,

Could you and I sit down some time hopefully this afternoon or tomorrow and look at the three scenarios that CAJA has proposed so that I can get back to them with our recommendation? I'm not sure that I quite understand the differences between the scenarios and the CEQA pros and cons. I understand the rest of the letter. Thanks.

-Matt

>>> "Jennie Anderson" <[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com)> 7/1/2008 5:58 PM >>>  
Hello Matt,

I hope you are doing well. I have attached a memorandum for the Ascension Heights EIR project, which provides a status update and topics for discussion. Post your review, I was hoping we could chat to go over various points/strategies. Please feel free to call or email me to discuss. I will try touching base with you as well later this week.

Thank you,

Jennie Anderson  
Project Manager  
[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com) <<mailto:jennie.anderson@cajaeir.com>>  
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**From:** Jim Eggemeyer  
**To:** Matthew Seubert  
**Date:** 7/2/2008 12:27 PM  
**Subject:** Re: Fwd: Ascension Heights Update

I'm gone tomorrow, so how about 2:00 today?

jke

>>> Matthew Seubert 7/2/2008 12:14 PM >>>  
Jim,

Could you and I sit down some time hopefully this afternoon or tomorrow and look at the three scenarios that CAJA has proposed so that I can get back to them with our recommendation? I'm not sure that I quite understand the differences between the scenarios and the CEQA pros and cons. I understand the rest of the letter. Thanks.

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Thank you,

Jennie Anderson  
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**From:** Matthew Seubert  
**To:** Lisa Grote  
**CC:** Jim Eggemeyer  
**Date:** 7/11/2008 11:59 AM  
**Subject:** RE: Ascension Heights Update

Lisa,

Jim and I talked earlier and tentatively agreed with CAJA's recommendation that the fire (EVA) road should be included in the project description, rather than as the alternative, as we had told them last year. We wanted to get your ok on this before we tell CAJA to go further. I asked County Counsel too (Tim), but haven't heard anything yet. Please let me know if you want to meet with Jim and/or I to discuss. Thanks.

-Matt

>>> "Jennie Anderson" <[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com)> 7/10/2008 4:10 PM >>>  
Hello Matt,

Per our conversation last week, I have attached the updated Project Description for your review and feedback. I have included notes and highlighted areas in order to focus your review and to identify potential areas where I was hoping Mr. Thomas's team could provide additional data. I was also curious if you were able to receive any County team feedback on the Emergency Vehicle Access (EVA) road being included as part of the Project Description or alternative, as well as any updates regarding the requested GEO/HYDRO supplemental report information.

Please do let me know if you have any questions. I will be out of the office tomorrow, but will return on Monday.

Best,

Jennie Anderson  
Project Manager  
Christopher A. Joseph & Associates  
Direct: (707) 676-1902

---

From: Jennie Anderson  
Sent: Tuesday, July 01, 2008 5:59 PM  
To: 'Matthew Seubert'  
Subject: Ascension Heights Update

Hello Matt,

I hope you are doing well. I have attached a memorandum for the Ascension Heights EIR project, which provides a status update and topics for discussion. Post your review, I was hoping we could chat to go over various points/strategies. Please feel free to call or email me to discuss. I will try touching base with you as well later this week.

Thank you,

Jennie Anderson  
Project Manager  
[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com) <<mailto:jennie.anderson@cajaeir.com>>  
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## MEMORANDUM

**To:** *Matthew Seubert*  
*San Mateo County, Planning and Building Department*

**From:** *Jennie Anderson*

**Date:** *July 1, 2008*

**Subject:** *Ascension Heights Subdivision Project ADEIR#2 Update*  
*Topics for Discussion & Status Report*

---

### Topics for Discussion

As you know, the ADEIR#1 was ultimately put on hold in 2004/2005 due to issues related to emergency access. In 2006, a meeting was held with the applicant, County representatives, and CAJA regarding a revised site plan that might be used in the EIR as an alternative to the proposed project. Based on these issues and comments received by the County on the project and the 2004 ADEIR#1, the Vesting Tentative Map (VTM; County stamped January 17, 2008) was updated. This included: (1) the addition of an Emergency Vehicle Access (EVA) road; (2) a boundary outlining a proposed undisturbed and protected area; (3) the reclassification of the on-site circulation road from a public road to a private road; and (4) other minor shifts in proposed on-site utilities, drainage facilities, and lot layout specifics.

**I am trying to determine which VTM version to utilize for our updated Project Description ADEIR#2 analyses.** Are all of these additional features in the January 17<sup>th</sup> VTM associated with the proposed Alternative analysis, or is it just the inclusion of the EVA road? Based on a review of the revised VTM, it seems the details we provided in the 2004 Project Description may not be accurate (i.e., utilities specs, average lot sizing/setbacks, etc.). We are in the process of updating the Project Description and related figures to reflect current changes, but would like to receive your (or the Applicants) feedback on the data we are currently utilizing. I can provide a Draft updated Project Description for your review and confirmation if this would be helpful for discussion, as this also identifies any questions or data holes we may have.

The abovementioned VTM modifications seem to have affected the proposed grading volume, the potential hydrological impacts (i.e., associated with the additional surface area from the proposed EVA road), the biological impacts (i.e., additional trees lost, conservation areas re-designated to the EVA road), the development footprint (i.e., trail locations, etc.), and reduced impacts associated with on-site road maintenance now that the circulation road is private.

As stated previously, the projects EVA issue was to be addressed through the inclusion of an updated Alternative that identified the EVA road on-site. However, based on a closer look at the proposed project and revised VTM, several issues may be raised regarding this analysis. **That being said, I have included below for your consideration and discussion, three different scenarios that could be utilized to address these updates and EVA concerns:**

1. Proceed with original Project Description (i.e., no EVA road), and per County/Fire Department identify a significant impact for emergency access and provide mitigation measures for an EVA road. However, as this

mitigation measure has the potential to raise new significant issues (e.g., GEO, AES) it must be analyzed in addition to the impact. Per Section 15126.4(a)(1)(D) of the CEQA Guidelines, “if a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed.” No EVA road Alternative would be included, as a comparative analysis to the proposed project, as the Alternative analyses assume that all applicable mitigation measures proposed for the project would apply.

2. Per the original Contract Amendment #1 discussion, proceed with including the EVA road and other revised VTM changes in the EIR Alternative analysis (i.e., EVA Road Alternative). For the reasons outlined above, various impacts associated with the revised VTM and EVA road would be greater under this alternative. Albeit, some impacts would be slightly reduced (i.e., Road Maintenance, some BIO). Alternatives do not include a detailed quantitative analysis of impacts, so we do run the risk of public controversy and CEQA defensibility for adequately analyzing the impacts associated with the inclusion of an EVA road (e.g., extensive grading and associated AQ impacts, additional visual impacts from off-site residents, hydrology, biological impacts, and feasibility of design due to steep slopes) as an alternative. Other alternatives provided in the EIR result in reduced impacts and address the EVA issue. On a side note, this could affect the applicants proposed density.

Per Section 15126.6(a),(b),(d) of the CEQA Guidelines:

“(a)..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..

(b)..Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), 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 the project objectives, or would be more costly.

(d)..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..”

3. Include the revised VTM and EVA road in the updated Project Description for the updated ADEIR#2 analysis. This would eliminate the need for an additional Alternative, EVA significant impacts, and any associated mitigation. Therefore, the impact analyses associated with this potentially controversial project would be addressed up front.

**Regardless of which scenario is implemented, for our impact analysis and CEQA defensibility, we do request that the applicant supplement the existing Hydrology and Geotech reports to include an analysis of the impacts associated with the proposed EVA road.** This may result in a brief peer review by our EIR Geologist, which was not

included in our approved Contract Amendment #1. We feel this is necessary now, as we need to address any potentially significant impacts associated with the road, regardless of which scenario we utilize, for example:

- Scenario #1: Per CEQA, we would need to address potentially significant impacts associated with EVA road mitigation measure;
- Scenario #2: Per CEQA, we would need to address potentially significant impacts associated with the alternative; and
- Scenario #3: Per CEQA, we would update the existing appropriate section analyses to assess the associated EVA road impacts (i.e., GEO, HYDRO – also AQ, AES, BIO, etc.).

**My recommendation would be for the applicant to supplement the existing Hydrology and Geotech reports and to implement Scenario #3 for ultimate CEQA defensibility and ease of presentation for the public/agencies.** I would like to also speak with you regarding the above topics, as well as our current submittal date of July 11<sup>th</sup> in light of the above items. I have provided a summarized brief update on the status of the ADEIR#2 below.

#### ADEIR#2 Update

**ADEIR#1:** Comments received on the 2004 ADEIR#1 and during the NOP/Scoping Meeting process are being confirmed that they have been adequately addressed (if applicable) in the ADEIR#2.

**Environmental Setting/Project Description:** This section has been combined with the Project Description under the ADEIR#2 update effort. Applicable figures, where necessary, are in the process of being updated.

**Related Projects List:** The Related Projects list has been updated, based on discussions with the City of San Mateo, the Town of Hillsborough, and the County, as well as review of various planning documents. The cumulative analysis under each issue area is in the process of being updated.

**Regulatory Setting:** The Regulatory Setting discussion is in the process of being updated for each applicable section.

**Air Quality:** Due to recent staffing backlog in this Department, the Air Quality analysis for the greenhouse gases (GHG) discussion will begin to be updated as of July 7<sup>th</sup>. However, this may need to be supplemented based on the discussion provided under the above “Topics for Discussion”.

**Biological Resources:** A site reconnaissance survey has been conducted by our biologist. Additionally, all database search results and species tables have been updated. The section is in the process of being updated.

**Hydrology & Water Quality:** The EIR hydrologist (*Schaaf & Wheeler*) is in the process of reviewing the hydrological report; however, this may need to be supplemented based on the discussion provided under the above “Topics for Discussion”. This section will be updated accordingly based on the outcome.

**Population & Housing:** Unless there is a specific reason the County required this section to be discussed in detail in the EIR, based on our additional research this issue should have been scoped out during the Initial Study process. We are proposing to remove the detailed section analysis and move the discussion to the General Impact Categories section (under Impacts Found to Be Less Than Significant), with data provided to support this conclusion.

**Public Services and Utilities & Service Systems:** Updated Service Letters have been sent to applicable agencies for relevant Public Services & Utilities section updates. Due to a lack of available staff at various agencies we have been promised responses no later than July 14<sup>th</sup>. The sections will be updated accordingly upon receipt, with placeholders if necessary. The original ADEIR#1 analysis of Public Services and Utilities & Service Systems was found to be inadequate in level of detail, so in order to ensure defensibility we are updating accordingly.

**Transportation/Traffic:** The EIR traffic engineer (*Hexagon*) has updated the traffic counts and is in the process of briefly reconfirming that no additional analysis will be necessary based on the related project list update. This section is in the process of being updated and will be supplemented accordingly based on the results of the related projects, if necessary. This was not included in our original Contract Amendment #1scope; however, we still need to confirm that it will not be a necessary step.

**General Impact Categories:** The Impacts Found to Be Less Than Significant discussion is in the process of being supplemented, including a strengthening of the Initial Study analysis for items scoped out of EIR discussion (e.g., Cultural Resources data, etc.).

**Alternatives:** Pending above results regarding EVA road.

Thank you in advance for your review and consideration of this memorandum. I would like to discuss its contents at your earliest convenience. Please do feel free to contact me at P: 707-676-1902 or E: [jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com) to set up a time to talk.

Sincerely,

Jennie Anderson  
Project Manager

**From:** Matthew Seubert  
**To:** Lisa Grote  
**CC:** Jim Eggemeyer  
**Date:** 7/22/2008 11:40 AM  
**Subject:** Fwd: RE: Ascension Heights Update

Lisa,

I think that CAJA is close to reaching a stopping point on the EIR preparation until we give them direction on which Project Description to use. Do you want to meet to discuss?

-Matt

>>> Matthew Seubert 7/11/2008 11:59 AM >>>

Lisa,

Jim and I talked earlier and tentatively agreed with CAJA's recommendation that the fire (EVA) road should be included in the project description, rather than as the alternative, as we had told them last year. We wanted to get your ok on this before we tell CAJA to go further. I asked County Counsel too (Tim), but haven't heard anything yet. Please let me know if you want to meet with Jim and/or I to discuss. Thanks.

-Matt

>>> "Jennie Anderson" <[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com)> 7/10/2008 4:10 PM >>>

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Please do let me know if you have any questions. I will be out of the office tomorrow, but will return on Monday.

Best,

Jennie Anderson  
Project Manager  
Christopher A. Joseph & Associates  
Direct: (707) 676-1902

---

From: Jennie Anderson  
Sent: Tuesday, July 01, 2008 5:59 PM  
To: 'Matthew Seubert'  
Subject: Ascension Heights Update

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Thank you,

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**From:** James Castaneda  
**To:** Jim Eggemeyer  
**Date:** 10/20/2008 11:44 AM  
**Subject:** RE: Meeting to discuss draft EIR

Jim,  
Before I offer Jennie Anderson of Christopher Joseph and Associates some times to hold a meeting with us next week, is there anyone else I need to include in this meeting as to check their availability? Please let me know so I can take those into consideration in providing Jennie some options. Thanks.

JAMES

>>> On 10/17/2008 at 4:41 PM, "Jennie Anderson"  
<[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com)> wrote:

Hi James,  
I hope you are well. I am available the week of the 27<sup>th</sup> to discuss project comments via a conference call or meeting. I am also compiling a list of topics that I would like to discuss, which I can make available prior to the meeting if it helps. I am pretty open time wise at this point.  
Have a good weekend,

Jennie Anderson  
Project Manager  
[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com)  
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**From:** James Castaneda [<mailto:JCastaneda@co.sanmateo.ca.us>]  
**Sent:** Friday, October 17, 2008 4:08 PM  
**To:** Jennie Anderson  
**Subject:** Meeting to discuss draft EIR

Jennie,  
Jim Eggmeyer wanted me to arrange a meeting or conference call to discuss our review and comments from other agencies regarding the Ascension Heights draft EIR. In attempting to keep with the projected time table, I was going to suggest something for the week of October 27. If this reasonable, let me know so we discuss a time that works for us all. Thanks.

Regards  
JAMES

---

**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

**From:** Jim Eggemeyer  
**To:** James Castaneda  
**Date:** 10/20/2008 12:03 PM  
**Subject:** RE: Meeting to discuss draft EIR

Ask Rosario if Lisa G. wants to attend the meeting and then let me know her response before you respond. Maybe we need to meet with Lisa if she doesn't want to attend CJA meeting for a briefing.

Thanks.

jke

Save Paper.  
Think before you print.

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Jim,

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**P** Please consider the environment before printing this e-mail

**From:** James Castaneda [<mailto:JCastaneda@co.sanmateo.ca.us>]  
**Sent:** Friday, October 17, 2008 4:08 PM  
**To:** Jennie Anderson  
**Subject:** Meeting to discuss draft EIR

Jennie,  
Jim Eggmeyer wanted me to arrange a meeting or conference call to discuss our review and comments from other agencies regarding the Ascension Heights draft EIR. In attempting to keep with the projected time table, I was going to suggest something for the week of October 27. If this reasonable, let me know so we discuss a time that works for us all. Thanks.  
Regards  
JAMES

---

**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

**From:** Martha Poyatos  
**To:** Jim Eggemeyer  
**Date:** 10/27/2008 2:34 PM  
**Subject:** Re: Fwd: Chapter 4.4 of ADEIR for Highland Estates  
**Attachments:** Re: Fwd: Chapter 4.4 of ADEIR for Highland Estates

fyi

Save Paper.  
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**From:** Ann Stillman  
**To:** Martha Poyatos  
**Date:** 10/27/2008 10:51 AM  
**Subject:** Re: Fwd: Chapter 4.4 of ADEIR for Highland Estates  
**Attachments:** Response Letter to CAJA.pdf

Martha,

FYI, I have attached our comment letter for the Ascension Heights subdivision. I believe we recently received the EIR for this or the revised environmental document. I don't know that we have seen anything recently on the Ticonderoga one, except the addition of two parcels??

Ann

>>> Martha Poyatos 10/24/2008 4:43 PM >>>  
Hi Ann;

Please see page 4.4-31 re: Crystal Springs County Sanitation. It seems it should discuss need to purchase additional sewage treatment capacity. No?

from,

Your FRIEND, the nice Martha

Save Paper.  
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**From:** Jim Eggemeyer  
**To:** James Castaneda  
**Date:** 10/27/2008 2:54 PM  
**Subject:** Re: Fwd: Chapter 4.4 of ADEIR for Highland Estates  
**Attachments:** Response Letter to CAJA.pdf

James, You should print the following PDF out for the file and we will need to make sure this is addressed/discussed this Thurs. (I don't know, given the date of the letter, if this info was/wasn't included in the Admin. Draft EIR copy we have.)

jke

Save Paper.  
Think before you print.

>>> Ann Stillman 10/27/2008 10:53 AM >>>  
Martha,

FYI, I have attached our comment letter for the Ascension Heights subdivision. I believe we recently received the EIR for this or the revised environmental document. I don't know that we have seen anything recently on the Ticonderoga one, except the addition of two parcels??

Ann

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Hi Ann;

Please see page 4.4-31 re: Crystal Springs County Sanitation. It seems it should discuss need to purchase additional sewage treatment capacity. No?

from,

Your FRIEND, the nice Martha

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## Department of Public Works



# COUNTY OF SAN MATEO

555 COUNTY CENTER, 5<sup>TH</sup> FLOOR • REDWOOD CITY • CALIFORNIA 94063-1665 • PHONE (650) 363-4100 • FAX (650) 361-8220

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DIRECTOR

September 17, 2008

Mr. Byron Easton  
Associate Environmental Planner  
Christopher A. Joseph & Associates  
179 H Street  
Petaluma, CA 94952

Dear Mr. Easton:

**Re: Proposed Ascension Heights Subdivision Environmental Impact Report (EIR) Solid Waste & Sewer Service**

We are in receipt of your letter dated July 25, 2008, regarding the above project. We have listed below your questions (Q) and our responses (R) to your questions.

### SOLID WASTE SERVICES

- Q1. Solid waste services for the proposed project area are provided by Allied Waste Industries, Inc. The primary disposal site is the Ox Mountain Sanitary Landfill. This site had an original capacity of 12 million cubic yards, and has a remaining capacity of 33.5 million cubic yards, due to various expansion projects. Ox Mountain receives an average of 3,250 tons of waste per day with a maximum of 3,598 yards per day. Can you please verify this data is accurate?
- R1. According to Ox Mountain's Solid Waste Facility Permit, the design capacity for disposal is 37.9 million cubic yards. The amount of permitted tons per Operating day is 3,598 tons/day. The average tonnage Ox Mountain receives per day varies, depending upon when the average was taken. For 2008, Ox Mountain averages well below 3,250 tons of waste per day.
- Q2. Would waste go to a transfer station before going to the landfill?
- R2. Franchised waste will be brought to the transfer station. Self-haul from garages and yard cleanups can be brought to the landfill or a Transfer Station.
- Q3. Would the transfer station/landfill have enough capacity to accommodate the project's generation of solid waste?
- R3. The impact will be minimal. We cannot determine disposal impacts until we can calculate how many households and how many persons per household.
- Q3a. If not, what would be needed to accommodate the project's generation of solid waste?
- R3a. Ensuring there will be adequate space on each parcel for recycling.
- Q4. What recycling programs are available for the residents of the proposed project?

**Re: Proposed Ascension Heights Subdivision Environmental Impact Report (EIR)  
Solid Waste & Sewer Service**

September 17, 2008

Page 2

- R4. Curbside recycling; Cans, Bottles, Paper, Cardboard and Yard Waste.
- Q4a. How much diversion of solid waste does the recycling program average?  
R4a. The County is required per AB939 to divert at least 50% of its waste from going to the landfill. The County Unincorporated diversion rate is approximately 64% as submitted for 2006. This diversion has not yet been approved by the California Integrated Waste Management Board.
- Q4b. What is the percentage of reduction from the landfill that is created by the recycling program?  
R4b. We do not measure the percentage of reduction from recycling, we measure diversion from the landfill. Recycling is not the only method to divert waste; there are other methods such as BackYard Composting, Green Building, Reuse, Source Reduction.
- Q5. A diversion plan will be implemented for all construction debris generated by the proposed project. The plan will follow technical guidelines provided by your Waste Management Section. Are there any suggestions for mitigation of potential construction related impacts to solid waste services?  
R5. Encourage Source Separation of materials onsite into various categories to ensure construction debris gets recycled. The County has a Construction and Demolition Guide that lists the various providers of C & D recycling such as cardboard, wire, metal, wood, all inerts etc. The project should also require all the jobsite subcontractors to recycle.
- Q6. Has San Mateo County implemented single stream recycling? If not, is there any plan in the reasonably foreseeable future to do so?  
R6. No, but it is planned to be implemented in certain area of the County by January 1, 2011.
- Q7. "Per CIWMB facility/site details for Ox Mountain Landfill remaining capacity is listed at 44,646,148 cubic yards with a maximum permitted capacity of xx. Furthermore, no violations or areas of concern have been noted during site inspections. Maximum permitted disposal at the landfill is 3,598 tons per day (tpd); therefore, an additional 0.03 tons per day would represent a minimal incremental increase in solid waste generation."  
R7. Per CIWMB facility/site details for Ox Mountain Landfill remaining capacity is listed at 44,646,148 cubic yards with a maximum permitted capacity of 37,900,000.
- Q8. AB 939 (California Public Resources Code Section 40000 *et seq*) requires at least 50% of the solid waste stream to be diverted from landfills by the year 2000. Are there additional measures that can be taken to minimize potentially significant impacts to solid waste services that may be generated by the proposed project?  
R8. The project can implement aggressive programs to divert most if not all of the waste generated from the landfill from construction activities.
- Q9. What steps or programs does San Mateo County implement with respect to California Integrated Waste Management Act of 1989 (AB 939) that may involve the project?  
R9. We have staff available to provide technical assistance and a website at <http://www.RecycleWorks.org> to provide additional resources.

**Re: Proposed Ascension Heights Subdivision Environmental Impact Report (EIR)  
Solid Waste & Sewer Service**

September 17, 2008

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- Q10. In addition to addressing project-specific impacts to solid waste service, the EIR will also address cumulative impacts to solid waste service. We are in the process of compiling a list of reasonably foreseeable development in the County. Table 1, Related Projects List includes a list of some of the other major, reasonably foreseeable approved development in the County in proximity to the proposed project's location (refer to Figure 3, Location of Related Projects). However, additional projects will likely be added to the list as our research continues. Can the landfill accommodate the demand for landfill capacity associated with these projects in conjunction with the proposed project?
- R10. See R3.
- Q10a. How does your agency address the growing demand for landfill capacity?  
R10a. Encouraging new programs and policies to divert waste from the landfill.
- Q10b. Do you have any projections for future demand based on projected growth in the region?  
R10b. RecycleWorks does not track this data. This item is most likely addressed in the County General Plan. The County produced both a Siting Element and the San Mateo County Integrated Waste Management Plan. Every five years the County works with City County Association of Governments (C/CAG) to update the documents. These documents include some discussion on future planning.
- Q10c. What would be needed to meet the cumulative demand for landfill capacity?  
R10c. Siting or expanding landfill capacity, encouraging zero waste and many other diversion programs.
- Q11. Please provide any recommendations that could reduce the demand for landfill capacity created by the proposed project and cumulative development.  
R11. Comply with the County Waste Management Plan. Design garbage and recycling enclosures/locations for adequate space and access in mind. Incorporate the Build It Green checklist into the design to encourage the use of recyclable and sustainable materials. Encourage the homeowners association to encourage reuse by holding annual garage sales. Contact the local hauler to make sure the width and turns of the designed road is adequate for turning, maneuvering and the weight of the trucks to ensure serviceability.

## **SEWER SERVICES**

- Q1. Please describe the sizes and capacities of existing sewer lines that would serve the project site and the surrounding area. If possible, please include a map illustrating your description.  
R1. The size of the existing sewer lines in the project site area is 6" in diameter. Downstream sewer lines have larger diameters. Attached is a map indicating the Crystal Springs County Sanitation District (District) service area and the existing sewer lines surrounding the project site. The District relies on the Town of Hillsborough and the City of San Mateo (City) for the transport of sewage emanating from the District, and on the City's wastewater treatment plant for treatment of the sewage.

**Re: Proposed Ascension Heights Subdivision Environmental Impact Report (EIR)  
Solid Waste & Sewer Service**

September 17, 2008

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- Q2. Where is the wastewater treatment plant located that will serve the proposed project?  
R2. The wastewater treatment plant, which is owned and operated by the City, is located at 2050 Detroit Drive in San Mateo.
- Q3. Where does this plant discharge?  
R3. The plant discharges into the San Francisco Bay. Specific information regarding the wastewater treatment plant and discharge should be directed to the City.
- Q4. What is the NPDES permit number that regulates discharge from this plant?  
R4. As stated in R2, the City owns and operates the treatment plant and should be contacted to obtain the NPDES permit number. The City's phone number is (650) 522-7300.
- Q5. What is the design capacity for the wastewater treatment plant serving the proposed project?  
R5. The City should be contacted for this information.
- Q6. Are there any existing sewer service problems/deficiencies in the project area?  
R6. There are no known sewer service problems or deficiencies in the immediate project area; however, the District has identified through a Master Sewer Plan approximately \$2.3 Million in capital improvement projects within the District.
- There are capacity issues in the sewer lines downstream of the project area within the Town of Hillsborough and the City of San Mateo during wet weather events. Both downstream jurisdictions are evaluating projects to reduce wet weather sewer overflows. Based on the District's agreement with both downstream agencies, a portion of the costs associated with future projects will be paid by the District. The District currently has a \$1 Million loan from the County General Fund for a past capital improvement project completed by the Town of Hillsborough. The District also owes the City for their proportionate share of the current wastewater treatment plant project estimated at \$1.3 Million.
- Q6a. If sewer service problems/deficiencies exist, how would they affect the project?  
R6a. The additional flows from the subdivision will exacerbate the downstream capacity problems unless the wet weather issues are resolved.
- Q6b. What measures could the project incorporate to minimize the affect these sewer service problems/deficiencies on the project and surrounding uses?  
R6b. The project could minimize its impact on the downstream systems by completing capital improvement projects within the District that would reduce inflow and infiltration in an amount equal to the projected sewage discharge amount to the District from the project. This type of mitigation would mitigate the project's affect on downstream pipes by reducing or eliminating wet weather inflow and infiltration from the District to downstream of the project.

**Re: Proposed Ascension Heights Subdivision Environmental Impact Report (EIR)  
Solid Waste & Sewer Service**

September 17, 2008

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- Q7. "Currently, the SMWTP discharges an average daily flow of 13.8 mgd and has capacity to treat 15.7 mgd. This translates into a remaining capacity of 1.9 mgd at average daily flows that can be treated at the SMWTP." *Please verify this information is correct.*
- R7. The City should be contacted to verify this information.
- Q8. "The San Mateo Wastewater Treatment Plant has sufficient capacity to accommodate sewage generated by the proposed project." *Please verify this information is correct.*
- R8. The City should be contacted to verify this information.
- Q9. Will connection of the proposed project create any temporary interruption of service to existing customers? If the project will disrupt service, can you give us an estimate of how long the interruption would last?
- R9. The District will not allow interruption of service to existing customers. Sewer lines affected by the project may require by-pass pumping during construction.
- Q10. Is recycled water within the project area, or that could serve the project site?
- R10. There is no recycled water within the project area.
- Q11. What sewage generation rates does the Department of Public Works use?
- R11. The San Mateo County Department of Public Works in its capacity of administering the Crystal Springs County Sanitation District uses the sewage generation rate of 220 gallons per day per equivalent residential unit.
- Q12. In addition to addressing project-specific impacts to sewer service, the EIR will also address cumulative impacts to sewer service. We are in the process of compiling a list of reasonably foreseeable development in the County. Table 1, Related Projects List includes a list of some of the other major, reasonably foreseeable approved development in the County in proximity to the proposed project's location (refer to Figure 3, Location of Related Projects). However, additional projects will likely be added to the list as our research continues. Can the District accommodate the demand for sewer services associated with these projects in conjunction with the project?
- R12. There are two (2) other projects listed in Table 1 that are within the District boundary. Project No. 1 is a San Francisco Public Utilities Commission water pipeline improvement project, which does not affect sewer service demand. All other projects, except for Project No. 4, are located in the City and do not affect the District's sewer service demand. Project No. 4 will receive similar comments related to capacity and downstream sewer impacts as the project being contemplated.
- Q12a. How does your agency address the growing demand for sewer services?
- R12a. The District is predominantly built-out and does not experience a growing demand for sewer service.

The District has a Sewer Master Plan prepared by Brown and Caldwell in 1999, which evaluated the District's sewer system using hydraulic modeling. The District upgraded a portion of the Polhemus Road trunk line in 2003 as it was identified in the master plan as being hydraulically deficient to meet peak wet weather flow conditions. The project replaced the existing

Mr. Byron Easton, Associate Environmental Planner  
Christopher A. Joseph & Associates

**Re: Proposed Ascension Heights Subdivision Environmental Impact Report (EIR)  
Solid Waste & Sewer Service**

September 17, 2008

Page 6

10" vitrified clay pipes with 12" to 15" plastic pipes. A copy of the master plan can be obtained on our website at [www.co.sanmateo.ca.us/sewers](http://www.co.sanmateo.ca.us/sewers)

As mentioned above in R6 there are additional projects that the District has proposed, which are based on the Master Plan. The remaining projects were identified based on structural deficiencies and maintenance efforts.

Q12b. Do you have any projections for future demand based on projected growth in the region?

R12b. We do not have any projections for future demand based on projected growth in the District.

Q12c. What would be needed to meet the cumulative demand for sewer services capacity?

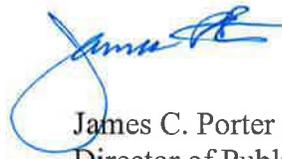
R12c. The developer of the proposed subdivision must demonstrate that the District sewer mains utilized to transport sewage from the subdivision has the peak wet weather capacity for conveying the additional flow to be generated by the 25 residences. If it's determined that the lines are insufficient to convey additional flow, the developer may need to upgrade the sewer lines to accommodate this subdivision. This study and work will not, however, resolve the downstream capacity issues. As mentioned in R6b, a project to reduce inflow and infiltration in the District could offset any increase in sewage produced by the proposed subdivision.

Q13. Do you have any recommendations that would avoid or mitigate significant impacts on the existing system?

R13. See R6b and R12c.

If you have any other questions, please contact Lillian Clark at (650) 599-1447 regarding solid waste services, and Ann Stillman at (650) 599-1417 regarding sewer services.

Very truly yours,



James C. Porter  
Director of Public Works

JCP:AMS:JY:sdd

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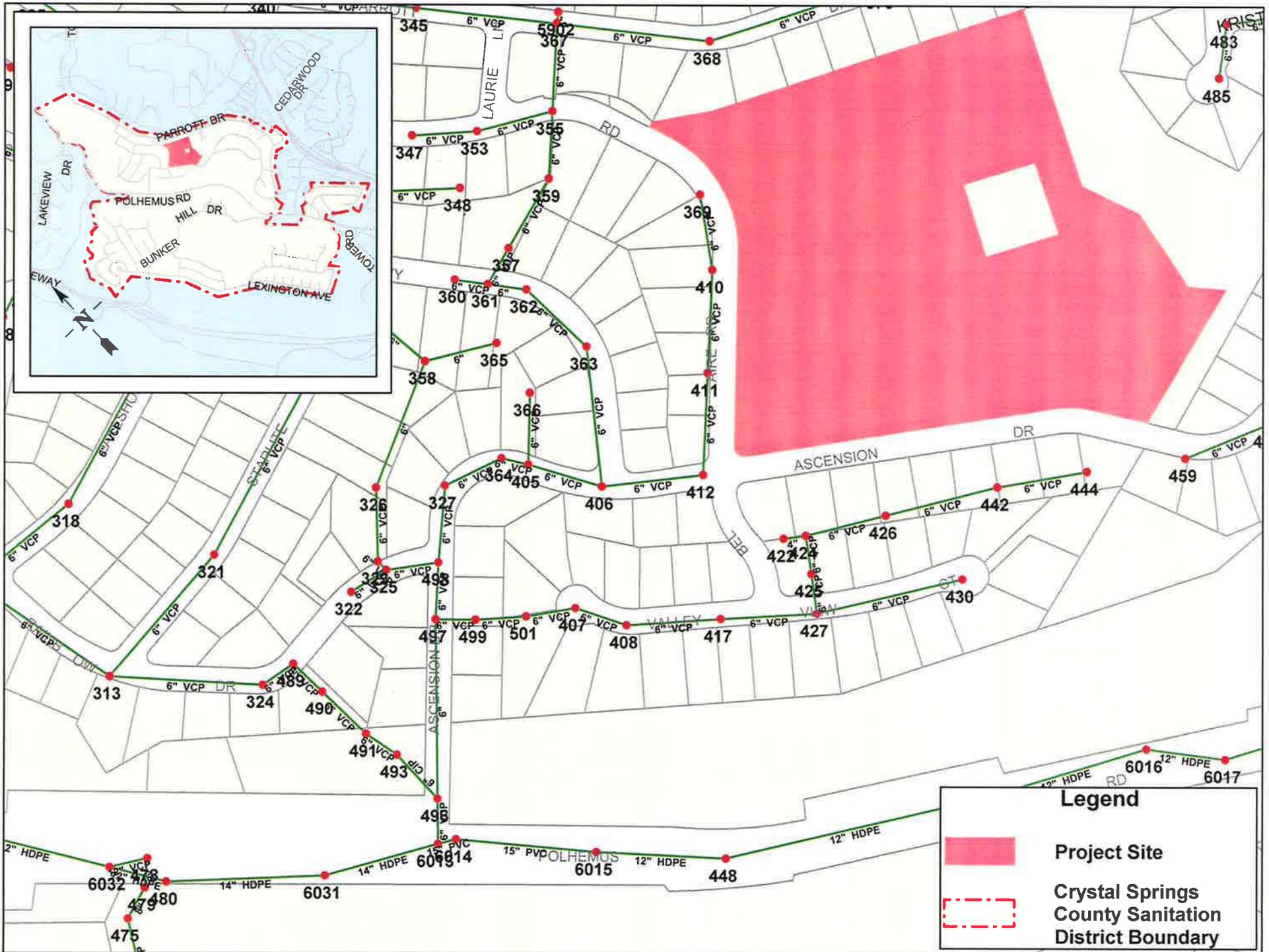
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F-351 (26C)

Encl: Exhibit A – Map of Crystal Springs County Sanitation District Service Area and  
Project Site Surrounding Area

cc: Ann M. Stillman, Principal Civil Engineer, Utilities-Flood Control-Watershed Protection  
Lillian Clark, RecycleWorks Program Manager, Waste and Environmental Services  
Julie Young, Senior Civil Engineer, Utilities-Flood Control-Watershed Protection

# Exhibit A



**From:** "Demouthe, Jean" <  
**To:** "Jay Mazzetta" <JMazzetta@co.sanmateo.ca.us>, "Jim Eggemeyer" <JEggemeye...  
**Date:** 10/27/2008 3:39 PM  
**Subject:** RE: EIR for your review

Dear Jim & Jay:

here are my comments about the Ascension Heights EIR:

- they need to define the physical relationship between the sandstone and the greenstone (i.e. who's on top? nature of the contact?)
- colluvium reported to be up to 5 feet deep in old swales but this doesn't seem to bother them.
- regarding the cross-sections....where is the greenstone? And they should show bedding orientation in the sandstone (diagrammatically at least) on the sections.
- serious gully erosion present. Drainage is going to be a serious problem, during and after grading and construction. Erosion hazard, too. But the report skims over these problems.
- project has huge amount of grading, and will result in very steep slopes. Potential for lots of erosion.
- the bedding is described as having a shallow dip to the NE, which makes the north and northeast slopes dipslopes, with the potential for slope stability problems. It is odd that they say (page 7: landslides) that this slope has the lowest susceptibility for failure.
- the text says there is little hazard from deep-seated landslides, but the hazard analysis (page 18) says there are weak zones below (?) the sandstone that could result in deep failure.
- with all the grading planned, it is hard to imagine that there will still be a potential for debris flow failures, unless areas of colluvium, deep soils, or unengineered fill will remain on the site.
- I agree that landslide hazards on this site are significant, but their justification for saying so seems to be at odds with information in the early part of the report. This whole hazard analysis section reads like it was written by a different person (who didn't read the first part of the report).
- why does the EIR contain engineering recommendations? (page 19) This reads like it was culled right out of the Michelucchi report.

I've got a mess o' graduate students coming in 15 minutes, so I'll stop now.  
Call me if you have questions.

J.

Dr. Jean F. DeMouthe  
Senior Collections Manager for Geology  
California Academy of Sciences  
55 Music Concourse Drive, Golden Gate Park  
San Francisco, California 94118

(415) 379-5258

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

From: Jay Mazzetta [mailto:JMazzetta@co.sanmateo.ca.us]  
Sent: Monday, October 27, 2008 3:03 PM  
To: Demouthe, Jean  
Subject: EIR for your review

Jean,  
Jim needs your comments today.

Save Paper.  
Think before you print.

**From:** James Castaneda  
**To:** Jim Eggemeyer  
**Date:** 11/13/2008 4:36 PM  
**Subject:** RE: Ascension Follow-up  
**Attachments:** 2. Ascension Subdivision Report 08122008.pdf

Jim,

I just wanted to run a couple of things by you. CAJA has expressed concerns over Fire's issue with the proposed 20% grade of the EVA road. Fire recommended a maximum 15% grade, which will not be possible given the terrain. CAJA was seeking our thoughts on the matter, and before I responded, I wanted to get your take on this. Given that provisions exist to allow exceptions of up to 20% in the design standards, I feel it would be acceptable. Although, this is obviously contrary to fire's recommendations, so I'm not sure how we want to have that reflected.

A second point is the photo simulations. Mr. Thomas has expressed no interest in pursuing updated photo sims and insists that the computer model is sufficient. With that, I'll start working with CAJA proceed with what we have sans updated sims. I will warn Mr. Thomas that while we can attempt to move forward with the EIR without updated sims, this may come up again as we near a public hearing. I have to assume that the public, as well as the PC, will hold his subdivision to the same standard as Highlands Estates with their sims. Let me know if you have any further thoughts on this matter. Thanks Jim.

JAMES

>>> On 11/12/2008 at 9:23 AM, "Jennie Anderson"  
<[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com)> wrote:

Hi James,

I wanted to follow-up with you on the scheduling for the Ascension EIR, as per the Draft schedule we are to submit a PDF copy of the Screencheck DEIR (SDEIR) today for County review and approval as the Draft EIR (DEIR). At this point we are still continuing to update the SDEIR, based on the County's comments, including working with our Geologist for GEO section updates. If possible, I would also like to include all of the outstanding items that we are waiting on from the Applicant or County in our SDEIR analysis (i.e., SIMS, HYDRO, LAFCO, graphic edits, etc.), so that the document is accurate and updated appropriately. Having a complete SDEIR is an important component of the EIR process, as this will (once approved by County for appropriate comment incorporation) be the used as the DEIR template for public circulation. Please let me know your thoughts on

submittal deadlines and outstanding data. We could submit piecemeal sections that are “completed”; however, the outstanding data could have a ripple effect throughout the document.

## **Questions/Comments**

**(1)** On a side note, regarding the CALFIRE concerns about percent street grade, I am concerned that the requested overall 15% road grade may not be possible. Per the 2008 Hexagon Report (see attached) for street grades: “*Street Grades*

*The Site plan shows a maximum grade of 20%. According to San Mateo County standards, the typical maximum grade is 15% with up to 20% allowed by design exception. Thus, the proposed grades are acceptable by design exception. Given the terrain of the site, it would not be possible to reduce the grades to 15%.”*

*I can talk to our Geologist and Traffic Engineer regarding the CALFIRE concerns, but wanted to get your take on the above conflict.*

**(2)** *Do you have a copy of the January 15, 2004 M&A GEO Report: “Response to Third Party Review of Ascension Heights Subdivision, San Mateo County, California”? We do not have this in our files unfortunately and I would like to include in the DEIR appendices.*

*Thanks for your help,  
Jennie*

*Jennie Anderson  
Project Manager  
**Christopher A. Joseph & Associates**  
Direct: (707) 676-1902*

**From:** James Castaneda [<mailto:JCastaneda@co.sanmateo.ca.us>]  
**Sent:** Thursday, November 06, 2008 3:29 PM  
**To:** Jennie Anderson  
**Subject:** RE: Ascension Follow-up

*Jennie,*

*I apologies for getting some of the responses piecemeal, but I wanted to send a few things as I'm off tomorrow. Here are a couple of things I have for you, and items we're waiting on and/or need to get:*

1. On page III-39, the address for the CALFIRE station 17 should be 320 Paul Scannell Drive, San Mateo,

CA.

2. The school mentioned at 201 Polhemus Road on page IV.H-18 is The Odyssey School, a charter school that current operates under a Use Permit to operated within the RM zoning district. The school is limited to 45 students, and can not exceed that without amending their Use Permit.

Waiting on:

1. I'm waiting to hear back from Martha Poyatos, our LAFCo staff member, in regards to the portions of the ADEIR that mention LAFCo (pages III-35 and III-40). I do know that on page IV.F-14, Martha's comments was to suggest adding the following: "The LAFCo annexation process is subject to discretionary action by the Board of Supervisors to adopt property tax exchange resolution to transfer property tax from general county property tax to the affected county-governed special district." I'm thinking her comments on the others are along the same lines. As soon as I hear back from her, Ill pass that along.

2. I'm waiting to hear back from Long Range planning to determine if the CAP is consistent with the General Plan. Ill send them follow up email this afternoon.

3. Our public works staff member should be confirming the mitigation measures PS-2 for us shortly. Ill send his comments/corrections as soon as I get them.

Im trying to draft up a letter to email Mr. Thomas regarding some the updated items we need, as well as the situation with the AES simulations. As those comes in, Ill pass those along as well.

I did want to mention that Pete Munoa, Fire Marshall with CALFIRE, indicated during his review of the ADEIR he noticed that it did not incorporate his recommendations and requirements based on his response dated September 20, 2008. I just wanted to check in to see if that was received. If not, I can get you a copy of that. Just let me know when you have a chance.

JAMES

>>> On 11/6/2008 at 11:22 AM, "Jennie Anderson" <[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com)> wrote:

Thanks James for the update. No problem at all, I was just trying to move forward with the updated schedule; however, I am aware that we may be a bit behind pending the receipt and possible preparation of SIMs and peer review of Applicant HYDRO data, etc.

To answer your question, the SIM updates were not included in the executed Contract Amendment #1 (CA #1). Based on a conversation with Matt S. in July 2008 (see attached memo) we decided that due to

*the controversial nature of the project that we would have to analyze the environmental impacts associated with the EVA road (and other project updates from 2003 VTM; i.e., drainage, etc.) as part of the PD and not solely as an alternative. This differed from the CA #1. Therefore, additional SIMs and GEO, HYDRO section updates (among others) surfaced as we moved forward during PD/EIR analysis and in response to various comments received, etc. from County. To date we have been utilizing the existing CA #1 budget for the associated work, but are running low on budget and are unable to cover the additional associated costs for SIMs, etc.*

*Please let me know if you have additional questions.*

*Best,  
Jennie*

*Jennie Anderson  
Project Manager  
**Christopher A. Joseph & Associates**  
Direct: (707) 676-1902*

**From:** James Castaneda [<mailto:JCastaneda@co.sanmateo.ca.us>]  
**Sent:** Wednesday, November 05, 2008 4:56 PM  
**To:** Jennie Anderson  
**Subject:** Re: Ascension Follow-up

*Jennie,*

*Ill try to have some of the material for tomorrow. I apologize for not getting back to your earlier, as I've been attending a maditory work shop and putting out other various fires around here. After meeting with Lisa Grote, she agrees we should convince Mr Thomas of the benefits of updating the simulations. Before having that discussion with him, I was going to also provide him with the laundry list of items we need to fill in the gaps with the EIR which I should have done in the morning. Just so I'm clear (because I know he's going to ask), the updated simulations were NOT part of the Board approved contract as a minor oversight, correct? Let me know if I misunderstood that.*

*A quick note in regards to my comments: in reviewing Jim's redlines, he pretty much hit everything I had, which were mostly typo and what was discussed via our conference call .*

*Again, Ill get you what I needed to follow up with you hopefully by tomorrow (Thursday) afternoon, and confirm with you the items we need from Dennis Thomas.*

*JAMES*

>>> On 11/4/2008 at 5:04 PM, "Jennie Anderson" <[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com)> wrote:

Hello,

Thank you Jim for sending over your ADEIR #2 comments via Fed-Ex, which I have been incorporating into the Screencheck DEIR (SDEIR). Per our Thursday, October 30<sup>th</sup> conference call, I wanted to follow-up on a couple of items that you mentioned the County would be providing and/or verifying. Please see list below and let me know if you have any updates or associated questions. Additionally, I will send you an electronic copy of the SSU Cultural Records search done for the site shortly.

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  - Approximately \$5,000 total for 4 simulation updates (equates to modification of existing files and approximately 35-40 hrs of CAJA labor). This total is based on the availability of the Applicant CAD files utilized for the EVA Road Elevations (refer to example Figure III-16 in the DEIR).
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Thanks in advance for any information you can provide. Those items that may require additional turnaround time on behalf of CAJA include the underlined HYDRO and AES requests, which may impact the scheduled SDEIR submittal date of November 12<sup>th</sup>. However, per our conversation, it is important to ensure that we have the most current and applicable data presented in the public DEIR due to the controversial nature of this project.

FYI: I will be out of the office tomorrow hosting an AEP CEQA Workshop, returning to the office on Thursday. I will have limited email access, but will try to respond as quickly as possible to any correspondence.

Regards,  
Jennie Anderson  
Project Manager  
[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com)  
**Christopher A. Joseph & Associates**

*Environmental Planning and Research  
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**P** Please consider the environment before printing this e-mail

**From:** Jim Eggemeyer  
**To:** James Castaneda  
**Date:** 11/17/2008 11:05 AM  
**Subject:** RE: Ascension Follow-up

We need to talk face to face on these issues when we can cross paths.

Thanks.

jke

Save Paper.  
Think before you print.

>>> James Castaneda 11/13/2008 4:36 PM >>>

Jim,

I just wanted to run a couple of things by you. CAJA has expressed concerns over Fire's issue with the proposed 20% grade of the EVA road. Fire recommended a maximum 15% grade, which will not be possible given the terrain. CAJA was seeking our thoughts on the matter, and before I responded, I wanted to get your take on this. Given that provisions exist to allow exceptions of up to 20% in the design standards, I feel it would be acceptable. Although, this is obviously contrary to fire's recommendations, so I'm not sure how we want to have that reflected.

A second point is the photo simulations. Mr. Thomas has expressed no interest in pursuing updated photo sims and insists that the computer model is sufficient. With that, I'll start working with CAJA proceed with what we have sans updated sims. I will warn Mr. Thomas that while we can attempt to move forward with the EIR without updated sims, this may come up again as we near a public hearing. I have to assume that the public, as well as the PC, will hold his subdivision to the same standard as Highlands Estates with their sims. Let me know if you have any further thoughts on this matter. Thanks Jim.

JAMES

>>> On 11/12/2008 at 9:23 AM, "Jennie Anderson" <[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com)> wrote:

Hi James,

I wanted to follow-up with you on the scheduling for the Ascension EIR, as per the Draft schedule we are to submit a PDF copy of the Screencheck DEIR (SDEIR) today for County review and approval as the Draft EIR (DEIR). At this point we are still continuing to update the SDEIR, based on the County's comments, including working with our Geologist for GEO section updates. If possible, I would also like to include all of the outstanding items that we are waiting on from the Applicant or County in our SDEIR analysis (i.e., SIMS, HYDRO, LAFCO, graphic edits, etc.), so that the document is accurate and updated appropriately. Having a complete SDEIR is an important component of the EIR process, as this will (once approved by County for appropriate comment incorporation) be the used as the DEIR template for public circulation. Please let me know your thoughts on submittal deadlines and outstanding data. We could submit piecemeal sections that are "completed"; however, the outstanding data could have a ripple effect throughout the document.

## Questions/Comments

(1) On a side note, regarding the CALFIRE concerns about percent street grade, I am concerned that the requested overall 15% road grade may not be possible. Per the 2008 Hexagon Report (see attached) for street grades: "Street Grades

*The Site plan shows a maximum grade of 20%. According to San Mateo County standards, the typical maximum grade is 15% with up to 20% allowed by design exception. Thus, the proposed grades are acceptable by design exception. Given the terrain of the site, it would not be possible to reduce the grades to 15%."*

*I can talk to our Geologist and Traffic Engineer regarding the CALFIRE concerns, but wanted to get your take on the above conflict.*

(2) Do you have a copy of the January 15, 2004 M&A GEO Report: "Response to Third Party Review of Ascension Heights Subdivision, San Mateo County, California"? We do not have this in our files unfortunately and I would like to include in the DEIR appendices.

Thanks for your help,  
Jennie

Jennie Anderson  
Project Manager  
Christopher A. Joseph & Associates  
Direct: (707) 676-1902

**From:** James Castaneda [<mailto:JCastaneda@co.sanmateo.ca.us>]  
**Sent:** Thursday, November 06, 2008 3:29 PM  
**To:** Jennie Anderson  
**Subject:** RE: Ascension Follow-up

Jennie,

*I apologies for getting some of the responses piecemeal, but I wanted to send a few things as I'm off tomorrow. Here are a couple of things I have for you, and items we're waiting on and/or need to get:*

1. On page III-39, the address for the CALFIRE station 17 should be 320 Paul Scannell Drive, San Mateo, CA.
2. The school mentioned at 201 Polhemus Road on page IV.H-18 is The Odyssey School, a charter school that current operates under a Use Permit to operated within the RM zoning district. The school is limited to 45 students, and can not exceed that without amending their Use Permit.

Waiting on:

1. I'm waiting to hear back from Martha Poyatos, our LAFCo staff member, in regards to the portions of the ADEIR that mention LAFCo (pages III-35 and III-40). I do know that on page IV.F-14, Martha's comments was to suggest adding the following: "The LAFCo annexation process is subject to discretionary action by the Board of Supervisors to adopt property tax exchange resolution to transfer property tax from general county property tax to the affected county-governed special district." I'm thinking her comments on the others are along the same lines. As soon as I hear back from her, Ill pass that along.
2. I'm waiting to hear back from Long Range planning to determine if the CAP is consistent with the General Plan. Ill send them follow up email this afternoon.
3. Our public works staff member should be confirming the mitigation measures PS-2 for us shortly. Ill send his comments/corrections as soon as I get them.

*Im trying to draft up a letter to email Mr. Thomas regarding some the updated items we need, as well as the situation with the AES simulations. As those comes in, Ill pass those along as well.*

*I did want to mention that Pete Munoa, Fire Marshall with CALFIRE, indicated during his review of the ADEIR he noticed that it did not incorporate his recommendations and requirements based on his response dated September 20, 2008. I just wanted to check in to see if that was received. If not, I can get you a copy of that. Just let me know when you have a chance.*

JAMES

>>> On 11/6/2008 at 11:22 AM, "Jennie Anderson" <[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com)> wrote:

*Thanks James for the update. No problem at all, I was just trying to move forward with the updated schedule; however, I am aware that we may be a bit behind pending the receipt and possible preparation of SIMs and peer review of Applicant HYDRO data, etc.*

*To answer your question, the SIM updates were not included in the executed Contract Amendment #1 (CA #1). Based on a conversation with Matt S. in July 2008 (see attached memo) we decided that due to the controversial nature of the project that we would have to analyze the environmental impacts associated with the EVA road (and other project updates from 2003 VTM; i.e., drainage, etc.) as part of the PD and not solely as an alternative. This differed from the CA #1. Therefore, additional SIMs and GEO, HYDRO section updates (among others) surfaced as we moved forward during PD/EIR analysis and in response to various comments received, etc. from County. To date we have been utilizing the existing CA #1 budget for the associated work, but are running low on budget and are unable to cover the additional associated costs for SIMs, etc.*

*Please let me know if you have additional questions.*

*Best,  
Jennie*

*Jennie Anderson  
Project Manager  
**Christopher A. Joseph & Associates**  
Direct: (707) 676-1902*

**From:** James Castaneda [<mailto:JCastaneda@co.sanmateo.ca.us>]  
**Sent:** Wednesday, November 05, 2008 4:56 PM  
**To:** Jennie Anderson  
**Subject:** Re: Ascension Follow-up

*Jennie,*

*Ill try to have some of the material for tomorrow. I apologize for not getting back to your earlier, as I've been attending a maditory work shop and putting out other various fires around here. After meeting with Lisa Grote, she agrees we should convince Mr Thomas of the benefits of updating the simulations. Before having that discussion with him, I was going to also provide him with the laundry list of items we need to fill in the gaps with the EIR which I should have done in the morning. Just so I'm clear (because I know he's going to ask), the updated simulations were NOT part of the Board approved contract as a minor oversight, correct? Let me know if I misunderstood that.*

*A quick note in regards to my comments: in reviewing Jim's redlines, he pretty much hit everything I had, which were mostly typo and what was discussed via our conference call .*

*Again, Ill get you what I needed to follow up with you hopefully by tomorrow (Thursday) afternoon, and confirm with you the items we*

need from Dennis Thomas.

JAMES

>>> On 11/4/2008 at 5:04 PM, "Jennie Anderson" <[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com)> wrote:

Hello,

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FYI: I will be out of the office tomorrow hosting an AEP CEQA Workshop, returning to the office on Thursday. I will have limited email access, but will try to respond as quickly as possible to any correspondence.

Regards,

Jennie Anderson

Project Manager

[jennie.anderson@cajaeir.com](mailto:jennie.anderson@cajaeir.com)

**Christopher A. Joseph & Associates**

Environmental Planning and Research

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**Petaluma · Oakland · Santa Clarita · Los Angeles · Agoura Hills · Mammoth Lakes**

**From:** James Castaneda  
**To:** Pete Munoa  
**CC:** Jim Eggemeyer  
**Date:** 12/3/2008 4:20 PM  
**Subject:** Ascension Heights

Pete,

I was wondering if you had a free moment to talk with either Jim Eggemeyer and/or myself regarding the emergency access road proposed for the Ascension Heights subdivision. The EIR consultants have acknowledged Cal-Fire's recommendation for the road not to exceed a 15% grade, which potentially could be an issue due to engineering and topography constrains preventing a grade no less that 20%. Please let me know when we might take a few minutes of your time to discuss as to get this issue ironed out before publication of the document. Thanks Pete.

Regards,  
JAMES

---

**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

# **Ascension Subdivision Residential Development**

## **Draft Traffic Analysis Report**

*Prepared for:*

San Mateo County

*Prepared by:*

Hexagon Transportation Consultants, Inc.

August 12, 2008

03MH08  
KS, SO

Ascension Subdivision Report.doc

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- Appendix B: TIRE Index

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# 1. Introduction

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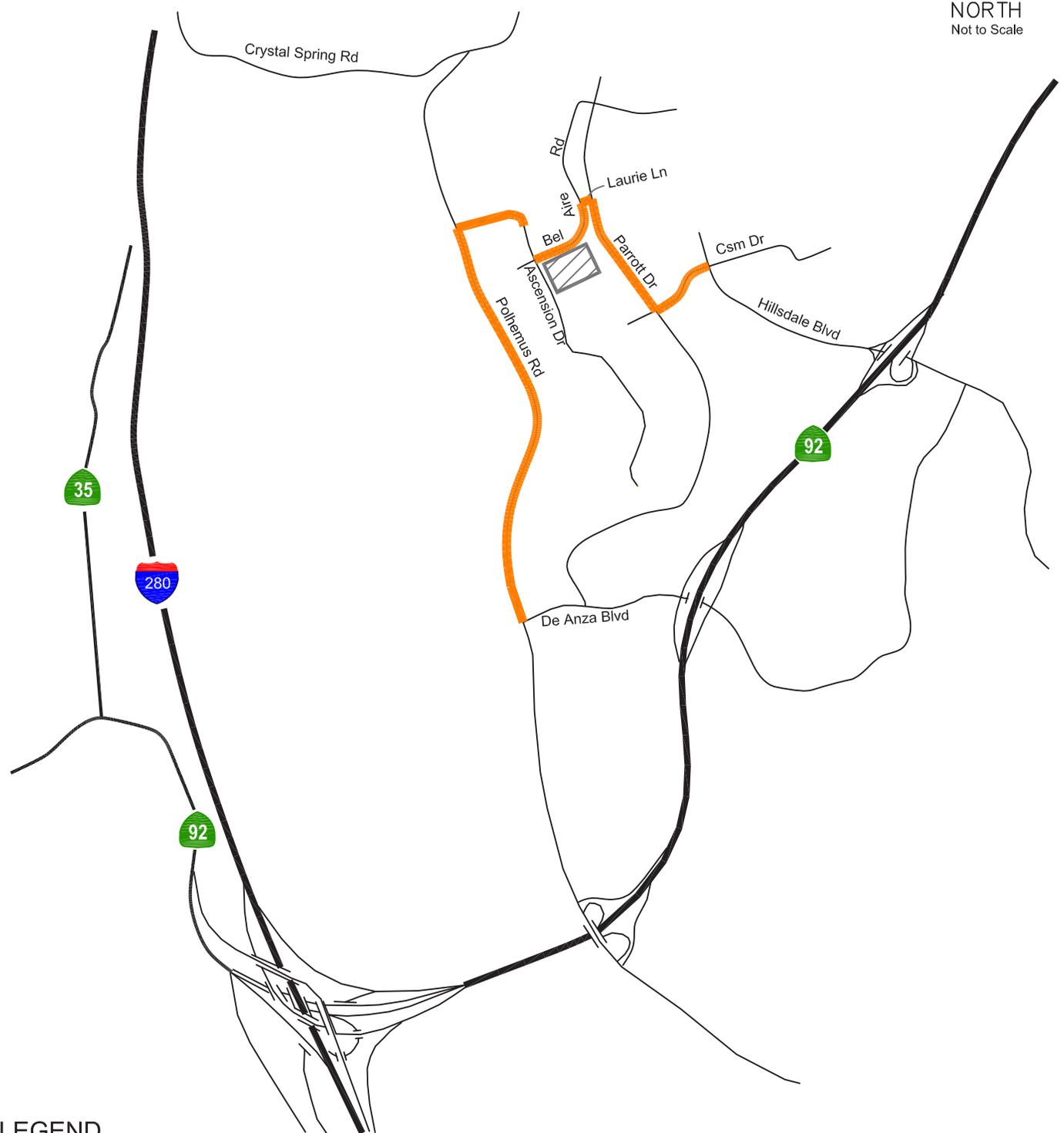
This report presents the results of the traffic impact analysis conducted for the Ascension Subdivision residential development in San Mateo County, California. The project site is located at the northeast corner of Bel Aire Road and Ascension Drive in the San Mateo Highlands, an unincorporated area in San Mateo County. The project consists of development of six parcels totaling 13.3 acres to construct 25 new single-family-detached residential dwelling units. The site is currently vacant. Parking will be provided on site at the individual residences and in designated areas on the street system on site. Access to the site is provided via Bel Aire Road. The project site location and the surrounding study area are shown on Figure 1.

## Scope of Study

This study was conducted for the purpose of identifying the potential traffic impacts related to the proposed development. The impacts of the project were evaluated following the standards and methodologies set forth by San Mateo County. Since the project would add less than 100 peak hour trips to regional roads, no analysis under the Congestion Management Program (CMP) of the City/County Association of Governments (C/CAG) is required. The traffic analysis is based on 24-hour daily traffic volumes and project trips on the study roadway segments. The study roadway segments are identified below.

## Study Roadway Segments

Polhemus Road  
Ascension Drive  
Bel Aire Road  
Laurie Lane  
Parrott Drive  
CSM Drive



**LEGEND**

 = Site

Figure 1

**SITE LOCATION AND STUDY ROADWAY SEGMENTS**

 Hexagon  
 Transportation Consultants, Inc.

Ascension Subdivision - Residential Development

These are the roadways that would be most affected by project traffic. Traffic conditions on the 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 peak hour is typically between 4:00 and 6:00 PM. It is during these periods that the most congested traffic conditions occur on an average day.

## Analysis Scenarios

Traffic conditions were evaluated for the following scenarios:

- *Existing Conditions*                      Year 2008
- *Background Conditions*                Existing traffic plus traffic added by approved development
- *Project Conditions*                        Background Conditions plus the proposed project
- *Cumulative Conditions*                 Cumulative conditions *with/without* the project

The data required for the analysis were obtained from new traffic counts, previous traffic studies, and the C/CAG Travel Demand Forecasting Model.

## Analysis Methodologies and Level of Service Standards

Roadway segments are analyzed by comparing the volume to capacity ratios. Typical capacity is about 20,000 vehicles per day on two-lane arterials and collectors and 2,000 vehicles per day on a residential street.

For the purposes of evaluating impacts related to the TIRE index, if (1) the roadway average daily traffic (ADT) with the project is greater than the roadway capacity AND (2) the TIRE index increases by 0.1 or more, then the project has a significant impact on the roadway.

### **TIRE Index**

Traffic conditions also were evaluated using the TIRE index (Traffic Infusion in Residential Environments). The TIRE index is a numerical representation of a resident’s perception of the effect of street traffic on activities such as walking, cycling and playing, and on daily tasks such as maneuvering an auto out of a residential driveway. The acronym for “Traffic Infusion on Residential Environments,” TIRE, is expressed by index values that range from zero, representing the least effect of traffic, to five representing the most severe effect:



According to the TIRE index, a given change in traffic volume will cause a greater impact on a residential environment with a low pre-existing volume than it would on a street with a higher pre-existing volume. Any traffic change that would cause an index change of 0.1 or more would be noticeable to street residents. Streets with TIRE levels above the midrange index of 3 are traffic-dominated, while those with indexes below 3 are better suited for residential activities (See Appendix B).

### ***On-Site Circulation***

Any feature of the site layout that might result in unsafe pedestrian or vehicular circulation would be considered a significant impact. Revisions to the site plan also may be recommended to make the site circulation function more efficiently. Any on-site circulation recommendations that are not related to safety are not considered significant impacts under the California Environmental Quality Act (CEQA) but may be required as a condition of approval.

## 2. Existing Conditions

---

The project site is located at the northeast corner of Bel Aire Road and Ascension Drive in the San Mateo Highlands, an unincorporated area in San Mateo County. The project consists of development of six parcels totaling 13.3 acres to construct 25 new single-family-detached residential dwelling units. The site is currently vacant. Parking will be provided on site at the individual residences and in designated areas on the street system on site. Access to the site is provided via Bel Aire Road.

### Site Access and Surrounding Roadway Network

Regional access to the project site is provided via State Route (SR) 92.

*SR 92* is a four-lane east-west freeway in the vicinity of the site. SR 92 extends from Half Moon Bay in west San Mateo County to Hayward in Alameda County. Access to the project site is provided by its interchanges at Polhemus Road, De Anza Boulevard, and Hillsdale Boulevard.

Local access to the site is provided by Polhemus Road, Ascension Drive, Bel Aire Road, De Anza Boulevard, Parrott Drive, Laurie Lane, West Hillsdale Boulevard, and Csm Drive. These roadways and other local streets are described below.

*Polhemus Road* is a two-lane north-south arterial. Polhemus Road begins north of SR-92 and terminates at Crystal Springs, south of SR-92 it becomes Ralston Avenue. Access to the site is provided via Ascension Drive.

*Ascension Drive* is a two-lane east-west residential street with sidewalks; it begins east of Polhemus Road and terminates at Los Altos Drive. Access to the site is provided via Bel Aire Road.

*Bel Aire Road* is a two-lane local residential street with sidewalks and on-street parking on one side of the street. The project would have direct access to Bel Aire Road via a new subdivision street.

*De Anza Boulevard* is a two-lane east west collector with sidewalks, it begins east of Polhemus Road and continues over SR-92 and terminates at West Hillsdale Boulevard. Access to site is provided via Parrott Drive and Polhemus Road.

*Parrott Drive* is a two-lane north-south collector street with sidewalks, it begins north of De Anza Boulevard and continues across Laurie Lane. Access to the site is provided via Laurie Lane.

*Laurie Lane* is a short two-lane east-west local residential street with sidewalks. It begins at Bel Aire Road and terminates at Parrott Drive.

*West Hillsdale Boulevard* in the vicinity of the project site, is a two-to-six-lane east west arterial. West Hillsdale Boulevard has six lanes with a landscaped median west of SR-92, four lanes with a striped median between SR-92 and Glendora Drive, and two lanes east of Glendora Drive. Access to the site is provided via Csm Drive.

*CSM Drive* is a two-lane east-west collector street with sidewalks, it begins within the College of San Mateo and terminates west of Parrott Drive. Access to site is provided via Parrott Drive.

## **Existing Transit Service**

Transit service to the study area is provided by the San Mateo County Transit District (SamTrans) and Caltrain. These services are described below.

### ***SamTrans Bus Service***

There is one bus line that operates near the project site. The *260 line* provides service between the College of San Mateo and the San Carlos Caltrain station, via Polhemus Road-Ralston Avenue, Marine World Parkway and Redwood Shores, with 60-minute headways during commute hours.

### ***Caltrain Service***

Commuter rail service between San Francisco and Gilroy is provided by Caltrain. The project is located approximately three miles from the Hillsdale Caltrain station. The Hillsdale station is located near the interchange of Hillsdale Boulevard and El Camino Real. At the Hillsdale station, Caltrain provides service with approximately 10- to 20-minute headways during commute hours. The Hillsdale station has park and ride lots. There is no direct bus service from the site to Caltrain.

## **Existing Traffic Volumes**

The existing peak hour and 24-hour traffic volumes were obtained from new tube counts on the study roadway segments. The counts were conducted in late May 2008 while the College of San Mateo was in session. The existing AM, PM, and daily traffic volumes are shown on Figure 2. The traffic count data are included in Appendix A.

## **Existing Volume to Capacity Ratios**

The results of the V/C analysis under Existing Conditions are summarized in Table 1. The results show that the study roadway segments operate well within acceptable limits.



**LEGEND**

-  = Site
- XXXX** = Vehicles Per Day

Figure 2

**EXISTING TRAFFIC VOLUMES**

**Table 1**  
**Existing Volume to Capacity Ratios**

Roadway Segment	Street Classification	Capacity	Existing	
			Volume (vpd)	V/C
Polhemus Rd (btwn Ascension Dr & De Anza Blvd)	Arterial	20,000	4,298	0.21
Ascension Dr (btwn Polhemus Rd & Rainbow Dr)	Local	2,000	1,432	0.72
Bel Aire Rd (btwn Ascension Dr & Laurie Ln)	Local	2,000	695	0.35
Laurie Ln (btwn Bel Aire Rd & Parrott Dr)	Local	2,000	953	0.48
Parrott Dr (btwn Laurie Ln & Csm Dr)	Collector	20,000	2,145	0.11
CSM Dr (btwn Parrott Dr & Hillsdale Blvd)	Collector	20,000	2,545	0.13

(vpd) = Vehicles per day

**Existing TIRE Index**

The results of the TIRE index analysis under existing conditions are summarized in Table 2. Of the three local residential streets, Ascension Drive is operating slightly above the mid-range of the TIRE index. Polhemus Road, Parrott Drive and CSM Drive are more traffic-dominated, which is expected for collector or arterial streets.

**Table 2**  
**Existing TIRE Index of Roadway Segments**

Roadway Segment	Existing	
	Volume (vpd)	TIRE <sup>/a/</sup> Index
Polhemus Rd (btwn Ascension Dr & De Anza Blvd)	4,298	3.6
Ascension Dr (btwn Polhemus Rd & Rainbow Dr)	1,432	3.2
Bel Aire Rd (btwn Ascension Dr & Laurie Ln)	695	2.8
Laurie Ln (btwn Bel Aire Rd & Parrott Dr)	953	3.0
Parrott Dr (btwn Laurie Ln & Csm Dr)	2,145	3.3
CSM Dr (btwn Parrott Dr & Hillsdale Blvd)	2,545	3.4

/a/ Source: Goodrich Traffic Group  
(vpd) = Vehicles per day

### **3. Background Conditions**

---

Background conditions represent the traffic conditions that are expected to occur with the addition of traffic from approved developments and, as applicable, with the addition of developer-conditioned transportation improvements. Approved projects are those developments that have been approved but which are not yet constructed or occupied.

#### **Approved Development**

There are no developments that have been approved but not yet constructed in the vicinity of the project site. Trips generated by small or distant developments would be negligible on the study roadway segments. The effect of other foreseeable development that has not been approved by the County of San Mateo is addressed in the Cumulative analysis presented later in this report.

## 4. Project Conditions

---

Project conditions are defined as background conditions with the addition of traffic generated by the project.

The project site is located at the northeast corner of Bel Aire Road and Ascension Drive in the San Mateo Highlands, an unincorporated area in San Mateo County. The project consists of development of six parcels totaling 13.3 acres to construct 25 new single-family-detached residential dwelling units. The site is currently vacant. Access to the site will be provided via Bel Aire Road.

### Project Trip Generation, Distribution and Assignment

The magnitude of traffic added to the roadway system by the project was estimated by multiplying the applicable trip generation rates by the size of the development. Trip generation for the proposed project was estimated using the rates published in the Institute of Transportation Engineers (ITE) manual titled *Trip Generation*, Seventh Edition, 2003. The published rates are based on data collected from hundreds of studies conducted for projects with land uses similar to the use proposed for this project. The estimated peak-hour and daily trip generation totals for the project are shown in Table 3.

**Table 3**  
**Project Trip Generation**

Use	Size/a/	Daily		AM Peak Hour				PM Peak Hour			
		Rate	Trips	Rate	Trips			Rate	Trips		
					In	Out	Total		In	Out	Total
Single Family Detached Residential	25	9.57	239	0.75	5	14	19	1.01	16	9	25

/a/ Size expressed in dwelling units (d.u.)

Source: Institute of Transportation Engineers, *Trip Generation*, 7th Edition, 2003.

The table shows that the project would generate 239 new daily trips, with 19 new trips occurring during the AM peak hour and 25 new trips occurring during the PM peak hour.

The trip distribution pattern for the proposed project was estimated based on existing travel patterns on the surrounding roadway system and minimum travel times between the site and SR92. Travel time runs conducted for this study showed that the fastest route between the site and SR92 is via Laurie Lane, Parrott Drive, CSM Drive, and Hillsdale Boulevard. Nevertheless, some traffic was assumed to use Ascension Drive and Polhemus Road. Based on the trip distribution shown, the peak-hour trips generated by the proposed development were assigned to the roadway system following logical paths. The project trip distribution and assignment are shown on Figure 3.

### Project Peak Hour Traffic Volumes and V/C

The project trips, estimated as described above, were added to background traffic volumes to obtain project traffic volumes. The project traffic volumes are shown on Figure 4.

Traffic conditions at the study roadway segments were evaluated using V/C. The roadway segments' V/C for project conditions are summarized in Table 4. The results show that traffic increase on the all study roadway segments would be less than significant.

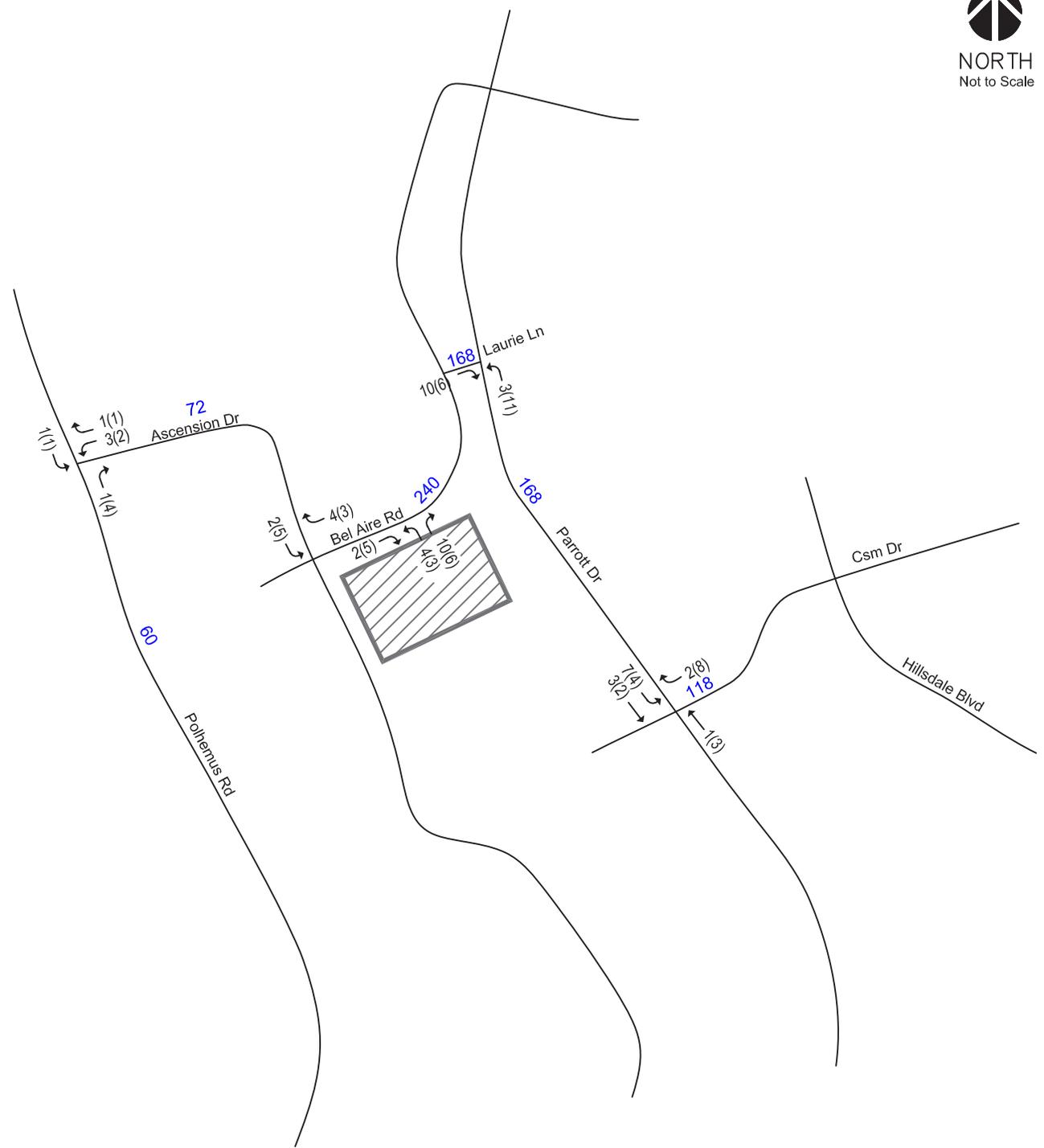
**Table 4**  
**Project Volume to Capacity Ratios**

Roadway Segment	Capacity (vpd)	Existing		Project		
		Volume (vpd)	V/C	Proj Trips (vpd)	Volume (vpd)	V/C
Polhemus Rd (Ascension Dr to De Anza Blvd)	20,000	4,298	0.21	+ 60	4,358	0.22
Ascension Dr (Polhemus Rd to Bel Aire Road)	2,000	1,432	0.72	+ 72	1,504	0.75
Bel Aire Rd (Ascension Dr to Laurie Ln)	2,000	695	0.35	+ 240	935	0.47
Laurie Ln (Bel Aire Rd to Parrott Dr)	2,000	953	0.48	+ 168	1,121	0.56
Parrott Dr (Laurie Ln to Csm Dr)	20,000	2,145	0.11	+ 168	2,313	0.12
CSM Dr (Parrott Dr to Hillsdale Blvd)	20,000	2,545	0.13	+ 118	2,663	0.13

(vpd) = Vehicles per day

### Project TIRE Index

Traffic conditions at the study roadway segments were evaluated using TIRE index (See Table 5). The results show that the traffic increase due to the project would cause three of the study roadway segments to incur a change to the TIRE index.



**LEGEND**

-  = Site
- XXXX** = Vehicles Per Day
- XX(X) = AM(PM) Peak Hour Trips

Figure 3

# PROJECT TRIP DISTRIBUTION AND ASSIGNMENT



**LEGEND**

-  = Site
- XXXX** = Vehicles Per Day

Figure 4

**TRAFFIC VOLUMES UNDER PROJECT CONDITIONS**

**Table 5  
Project TIRE Index of Roadway Segments**

Roadway Segment	Existing		Project		
	Volume (vpd)	TIRE <sup>/a/</sup> Index	Proj Trips (vpd)	Volume (vpd)	TIRE <sup>/a/</sup> Index
Polhemus Rd (btwn Ascension Dr & De Anza Blvd)	4,298	3.6	+ 60	4,358	3.6
Ascension Dr (btwn Polhemus Rd & Rainbow Dr)	1,432	3.2	+ 72	1,504	3.2
Bel Aire Rd (btwn Ascension Dr & Laurie Ln)	695	2.8	+ 240	935	3.0
Laurie Ln (btwn Bel Aire Rd & Parrott Dr)	953	3.0	+ 168	1,121	3.1
Parrott Dr (btwn Laurie Ln & Csm Dr)	2,145	3.3	+ 168	2,313	3.4
CSM Dr (btwn Parrott Dr & Hillsdale Blvd)	2,545	3.4	+ 118	2,663	3.4

/a/ Source: Goodrich Traffic Group  
(vpd) = Vehicles per day

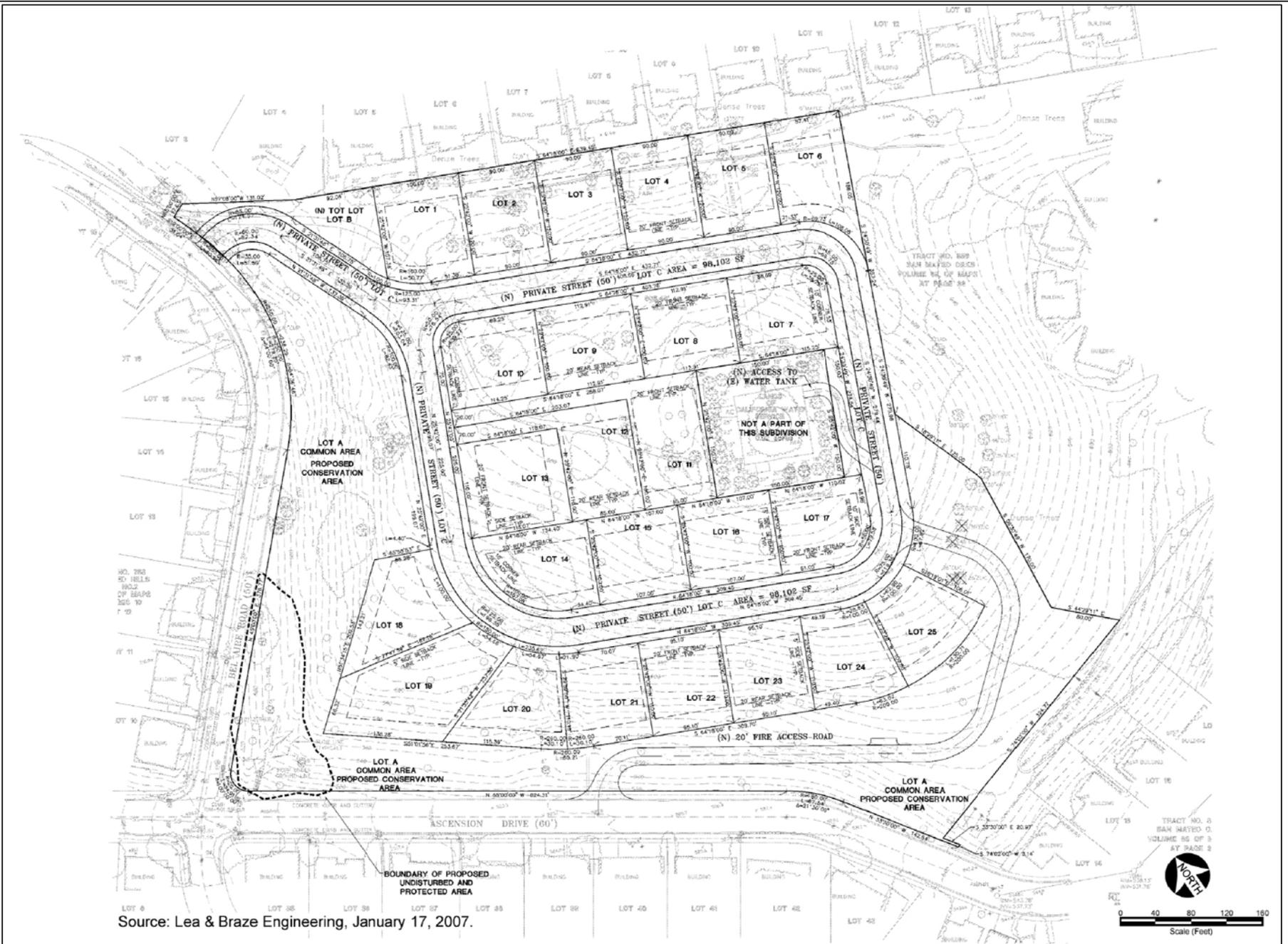
The increase in traffic due to the project would cause the TIRE index for Bel Aire Road to change from an index of 2.8 to 3.0. Similarly, the TIRE index for Laurie Lane would change from an index of 3.0 to 3.1, and the TIRE index for Parrott Drive would change from an index of 3.3 to 3.4. The definition of change in the TIRE index is that the traffic increase would be noticeable to residents along the street. Thus, the traffic increase due to the project would be noticeable on these roadways but not noticeable on the other area streets. Although the change in traffic volume would be noticeable, the traffic volume on Bel Aire Road and on Laurie Lane, two residential streets, would be well below the residential street threshold of 2,000 vehicles per day. Therefore, the traffic increase on Bel Aire Road and on Laurie Lane is considered less than significant. Similarly, while the increase in traffic would be noticeable on Parrott Drive, the traffic volume would be well below its threshold of 20,000 vehicles per day as a collector street. Therefore, the traffic increase on Parrott Drive is considered less than significant.

## Site Access and Circulation

Site access, circulation and parking were evaluated based on the site plan dated January 17, 2007. The site plan is shown on Figure 5.

### Site Access

Access to the site would be provided via a new subdivision street connecting to Bel Aire Road. The new subdivision street would be a public street. Emergency vehicle access to the project would be provided via the new subdivision street connecting to Bel Aire Road, as well as a new Emergency Vehicle Access Road to the subdivision, connecting to Ascension Drive.



Source: Lea & Braze Engineering, January 17, 2007.



Scale (Feet)  
0 40 80 120 160

Figure 5

# PROJECT SITE PLAN

Ascension Subdivision - Residential Development

## Sight Distances On Bel Aire Road

At the intersection of Bel Aire Road and the new subdivision street sight distance was checked.

For inbound left turns the sight distance is 210 feet. The Caltrans *Highway Design Manual* specifies minimum required sight distances as a function of vehicle speed. Vehicle speed is, in turn, a function of the design of Bel Aire Road. The estimated 85<sup>th</sup> percentile speed on Bel Aire Road is 29 miles per hour, which requires a minimum stopping sight distance of 200 feet. Since the available sight distance (210 feet) is greater than the minimum stopping sight distance (200 feet), the sight distance at this location is satisfactory.

For outbound left or right turns the sight distance is at least 260 feet. This sight distance is satisfactory for the prevailing speeds on Bel Aire Road.

### **Accident Evaluation**

Traffic accident records were obtained from the county for the years 1996 to 2002 for Polhemus Road, Ascension Road, Bel Aire Road, Laurie Lane, Parrott Drive, and CSM Drive (See Table 6). The records show that there has been one accident in the six-year period at each of the locations shown in Table 6. None of the accidents involved pedestrians. Also, none of accidents reported were due to lack of sight distance or roadway design features. Due to the low accident history, no further analysis was warranted.

**Table 6**  
**Accident Data Summary**

Location	No. of Accidents	Year	Type of Collision
Parrott Dr & CSM Dr	1	2001	Side Swipe
Parrott Dr & Bel Aire Rd	1	1997	Side Swipe
Bel Aire Rd & Laurie Ln	1	1997	Side Swipe
Polhemus Rd & Ascension Dr	1	1996	Hit Fixed Object

Source: San Mateo County - Collision Location Details

### **On-Site Circulation**

On-site circulation issues include street widths, grades, and curves.

#### **Street Widths**

The new subdivision street is shown to be generally 32 feet wide curb-to-curb. There is one section that would be 22 feet wide. Because of the steep grades and curves on site, it would be difficult for drivers to maneuver within 32 feet with parking on both sides. Therefore, parking should be allowed on only one side of the street. Parking should not be allowed on the 22-foot wide section.

## Street Grades

The Site plan shows a maximum grade of 20%. According to San Mateo County standards, the typical maximum grade is 15% with up to 20% allowed by design exception. Thus, the proposed grades are acceptable by design exception. Given the terrain of the site, it would not be possible to reduce the grades to 15%.

## Street Curves

The street curves were analyzed with typical vehicle templates, including cars and trucks, such as fire trucks or garbage trucks. The analysis showed that both cars and trucks could maneuver around the curves.

## **Pedestrian Access**

Pedestrian facilities in the area consist of sidewalks on the neighborhood streets. The project site plan shows that the new subdivision street would have sidewalks along most of the new subdivision street. Also, there would be separate sidewalks down the hill to Ascension Drive.

The sidewalks would be adequate to accommodate all pedestrian traffic between the project site and other local streets.

## **Congestion Management Program**

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. The analysis of project traffic on CMP roadway facilities indicates that the project would add approximately 19 trips to 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.

## **Construction Impacts**

The most noticeable traffic impact during construction will be hauling excavated soil from the site. The project civil engineer estimated 60,520 cubic yards of soil would need to be exported from the site. It is assumed that a tractor with double trailer would be used to haul the soil. A truck can carry about 20 cubic yards of soil per trip. Therefore there would be 3,026 truck round trips for exporting soil. The grading is estimated to be completed in about 44 days, so this calculates to about 69 truck round trips per day. The haul routes should be limited to SR-92, West Hillside Drive, Csm Drive, Parrott Drive, Laurie Lane, and Bel Aire Road. Heavy trucks are not recommended on Ascension Drive because it is so steep. The addition of 69 truck round trips per day to the roads in the area would be a temporary significant impact of the project. The project applicant has stated that parking for construction vehicles and workers can occur entirely on site. There would not be a need to park on Bel Aire Road.

## 5. Cumulative Conditions

---

Project buildout is expected to take approximately 5 years, so the expected completion date would be around 2013. The San Mateo County traffic model 2020 forecasts were used to estimate that growth in the area is projected to be about 5% per year. Thus, the existing volumes were increased 25% to represent 2013 conditions. This increase would cover currently proposed projects, such as the CSM housing, and other growth not yet defined. Traffic volumes under cumulative conditions are shown on Figure 6.

Table 7 shows the resulting volumes and V/C ratios on the study roadways. The roadways would continue to operate well within capacity.

**Table 7**  
**Cumulative Volume to Capacity Ratios**

Roadway Segment	Cap	Cumulative				
		W/out the Project		With the Project		
		Vol (vpd)	V/C	Proj Trips (vpd)	Vol (vpd)	V/C
Polhemus Rd (btwn Ascension Dr & De Anza Blvd)	20,000	5,373	0.27	+ 60	5,433	0.27
Ascension Dr (btwn Polhemus Rd & Rainbow Dr)	2,000	1,790	0.90	+ 72	1,862	0.93
Bel Aire Rd (btwn Ascension Dr & Laurie Ln)	2,000	869	0.43	+ 240	1,109	0.55
Laurie Ln (btwn Bel Aire Rd & Parrott Dr)	2,000	1,191	0.60	+ 168	1,359	0.68
Parrott Dr (btwn Laurie Ln & Csm Dr)	20,000	2,681	0.13	+ 168	2,849	0.14
CSM Dr (btwn Parrott Dr & Hillsdale Blvd)	20,000	3,181	0.16	+ 118	3,299	0.16

(vpd) = Vehicles per day



**LEGEND**

-  = Site
- XXXX** = Vehicles Per Day

Figure 6

**TRAFFIC VOLUMES UNDER CUMULATIVE CONDITIONS (WITH THE PROJECT)**

## 6. Summary of Findings

---

The potential impacts of the project were evaluated in accordance with typical traffic engineering standards. The study included the analysis of AM and PM daily traffic conditions for six roadway segments. Site access and on-site circulation also were analyzed, as well as construction impacts.

### Impacts and Recommendations

There would be a temporary significant impact due to truck trips during excavation. According to the applicant, the excavation would last about 44 days. Construction impacts should be minimized by restrictions on operating hours. Also, trucks should avoid Ascension Drive because of the steep grade.

The new subdivision street is planned to be 32 feet in width. Given the grades and curves, this width is inadequate to allow parking on both sides. Therefore, parking should be allowed on one side only.

**From:** "Munoa, Pete" <Pete.Munoa@fire.ca.gov>  
**To:** "James Castaneda" <JCastaneda@co.sanmateo.ca.us>  
**CC:** "Jim Eggemeyer" <JEggemeyer@co.sanmateo.ca.us>  
**Date:** 12/3/2008 10:40 PM  
**Subject:** RE: Ascension Heights

James,

Can you call me tomorrow after 1100. I would be glad to discuss my comments on the road. I am out of the area until the 20th.

650-245-1717

Pete

Peter A. Muñoa  
Battalion Chief  
San Mateo County Fire Marshal  
CAL FIRE  
San Mateo County Fire Department

Office - 650-573-3847  
Pager - 650-367-6023 #2104  
Fax - 650-573-3850

---

From: James Castaneda [mailto:JCastaneda@co.sanmateo.ca.us]  
Sent: Wed 12/3/2008 4:20 PM  
To: Munoa, Pete  
Cc: Jim Eggemeyer  
Subject: Ascension Heights

Pete,

I was wondering if you had a free moment to talk with either Jim Eggemeyer and/or myself regarding the emergency access road proposed for the Ascension Heights subdivision. The EIR consultants have acknowledged Cal-Fire's recommendation for the road not to exceed a 15% grade, which potentially could be an issue due to engineering and topography constrains preventing a grade no less that 20%. Please let me know when we might take a few minutes of your time to discuss as to get this issue ironed out before publication of the document. Thanks Pete.

Regards,  
JAMES

---

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

**From:** Jim Eggemeyer  
**To:** James Castaneda  
**Date:** 1/22/2009 11:34 AM  
**Subject:** Fwd: RE: EIR for your review

Going through old emails and found this one. Please review. Any problems?

jke

Save Paper.  
Think before you print.

>>> "Demouthe, Jean" < >>> 10/27/2008 3:39 PM >>>

Dear Jim & Jay:

here are my comments about the Ascension Heights EIR:

-they need to define the physical relationship between the sandstone and the greenstone (i.e. who's on top? nature of the contact?)

-colluvium reported to be up to 5 feet deep in old swales but this doesn't seem to bother them.

-regarding the cross-sections....where is the greenstone? And they should show bedding orientation in the sandstone (diagrammatically at least) on the sections.

-serious gully erosion present. Drainage is going to be a serious problem, during and after grading and construction. Erosion hazard, too. But the report skims over these problems.

-project has huge amount of grading, and will result in very steep slopes. Potential for lots of erosion.

-the bedding is described as having a shallow dip to the NE, which makes the north and northeast slopes dipslopes, with the potential for slope stability problems. It is odd that they say (page 7: landslides) that this slope has the lowest susceptibility for failure.

-the text says there is little hazard from deep-seated landslides, but the hazard analysis (page 18) says there are weak zones below (?) the sandstone that could result in deep failure.

-with all the grading planned, it is hard to imagine that there will still be a potential for debris flow failures, unless areas of colluvium, deep soils, or unengineered fill will remain on the site.

-I agree that landslide hazards on this site are significant, but their justification for saying so seems to be at odds with information in the early part of the report. This whole hazard analysis section reads like it was written by a different person (who didn't read the first part of the report).

-why does the EIR contain engineering recommendations? (page 19) This reads like it was culled right out of the Michelucchi report.

I've got a mess o' graduate students coming in 15 minutes, so I'll stop now.

Call me if you have questions.

J.

Dr. Jean F. DeMouthe  
Senior Collections Manager for Geology

California Academy of Sciences  
55 Music Concourse Drive, Golden Gate Park  
San Francisco, California 94118

(415) 379-5258

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

From: Jay Mazzetta [<mailto:JMazzetta@co.sanmateo.ca.us>]

Sent: Monday, October 27, 2008 3:03 PM

To: Demouthe, Jean

Subject: EIR for your review

Jean,  
Jim needs your comments today.

Save Paper.  
Think before you print.

**From:** James Castaneda  
**To:** Jim Eggemeyer  
**Date:** 2/2/2009 12:11 PM  
**Subject:** Dennis Thomas Sub. Screencheck DEIR

Jim,

I received this morning the screencheck draft EIR for the Dennis Thomas subdivision. If I can, I'd like to touch base with you on how much time you'll need to review it so I can report back to CAJA on the expected date of return. I'm planning to have my review complete by Monday or Tuesday or next week. There are a few items I need to run past Diana Sho and I want to give her no more than a week to review those items. The screencheck is in word format to allow track changes, and I have placed those files on the graphics/"L" drive under the directory "Ascension Heights EIR". Again, when you have a free moment let me know.

JAMES

**From:** Lisa Grote  
**To:** James A. Castañeda  
**CC:** Jim Eggemeyer; Virginia Diehl  
**Date:** 5/6/2009 1:55 PM  
**Subject:** Okay to pay invoices

James,

Please coordinate with Virginia on the payment of the two outstanding CAJA invoices for the Ascension Heights subdivision. We are moving ahead with the DEIR and it's okay to pay the outstanding bills. Please let me know if you have questions or concerns.

Thanks,  
Lisa

Save Paper.  
Think before you print.

**From:** "Jolley, Clayton" <Clayton.Jolley@fire.ca.gov>  
**To:** LGrote@co.sanmateo.ca.us; JEggemeyer@co.sanmateo.ca.us  
**CC:** John.Sims@fire.ca.gov; CEClark@co.sanmateo.ca.us  
**Date:** 5/8/2009 4:54 PM  
**Subject:** Ascension Heights Subdivision

Hi Jim,

As we research the past six years of correspondence regarding the Ascension Heights subdivision, we are finding correspondence regarding the Jim Rust letters of 2003 and submittal issues from that time. We are still working on the more recent material and will have a better idea of that by middle of next week. The road elevations within the subdivision as well as the main entrance road have not been accessed yet. If we can get a copy of those early next week it will improve our response.

Clayton Jolley  
Battalion Chief / Fire Marshal  
CAL FIRE  
San Mateo County Fire Department  
(650) 573-3847 - Phone  
(650) 367-6023 #2104 - Pager  
Coastside Fire Protection District  
Half Moon Bay  
(650) 726-5213 - Phone  
(650) 726-0132 - Fax  
Clayton.Jolley@fire.ca.gov

**From:** Lisa Grote  
**To:** Clayton Jolley; Jim Eggemeyer  
**CC:** Charles Clark; John Sims  
**Date:** 5/11/2009 9:13 AM  
**Subject:** Re: Ascension Heights Subdivision

Hi Clayton,

I've forwarded your e-mail to the project planner, James Castaneda, so that he can get you a copy of the road elevations. He'll be contacting you today or tomorrow.

Thanks for looking into this issue so quickly.  
Lisa

Save Paper.  
Think before you print.

>>> "Jolley, Clayton" <[Clayton.Jolley@fire.ca.gov](mailto:Clayton.Jolley@fire.ca.gov)> 5/8/2009 4:53 PM >>>  
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[Clayton.Jolley@fire.ca.gov](mailto:Clayton.Jolley@fire.ca.gov)

**From:** Jim Eggemeyer  
**To:** James Castaneda  
**Date:** 5/13/2009 11:35 AM  
**Subject:** Fwd: Ascension Heights Subdivision

FYI. For your files.

jke

Save Paper.  
Think before you print.

>>> "Jolley, Clayton" <[Clayton.Jolley@fire.ca.gov](mailto:Clayton.Jolley@fire.ca.gov)> 5/8/2009 4:53 PM >>>  
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**From:** "Jolley, Clayton" <Clayton.Jolley@fire.ca.gov>  
**To:** JCastaneda@co.sanmateo.ca.us  
**CC:** John.Sims@fire.ca.gov; LGrote@co.sanmateo.ca.us; JEggemeyer@co.sanmateo....  
**Date:** 5/14/2009 5:13 PM  
**Subject:** RE: Ascension Heights Subdivision

Thanks James,  
I was discussing them with Marc today and will get back to you tomorrow on the project.

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Clayton.Jolley@fire.ca.gov

---

From: James Castaneda [mailto:JCastaneda@co.sanmateo.ca.us]  
Sent: Thursday, May 14, 2009 12:03 PM  
To: Jolley, Clayton  
Subject: RE: Ascension Heights Subdivision

Chief Jolley,  
I guess I must have missed you yesterday. I gave Mark Colbert a copy of the plans what we have that show a little more detail regarding the slop of the Emergency Access Road and was going to get those to you. Let me know if you require any further material to help your evaluation.

Regards,  
JAMES

>>> On 5/12/2009 at 18:29, "Jolley, Clayton"  
<Clayton.Jolley@fire.ca.gov> wrote:

Hi James,

I can come by the county Wednesday after the County Fire Safe Committee meeting. Should be around 11:30-11:45. I have the Small EIR Maps but its pretty general on Slopes.

Clayton Jolley

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Clayton.Jolley@fire.ca.gov

---

From: James Castaneda [mailto:JCastaneda@co.sanmateo.ca.us]  
Sent: Monday, May 11, 2009 9:32 AM  
To: Jolley, Clayton  
Subject: RE: Ascension Heights Subdivision

Clayton,  
Please let me know what will be the easiest (and fast means) of getting these plans over to you. Please let me know when you have a chance so I can make arrangements. Thanks.

JAMES

>>> On 5/11/2009 at 09:12, Lisa Grote wrote:

James,

Can you give Clayton Jolley, the Fire Marshall, the road elevations he references below?

Thanks,  
Lisa

Save Paper.  
Think before you print.

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## Clayton Jolley

Battalion Chief / Fire Marshal

### *CAL FIRE*

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Clayton.Jolley@fire.ca.gov

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**From:** James Castaneda [mailto:JCastaneda@co.sanmateo.ca.us]

**Sent:** Thursday, May 14, 2009 12:03 PM

**To:** Jolley, Clayton

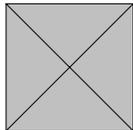
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Battalion Chief / Fire Marshal

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Clayton.Jolley@fire.ca.gov

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**Sent:** Monday, May 11, 2009 9:32 AM

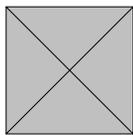
**To:** Jolley, Clayton

**Subject:** RE: Ascension Heights Subdivision

Clayton,

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JAMES



>>> On 5/11/2009 at 09:12, Lisa Grote wrote:

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Thanks,

Lisa

Save Paper.

Think before you print.

>>> "Jolley, Clayton" <[Clayton.Jolley@fire.ca.gov](mailto:Clayton.Jolley@fire.ca.gov)> 5/8/2009 4:53 PM >>>  
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[Clayton.Jolley@fire.ca.gov](mailto:Clayton.Jolley@fire.ca.gov)

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Battalion Chief / Fire Marshal

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**From:** James Castaneda [mailto:JCastaneda@co.sanmateo.ca.us]

**Sent:** Thursday, May 14, 2009 12:03 PM

**To:** Jolley, Clayton

**Subject:** RE: Ascension Heights Subdivision

Chief Jolley,

I guess I must have missed you yesterday. I gave Mark Colbert a copy of the plans what we have that show a little more detail regarding the slop of the Emergency Access Road and was going to get those to you. Let me know if you require any further material to help your evaluation.

Regards,

JAMES



>>> On 5/12/2009 at 18:29, "Jolley, Clayton" <Clayton.Jolley@fire.ca.gov> wrote:

HI James,

I can come by the county Wednesday after the County Fire Safe Committee meeting. Should be around 11:30-11:45. I have the Small EIR Maps but its pretty general on Slopes.

## Clayton Jolley

Battalion Chief / Fire Marshal

*CAL FIRE*

San Mateo County Fire Department

(650) 573-3847 - Phone

(650) 367-6023 #2104 - Pager

Coastside Fire Protection District

Half Moon Bay

(650) 726-5213 - Phone

(650) 726-0132 - Fax

Clayton.Jolley@fire.ca.gov

---

**From:** James Castaneda [mailto:JCastaneda@co.sanmateo.ca.us]

**Sent:** Monday, May 11, 2009 9:32 AM

**To:** Jolley, Clayton

**Subject:** RE: Ascension Heights Subdivision

Clayton,

Please let me know what will be the easiest (and fast means) of getting these plans over to you.

Please let me know when you have a chance so I can make arrangements. Thanks.

JAMES



Save Paper. Think Before You Print.

>>> On 5/11/2009 at 09:12, Lisa Grote wrote:

James,

Can you give Clayton Jolley, the Fire Marshall, the road elevations he references below?

Thanks,

Lisa

Save Paper.

Think before you print.

>>> "Jolley, Clayton" <[Clayton.Jolley@fire.ca.gov](mailto:Clayton.Jolley@fire.ca.gov)> 5/8/2009 4:53 PM >>>

HI Jim,

As we research the past six years of correspondence regarding the Ascension Heights subdivision, we are finding correspondence regarding the Jim Rust letters of 2003 and submittal issues from that time. We are still working on the more recent material and will have a better idea of that by middle of next week. The road elevations within the subdivision as well as the main entrance road have not been accessed yet. If we can get a copy of those early next week it will improve our response.

Clayton Jolley  
Battalion Chief / Fire Marshal  
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(650) 726-5213 - Phone  
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[Clayton.Jolley@fire.ca.gov](mailto:Clayton.Jolley@fire.ca.gov)

**From:** "Jolley, Clayton" <Clayton.Jolley@fire.ca.gov>  
**To:** JCastaneda@co.sanmateo.ca.us  
**CC:** John.Sims@fire.ca.gov; LGrote@co.sanmateo.ca.us; JEggemeyer@co.sanmateo....  
**Date:** 5/15/2009 3:37 PM  
**Subject:** Ascension Heights subdivision comments  
**Attachments:** Ascension heights 5-2009.doc

<<Ascension heights 5-2009.doc>>  
Hi James,

Attached memo on Ascension heights.

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FIRE CHIEF FIRE MARSHAL'S OFFICE  
320 Peninsula Drive, San Mateo, California 94402 (650) 573-3846 \* Fax (650) 573-3850

FIRE MARSHAL  
CLAYTON JOLLEY  
DEPUTY FIRE MARSHAL  
MARC COLE  
MIKE JARSKE



COUNTY OF SAN MATEO

CAL FIRE

May 15, 2009

James Casteneda  
455 County Center  
Redwood City, CA 94063

Subject: Response to request for comments for Ascension Height Subdivision.

This memo is in response to a query regarding the secondary access road by Jim Eggemeyer.

Our review of the vesting tentative subdivision map provided was focused on the secondary access road to the subdivision from Ascension Drive to the Private Street within the proposed subdivision.

Specifically addressed was the 20% grade delineated on the vesting tentative subdivision map prior to and subsequent to the 5% grade at the turnout.

I am willing to allow this grade at this time based on the documentation in our files and the roads status as a secondary emergency access. This length of 20% grade (unbroken grade greater than 150') is not acceptable for primary access roads. The San Mateo County Fire Department will 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, County Fire will require a report of findings justifying the greater than 15% slope throughout the project as specified by County Ordinance and a request for exemption.

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  
San Mateo County Fire/CAL FIRE

Cc: FMO  
John Sims, Division Chief

**From:** James Castaneda  
**To:** Lisa Grote  
**CC:** Jim Eggemeyer  
**Date:** 6/1/2009 12:15 PM  
**Subject:** Quick Ascension Heights update

Just a brief update on latest with Ascension Heights:

I finally was able to speak to Chief Jolley Friday afternoon to discuss his comments sent a few weeks back. He explained that the statement at the end of his letter (road width and parking restrictions) was simply reiterating earlier comments made in response to the EIR where CALFIRE has maintain that the subdivision roads width will need to be wide enough to accommodate equipment. This is immaterial of any design standards regulations for public or private roads. He also explained that the mitigation measure proposed by CAJA works in addressing this situation, and anticipates seeing that incorporated with the recorded map.

After Thursday's conference call with Dennis Thomas discussing the implication of the possible sewer issue mitigation, Jim suggested setting up a meeting with Ann Stillman to go over what will eventually be our own crafted mitigation measure regarding the sewer inflow and infiltration (I&I). I have not had any response to my request for a meeting. Ill send a follow up later this afternoon.

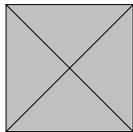
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JAMES



**From:** James Castaneda  
**To:** Jim Eggemeyer; Lisa Grote  
**Date:** 9/23/2009 1:57 PM  
**Subject:** Fwd: Re: Transcripts and Update, Ascension Heights project

Lisa/Jim,

Below is Geoff Reilly's confirmation that a November 13, 2009 target date would be acceptable for releasing the FEIR. I did ask to please indicate any unanticipated issues that may prevent keeping the document on track, in which it was indicated that a issue may arise if the response to comments ate into more time than what was originally budgeted.

JAMES

>>> On 9/23/2009 at 13:29, "Geoff Reilly" <geoff.reilly@cajaeir.com> wrote:

Hi James,

First, thanks for the transcript. It provides sufficient detail to facilitate adequate responses to comments, much better than simple Minutes which typically paraphrase comments.

The timeline you outline is very reasonable and I don't anticipate any problems meeting that schedule, including wrapping up all edits to the FEIR by lat week of Oct. and releasing the FEIR by Nov. 13. I have saved the day of Dec. 9 for the PC meeting.

While we are not being directed to prepare a Health Risk Assessment the EIR does identify construction Air Quality impacts as being significant and unavoidable. We will rely on that analysis to address comments about health impacts, etc. and may create what we call Master or Topical Responses for common comments such as health risk, slope stability, etc.

The only potential delay I can foresee at this time is if the comments require more time/budget than we anticipated in our original contract. (My notes show we have 70 comment letters in addition to hearing comments) As you may recall, the applicant refused to honor a contract amendment we had submitted, and hence we have no budget left to do this work, including time for technical subs (and there are some traffic comments for example). If we reach that previously budgeted time for the FEIR but have not completed the FEIR, we may need additional funds to complete the FEIR. I will let Jim know ASAP if that is the case.

Thanks and I hope you have a pleasant time away from the office.

Geoff

Geoffrey Reilly  
**Christopher A. Joseph & Associates**  
179 H Street  
Petaluma, CA 94952  
Phone: (707) 283-4040  
Direct: (707) 676-1904  
Fax: (707) 283-4041  
[geoff.reilly@cajaeir.com](mailto:geoff.reilly@cajaeir.com)

On 9/23/09 12:17 PM, "James Castaneda" <JCastaneda@co.sanmateo.ca.us> wrote:

Geoff,

Attached is the transcripts to the September 9, 2009 Planning Commission meeting. Let me know if you have any questions. A few individuals are indicated as "unknown male", but I've determined they're either John Nibbelin (county counsel), or Commissioner Bomberger. All public members who gave testimony have been identified.

Jim Eggemeyer and myself meet with Lisa Grote this morning, and after briefing her on the hearing and discussing the issues raised, look like we're comfortable proceeding with responding to comments through the FEIR, assuming that your final analysis concludes we can address comments sufficiently without supplemental materials or recirculation. I did discuss the Health Risk Assessment in the meeting, in which we all agreed would be something Mr. Thomas would most likely not consider. Lisa was please to hear that we would have a draft by the end of the week and continuing to work towards keeping the project on track. That being said, a few things I need to mention:

I will be taking my vacation starting Monday, September 28 till Tuesday, October 20. Unfortunately since my trip was planned almost a year ago, I will have to be absent during this final draft period of the EIR document. In efforts to keep this moving, Jim will review your draft of the responses to comments and provide feedback and edits. My hope is to get any edits that need to occur taken care of while I'm away from the office.

What also came out this morning's meeting is trying to establish our timeline leading up to a December 9, 2009 PC meeting. This would mean the FEIR would need to have a target availability date preferably November 13, 2009. Assuming our edits to your response are minimal and resolved by the last week in October, how reasonable would the November 13 release date be? Please let me know when you get an opportunity. Also keep me apprized of anything else outstanding I might have not considered in moving forward.

While I'm gone, Mike Schaller (my senior planner who is familiar with the project) will be taking general public inquires for the project, and I will provide him your contact information if he has any specific questions. Ill send an email Friday to the both of you with contact information and instructions to CC draft responses documents to him.

When you get a chance, let me know the feasibility of the November 13 availability, as well as what needs to happen for that to occur. Thanks Geoff!

Regards,  
JAMES

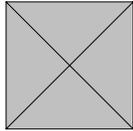
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**James A. Castañeda, Planner II**  
County of San Mateo

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JAMES

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**James A. Castañeda, Planner II**  
County of San Mateo  
Planning & Building Department  
455 County Center, 2nd Floor  
Redwood City, CA 94063

**From:** Lisa Grote  
**To:** Jim Eggemeyer; Steve Monowitz  
**CC:** Rosario Fernandez  
**Date:** 9/29/2009 3:18 PM  
**Subject:** December 9th PC meeting

Jim and Steve,

We're waiting to hear from Geoff Reilly, CAJA, about whether or not the Dennis Thomas subdivision (Ascension heights) FEIR will be ready for the December 9th PC hearing. If it is, there will be two very large projects on that agenda - the subdivision FEIR and the Housing Element. The neighbors in the subdivision vicinity have requested a night meeting in their neighborhood - or close by.

We have time to think about this, but if we decide to hold a night meeting for the subdivision, I don't think the Commissioners will want to meet that morning too. This will mean the Housing Element would have to be dealt with at the night meeting as well. This may be a reason not to hold the subdivision hearing at night, but any thoughts you have would be appreciated. I'll also discuss it with the Commissioners at the Oct. 28th meeting when we talk about scheduling and upcoming projects.

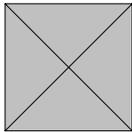
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Lisa



**From:** Lisa Grote  
**To:** Geoff Reilly; James Castaneda; Jim Eggemeyer  
**Date:** 9/30/2009 4:58 PM  
**Subject:** Fwd: "Lethal Dust Cloud"  
**Attachments:** Press Release - Final, September 2009.doc

All,

Please review the attached statement. Jim, can you please let Marshall know that you are available to talk with the reporter tomorrow. If it can wait until Monday afternoon, I'll talk with him/her.

Thanks,  
Lisa

>>> Marshall Wilson 9/30/2009 3:48 PM >>>  
Lisa and Jim,

Please see the attached "news release" from neighbors of Ascension Heights. I've also learned they are attempting to arrange a site visit with Supervisor Church.

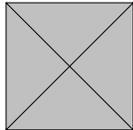
The reporter is not planning a story today for tomorrow but would like to speak with someone tomorrow about this issue. Thanks.

Marshall Wilson  
Public Communications Manager  
San Mateo County  
(650) 363-4153 office  
(650)  
400 County Center  
Redwood City, CA 94063  
mwilson@co.sanmateo.ca.us

All,

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**For Immediate Release**  
**Baywood Park Homeowners' Association**

**Lethal Dust Clouds to Threaten CSM – Area Neighborhoods**  
**September 30, 2009**

Construction of the 25-29 unit Ascension Heights project by San Mateo Developer Dennis Thomas's project will disperse lethal dust and gas within an older established residential area and College of San Mateo (CSM), the San Mateo County Planning Commission learned for the first time on September 9<sup>th</sup>.

The County's own environmental report prepared by its staff and a paid outside consultant report failed to reveal full information on impacts of enormous grading and thousands of truck trips to tear out area hilltop resulting in excessive truck traffic and dangerously degraded air quality levels, which exceed state environmental limits by eight fold.

According to research studies and the expert testimony of Gerard Ozanne, MD, who is also President of the Baywood Park Homeowners Association: "a building project of this magnitude will result in *immediate* increases in risks to health, including death, due to excessive truck pollution and soil dust." Experts for BPHA documented an inadequate environmental study of Thomas's five-year construction project. Consulting geology experts Cotton, Shires & Associates stated that Thomas's project does not meet Bay Area construction standards.

Serious risk to health and lives of residents of the local neighborhoods extends to nearby neighborhoods of San Mateo Oaks, Highlands, Baywood Plaza and Crystal Springs Shopping Center, and College of San Mateo.

Because of the environmental report's incomplete and absent disclosures, unsubstantiated conclusions, avoidance of obvious mitigation measures, project instability, lack of definitive project descriptions, and life threatening hazards, neighbors requested the Planning Commission direct the study be revised and recirculated in its entirety.

Mr. McClellan of BPHA Board stated: "We formally submitted these concerns seven years ago. Neighbors are terrified that County management has allowed this study to be so profoundly inadequate. In addition, BPHA and area communities have been confronted this month with another similar inadequate environmental study ignoring community and expert information. Our only recourse now is to ask the Planning Commission and Board of Supervisors require genuine community involvement and direct proper environmental studies to ensure safe and reasonable developments in our neighborhood."

Media Contact:  
Dr. Gerard Ozanne  
President, Baywood Park Homeowners' Association  
Cell: 650-

Caron Tabb

Mime-Version: 1.0  
 No String Available Wed, 30 Sep 2009 16:58:28 -0700  
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 Message-ID: <4AC38E34.7FF5.0096.1@co.sanmateo.ca.us>  
 From: "Lisa Grote" <LGrote@co.sanmateo.ca.us>  
 Subject: Fwd: "Lethal Dust Cloud"  
 To: "Geoff Reilly" <geoff.reilly@cajaeir.com>, "James Castaneda" <JCastaneda@co.sanmateo.ca.us>, "Jim Eggemeyer" <JEggemeyer@co.sanmateo.ca.us>

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 Attachment Press Release - Final, September2009.doc

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Thanks,  
Lisa

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**From:** Marshall Wilson  
**To:** Eggemeyer, Jim; Grote, Lisa; Porter, Jim  
**CC:** Jensen, Peggy; McMillan, Mary  
**Date:** 10/1/2009 2:20 PM  
**Subject:** Re: "Lethal Dust Cloud"

Greetings.

I just spoke with the reporter and he would like to speak to someone today regarding this issue. He does not plan to wait until Monday when Lisa is available. Could Jim Eggemeyer perhaps call him? He's: Bill Silverfarb, San Mateo Daily Journal  
<http://www.smdailyjournal.com>  
650-344-5200

Please let me know if can assist. Thanks.

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>>> Lisa Grote 9/30/2009 5:00 PM >>>

All,

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Thanks,  
Lisa

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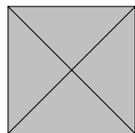
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No String Available Thu, 1 Oct 2009 14:20:49 -0700  
X-Mailer: Groupwise 6.5  
Message-ID: <20091001T142049Z\_52F900030001@co.sanmateo.ca.us>  
From: "Marshall Wilson" <MWilson@co.sanmateo.ca.us>  
Cc: "Jensen, Peggy" <PJensen@co.sanmateo.ca.us>, "McMillan, Mary" <MMcmillan@co.sanmateo.ca.us>  
Subject: Re: "Lethal Dust Cloud"  
To: "Eggemeyer, Jim" <JEggemeyer@co.sanmateo.ca.us>, "Grote, Lisa" <LGrote@co.sanmateo.ca.us>, "Porter, Jim" <jporter@co.sanmateo.ca.us>  
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Content-Transfer-Encoding: base64  
Attachment Attachment

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<http://www.smdailyjournal.com>  
650-344-5200

Please let me know if can assist. Thanks.

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[mwilson@co.sanmateo.ca.us](mailto:mwilson@co.sanmateo.ca.us)

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**From:** Jim Eggemeyer  
**To:** Jim Porter; Lisa Grote; Marshall Wilson  
**CC:** Mary McMillan; Peggy Jensen  
**Date:** 10/1/2009 4:41 PM  
**Subject:** Re: "Lethal Dust Cloud"

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(Thanks Marshall for the prelim. walk-through. That helped!)

jke

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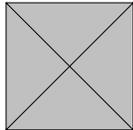
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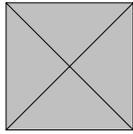
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**From:** Marshall Wilson  
**To:** Eggemeyer, Jim  
**Date:** 10/1/2009 5:03 PM  
**Subject:** Re: "Lethal Dust Cloud"

Thanks.

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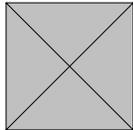
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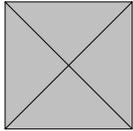
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X-Mailer: Groupwise 6.5  
Message-ID: <20091001T170337Z\_52F900030001@co.sanmateo.ca.us>  
From: "Marshall Wilson" <MWilson@co.sanmateo.ca.us>  
Subject: Re: "Lethal Dust Cloud"  
To: "Eggemeyer, Jim" <JEggemeyer@co.sanmateo.ca.us>  
Content-Type: multipart/alternative;  
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**From:** Peggy Jensen  
**To:** Jim Eggemeyer; Jim Porter; Lisa Grote; Marshall Wilson  
**CC:** Mary McMillan  
**Date:** 10/1/2009 5:05 PM  
**Subject:** Re: "Lethal Dust Cloud"

Jim - Glad to hear all went well and that Marshall was helpful.

Peggy

Save Paper.  
Think before you print.

>>> Jim Eggemeyer 10/1/2009 4:41 PM >>>  
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**From:** James Castaneda  
**To:** JEggemeyer@co.sanmateo.ca.us  
**Date:** 10/19/2009 3:25 PM  
**Subject:** Re: Fwd: YSC Grading (OUT OF THE OFFICE)

I'm currently out of the office until Wednesday, October 21, 2009. If need any assistanace regarding the Ascension Heights Subdivision project, or the Agricultural Advisory Committee, please contact Mike Schaller at 650-363-1849, or mschaller@co.sanmateo.ca.us. All other general planning inquiries should be directed to the Planning Counter help desk at 650-363-1825.

>>> Jim Eggemeyer 10/19/09 15:25 >>>

Dennis, Below is the answer from SMC Dept. of Public Works to your question you had last week.

jke

>>> Doug Koenig 10/19/2009 9:29 AM >>>  
Jim,

Turner moved about 130,000 CY over a 10 month period, 11/03-8/04. All the Turner folks involved in the project have moved on.

thanks,  
doug

Save Paper.  
Think before you print.

**From:** Lisa Grote  
**To:** James Castaneda  
**CC:** Jim Eggemeyer; John Nibbelin  
**Date:** 11/2/2009 1:15 PM  
**Subject:** Ascension Heights Mailing List

James,

Please check to see if any portion of the College of San Mateo's property falls within 300 feet of the proposed Ascension Heights subdivision. I received a phone message on Friday afternoon from Barbara Christensen of the College District saying that she hadn't received notice of the availability of the draft EIR and has concerns about the project. She believes a portion of one of the College parking lots falls within 300 feet of the project site. She will write us a letter outlining her concerns.

In the meantime, please check the mailing list and the distance between CSM and the proposed project. Please do this as soon as possible today or early tomorrow.

Thanks very much,  
Lisa

**From:** James Castaneda  
**To:** Lisa Grote  
**CC:** Jim Eggemeyer; John Nibbelin  
**Date:** 11/3/2009 8:39 AM  
**Subject:** Re: Ascension Heights Mailing List

Lisa,

The College of San Mateo's campus is right inside the edge of our 300 foot notification boundary (310 feet from the subject site). They are included in the notification mailing list in two ways. First, as part of the agencies and school districts in the vicinity, and second, as a property owners within 600 feet of the subject site (I increased the notification boundary to avoid issues regarding adequate notification). To date, four letters have been sent out to the mailing list (three regarding the availability of the draft EIR, and one for the agenda). The address used for the college is:

San Mateo County Community College  
3401 CSM Drive  
San Mateo, CA 94402

This address was provided by assessors office as the address on record for the college's parcel. I have no received any returned mail from the college. Let me know if you need any further information.

JAMES

>>> On 11/2/2009 at 13:15, Lisa Grote wrote:

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**From:** Lisa Grote  
**To:** James Castaneda  
**CC:** Jim Eggemeyer; John Nibbelin  
**Date:** 11/3/2009 9:43 AM  
**Subject:** Re: Ascension Heights Mailing List

James,

Thanks for the information. It's very helpful and I'm glad to hear that CSM is on the notification list and that you increased the boundary to make sure as many property owners as possible are included. This will be helpful background when we meet with CSM representatives next week.

Thanks again,  
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**From:** Yulin Chien  
**To:** James Castaneda; Jie He  
**CC:** Jim Eggemeyer  
**Date:** 11/20/2009 9:33 AM  
**Subject:** Re: Ascension Heights Final EIR

Hi James,

I have posted the EIR document on the Ascension Heights Subdivision EIR page. This page is available under "Pending Projects/EIR" tab in department and current planning landing pages.

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

[http://www.co.sanmateo.ca.us/Attachments/planning/PDFs/Major\\_Projects/PLN2002-00517\\_FEIR.pdf](http://www.co.sanmateo.ca.us/Attachments/planning/PDFs/Major_Projects/PLN2002-00517_FEIR.pdf)

Feel free to let me know if you have any questions.

Best,  
Yulin

>>> James Castaneda 11/19/2009 1:52 PM >>>  
Annie/Yulin.

The EIR document we need to post came in early. Ill bring it over on a flash drive shortly. Here is the following text that needs to replace what is on the existing Ascension Heights page

### **Ascension Heights Subdivision Environmental Impact Report Documents**

The Final Environmental Impact Report (FEIR) allows for the public and Lead Agency (County of San Mateo) to review comments and response to the Draft Environmental Impact Report published and released on June 22, 2009. Based on the response to comments included within the FEIR, no corrections have been made to the Ascension Heights Subdivision DEIR, and is now considered as part of the Final EIR in its original published form.

[Final EIR](#)(14.5 mb)

[Draft EIR](#)(24.9 mb)

[EIR Technical Appendices](#)(49.9 mb)

The documents listed above are presented in Portable Document Format (PDF). A PDF reader is required for viewing.

Hi James,

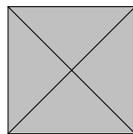
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**Final EIR** (14.5 mb)

**Draft EIR** (24.9 mb)

**From:** John Nibbelin  
**To:** harris dubrow  
**CC:** James Castaneda; Jim Eggemeyer; Lisa Grote; Mike Schaller  
**Date:** 12/7/2009 7:19 AM  
**Subject:** Re: Craig Nishizaki" < "Donald Nagle"  
< Gerard Ozanne" <

Good morning, Harris. I hope that this finds you well. I would be willing to have a conversation re these matters, although I would prefer that appropriate planning staff members participate in the conversation. What specific times work for you?

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>>> "harris dubrow" < 12/6/2009 12:23 PM >>>

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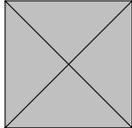
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Mime-Version: 1.0  
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 Message-ID: <4B1CAC7E.A08D.0062.1@co.sanmateo.ca.us>  
 X-Mailer: Groupwise 7.0.1  
 From: "John Nibbelin" <jnibbelin@co.sanmateo.ca.us>  
 Cc: "James Castaneda" <JCastaneda@co.sanmateo.ca.us>, "Jim Eggemeyer" <JEggemeyer@co.sanmateo.ca.us>, "Lisa Grote" <LGrote@co.sanmateo.ca.us>, "Mike Schaller" <MSchaller@co.sanmateo.ca.us>  
 Subject: Re: Craig Nishizaki" < "Donald Nagle" < Gerard Ozanne" <  
 < "harris dubrow" <  
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 Attachment Attachment

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**e-mail:**

**From:** James Castaneda  
**To:** Jim Eggemeyer; Lisa Grote  
**CC:** John Nibbelin  
**Date:** 12/7/2009 8:55 AM  
**Subject:** Meeting with Durbrow, et al

Lisa/Jim,

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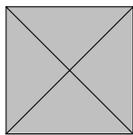
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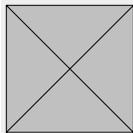
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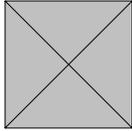
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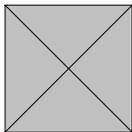


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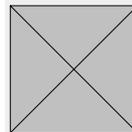
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**e-mail:**

[Redacted]

**From:** "Geoff Reilly" <geoff.reilly@cajaeir.com>  
**To:** JEggemeyer@co.sanmateo.ca.us; LGrote@co.sanmateo.ca.us  
**Date:** 12/9/2009 10:24 AM  
**Subject:** FW: Water Tank Easement

Hi Lisa and Jim,

Below is a response I sent to James this morning regarding Commissioner Slocum's questions about the Ascension Heights Water Tank Easement, etc. I am working on some responses to other questions raised by Commissioner Slocum now and will send to all shortly.

Geoff

Geoffrey Reilly  
Christopher A. Joseph & Associates  
179 H Street  
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Phone: (707) 283-4040  
Direct: (707) 676-1904  
Fax: (707) 283-4041  
geoff.reilly@cajaeir.com

----- Forwarded Message

From: Geoff Reilly <geoff.reilly@cajaeir.com>  
Date: Wed, 09 Dec 2009 09:36:59 -0800  
To: James Castaneda <JCastaneda@co.sanmateo.ca.us>  
Conversation: Water Tank Easement  
Subject: Re: Water Tank Easement

Hi James,

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For the water tank easement issue:

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Also, the following descriptions of the water infrastructure have been copied from the DEIR:

Page IV.J-28:

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Page IV.J-29

Cal Water has stated that it is prepared to extend water service to the project site. A deposit of the estimated cost of this extension would be required of the project applicant. Additionally, Cal Water would require approval of a satisfactory design to serve the proposed project. For example, pipeline routes in public right-of-ways where possible, and easements must have good access and be of reasonable terrain.

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> the environmental document. Both Lisa and Jim will be available tomorrow, as  
> well as early next week. Can you please inform them of any availability you  
> might have for a phone conversation on the topic. I won't be part of this as  
> Ill be out of the office till the 28th and will be caught up at that time.  
> Thanks Geoff.

>  
> Regards,  
> JAMES

>  
> \_\_\_\_\_  
> James A. Castañeda, Planner III  
> County of San Mateo  
> Planning & Building Department  
> 455 County Center, 2nd Floor  
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 **Save Paper. Think Before You Print.**

**From:** Lisa Grote  
**To:** Geoff Reilly; James Castaneda  
**CC:** Jim Eggemeyer  
**Date:** 12/17/2009 11:30 AM  
**Subject:** Re: Phone Conversation, Ascension Heights EIR

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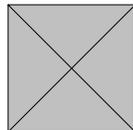
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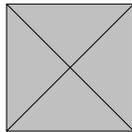
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No String Available Thu, 17 Dec 2009 11:30:34 -0800  
References: <4B290771.C50F.005A.1@co.sanmateo.ca.us><C74FC5C7.CFD6%geoff.reilly@cajaeir.com>  
In-Reply-To: <C74FC5C7.CFD6%geoff.reilly@cajaeir.com>  
X-Mailer: GroupWise 8.0  
Message-ID: <4B2A165A.7FF5.0096.1@co.sanmateo.ca.us>  
From: "Lisa Grote" <LGrote@co.sanmateo.ca.us>  
Cc: "Jim Eggemeyer" <JEggemeyer@co.sanmateo.ca.us>  
Subject: Re: Phone Conversation, Ascension Heights EIR  
To: "Geoff Reilly" <geoff.reilly@cajaeir.com>, "James Castaneda" <JCastaneda@co.sanmateo.ca.us>  
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Content-Type: text/plain; charset=utf-8  
Content-Transfer-Encoding: base64  
Content-Disposition: inline; modification-date="Fri, 17 Dec 2009 03:30:34-0800"  
Attachment Attachment

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**From:** "Geoff Reilly" <geoff.reilly@cajaeir.com>  
**To:** JCastaneda@co.sanmateo.ca.us; LGrote@co.sanmateo.ca.us  
**CC:** JEggemeyer@co.sanmateo.ca.us  
**Date:** 12/17/2009 11:38 AM  
**Subject:** Re: Phone Conversation, Ascension Heights EIR

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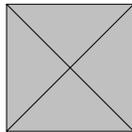
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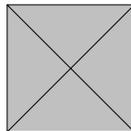
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**From:** <  
**To:** JCastaneda@co.sanmateo.ca.us; JEggemeyer@co.sanmateo.ca.us  
**Date:** 12/23/2009 2:29 PM  
**Subject:** Ascension Appeal Letter  
**Attachments:** Appeal Letter.PDF

Jim and James,

Attached is the Appeal Letter for Ascension Heights Subdivision per your request. I will also deliver a copy to you this afternoon.

Dennis Thomas  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402  
Office (650) 578-0330  
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o brokerage  
o construction  
o development  
o CA Lic. #581591

December 23, 2009

Mr. Jim Eggemeyer  
Mr. James Castaneda  
San Mateo County Planning Department  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063

Dear Jim and James,

On December 9, 2009 the San Mateo County Planning Commission voted 4-0 to deny the approval of a Major Subdivision, PLN2006-00357. I wish to appeal their decision to the Board of Supervisors and offer the following modifications to the proposal:

- 1.) I will submit, as soon as available, a new Tentative Map which reflects the concern of the Planning Commission by avoiding the steepest slopes and visual impacts to the Westerly side of the property. The number of lots will change, and the lots will be reduced in size to allow for smaller and lower priced homes being offered to the general public.
- 2.) Condition #24 should be eliminated due to the plan changing in that area.
- 3.) Condition #40 should be changed to read the hourly restrictions are for the construction of the Major Subdivision work only and not for the individual houses. Hours for truck soil export to be 9:30 am to 3:00 pm. No soil export on Saturday but standard County hours for construction activity shall apply for road work and other construction activities.
- 4.) Condition #50 must be changed to reflect the change in the plan design, when available.
- 5.) Condition #52 regarding haul routes. It was discussed at the Planning Commission meeting that leaving the site down Ascension Road directly to Polhemus was preferred due to the shorter length, fewer houses along that route and therefore less impact on fewer neighbors. Trucks returning on the reverse route would be empty when traveling up the grade reducing emissions.
- 6.) Condition 53 must be changed to reflect the hours agreed to in #40, include standard hours for Saturdays and the restriction is only for the Major Subdivision work, not the individual homes.

1777 Borel Place, Suite 330, San Mateo, CA 94402 • (650) 578-0330 • Fax (650) 578-0394

I will submit the new plan as soon as it is available. It will need to be circulated to the County of San Mateo Fire Department/Cal Fire for approval of the new road turnaround design prior to submitting to the Planning Department.

Very Truly Yours,



Dennis Thomas  
Project Applicant



- o brokerage
- o construction
- o development
- o CA Lic. #581591

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**From:** Jim Eggemeyer  
**To:** John Nibbelin; Steve Monowitz  
**CC:** Rosario Fernandez  
**Date:** 1/7/2010 3:29 PM  
**Subject:** Fwd: Resolution for Lisa Grote

John, Here are my first thoughts for you to start working with for the reso.

Steve, Can you too please take a look and then add in/edit so that we get this info. right for John.

Thanks.

**List of Accomplishments** (in no particular order)

Green Building Regulations and Revised Green Building Regulations  
Updated Building Regulations  
ISO (Insurance Office, Inc.) Improved Rating for Unincorporated SMC  
Expedited Building Permit Processing  
Hybrid Vehicle Fleet for Building Inspectors  
Williamson Act Program Improvement Strategy Plan  
Midcoast LCP Update Project  
Trestle Glen @ El Camino Transit Village Affordable Housing Project  
Wireless Telecommunication Facility Ordinance  
2128 Sand Hill Road PUD  
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Los Trancos Woods Combining District Amendments  
SMC Local Hazard Mitigation Plan

**Ongoing Projects/Assisted with Development**

Pilarcitos Quarry  
Highlands Estates Subdivision  
Ascension Heights Subdivision  
Big Wave Office Park and Wellness Center  
Clos de la Tech Winery  
Edgewood Canyon Estates  
Midcoast Groundwater Study  
North Fair Oaks Community Plan Update  
Housing Element 2009 Update  
General Plan Update  
Watershed Protection Program

I'm sure there are others, but here is a start.

Thanks everyone!

jke

>>> Rosario Fernandez 1/6/2010 1:05 PM >>>

Please send me information when Lisa Grote came to the Planning and Building Department. John Nibbelin would like to put together a Resolution for the next meeting, January 13th.

Jim:

Can you also put together a list of accomplishment for John?

Thanks

Rosario

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Think before you print.

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**From:** Steve Monowitz  
**To:** Jim Eggemeyer; John Nibbelin  
**CC:** Rosario Fernandez  
**Date:** 1/7/2010 4:08 PM  
**Subject:** Re: Fwd: Resolution for Lisa Grote

Upgrading the Department's website, responding to budget challenges posed by the recession, participating on the Midcoast Stormwater Drainage Committee, re-establishing the Department's Employee Recognition Program, and enhancing coordination between departments and other agencies could be listed as an additional accomplishments. We might also want to edit/expand the reference to the Williamson Act program to state something like "Responded to Williamson Act Audit and Grand Jury Report and Initiated Program Improvements"; or we could move this reference to ongoing projects.

>>> Jim Eggemeyer 1/7/2010 3:29 PM >>>

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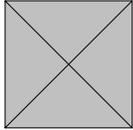
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I'm sure there are others, but here is a start.

Thanks everyone!

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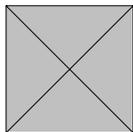
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Think before you print.

**From:** Rosario Fernandez  
**To:** Jim Eggemeyer  
**Date:** 1/7/2010 4:29 PM  
**Subject:** Re: Fwd: Resolution for Lisa Grote

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**To:** Rosario Fernandez  
**Date:** 1/7/2010 4:43 PM  
**Subject:** Re: Fwd: Resolution for Lisa Grote

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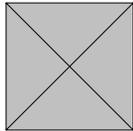
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**From:** Jim Eggemeyer  
**To:** John Nibbelin  
**Date:** 1/11/2010 9:18 AM  
**Subject:** Re: Fwd: Resolution for Lisa Grote

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>>> Steve Monowitz 1/7/2010 4:08 PM >>>

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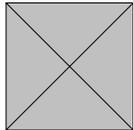
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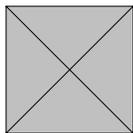
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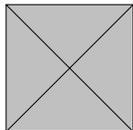
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**CC:** JEggemeyer@co.sanmateo.ca.us; JCastaneda@co.sanmateo.ca.us  
**Date:** 1/11/2010 3:29 PM  
**Subject:** Gail Slocum's Comments on Draft PC Minutes for December 9, 2009 Meeting (Ascension Heights)

Lise and Rosario,

In preparation for the PC's Jan13th meeting, have reviewed the draft December 9, 2009 minutes, and note that on Item 6 (Ascension Heights) at pages 9 - 10, there is only the most a barebones statement of the denial, that does not appear to reflect the full motion or key aspects of the discussion for context that I believe is necessary.

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"Among the bases for the Planning Commissions' findings were (1) that the project was not in conformance with General Plan Section \_\_\_ to the degree it would create new parcels and allow new building on a slope over of 40% (when the GP's maximum buildable slope is 30%), (2) that the project was not in conformance with General Plan Section \_\_\_ to the degree that steep south slope has geotechnical concerns for potential ground instability and erosion that could affect existing homes below [CITE TO THE TWO GP SECTIONS DAVE BOMBERGER CITED TO IN HIS ORAL COMMENTS THAT NIGHT - SHOULD BE ON THE TAPE OR YOU CAN EMAIL DAVE - I don't have mu notes here at work], (2) that air quality impacts could be reduced by omitting development on the steep south slope thus minimizing the amount of soil removal and truck trips that would necessary, as well

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Commissioner Slocum distributed an illustrative drawing depicting a potential redesign that could provide for development of homes on the flatter areas of the site, along the lines of Alternatives B and D in the EIR, combined with elements of the applicant's proposal. Commissioner Slocum noted that this type of redesign, which would not create parcels \_\_\_ - \_\_\_ on the steep south facing slope, would appear to avoid most of the proposal's significant impacts and would address almost all of the community's remaining major concerns, yet allow for development of approximately 18 - 19 new homes plus a tot lot, a walking trail and add storm drainage to address the two deep erosion gullies. [Perhaps James can fill in the numbers of the lots that the illustrative map omitted - I don't have my Ascension EIR here with me at work today]

Finally, I would like my illustrative drawing to be part of the record - is it appropriate to attach it to the minutes to accomplish that goal?

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<http://www.pge.com>

415 973-6583

*cell*

Content-Type: text/html; charset=us-ascii  
Content-Transfer-Encoding: quoted-printable

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**Date:** 1/11/2010 3:32 PM  
**Subject:** RE: Gail Slocum's Comments on Draft PC Minutes for December 9, 2009 Meeting (Ascension Heights)

PS There also appears to be a typo at the bottom of page 9 of the draft minutes, in the final line: Please change "...Commission denied (4-0) The following:" to "Commission denied (4-0) the following:" (the "t" should be lower case, not capitalized).

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---

From: Slocum, Gail  
Sent: Monday, January 11, 2010 3:28 PM  
To: Lisa Grote; 'Rosario Fernandez'  
Cc: James Castaneda; 'jeggemeyer@co.sanmateo.ca.us'  
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<http://www.pge.com> <<http://www.pge.com/>>

415 973-6583

cell

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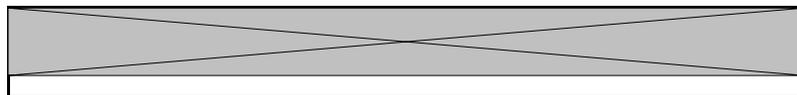
*Gail Slocum*

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*cell*



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**Sent:** Monday, January 11, 2010 3:28 PM  
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**Cc:** James Castaneda; 'jeggemeyer@co.sanmateo.ca.us'  
**Subject:** Gail Slocum's Comments on Draft PC Minutes for December 9, 2009 Meeting (Ascension Heights)

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415 973-6583

*cell*



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From: "Slocum, Gail" <  
To: "Slocum, Gail" < Lisa Grote"  
<LGrote@co.sanmateo.ca.us>,"Rosario Fernandez"  
<RFernandez@co.sanmateo.ca.us>  
Cc: "James Castaneda"  
<JCastaneda@co.sanmateo.ca.us>,"jeggemeyer@co.sanmateo.ca  
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**CC:** James Castaneda; Jim Eggemeyer; John Nibbelin  
**Date:** 1/11/2010 5:23 PM  
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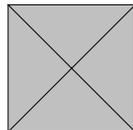
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 Cc: "James Castaneda" <JCastaneda@co.sanmateo.ca.us>, "Jim Eggemeyer" <JEggemeyer@co.sanmateo.ca.us>, "John Nibbelin" <JNibbelin@co.sanmateo.ca.us>  
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Content-Disposition: inline; modification-date="Tue, 11 Jan 2010 09:23:04-0800"

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Lisa



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1/11/2010 3:28 PM >>>

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**To:** RFernandez@co.sanmateo.ca.us; LGrote@co.sanmateo.ca.us  
**CC:** JNibbelin@co.sanmateo.ca.us; JEggemeyer@co.sanmateo.ca.us; JCastaneda@co...  
**Date:** 1/11/2010 5:40 PM  
**Subject:** RE: Gail Slocum's Comments on Draft PC Minutes for December 9, 2009 Meeting  
(Ascension Heights)

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415 973-6583

cell

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**Sent:** Monday, January 11, 2010 5:23 PM  
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e13.Utility.pge.com><4B4B5E77.7FF5.0096.1@co.sanmateo.ca.u  
s>  
From: "Slocum, Gail" <  
To: "Lisa Grote" <LGrote@co.sanmateo.ca.us>,"Rosario Fernandez"  
<RFernandez@co.sanmateo.ca.us>  
Cc: "James Castaneda" <JCastaneda@co.sanmateo.ca.us>,"Jim  
Eggemeyer" <JEggemeyer@co.sanmateo.ca.us>,"John Nibbelin"  
<JNibbelin@co.sanmateo.ca.us>  
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Content-Transfer-Encoding: quoted-printable

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**To:** RFernandez@co.sanmateo.ca.us  
**CC:** JEggemeyer@co.sanmateo.ca.us  
**Date:** 2/4/2010 10:19 AM  
**Subject:** RE: December 9, 2010 - Minutes - Ascension Heights  
**Attachments:** Pcm1209T\_rf (2)\_gs.doc

Rosario

Thanks for the work you and Jim did on this. I thought it should say more about the basis for our unanimous denial, so I have added some suggestions highlighted in yellow for Jim to take a look at. Since this has been appealed, I figured the Supervisors should see more than just the bare minimum on why we denied, and I would think this would tend to protect the County's interests more strongly as well.

Thanks,

Gail Slocum  
PG&E Law Department

415 973-6583  
cell

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

From: Rosario Fernandez [mailto:RFernandez@co.sanmateo.ca.us]  
Sent: Thursday, February 04, 2010 9:44 AM  
To: Slocum, Gail;

Subject: December 9, 2010 - Minutes - Ascension Heights

Please see attached minutes that was revised by Jim Eggemeyer.

Thanks

Rosario

Save Paper.  
Think before you print.



### Planning & Building Department Planning Commission

William Wong, 1st District  
David Bomberger, 2nd District  
Chris Ranken, 3rd District  
Gail Slocum, 4th District  
Steve Dworetzky, 5th District

County Office Building  
455 County Center  
Redwood City, California 94063  
(650) 363-1859

## Action Minutes

MEETING NO. 1499

Wednesday, December 9, 2009

At College of San Mateo Theatre, located at 1700 West Hill Road, San Mateo

Vice-Chair Bomberger called the meeting to order at 7:10 p.m.

1. **Pledge of Allegiance:** The Pledge of Allegiance recited by Vice-Chair Bomberger.
2. **Roll Call:** Commissioners Present: Bomberger, Slocum, Wong  
Commissioners Absent: Ranken  
Staff Present: Grotz, Nibbeling, Shu

Legal notice published in the San Mateo County Times on November 28, 2009.

3. **Oral Communications:** The public address the Commission on any matter not on the agenda.

None.

4. **Consideration of the Minutes** of the Planning Commission meeting of November 18, 2009, 2009.

Commissioner Dworetzky moved, and Commissioner Slocum seconded, that the minutes be approved as submitted. Motion carried **4-0-0-1(Commissioner Ranken absent)**.

*Commissioner Wong moved for approval of the Consent Agenda, Item 5, and Commissioner Slocum seconded the motion. Motion carried 4-0-0-1(Commissioner Ranken absent), approving items as follows:*

### CONSENT AGENDA

- 5. **Owners/Applicants:** **John and Maureen Giusti**  
 File No.: PLN2008-00077  
 Location: 318 Verde Road, Half Moon Bay  
 Assessor's Parcel No.: 066-270-020

Consideration of a Coastal Development Permit and a Planned Agricultural District Permit for Farm Labor Housing, pursuant to Sections 6328.4 and 6353, respectively, of the San Mateo County Zoning Regulations, and certification of a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, to allow the construction of a new 2,740 sq.ft. modular home to be used as a farm labor housing unit, a new septic system and legalization of an existing ranch complex used as two Farm Labor Housing Units, located at 318 Verde Road in the unincorporated Half Moon Bay area of San Mateo County. This project is appealable to the California Coastal Commission. Application filed March 6, 2008. PROJECT PLANNER: Stephanie Skangos Telephone: (650)363-1814

Attachment A

County of San Mateo  
 Planning and Building Department

**FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2008-00077      Hearing Date: December 9, 2009  
 Prepared By: Stephanie Skangos, Project Planner      Adopted By: Planning Commission

**FINDINGS**

Regarding the Negative Declaration:

1. That the Negative Declaration is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County guidelines. The public review period for this document was April 9, 2009 to April 29, 2009.
2. That on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project will have a significant effect on the environment. The Initial Study/Negative Declaration does not identify any other cumulative impacts associated with this project.
3. That the Negative Declaration reflects the independent judgment of San Mateo County. The Negative Declaration was prepared by the project planner.
4. That the mitigation measures in the Mitigated Negative Declaration and agreed to by the owner and placed as conditions on the project have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with the California Public Resources Code Section 21081.6.

Regarding the Coastal Development Permit, Found:

5. That the project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP) as the plans and materials have been reviewed against the application requirements, staff has completed an LCP Policy Checklist, and the project has been conditioned in accordance with the Locating and Planning New Development, Agriculture, Sensitive Habitats and Visual Resources Components of the Local Coastal Program.
6. The project conforms to the specific findings required by the policies of the LCP with regard to the Locating and Planning New Development, Agriculture, Sensitive Habitats and Visual Resources Components. Specifically, the project conforms with the policies and uses and conversion of prime agricultural land designated as agriculture and the criteria for rural parcels located within State and County Scenic Corridors.

Regarding the Planned Agricultural District Permit, Found:

7. That the proposed project, as described in the application and accompanying materials, complies with all applicable criteria for issuance of a Planned Agricultural District (PAD) Permit contained in Section 6355 of the County Zoning Regulations. The project complies with the criteria, as there are no alternative locations on the site for the proposed structures since the entire site consists of prime soils and is currently being used for agricultural production, including the cultivation of Brussels sprouts and peas and the grazing of livestock. The location of the proposed farm labor housing units are within an existing developed agricultural center, which is not used for agricultural production, nor is it viable for such use. As the agricultural center is set apart and distinguished from the location of agricultural production on the property, implementation of the new farm labor housing unit and legalization of the existing ranch house duplex as a farm labor housing unit will not decrease the current production or affect the potential for future agricultural use of the site. Water supplies for agricultural production on the property are not diminished by implementation of the new farm labor housing unit, as water is to be obtained from Purissima which domestic water rights have been obtained.
8. That the proposed project, as described in the application and accompanying materials, complies with the procedural criteria for issuance of a PAD Permit contained in Section 6361 of the County Zoning Regulations. An agricultural land management plan has been submitted in connection with the project, reviewed by staff and found to be compliance with the requirements and criteria of the PAD Zoning District.

**CONDITIONAL APPROVAL**

Current Planning Section

1. This approval applies only to the proposal, documents and plans described in this report and submitted to and approved by the Planning Commission on December 9, 2009. Minor revisions

or modifications may be approved by the Community Development Director if they are consistent with the intent and in substantial conformance with this approval.

2. The permits shall be valid for a five-year period and will expire on December 9, 2014. If the applicant or owner wants to renew the permit, he or she shall submit a complete permit renewal application form to the Planning and Building Department at least six months prior to the date of expiration.
3. The PAD Permit is subject to two administrative reviews in December 2010 and December 2012, to ensure compliance with the conditions of approval. The applicant shall submit signed "certification of farm labor housing eligibility" forms, which demonstrate that the occupants are bona fide farm laborers and their dependents.
4. The Current Planning Section staff may, upon the recommendation of the Agricultural Advisory Committee, elect to conduct additional reviews beyond the above required administrative review. At that time, the applicant shall submit documentation to the satisfaction of the Community Development Director, which demonstrates that the occupants are bona fide farm laborers. Failure to submit such documentation may result in a permit hearing to consider revocation of this permit.
5. To the extent that there is any conflict between the San Mateo County Ordinance Code and the Conservation Easement Agreement entered into with the Peninsula Open Space Trust, the provisions of the San Mateo County Zoning Ordinance shall take precedence over such agreement.
6. If the applicant applies for a PAD permit to construct a future permanent residence, the applicant shall concurrently resubmit an application for farm labor housing to the farm labor housing Certificate of Need Committee and the Agricultural Advisory Committee for their recommendation regarding approval.
7. The farm labor housing units shall only be occupied by farm workers and their families.
8. The new modular home or housing unit shall have no permanent foundation in accordance with adopted County Policy.
9. A new operator, a change in operations, or a proposed increase in the number of units requires that the applicant (or the new operator) shall apply for and receive a new Certificate of Need if the units will continue to be utilized.
10. At the termination of the permit for farm labor housing, the modular home and supporting utilities shall be removed from the temporary homesite and the applicant shall confirm in writing to the Community Development Director that the unit has been removed.
11. In the event that the ranch house is no longer needed for farm laborers, the structure shall either be converted to a non-habitable use or be used as the primary residence on the property, subject to all applicable building and zoning regulations and application requirements.

## PLANNING COMMISSION MINUTES

- 5 -

December 9, 2009

12. The applicant shall apply for and be issued a building permit prior to the start of installation of the farm labor housing unit.
13. The applicant shall comply with all requirements of the San Mateo County Geotechnical Section during the building permit phase of the project.
14. A Certificate of Compliance Type A shall be recorded to legalize the subject parcel prior to the issuance of a building permit for the new FLH unit for this project.
15. Prior to the beginning of any construction or grading activities, the applicant shall implement an approved erosion and sediment control plan. Erosion control measure deficiencies, as they occur, shall be immediately corrected. The goal is to prevent sediment and other pollutants from leaving the project site and to protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:
  - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
  - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
  - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
  - d. Using sediment control filtration to remove sediment when dewatering the site and obtaining necessary permits.
  - e. Avoiding refueling and maintaining vehicles on-site, except in a designated area where waste is contained and treated.
  - f. Demarcating with markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, ditches, and drainage courses.
  - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
  - h. Performing clearing and earth-moving activities only during dry weather.
  - i. Limiting and timing applications of pesticides and fertilizers to prevent polluted runoff.
  - j. Limiting construction access routes and stabilizing designated access points.

## PLANNING COMMISSION MINUTES

- 6 -

December 9, 2009

- k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
  - l. The contractor shall train and provide instructions to all employees and subcontractors regarding the construction best management practices.
  - m. The approved erosion and sediment control plan shall be implemented prior to the beginning of construction.
16. The applicant is responsible for ensuring that all contractors are aware of all stormwater quality measures and implement such measures. Failure to comply with the construction BMPs will result in the issuance of the correction notices, citations or a project stop order.
- a. All landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration and minimize the use of fertilizers, herbicides and pesticides that can contribute to runoff pollution.
  - b. Where subsurface conditions allow, the roof downspout systems from all structures shall be designed to drain to a designated, effective infiltration area or structure (refer to BMPs Handbook for infiltration system designs and requirements).
17. The applicant shall submit a permanent stormwater management plan in compliance with the County's Drainage Policy and NPDES requirements for review and approval by the Department of Public Works.
18. Noise levels produced by construction shall not exceed the 60-dBA level at any one moment. Construction activity shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operation shall be prohibited on Sunday and any national holidays.
19. The applicant shall use colors and materials for the proposed farm labor housing unit that blend in with and complement the surrounding natural environment. The applicant shall submit the proposed colors and materials to the Planning Department for review and approval. Prior to final Planning approval of the building permit for this project, the applicant shall submit photos of the completed structure to the Planning Department to verify that the approved colors and materials have been implemented.
20. Proposed new utility lines shall be installed underground from the nearest existing utility pole.
21. All exterior and interior lighting for the approved unit shall be designed and located so as to conform to the subject property and prevent glare in the surrounding area. Proposed lighting shall be reviewed and approved by the Planning Department during the building permit process to verify compliance with this condition.
22. The applicant shall submit a landscaping plan at the time of the building permit application for review and approval by the Planning Department. The landscaping plan shall include natural screening to minimize the visibility of the approved structure from the adjacent scenic roadways. Prior to final Planning approval of the building permit for this project, the applicant shall submit

photos of the completed landscaping to the Planning Department to verify that the approved landscaping plan has been implemented.

- 23. No trees are permitted to be removed as part of this approval. If any tree is proposed for removal, the applicant shall be required to obtain approval of a tree removal permit for the proposed removal of any tree with a diameter greater than 12 inches as measured 4.5 feet above the ground.
- 24. Any existing significant and heritage trees adjacent to construction areas shall be protected. The applicant shall establish and maintain tree protection zones which shall be delineated using a 4-foot tall orange plastic fencing supported by poles pounded into the ground located as close to the tree driplines as possible while still allowing room for construction to safely continue. The applicant shall maintain tree protection zones free of equipment and material storage and shall not clean any equipment within these areas. Should any large roots or masses of roots need to be cut, the roots shall be inspected by a certified arborist prior to cutting. Any root cutting shall be monitored by an arborist and documented.

**Building Inspection**

- 25. A building permit shall be required for all new development.
- 26. Fire sprinklers shall be required.

Environmental Health Department

- 27. At the building application stage of the farm labor unit, the applicant shall obtain a permit to install the septic system meeting Environmental Health Standards.

**Department of Public Works**

- 28. A drainage plan shall be submitted during the building permit stage.

**Coastal Fire Protection District**

- 29. Addressing: Existing structures are required to have a contrasting 4" high address sign on the structure facing the direction of fire access (Verde/Purissima Creek). The new structure will require an internally illuminated address sign with 4" contrasting letters. Due to the setback from the street an additional reflective address sign shall be installed at the street/driveway entrance. The sign shall be 911 16" x 8" reflective green with white 3" letters or equivalent.
- 30. Road leading to the new structure will require a minimum of 6" of compacted Class II base rock engineered to support the imposed load of the fire apparatus. This road will be a minimum of 20' wide for Verde to the structure.
- 31. The new structure is required to have smoke detectors installed in every bedroom, and in the corridor outside the bedrooms. These smoke detectors will be hardwired, interconnected and have battery backup.

- 32. Water supply: The new structure will be required to have a Draft Hydrant installed, fed from a minimum 7,000 gallon water tank. See the Coastside Fire District standard for installation details.
- 33. This residential structure will be required to be equipped with a NFPA 13D Fire Sprinkler system.

**END OF THE CONSENT AGENDA**

**REGULAR AGENDA  
7:00p.m.**

- 6. **Owner:** John O'Rourke  
**Applicant:** San Mateo Real Estate and Construction  
**File No.:** PLN2002-00517  
**Location:** San Mateo Highlands  
**Assessor's Parcel Nos:** 041-111-130; 041-111-131; 041-111-270; 041-111-280; 041-111-320  
 And 041-111-360

Consideration of a Major Subdivision, pursuant to Section 8600 of the County Subdivision Ordinance and the State Subdivision Map Act, grading permit, pursuant Section 8600 of the San Mateo County Ordinance Code, and certification of Final Environmental Impact Report (FEIR), pursuant to the California Environmental Quality Act (CEQA) for the proposed Ascension Heights Subdivision located in the unincorporated San Mateo Highlands area of San Mateo County. The project includes the subdivision of the 13.2-acre subject site into 27 legal parcels for development of 25 single-family dwellings, a landscaped conservation area (lot A), and "tot-lot" (lot B), which includes a main private access road, and an emergency Vehicle Access road to provide additional fire access. The project site is bounded from the north by Loma Vista Road north of Ascension Drive. Application filed August 28, 2002. PROJECT NUMBER: 00517. PROJECT LEADER: James A. Castañeda. Telephone: 650/363-1853.

**SPEAKERS:**

- 1. [Redacted] Ozanne, M.D.
- 2. [Redacted]
- 3. [Redacted]
- 4. Craig Nishizaki
- 5. Douglas Heiton
- 6. Donald Nagle
- 7. Clayton Nagle
- 8. Harris Dubrow
- 9. Pat Dubrow

- 10. Gilma Walker
- 11. Caron and Noam Tabb
- 12. Marilyn Haithcox
- 13. Pat Dubrow
- 14. Ara Jabaghourian
- 15. Carol McGraw
- 16. Dr. Robert Snow
- 17. Russ Wright
- 18. Ted Glasgow
- 19. Suzanne Kennedy
- 20. Sam Naifeh
- 21. Terence Day
- 22. Steve Simpson
- 23. Michael Hann
- 24. Bob Dobel
- 25. Eugene Ciranni
- 26. Alissa Reindel
- 27. Michele Pilgrim
- 28. Barbara Mikulis
- 29. T. Jack Foster
- 30. Stelon Delorenzi
- 31. Carol Henton
- 32. Rosemarie Thomas
- 33. John Shroyer
- 34. Wendy Z. Browne
- 35. Kim Ricket
- 36. Frank Shissler
- 37. George Mitroff
- 38. Peter B. ...
- 39. Gary ...
- 40. Kirk McC...
- 41. Scott Miller
- 42. Anastassia N...
- 43. Robert Snow
- 44. Ted Snyre
- 45. Barbara Bailey

Draft

**COMMISSION ACTION**

Commissioner Slocum moved and Commissioner Wong seconded to close the public hearing. Motion carried 4-0-0-1(*Commissioner Ranken absent*).

Re-open the public hearing after a short break: Commissioner Bomberger moved and Commissioner Slocum seconded to re-open the public hearing again. Motion carried 4-0-0-1(*Commissioner Ranken absent*) to hear additional comments and responses to questions. Commissioner Slocum moved and Commissioner Wong seconded to close the second public hearing. Motion carried 4-0-0-1(*Commissioner Ranken absent*).

After receiving answers to questions from staff and the application, the Commissioners expressed various concerns that had not been overcome by the information on which a decision must be made. Primary among these were Commissioner Bomberger's and Slocum's concern that the project as proposed was requesting the creation of new subdivision for lots that did not appear to conform with General Plan Policy 15.20 (to whenever possible avoid construction on steeply (greater than 30%) sloping areas (which had been shown to be a significant impact under the DEIR). The Commissioners, including Commissioner Wong, expressed a related concern regarding geotechnical and drainage/erosion impacts from building over a 5 year period on these proposed lots. Commissioner Slocum also expressed concerns about General Plan provisions regarding visual impacts in scenic corridors, which could be seen as resulting from building numerous 3-story buildings of over 36 feet in total height on the proposed lots the steep south facing slope.

Commissioner Slocum moved and Commissioner Wong seconded the following motion below. Motion carried 4-0-1 (Commissioner Ranken absent).

Based on information provided by staff and evidence presented at the hearing, the Planning Commission denied (4-0) the following:

1. A resolution certifying the Final Environmental Impact Report (FEIR) as complete, correct and adequate and prepared in accordance with CEQA.
2. A resolution adopting a Statement of Overriding Considerations.
3. A resolution adopting the Mitigation Monitoring Report and the Statement of Findings and Facts in Support of Findings.
4. The vesting tentative map for the major subdivision, the grading permit, and the removal of four significant trees, making retaining walls and adopting the conditions of approval as set forth in Attachment A.

The Planning Commission also directed the applicant to meet with the community to seek a design that does not build on the steep south facing slope of the site and directed staff to assist as appropriate.

In addition, to provide guidance to the applicant to aid in any further efforts to modify the proposal, the Planning Commission encouraged the applicant to: 1) provide more moderate-sized housing, 2) address the concerns about avoiding building on the steep south facing slope, and 3) develop a new design that could minimize negative impacts.

Commissioner Slocum distributed an illustrative drawing depicting a potential approach to a redesign that would appear to avoid the significant impacts and address many of the remaining concerns expressed by the community by avoiding development and new roads and retaining walls on the steep south facing slope but yet allow for development of approximately 18 – 19 homes on more modest sized lots on the flatter areas of the site. (See attached.)

7 **Correspondence and Other Matters**

Director Grote reported that she will be attending the Coastal Commission meeting in San Francisco along with other staff from Long Range including Steve Monowitz and County Counsel John Nibbelin

8. **Consideration of Study Session for Next Meeting**

Director Grote reported the next Study Session will be on January 27, 2010 from 8-9 a.m. and if needed after the regular meeting.

9. **Director's Report**

1. December 1, 2009 the Board of Supervisors approved the final recommendations on the Local Coastal Program Update.
2. Two meetings will be held in January next year, January 13 (Highlands) and January 27, 2010 (Housing Element and other items).

10. **Adjournment**

The meeting adjourned at 11:15 p.m.

**DRAFT**

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 X-Priority: 1  
 Priority: Urgent  
 Importance: high  
 References: <4B6A96EC.35D9.00D4.1@co.sanmateo.ca.us>  
 From: "Slocum, Gail" <  
 To: "Rosario Fernandez" <RFernandez@co.sanmateo.ca.us>  
 Cc: "Jim Eggemeyer" <JEggemeyer@co.sanmateo.ca.us>  
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Rosario

Thanks for the work you and Jim did on this. I thought it should say more about the basis for our unanimous denial, so I have added some suggestions highlighted in yellow for Jim to take a look at. Since this has been appealed, I figured the Supervisors should see more than just the bare minimum on why we denied, and I would think this would tend to protect the County's interests more strongly as well.

Thanks,

Gail Slocum  
PG&E Law Department

415 973-6583  
cell

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

From: Rosario Fernandez [mailto:RFernandez@co.sanmateo.ca.us]  
Sent: Thursday, February 04, 2010 9:44 AM  
To: Slocum, Gail;

Subject: December 9, 2010 - Minutes - Ascension Heights

Please see attached minutes that was revised by Jim Eggemeyer.

Thanks

Rosario

Save Paper.  
Think before you print.

**From:** Jim Eggemeyer  
**To:** Gail Slocum  
**CC:** Rosario Fernandez  
**Date:** 2/4/2010 12:15 PM  
**Subject:** RE: December 9, 2010 - Minutes - Ascension Heights  
**Attachments:** 2\_PCM120909\_gs\_jke.doc

Hi Gail, Here's my pass at it. See if you agree.

Thanks.

jke

>>> "Slocum, Gail" < >>>  
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Thanks

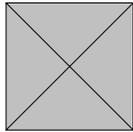
Rosario

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>>> "Slocum, Gail" < [redacted] > 2/4/2010 10:18 AM >>>  
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Sent: Thursday, February 04, 2010 9:44 AM  
To: Slocum, Gail;

Subject: December 9, 2010 - Minutes - Ascension Heights

Please see attached minutes that was revised by Jim Eggemeyer.



### Planning & Building Department Planning Commission

William Wong, 1st District  
David Bomberger, 2nd District  
Chris Ranken, 3rd District  
Gail Slocum, 4th District  
Steve Dworetzky, 5th District

County Office Building  
455 County Center  
Redwood City, California 94063  
(650) 363-1859

## Action Minutes

MEETING NO. 1499

Wednesday, December 9, 2009

At College of San Mateo Theatre, located at 1700 West Hill Road, Boulevard, San Mateo

Vice-Chair Bomberger called the meeting to order at 7:10 a.m.

1. **Pledge of Allegiance:** The Pledge of Allegiance led by Vice-Chair Bomberger.
2. **Roll Call:** Commissioners Present: Bomberger, Ranken, Slocum, Wong  
Commissioners Absent: Dworetzky  
Staff Present: Grote, Nibbeling, Shu

Legal notice published in the San Mateo County Times on November 28, 2009.

3. **Oral Communications:** The public address the Commission on any matter not on the agenda.

None.

4. **Consideration of the Minutes:** of the Planning Commission meeting of November 18, 2009, 2009.

Commissioner Dworetzky moved, and Commissioner Slocum seconded, that the minutes be approved as submitted. Motion carried **4-0-0-1**(*Commissioner Ranken absent*).

*Commissioner Dworetzky moved for approval of the Consent Agenda, Item 5, and Commissioner Slocum seconded the motion. Motion carried 4-0-0-1(Commissioner Ranken absent), approving items as follows:*

### CONSENT AGENDA

- 5. **Owners/Applicants:** **John and Maureen Giusti**  
 File No.: PLN2008-00077  
 Location: 318 Verde Road, Half Moon Bay  
 Assessor's Parcel No.: 066-270-020

Consideration of a Coastal Development Permit and a Planned Agricultural District Permit for Farm Labor Housing, pursuant to Sections 6328.4 and 6353, respectively, of the San Mateo County Zoning Regulations, and certification of a Mitigated Negative Declaration, pursuant to the California Environmental Quality Act, to allow the construction of a new 2,740 sq.ft. modular home to be used as a farm labor housing unit, a new septic system and legalization of an existing beach complex used as two Farm Labor Housing Units, located at 318 Verde Road in the unincorporated Half Moon Bay area of San Mateo County. This project is appealable to the California Coastal Commission. Application filed March 6, 2008. PROJECT PLANNER: Stephanie Skangos Telephone: (415) 363-1814

Attachment A

County of San Mateo  
 Planning and Building Department

**FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2008-00077      Hearing Date: December 9, 2009

Prepared By: Stephanie Skangos, Project Planner      Adopted By: Planning Commission

**FINDINGS**

**Regarding the Negative Declaration**

1. That the Negative Declaration is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act and applicable State and County guidelines. The public review period for this document was April 9, 2009 to April 29, 2009.
2. That on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project will have a significant effect on the environment. The Initial Study/Negative Declaration does not identify any cumulative impacts associated with this project.
3. That the Negative Declaration reflects the independent judgment of San Mateo County. The Negative Declaration was prepared by the project planner.
4. That the mitigation measures in the Mitigated Negative Declaration and agreed to by the owner and placed as conditions on the project have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with the California Public Resources Code Section 21081.6.

Regarding the Coastal Development Permit, Found:

- 5. That the project, as described in the application and accompanying materials required by Section 6328.7 and as conditioned in accordance with Section 6328.14, conforms with the plans, policies, requirements and standards of the San Mateo County Local Coastal Program (LCP) as the plans and materials have been reviewed against the application requirements, staff has completed an LCP Policy Checklist, and the project has been conditioned in accordance with the Locating and Planning New Development, Agriculture, Sensitive Habitats and Visual Resources Components of the Local Coastal Program.
- 6. The project conforms to the specific findings required by the policies of the LCP with regard to the Locating and Planning New Development, Agriculture, Sensitive Habitats and Visual Resources Components. Specifically, the project conforms with the proposed uses and conversion of prime agricultural land designated as agriculture and the criteria for rural parcels located within State and County Scenic Corridors.

Regarding the Planned Agricultural District Permit, Found:

- 7. That the proposed project, as described in the application and accompanying materials, complies with all applicable criteria for issuance of a Planned Agricultural District (PAD) Permit contained in Section 6355 of the County Zoning Regulations. The project complies with the criteria, as there are no alternative locations on the parcel for the proposed structures since the entire site consists of prime soils and is currently being used for agricultural production, including the cultivation of Brussels sprouts and peas and the grazing of livestock. The location of the proposed farm labor housing units is within an existing developed agricultural center, which is not used for agricultural production, nor is it viable for such use. As the agricultural center is set apart and distinguished from the location of agricultural production on the property, implementation of the new farm labor housing unit and legalization of the existing ranch house duplex as a labor housing unit will not decrease the current production or affect the potential for future agricultural use of the property. Water supplies for agricultural production on the property are not diminished by implementation of the new farm labor housing unit, as water is to be obtained from Purissima Creek, which domestic water rights have been obtained.
- 8. That the proposed project, as described in the application and accompanying materials, complies with the procedural criteria for issuance of a PAD Permit contained in Section 6361 of the County Zoning Regulations. An agricultural land management plan has been submitted in connection with the project, reviewed by staff and found to be compliance with the requirements and criteria of the PAD Zoning District.

CONDITIONAL APPROVAL

Current Planning Section

- 1. This approval applies only to the proposal, documents and plans described in this report and submitted to and approved by the Planning Commission on December 9, 2009. Minor revisions or modifications may be approved by the Community Development Director if they are consistent with the intent and in substantial conformance with this approval.

## PLANNING COMMISSION MINUTES

- 4 -

December 9, 2009

2. The permits shall be valid for a five-year period and will expire on December 9, 2014. If the applicant or owner wants to renew the permit, he or she shall submit a complete permit renewal application form to the Planning and Building Department at least six months prior to the date of expiration.
3. The PAD Permit is subject to two administrative reviews in December 2010 and December 2012, to ensure compliance with the conditions of approval. The applicant shall submit signed "certification of farm labor housing eligibility" forms, which demonstrate that the occupants are bona fide farm laborers and their dependents.
4. The Current Planning Section staff may, upon the recommendation of the Agricultural Advisory Committee, elect to conduct additional reviews beyond the above and administrative review. At that time, the applicant shall submit documentation to the satisfaction of the Community Development Director, which demonstrates that the occupants are bona fide farm laborers. Failure to submit such documentation may result in a public hearing to consider revocation of this permit.
5. To the extent that there is any conflict between the San Mateo County Ordinance Code and the Conservation Easement Agreement entered into with the Peninsula Open Space Trust, the provisions of the San Mateo County Zoning Ordinance shall take precedence over such agreement.
6. If the applicant applies for a PAD Permit to construct a permanent residence, the applicant shall concurrently resubmit an application for farm labor housing to the farm labor housing Certificate of Need Committee and the Agricultural Advisory Committee for their recommendation regarding renewal.
7. The farm labor housing unit shall only be occupied by farm workers and their families.
8. The new modular farm labor housing unit shall have no permanent foundation in accordance with adopted County codes.
9. A new operator, a change in operations, or a proposed increase in the number of units requires that the applicant (or the new operator) shall apply for and receive a new Certificate of Need if the unit will continue to be utilized.
10. At the time of termination of the permit for farm labor housing, the modular home and supporting utilities shall be removed from the temporary homesite and the applicant shall confirm in writing to the Community Development Director that the unit has been removed.
11. In the event that the ranch house is no longer needed for farm laborers, the structure shall either be converted to a non-habitable use or be used as the primary residence on the property, subject to all applicable building and zoning regulations and application requirements.
12. The applicant shall apply for and be issued a building permit prior to the start of installation of the farm labor housing unit.

## PLANNING COMMISSION MINUTES

- 5 -

December 9, 2009

13. The applicant shall comply with all requirements of the San Mateo County Geotechnical Section during the building permit phase of the project.
14. A Certificate of Compliance Type A shall be recorded to legalize the subject parcel prior to the issuance of a building permit for the new FLH unit for this project.
15. Prior to the beginning of any construction or grading activities, the applicant shall implement an approved erosion and sediment control plan. Erosion control measure deficiencies, as they occur, shall be immediately corrected. The goal is to prevent sediment and other pollutants from leaving the project site and to protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo Countywide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:
  - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 15 and April 15. Stabilizing shall include both passive measures, such as the placement of hay bales or coir netting, and active measures, such as vegetating disturbed areas with plants propagated from seed collected in the immediate area.
  - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
  - c. Controlling and preventing the discharge of potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and drainage courses.
  - d. Using sediment controls or filtration to remove sediment when dewatering the site and obtaining all necessary permits.
  - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where water is collected and treated.
  - f. Delineating field markings, including limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
  - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
  - h. Performing clearing and earth-moving activities only during dry weather.
  - i. Scheduling and timing applications of pesticides and fertilizers to prevent polluted runoff.
  - j. Limiting construction access routes and stabilizing designated access points.
  - k. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
  - l. The contractor shall train and provide instructions to all employees and subcontractors regarding the construction best management practices.

## PLANNING COMMISSION MINUTES

- 6 -

December 9, 2009

- m. The approved erosion and sediment control plan shall be implemented prior to the beginning of construction.
16. The applicant is responsible for ensuring that all contractors are aware of all stormwater quality measures and implement such measures. Failure to comply with the construction BMPs will result in the issuance of the correction notices, citations or a project stop order.
    - a. All landscaping shall be properly maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration and minimize the use of fertilizers, herbicides and pesticides that can contribute to runoff pollution.
    - b. Where subsurface conditions allow, the roof downspout system from all structures shall be designed to drain to a designated, effective infiltration area on site (refer to BMPs Handbook for infiltration system designs and requirements).
  17. The applicant shall submit a permanent stormwater management plan in compliance with the County's Drainage Policy and NPDES requirements for review and approval by the Department of Public Works.
  18. Noise levels produced by construction shall not exceed the 80 dBA level at any one moment. Construction activity shall be limited to the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operation shall be prohibited on Sunday and any national holiday.
  19. The applicant shall use colors and materials for the proposed farm labor housing unit that blend in with and complement the surrounding natural environment. The applicant shall submit the proposed colors and materials to the Planning Department for review and approval. Prior to final Planning approval of the building permit for this project, the applicant shall submit photos of the completed landscaping to the Planning Department to verify that the approved colors and materials have been implemented.
  20. Proposed new utility lines shall be installed underground from the nearest existing utility pole.
  21. All exterior and interior lighting for the approved unit shall be designed and located so as to confine direct rays to the subject property and prevent glare in the surrounding area. Proposed lighting shall be reviewed and approved by the Planning Department during the building permit process to verify compliance with this condition.
  22. The applicant shall submit a landscaping plan at the time of the building permit application for review and approval by the Planning Department. The landscaping plan shall include natural screening to minimize the visibility of the approved structure from the adjacent scenic roadways. Prior to final Planning approval of the building permit for this project, the applicant shall submit photos of the completed landscaping to the Planning Department to verify that the approved landscaping plan has been implemented.
  23. No trees are permitted to be removed as part of this approval. If any tree is proposed for removal, the applicant shall be required to obtain approval of a tree removal permit for the

proposed removal of any tree with a diameter greater than 12 inches as measured 4.5 feet above the ground.

- 24. Any existing significant and heritage trees adjacent to construction areas shall be protected. The applicant shall establish and maintain tree protection zones which shall be delineated using a 4-foot tall orange plastic fencing supported by poles pounded into the ground, located as close to the tree driplines as possible while still allowing room for construction to safely continue. The applicant shall maintain tree protection zones free of equipment and material storage and shall not clean any equipment within these areas. Should any large roots or large masses of roots need to be cut, the roots shall be inspected by a certified arborist prior to cutting. Any root cutting shall be monitored by an arborist and documented.

**Building Inspection Section**

- 25. A building permit shall be required for all new development.
- 26. Fire sprinklers shall be required.

Environmental Health Department

- 27. At the building application stage for the farm labor unit, the applicant shall obtain a permit to install the septic system meeting Environmental Health Standards.

**Department of Public Works**

- 28. A drainage analysis shall be required during the building permit stage.

**Coastside Fire Protection District**

- 29. Addressing: Existing structures required to have a contrasting 4" high address sign on the structure in the direction of fire access (Verde/Purissima Creek). The new structure will require an illuminated address sign with 4" contrasting letters. Due to the setback from the street an additional reflective address sign shall be installed at the street/driveway entrance. This sign shall be a minimum 11 1/2" x 8" reflective green with white 3" letters or equivalent.
- 30. Road access to the new structure will require a minimum of 6" of compacted Class II base rock engineered to support the imposed load of the fire apparatus. This road will be a minimum of 20' wide for Verde to the structure.
- 31. The new structure is required to have smoke detectors installed in every bedroom, and in the common areas of the bedrooms. These smoke detectors will be hardwired, interconnected and have battery backup.
- 32. Water supply: The new structure will be required to have a Draft Hydrant installed, fed from a minimum 7,000 gallon water tank. See the Coastside Fire District standard for installation details.

- 33. This residential structure will be required to be equipped with a NFPA 13D Fire Sprinkler system.

**END OF THE CONSENT AGENDA**

**REGULAR AGENDA  
7:00p.m.**

- 6. **Owner:** John O'Rourke  
**Applicant:** San Mateo Real Estate and Construction  
**File No.:** PLN2002-00517  
**Location:** San Mateo Highlands  
**Assessor's Parcel Nos:** 041-111-130; 041-111-160; 041-111-270; 041-111-271; 041-111-320  
 And 041-111-360

Consideration of a Major Subdivision, pursuant to Section 70500 of the County Subdivision Ordinance and the State Subdivision Map Act, a Grading Permit pursuant to Section 500 of the San Mateo County Ordinance Code, and certification of a Final Environmental Impact Report (FEIR), pursuant to the California Environmental Quality Act (CEQA), for a proposed Ascension Heights Subdivision located in the unincorporated San Mateo Highlands area of San Mateo County. The project includes the subdivision of the 17.25-acre subject parcel into 27 legal parcels for development of 25 single-family dwellings, a proposed conservation area (lot A), and "tot-lot" (lot B), which includes a main private access road, and an emergency vehicle access road to provide additional fire access. The project site is accessed from Del Aire Road north of Ascension Drive. Application filed August 28, 2002. PROJECT PLANNER: James A. [redacted]. Telephone: 650/363-1853.

**SPEAKERS:**

- 1. Gerard Zanne, M.P.
- 2. Angela Stricklzy
- 3. Robert Stricklzy
- 4. Craig Nishizaki
- 5. Douglas Heiton
- 6. [redacted] Nagle
- 7. [redacted]
- 8. [redacted] Dubrow
- 9. Pat Dubrow
- 10. Gilma Walker
- 11. Caron and Noam Tabb
- 12. Marilyn Haithcox
- 13. Pat Dubrow
- 14. Ara Jabaghourian

## PLANNING COMMISSION MINUTES

- 9 -

December 9, 2009

15. Carol McGraw
16. Dr. Robert Snow
17. Russ Wright
18. Ted Glasgow
19. Suzanne Kennedy
20. Sam Naifeh
21. Terence Day
22. Steve Simpson
23. Michael Hann
24. Bob Dobel
25. Eugene Ciranni
26. Alissa Reindel
27. Michele Pilgrim
28. Barbara Mikulis
29. T. Jack Foster
30. Stelon Delorenzi
31. Carol Henton
32. Rosemarie Thomas
33. John Shroyer
34. Wendy Z. Browne
35. Kim Ricket
36. Frank Shissler
37. George Mitroff
38. Peter B. Pitkin
39. Gary Ernst
40. Kirk McGowan
41. Scott Miller
42. Anastassia Nagle
43. Robert Spivy
44. Ted Spivy
45. Barbara Spivy

**COMMISSION ACTION**

Commissioner Slocum moved and Commissioner Wong seconded to close the public hearing. Motion carried 4-0-0-1 (*Commissioner Ranken absent*).

Re-open the public hearing after a short break: Commissioner Bomberger moved and Commissioner Slocum seconded to re-open the public hearing again. Motion carried 4-0-0-1 (*Commissioner Ranken absent*) to hear additional comments and responses to questions. Commissioner Slocum moved and Commissioner Wong seconded to close the second public hearing. Motion carried 4-0-0-1 (*Commissioner Ranken absent*).

After receiving answers to questions from staff and the applicant, the Commissioners expressed various concerns that had not been overcome or answered by the information on which a decision must be made. Primary among these were Commissioner Bomberger's and Slocum's concern that the project as proposed was requesting the creation of new subdivision for lots that did not appear to

conform with General Plan Policy 15.20.b. (Wherever possible, avoid construction on steeply sloping areas (generally above 30%), which had been shown to be a significant impact under the DEIR. The Commissioners, including Commissioner Wong, expressed a related concern regarding geotechnical and drainage/erosion impacts from building over a 5-year period on the proposed lots. Commissioner Slocum also expressed concerns about General Plan provisions regarding visual impacts in scenic corridors, which could be seen as resulting from building numerous 3-story buildings of over 36 feet in total height on the proposed lots on the steep south facing slope.

Commissioner Slocum moved and Commissioner Wong seconded the following motion below. Motion carried 4-0-0-1 (Commissioner Ranken absent).

Based on information provided by staff and evidence presented at the hearing, the Planning Commission denied (4-0) the following:

1. A resolution certifying the Final Environmental Impact Report (FEIR) as correct and adequate and prepared in accordance with CEQA.
2. A resolution adopting a Statement of Overriding Considerations.
3. A resolution adopting the Mitigation Monitoring Report and the Statement of Findings and Facts in Support of Findings.
4. The vesting tentative map for a major subdivision, the building permit, and the removal of four significant trees by making the findings and adopting the conditions of approval as set forth in Attachment A.

The Planning Commission's motion also directed the applicant to meet with the community to seek a design that does not build on the steep south facing slope of the site and directed staff to assist as appropriate.

In addition, to provide guidance to the applicant to aid in any further efforts to modify the proposal, the Planning Commission encouraged the applicant to: 1) provide more moderate-sized housing, 2) address the concerns about avoiding building on the steep south facing slope, and 3) develop a new design that could minimize negative impacts.

Commissioner Slocum distributed an illustrative drawing depicting a potential approach to a redesign that would appear to avoid the significant impacts identified in the Draft EIR and address many of the remaining concerns expressed by the community by avoiding development and new roads with retaining walls on the steep south facing slope but yet allow for development of approximately 18 – 19 homes on more modest sized lots on the flatter areas of the site. (See attached.)

Director Grote reported that she will be attending the Coastal Commission meeting in San Francisco along with other staff from Long Range including Steve Monowitz and County Counsel John Nibbelin

8. **Consideration of Study Session for Next Meeting**

Director Grote reported the next Study Session will be on January 27, 2010 from 8-9 a.m. and if needed after the regular meeting.

9. **Director's Report**

1. December 1, 2009 the Board of Supervisors approved the final recommendations on the Local Coastal Program Update.
2. Two meetings will be held in January next year, January 13 (Highlands) and January 27, 2010 (Housing Element and other items).

10. **Adjournment**

The meeting adjourned at 11:15 p.m.

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**DRAFT**

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Hi Gail, Here's my pass at it. See if you agree.

Thanks.

jke

>>> "Slocum, Gail" < Rosario  
 2/4/2010 10:18 AM >>>

Thanks for the work you and Jim did on this. I thought it should say more about the basis for our unanimous denial, so I have added some suggestions highlighted in yellow for Jim to take a look at. Since this has been appealed, I figured the Supervisors should see more than just the bare minimum on why we denied, and I would think this would tend to protect the County's interests more strongly as well.

Thanks,

Gail Slocum  
 PG&E Law Department

415 973-6583  
 cell

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

From: Rosario Fernandez [mailto:RFernandez@co.sanmateo.ca.us]  
 Sent: Thursday, February 04, 2010 9:44 AM  
 To: Slocum, Gail;

Subject: December 9, 2010 - Minutes - Ascension Heights

Please see attached minutes that was revised by Jim Eggemeyer.

Thanks

Rosario

Save Paper.  
Think before you print.

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Thanks,

Gail Slocum  
PG&E Law Department

415 973-6583  
cell

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

From: Rosario Fernandez [mailto:RFernandez@co.sanmateo.ca.us]

Sent: Thursday, February 04, 2010 9:44 AM

To: Slocum, Gail;

Subject: December 9, 2010 - Minutes - Ascension Heights

Please see attached minutes that was revised by Jim Eggemeyer.

Thanks

Rosario

Save Paper.  
Think before you print.

**From:** "Slocum, Gail" <  
**To:** JEggemeyer@co.sanmateo.ca.us  
**CC:** RFernandez@co.sanmateo.ca.us  
**Date:** 2/5/2010 9:54 AM  
**Subject:** RE: December 9, 2010 - Minutes - Ascension Heights

Jim/Rosario

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<http://www.pge.com> <<http://www.pge.com/>>

415 973-6583

cell

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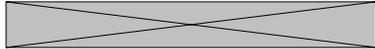
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Return-path: <  
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 X-MS-Has-Attach: yes  
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 From: "Slocum, Gail" <  
 To: "Jim Eggemeyer" <JEggemeyer@co.sanmateo.ca.us>  
 Cc: "Rosario Fernandez" <RFernandez@co.sanmateo.ca.us>  
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Content-Transfer-Encoding: text/html;charset=us-ascii quoted-printable

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**Cc:** Rosario Fernandez  
**Subject:** RE: December 9, 2010 - Minutes - Ascension Heights

**From:** Jim Eggemeyer  
**To:** Peggy Jensen  
**Date:** 3/9/2010 3:07 PM  
**Subject:** Reminder Email - Ascension Heights Subdivision

Last week when you and I met to talk about the "slides" for today, we first talked about Ascension Heights Subdivision. I owed you a follow-up email for you to review with David.

The plan is to write a short BOS memo/staff report recommending the "revised" project be remanded back to the PC for consideration. The project was appealed by the applicant because the PC denied the project. The applicant has now made revisions to the project and in an effort to streamline the appeal/alternative design, we are proposing the BOS remand the project to the PC for a decision. Environmental review and project review for compliance with applicable regulations will be provided by staff and our EIR consultant for the PC's consideration.

Let me know if you have any questions.

Thanks.

jke

**From:** Jim Eggemeyer  
**To:** Planning-All Employees  
**Date:** 6/21/2010 4:45 PM  
**Subject:** P & B News and Review - 6/21/10

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**From:** Peggy Jensen  
**To:** Jim Eggemeyer  
**Date:** 6/21/2010 5:37 PM  
**Subject:** Re: P & B News and Review - 6/21/10

Thanks for sharing this with me. Can't wait to see what happens with the chickens!

Peggy

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Think before you print.

>>> Jim Eggemeyer 6/21/2010 4:45 PM >>>

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**From:** Jie He  
**To:** Jim Eggemeyer  
**Date:** 6/21/2010 5:59 PM  
**Subject:** Re: P & B News and Review - 6/21/10

Jim,

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<http://www.co.sanmateo.ca.us/planning/survey>

Deb also suggested to add phrase like this

**"Please help us to serve you better and take a moment to complete our survey, just click on the link below"**

<http://www.co.sanmateo.ca.us/planning/survey>

Please review it, and let me know if you need me to send out email with new link to all staff, or otherwise.

Thanks

Annie

>>> Jim Eggemeyer 6/21/2010 4:45 PM >>>

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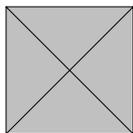
**"Please help us to serve you better and take a moment to complete our survey, just click on the link below"**

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Well everyone, we made it through the Budget Presentation today!! Thanks to everyone who has helped out the last few weeks pulling this together! We received "tentative" approval for the recommended budget we worked out. As I mentioned at the end of the presentation, this is a "lean" budget for "lean" times. I want to share this with you as we go forward in the next fiscal year. Cost savings, cost questions, and just the thought that we as a group need to be aware of our budget situation helps us all out in the long run. Just like our lives away from work, sometimes we need to ask ourselves how we are going to spend our money. Enough on the soap box, you know what I'm getting at. Thanks.

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A few weeks ago we had an all staff meeting and an "ER" event followed. Thanks to all who attended the staff meeting. For everyone who did not, I would like to meet with you as a small group and share with you the topics I covered with everyone else. Rosario will schedule a meeting in the near future. I started a list, but please email me and Rosario if you did not attend so we can make sure we all get a chance to go over the topics I shared. Thanks also to those who stayed to "construct" team towers. I must say, it was fun times by those who stayed there.

Then came the High Speed Rail Workshop with the BOS. We pulled it off without any problems. I think we had a good presentation by the High Speed Rail Folks, comments from the public and closed with some direction from the BOS for the upcoming BOS hearing next week. I've been attending meetings with the North Fair Oaks Community Council and their subcommittee to receive some feedback for the BOS. Matt in Long Range has been helping too, along with Will. Thanks for all the updated info!

I've also been away at some "Build It Green" training last week. I've been a certified green building professional now for two years and I needed to "re-certify" to keep the title. In light of the training programs available right now, I opted for the "advanced green building professional" and took a two day class on green building remodeling and retrofitting. Intense, two long days, but so much good information. If anyone is interested in knowing more or would like to see the instruction materials, come and talk with me.

All for now. Coming up, Board of Supervisors next Tuesday to see about remanding James' Ascension Heights/Dennis Thomas Subdivision back to the PC. Planning Commission is the following day on Wed. More on chickens coming to a unincorporated property near you!

jke

**From:** Jim Eggemeyer  
**To:** Planning-All Employees  
**Date:** 7/6/2010 4:46 PM  
**Subject:** P & B News and Review - 7/6/10

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<SXChan@co.sanmateo.ca.us>, "Steve Monowitz"  
 <SMonowitz@co.sanmateo.ca.us>, "Summer  
 Burlison"<SBurlison@co.sanmateo.ca.us>, "Tapasi Barman"  
 <TBarman@co.sanmateo.ca.us>, "Tiare Pena"  
 <TPena@co.sanmateo.ca.us>, "Troy  
 Smith"<TSmith@co.sanmateo.ca.us>, "Virginia Diehl"  
 <VDiehl@co.sanmateo.ca.us>, "Will Gibson"  
 <WGibson@co.sanmateo.ca.us>;  
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Content-Type: text/html; charset=utf-8  
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jke

**From:** Peggy Jensen  
**To:** Jim Eggemeyer  
**Date:** 7/8/2010 5:58 PM  
**Subject:** Re: P & B News and Review - 7/6/10

Great idea about the "red" public meeting notice stamp! Let me know if it's helpful in getting the word out.

Peggy

Save Paper.  
Think before you print.

>>> Jim Eggemeyer 7/6/2010 4:46 PM >>>

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**From:** Liz Henton  
**To:** Eggemeyer, Jim  
**CC:** Jensen, Peggy  
**Date:** 7/15/2010 8:39 AM  
**Subject:** SMC News blog - entry approval  
**Attachments:** 7\_14 Ascension Heights Proposal.doc; 7\_14 HSR NFO.doc

Hi Jim,

As you may recall, I manage a blog for the residents of the unincorporated area called SMCNews. Here's the link:

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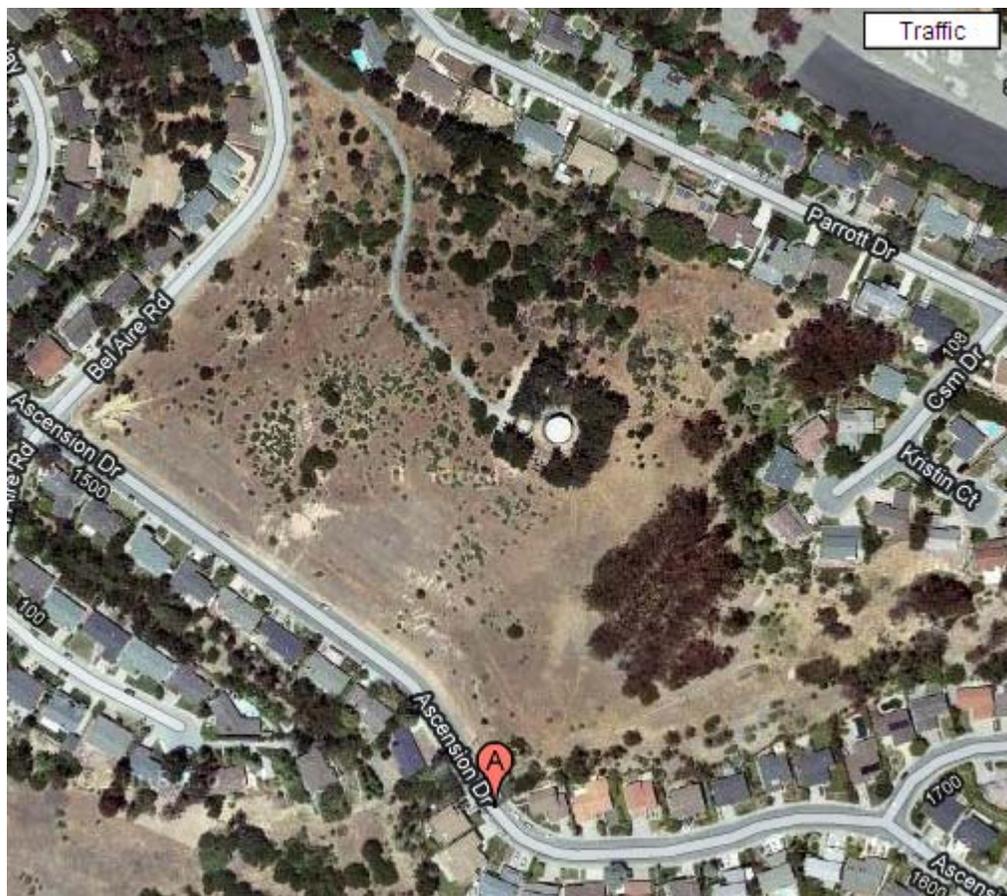
Our summer interns, Marcus Bell and Ashley Theisen, have written two entries on issues related to Planning that were discussed during the June 29th Board meeting: High Speed Rail in North Fair Oaks and the Ascension Heights subdivision proposal.

Before we post them, could you or your staff review and approve them? Also, you should know that the blog is interactive, so we may get comments. Comment authors on SMC News must identify their name and e-mail to leave a comment. If we do receive comments on these entries, we will refer them to Planning staff.

Thank you,  
Liz Henton  
County Manager's Office  
ext. 1949

### Ascension Heights

On December 9, 2009, the Planning commission reviewed a Draft Environmental Impact Report (DEIR) for a 27 plot subdivision on an undeveloped 13.25 acre hill off of Ascension drive, in the unincorporated community of Highlands Baywood Park.



The proposed Ascension Heights subdivision would have created 25 single family residences on the hillside. At the December 9<sup>th</sup> Planning Commission meeting, neighbors expressed concerns for the proposed project and the

Planning Commission denied approval of the DEIR citing nonconformance to specific General Plan policies, drainage and erosion impacts, and visual impacts. On December 23, 2009, the applicant filed an appeal of the Planning Commission's decision and submitted a revised plan that was altered to reflect the Planning Commission concerns.

On June 29, 2010, Planning director Jim Eggemeyer recommended that the Board of Supervisors send the revised plan back to the Planning Commission to evaluate the environmental impact of the new project and its compliance with CEQA, the California Environmental Quality Act. The Board voted in favor of remanding the proposal back to the Planning commission.

## High Speed Rail – North Fair Oaks

Planning Director Jim Eggemeyer has submitted a letter to the High Speed Rail Authority (HSR) outlining the potential impacts of the rail line on the unincorporated North Fair Oaks neighborhood. At the Board of Supervisor's meeting on June 29<sup>th</sup>, Eggemeyer discussed how public comments offered at workshops held by the Board of Supervisors on June 8<sup>th</sup> and at the North Fair Oaks Community Council meeting on June 17<sup>th</sup> were incorporated in the feedback provided to the HSR.

At the public meetings, residents of the North Fair Oaks area spoke of the safety hazards, public disruption and the need to study alternatives to current plans to construct the high speed rail line along the current Caltrain route.

The letter submitted to the HSR included the following community concerns:

- Negative impacts on Garfield School
- Construction impacts on residential streets
- Impacts on access as the proposed rail line would divide the neighborhood
- Coordination with other rail projects (e.g. Dumbarton Community Rail)
- Diesel pollution, use of electrical power, and safety

The letter also discussed the Board's request that further consideration of below-grade or trench alternatives be considered for North Fair Oaks so that the community be treated similarly to surrounding neighborhoods. . To read the letter submitted to the High Speed Rail Authority go to:

[http://www.co.sanmateo.ca.us/bos.dir/BosAgendas/agendas2010/CurrentAgenda/20100629\\_att\\_7.pdf](http://www.co.sanmateo.ca.us/bos.dir/BosAgendas/agendas2010/CurrentAgenda/20100629_att_7.pdf)

**From:** Jim Eggemeyer  
**To:** Liz Henton  
**CC:** Peggy Jensen  
**Date:** 7/15/2010 6:13 PM  
**Subject:** Re: SMC News blog - entry approval

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Thanks.

jke

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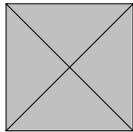
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**From:** Jim Eggemeyer  
**To:** LHenton@co.sanmateo.ca.us  
**Date:** 7/16/2010 8:43 AM  
**Subject:** Re: SMC News blog - entry approval

I will be out of the office Friday, July 16th through Friday, July 23rd and will respond to your e-mail upon my return. If you need assistance before I return, please contact Rosario Fernandez at 650/363-1859 for any issues.

jke  
>>> Liz Henton 07/16/10 08:43 >>>

Jim,

Thanks for looking the entries over. I will connect with James Casteneda for further guidance on the Ascension Heights entry. Have a great vacation!

Best,  
Liz

Liz Henton  
County Manager's Office  
County of San Mateo  
400 County Center, 1st floor  
Redwood City, CA 94063  
650.363.1949

>>> Jim Eggemeyer 7/15/2010 6:13 PM >>>

Hi Liz, I read both entries and the Ascension Heights blog will need some edits. I suggest that you coordinate with James Castaneda, Project Planner for assistance. Sorry I can't respond as I need to get out of here on a vacation.

The other NFO/High Speed Rail looks fine and can be posted.

Thanks.

jke

>>> Liz Henton 7/15/2010 8:39 AM >>>

Hi Jim,

As you may recall, I manage a blog for the residents of the unincorporated area called SMCNews. Here's the link:

[www.smcnews@wordpress.com](http://www.smcnews@wordpress.com)

Our summer interns, Marcus Bell and Ashley Theisen, have written two entries on issues related to Planning that were discussed during the June 29th Board meeting: High Speed Rail in North Fair Oaks and the Ascension Heights subdivision proposal.

Before we post them, could you or your staff review and approve them? Also, you should know that the

blog is interactive, so we may get comments. Comment authors on SMC News must identify their name and e-mail to leave a comment. If we do receive comments on these entries, we will refer them to Planning staff.

Thank you,  
Liz Henton  
County Manager's Office  
ext. 1949

**From:** Liz Henton  
**To:** Eggemeyer, Jim  
**CC:** Jensen, Peggy  
**Date:** 7/16/2010 8:43 AM  
**Subject:** Re: SMC News blog - entry approval

Jim,

Thanks for looking the entries over. I will connect with James Casteneda for further guidance on the Ascension Heights entry. Have a great vacation!

Best,  
Liz

Liz Henton  
County Manager's Office  
County of San Mateo  
400 County Center, 1st floor  
Redwood City, CA 94063  
650.363.1949

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**From:** Liz Henton  
**To:** Castaneda, James  
**CC:** Eggemeyer, Jim; Jensen, Peggy  
**Date:** 7/16/2010 9:03 AM  
**Subject:** SMC News Blog Entry Approval - Ascension Heights  
**Attachments:** 7\_14 Ascension Heights Proposal.doc

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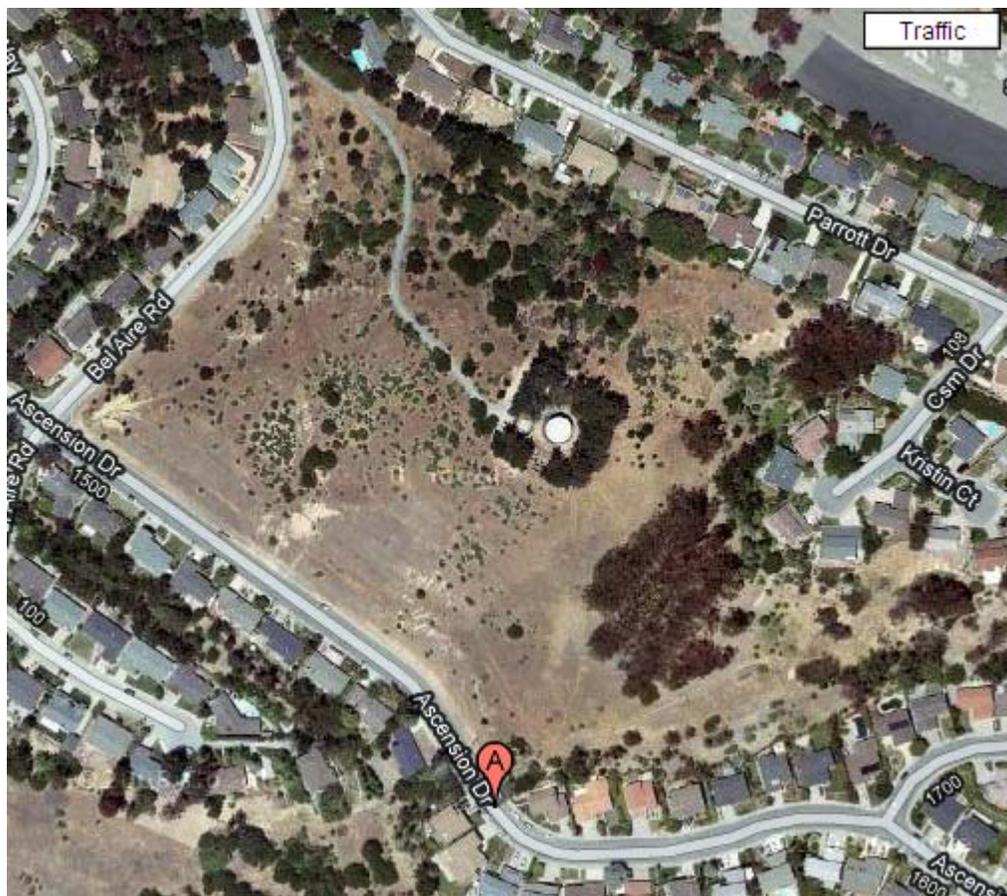
We would like to post an entry on the Ascension Heights proposal that was discussed at the June 29th board meeting. Jim Eggemeyer suggested that I send you our draft entry so that you could provide feedback and approval before we post it.

Also, you should know that the blog is interactive, so we may get comments. Comment authors on SMC News must identify their name and e-mail to leave a comment. If we do receive comments on these entries, we will refer them to Planning staff.

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### Ascension Heights

On December 9, 2009, the Planning commission reviewed a Draft Environmental Impact Report (DEIR) for a 27 plot subdivision on an undeveloped 13.25 acre hill off of Ascension drive, in the unincorporated community of Highlands Baywood Park.



The proposed Ascension Heights subdivision would have created 25 single family residences on the hillside. At the December 9<sup>th</sup> Planning Commission meeting, neighbors expressed concerns for the proposed project and the

Planning Commission denied approval of the DEIR citing nonconformance to specific General Plan policies, drainage and erosion impacts, and visual impacts. On December 23, 2009, the applicant filed an appeal of the Planning Commission's decision and submitted a revised plan that was altered to reflect the Planning Commission concerns.

On June 29, 2010, Planning director Jim Eggemeyer recommended that the Board of Supervisors send the revised plan back to the Planning Commission to evaluate the environmental impact of the new project and its compliance with CEQA, the California Environmental Quality Act. The Board voted in favor of remanding the proposal back to the Planning commission.

**From:** Marshall Wilson  
**To:** BOS-Board Members  
**CC:** Boesch, David; Eggemeyer, Jim; Farrales, Reyna; Jensen, Peggy; McMil...  
**Date:** 7/22/2010 11:40 AM  
**Subject:** Ascension Project News Release

Dear Board Members,

We plan to issue the following news release on the Ascension project on Friday. Please let me know if you have any questions or concerns. Best,

Marshall

REDWOOD CITY, Calif. – Members of the community are invited to help planners design a process for public review of a proposed development in the San Mateo Highlands by attending the Wednesday, July 28, meeting of the Planning Commission. The proposed development, called Ascension Heights, was denied by the Planning Commission in December 2010. The developer is now revising the original 25-lot proposal, and staff planners expect a revised application will be submitted within six to nine months. Under the direction of the Board of Supervisors, County planners want to ensure that community members can provide their ideas and review the proposed revisions as early as possible. That is why planners are inviting the public to Wednesday's meeting to help shape the review process. "We will share our ideas for engaging residents but, more important, we want to hear ideas and recommendations," said Community Development Director Jim Eggemeyer. "We are committed to designing a review process that the community wants, not what we think the community wants." The Ascension Heights project is proposed for approximately 13 acres bordered on the west by Bel Aire Road, Ascension Drive to the south and single-family homes to the north and west. It is located about a quarter-mile from the College of San Mateo. The developer first submitted an application to the Planning and Building Department in 2002. The Planning Commission rejected the project's draft environmental impact in December 2009 over concerns about drainage, erosion and visual impacts. The developer appealed the Commission's decision to the Board of Supervisors. The Board then sent the project back to the planning staff to begin a review process for a revised application. Planners are committed to holding public workshops and posting all information about the project on the County's website. What the community wants will help shape the review process. Wednesday's meeting will be at 9 a.m. in the Board of Supervisors Chambers, 400 County Center, Redwood City. Metered parking is available on the nearby streets or in the County parking garage at Veterans Boulevard and Middlefield Road. If you have any questions or are unable to attend and wish to share your ideas, contact planner James Castaneda at (650) 363-1853, or by e-mail at [jcastaneda@co.sanmateo.ca.us](mailto:jcastaneda@co.sanmateo.ca.us) More information can be found at [www.smcplanning.org/ascension](http://www.smcplanning.org/ascension)

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Subject: Ascension Project News Release  
To: BOS-Board Members: "Tissier, Adrienne" <ATissier@co.sanmateo.ca.us>, "Groom, Carole" <CGroom@co.sanmateo.ca.us>, "Church, Mark" <MChurch@co.sanmateo.ca.us>, "Gordon, Rich" <RGordon@co.sanmateo.ca.us>, "Gibson, Rose" <RJacobsGibson@co.sanmateo.ca.us>;  
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**From:** Marshall Wilson  
**To:** Castaneda, James; Eggemeyer, Jim; Jensen, Peggy  
**Date:** 7/27/2010 9:53 AM  
**Subject:** Daily Journal fyi

Another attempt at Highlands housing July 27, 2010, 03:42 AM By Michelle Durand Daily Journal Staff

A proposal to construct houses in a steep section of the San Mateo Highlands now in its eighth year in the public planning process is heading back to county officials who, this time, want the public to help review the latest revisions.

"We are committed to designing a review process that the community wants, not what we think the community wants," said Community Development Director Jim Eggemeyer in a written statement.

The project, known as Ascension Heights, is proposed for a 13.25-acre section approximately a quarter-mile from the College of San Mateo and bordered by Bel Aire Road, Ascension Drive and single family homes.

The project is predominately located on a hillside where the slopes average 40 percent. The area was graded more than 40 years ago but surface runoff caused erosion along Ascension Drive over time.

The first proposal was for 26 houses and one 40-unit condominium on 97 acres — a plan that in 2004 worried the community about landslides like one that tumbled homes on Rainbow Drive.

The developer is creating another scaled-down version. The latest proposal called for 25 single-family dwellings on 27 parcels.

The project won't reach the Planning Commission for final consideration for approximately six to nine months. In the meantime, county officials are asking the public to tell them how they want the controversial plan analyzed and is holding a meeting Wednesday morning to cull ideas for the process.

The proposed development is in its eighth year of applications, rejections, appeals and reviews.

The developer first submitted an application in 2002 and the Planning Commission rejected its draft environmental impact review in December 2009 because of worry over drainage, erosion and aesthetics. The developer appealed the decision to the Board of Supervisors which sent the project back to planning staff for a revised application.

The public process kicked off by Wednesday morning's meeting will help form that application. County staff hope for an open house in the Highlands neighborhood and at least two workshops.

Those who are unable to attend Wednesday's commission meeting but wish to comment can contact Planner James Castaneda at 363-1853 or [jcastaneda@co.sanmateo.ca.us](mailto:jcastaneda@co.sanmateo.ca.us).

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**From:** Jim Eggemeyer  
**To:** Marshall Wilson  
**Date:** 7/27/2010 10:17 AM  
**Subject:** Re: Daily Journal fyi

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jke

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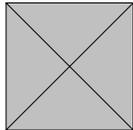
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**To:** James Castaneda; Jim Eggemeyer; Marshall Wilson  
**Date:** 7/27/2010 10:54 AM  
**Subject:** Re: Daily Journal fyi

Marshall,

Thanks very much for following up with the reporter to clarify the intent of the meeting and get the word out.

Peggy

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Another attempt at Highlands housing  
*July 27, 2010, 03:42 AM By Michelle Durand Daily Journal Staff*

A proposal to construct houses in a steep section of the San Mateo Highlands now in its eighth year in the public planning process is heading back to county officials who, this time, want the public to help review the latest revisions.

"We are committed to designing a review process that the community wants, not what we think the community wants," said Community Development Director Jim Eggemeyer in a written statement.

The project, known as Ascension Heights, is proposed for a 13.25-acre section approximately a quarter-mile from the College of San Mateo and bordered by Bel Aire Road, Ascension Drive and single family homes.

The project is predominately located on a hillside where the slopes average 40 percent. The area was graded more than 40 years ago but surface runoff caused erosion along Ascension Drive over time.

The first proposal was for 26 houses and one 40-unit condominium on 97 acres — a plan that in 2004 worried the community about landslides like one that tumbled homes on Rainbow Drive.

The developer is creating another scaled-down version. The latest proposal called for 25 single-family dwellings on 27 parcels.

The project won't reach the Planning Commission for final consideration for approximately six to nine months. In the meantime, county officials are asking the public to tell them how they want the controversial plan analyzed and is holding a meeting Wednesday morning to cull ideas for the process.

The proposed development is in its eighth year of applications, rejections, appeals and reviews.

The developer first submitted an application in 2002 and the Planning Commission rejected its draft environmental impact review in December 2009 because of worry over drainage, erosion and aesthetics. The developer appealed the decision to the Board of Supervisors which sent the project back to planning staff for a revised application.

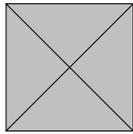
The public process kicked off by Wednesday morning's meeting will help form that application. County staff hope for an open house in the Highlands neighborhood and at least two workshops.

Those who are unable to attend Wednesday's commission meeting but wish to comment can contact Planner James Castaneda at 363-1853 or [jcastaneda@co.sanmateo.ca.us](mailto:jcastaneda@co.sanmateo.ca.us).

Marshall,

Thanks very much for following up with the reporter to clarify the intent of the meeting and get the word out.

Peggy



>>> Marshall Wilson 7/27/2010 9:53 AM >>>

Another attempt at Highlands housing

*July 27, 2010, 03:42 AM By Michelle Durand Daily Journal Staff*

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More information can be found at [www.smcplanning.org/ascension](http://www.smcplanning.org/ascension).

#### Info Box:

The San Mateo County Planning Commission meets 9 a.m. Wednesday, July 29 in Board Chambers, 400 County Government Center, Redwood City.

**From:** Peggy Jensen  
**To:** Shauna Wilson Mora  
**CC:** Jim Eggemeyer  
**Date:** 7/27/2010 11:02 AM  
**Subject:** Re: Ascension Heights in Highlands

Hi Shauna,

If community workshops are one of the recommendations to the Planning Commission tomorrow, then we'll certainly be in touch. I've copied Jim Eggemeyer on this email, so he'll be aware of the offer.

Thanks,

Peggy

>>> "Shauna Wilson Mora" <swilson@pcrcweb.org> 7/27/2010 10:52 AM >>>

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When we have done similar community workshops for Redwood City, Daly City and Menlo Park the developer paid for the workshops.

Let me know if you'd like to discuss this further.

Thanks,

Shauna

--

Shauna Wilson Mora  
Manager of Facilitation Programs  
Peninsula Conflict Resolution Center (PCRC)  
1660 S. Amphlett Blvd. Suite 219  
San Mateo, CA 94402

ph: 650-513-0330 x 304

fax: 650-513-0335

swilson@pcrcweb.org

www.pcrcweb.org

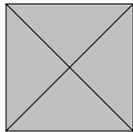
P Think Green before printing this e-mail.

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swilson@pcrcweb.org

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P Think Green before printing this e-mail.

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 Cc: "Jim Eggemeyer" <JEggemeyer@co.sanmateo.ca.us>  
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fax: 650-513-0335

**From:** Jim Eggemeyer  
**To:** James Castaneda  
**Date:** 7/27/2010 12:00 PM  
**Subject:** Fwd: Re: Ascension Heights in Highlands

FYI. Let's keep this in mind as we move forward.

Thanks.

jke

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swilson@pcrcweb.org

www.pcrcweb.org

P Think Green before printing this e-mail.

**From:** Jie He  
**To:** James Castaneda  
**CC:** Jim Eggemeyer; Steve Monowitz; Will Gibson  
**Date:** 8/13/2010 2:00 PM  
**Subject:** County Blogs

James and all,

You might know this already. I happen to talk to someone in County manager's office, and found they operate the Unincorporated Areas Blog called SMC News, which covers a lot of planning issues/projects, including your Ascension Heights Project

<http://smcnews.wordpress.com/>

I feel we can partnership with County manager's office to use the blog to better publicize issues currently under discussion in the Planning department.

Please take a look and let me know your thoughts.

Thanks

Annie

**From:** James Castaneda  
**To:** Planning-Current Planning  
**Date:** 9/21/2010 8:35 AM  
**Subject:** Counter Coverage Today, 3:30-5

Hey everyone, I know we're short staff today, but I have a meeting with the Jim and Ascension Heights I couldn't scheduled from any other time. I'm on counter this afternoon, and need to see if someone can cover the last half from 3:30 to 5 (or earlier if the meeting lets out sooner). I'd be happy to trade where possible. Sorry for the last minute request.

JAMES

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 To: Planning-Current Planning: "Angela Chavez" <achavez@co.sanmateo.ca.us>, "Camille Leung" <CLeung@co.sanmateo.ca.us>, "Dave Holbrook" <DHolbrook@co.sanmateo.ca.us>, "Debra Robinson" <DRobinson@co.sanmateo.ca.us>, "Dennis Aguirre" <DAguirre@co.sanmateo.ca.us>, "Erica Adams" <eadams@co.sanmateo.ca.us>, "James Castaneda" <JCastaneda@co.sanmateo.ca.us>, "Jim Eggemeyer" <JEggemeyer@co.sanmateo.ca.us>, "Lisa Aozasa" <LAozasa@co.sanmateo.ca.us>, "Melissa Ross" <MRoss@co.sanmateo.ca.us>, "Mike Schaller" <MSchaller@co.sanmateo.ca.us>, "Olivia Boo" <OBoo@co.sanmateo.ca.us>, "Pete Bentley" <PBentley@co.sanmateo.ca.us>, "Serene Skye" <SSkye@co.sanmateo.ca.us>, "Stephanie Skangos" <SSkangos@co.sanmateo.ca.us>, "Summer Burlison" <SBurlison@co.sanmateo.ca.us>, "Tiare Pena" <TPena@co.sanmateo.ca.us>, "Will Gibson" <WGibson@co.sanmateo.ca.us>;  
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 Attachment Attachment

I'll take it :)

Camille M. Leung  
 Planning and Building Department  
 455 County Center, Second Floor  
 Redwood City, CA 94063  
 Phone: (650) 363-1826  
 Fax: (650) 363-4849

Please help us to serve you better and take a moment to complete our survey, just click on the link below:  
<http://www.co.sanmateo.ca.us/planning/survey>

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JAMES



**From:** "Gerard Ozanne" <  
**To:** PIngBldg@co.sanmateo.ca.us  
**CC:** JCastaneda@co.sanmateo.ca.us; JEggemeyer@co.sanmateo.ca.us  
**Date:** 1/2/2011 11:16 PM  
**Subject:** PLN NO: PLN 2009-00312 Attn: Summer Burlison, Project Planner

I am providing a comment objecting to the Negative Declaration proposal to place new Verizon communication antennas at 1452 Bel Aire Rd, San Mateo. My comments are as follows:

1) There appear to be at least three or four parties interested in locating additional antennas on this hill top. We ask the County to assume an active role in managing all requests to form a single, integrated plan minimizing both visual disruption and safety aspects of this antenna site. We believe this proposal should be delayed until the long-term intentions of all interested parties are collected and analyzed creating a cohesive and comprehensive proposal that will minimize the impacts of proposed antennas from all entities. Verizon has prepared a 10-year plan and it is reasonable to require all other interested parties to do the same.

2) The Ascension Heights Subdivision project is described in the Notice but no assessment of human safety is addressed. The project will build homes immediately adjacent on at least two sides of the Ca. Water Service Company property housing the antennas. How many additional antennas will be constructed by all other parties and what will their microwave output be? What microwave intensities will irradiate any potential new homeowner--in their yard? In their home? Are these levels of microwave radiation known to be safe to humans over a lifetime or during fetal gestation? To receive a determination of a "Negative Declaration", I submit the maximum radiation levels at the surrounding fences, or within homes, must be used in all health impact calculations.

3) The current pine trees surrounding the water tank were planted specifically to shield the tank from the 360 degree view of the hilltop, including Interstate 280. After at least 30 years of growth, these pine trees have done so successfully. The proposal to remove "six significant sized pine trees to accommodate an on-site fire access turn around" will produce a dramatic, negative visual impact. In the proposal there is no indication which trees are to be removed but since there are probably fewer than 12-15 significant pine trees, this would result in uncovering the tank in nearly a 180 deg arc. The neighborhood certainly doesn't consider this an 'insignificant impact'.

4) What mitigations or other approaches might be considered?

a) If the new housing development is built, the access road to the water tank undoubtedly would be modified and very likely make the current plans for a fire access turn around unworkable or inefficient. It is possible the Ascension Heights Subdivision will provide a turn around that will be adequate for the fire department, making this on-site turn around unnecessary.

b) The neighborhood must be involved in all plans for tree removal, including specific tree selection and alternate turn around options.

c) If any trees ultimately are removed, the size, type and location of replacement trees must be specified in collaboration with the neighborhood. Ten or fifteen foot replacement trees will be substantially inadequate.

d) Every replacement trees must remain alive, health and growing for as long as the companies use the hill top. Failure to maintain the trees must invoke substantial penalties for all parties and eventual removal of antennas.

Thank you for your consideration of this objection.

Sincerely,

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Thank you for your consideration of this objection.

Sincerely,

Gerard Ozanne,  
President,  
Baywood Park Homeowners' Association

**From:** James Castaneda  
**To:** Jim Eggemeyer  
**Date:** 1/10/2011 9:41 AM  
**Subject:** Fwd: Re: Ascension Heights Working Group meeting

FYI on this afternoon's Ascension Heights meeting.

JAMES

>>> On 1/10/2011 at 9:40 AM, James Castaneda wrote:

Jerry,

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As I expressed in yesterday's email, continuing to have today's meeting would be beneficial to all parties, even if your group isn't ready to provide feedback. Viewing the live modeling and illustrations would have allowed the group to consider such (along with the sent materials) to provide feedback at the following next meeting. This is an attempt to keep the conversation and discussion moving, which seems to be echoed by all involved.

The meeting will continue as scheduled. Please forward this to any other members of the group who may not have other commitments and wish to attend. Otherwise, the next meeting is tentatively scheduled for January 31, 2011. Again, I can accommodate moving this meeting up to January 24<sup>th</sup>, but I will need to know that by 9am tomorrow in order to make the appropriate arrangements.

JAMES

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houses placed on their lots. Can this be done before our next meeting?

Thank you,

Jerry

On Jan 9, 2011, at 6:02 PM, James Castaneda wrote:

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>>>> 01/09/11 12:58 PM >>>

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> Sent from my Verizon Wireless BlackBerry

>

> -----Original Message-----

> From: Gerard Ozanne

> Date: Sun, 9 Jan 2011 12:04:31

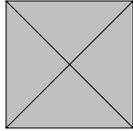
> To: James Castaneda; Dennis Thomas

> Cc: Harris Dubrow

> Subject: Re: Ascension Heights Working Group meeting 1 OF 2  
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> On Jan 7, 2011, at 10:42 AM, James Castaneda wrote:  
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>> \_\_\_\_\_  
>> James A. Castañeda, AICP  
>> Planner III  
>> San Mateo County Planning & Building Department  
>> 455 County Center, 2nd Floor  
>> Redwood City, CA 94063  
>> OFFICE: +1 (650) 363-1853  
>> FAX: +1 (650) 363-4849  
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> Save Paper.  
> Think before you print.  
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FYI on this afternoon's Ascension Heights meeting.

JAMES



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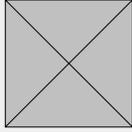
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**From:** Jim Eggemeyer  
**To:** Tim Fox  
**Date:** 12/15/2011 1:29 PM  
**Subject:** Fwd: Meeting on 12/20 re: ExteNet Section 320 deviation request at CPUC

Not really. I have a 2 - 3 with Steve M. and Sarah Rosendahl from Sup. Horsley's Office to talk about Princeton land use planning. Then at 3 you and I have a meeting with James about Dennis Thomas/Ascension Heights project for 30 min. So how about 3:30?

Just let me know.

Thanks.

jke

>>> Tim Fox 12/15/2011 9:38 AM >>>  
Will this work?

>>> "Anita Taff-Rice" < >>> 12/15/2011 9:36 AM >>>  
Tim,

I have an appointment in the morning on 12/20 down the Peninsula, so it would be very convenient if we could schedule the meeting on the afternoon of 12/20. Would 2pm work for you? Even if Mr. Eggemeyer can't attend, it is critical that we have a discussion about the legal issues so that ExteNet is able to move forward with its project as soon as the Section 320 deviation is granted in January.

Thanks, Anita

On 12/14/2011 8:45 AM, Anita Taff-Rice wrote:

Tim,

Thanks for your time yesterday to discuss ExteNet's proposed telephone network project on Highway 35. I am writing to request that you reply to this email and/or send a letter to myself and Helen Mickiewicz copied on this email clarifying that the letter sent by Mr. Jim Eggemeyer to the California Public Utilities Commission dated December 1, 2011 was not intended to oppose ExteNet's request for a deviation from Section 320 of the Public Utilities Code. Rather, you indicated that Mr. Eggemeyer intended only to notify the CPUC of his opinion that ExteNet is not exempt from San Mateo County ordinances applicable to the project.

As I indicated to you yesterday, it is and always has been ExteNet's position that San Mateo County's wireless ordinance (Chapter 24.5) and associated architectural review ordinance (Chapter 28) is not applicable to ExteNet because it is not a wireless carrier as defined in the ordinance. ExteNet is a telephone corporation certified by the CPUC to provide fiber optic telecommunications transport services (please see attached certificate of public convenience and necessity -- at that time ExteNet operated under the name Clearlinx Network Corp). Although ExteNet's distributed antenna system (DAS) network accepts a wireless handoff, it converts the signal to optical and carries the signal on fiber optic cable. The CPUC determined in the draft resolution approving ExteNet's Section 320 deviation that it is a telecommunications carrier, **not** a wireless carrier. Thus, it is ExteNet's position that all necessary aesthetic and environmental review is properly handled by the CPUC through its CEQA review as lead agency, and through its Section 320 analysis. ExteNet explained its regulatory status

and the inapplicability of San Mateo County's wireless ordinance to Mr. Eggemeyer in a letter in 2009 (please see attached letter). ExteNet did does not dispute that it must obtain excavation and encroachment permits for its construction, but because the project is located in Caltrans rights-of-way, it was and is our understanding that San Mateo County chose to defer to Caltrans' review for the issuance of such permits.

I appreciate the opportunity to discuss this matter with you and Mr. Eggemeyer further at a meeting with myself, you and Mr. Eggemeyer early next week. In the interim, I would appreciate an immediate response regarding the clarification of Mr. Eggmeyer's December 1 letter, as it has created confusion at the CPUC sufficient to cause staff there to remove an order granting the Section 320 deviation request from its December 15, 2011 agenda. This confusion has caused ExteNet substantial harm, and we wish to take steps to address this confusion before the holidays so that we can ensure our order will be placed on the January 12, 2012 agenda.

Please let me know if you have any questions about this matter, and I look forward to your immediate response to this email.

Thanks, Anita

--

Law Offices of Anita Taff-Rice  
1547 Palos Verdes, #298  
Walnut Creek, CA 94597  
Phone: 415.699.7885

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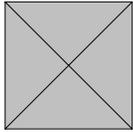
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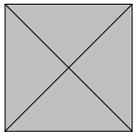
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Law Offices of Anita Taff-Rice

**From:** Jie He  
**To:** Planning-Current Planning; Planning-Long Range  
**Date:** 1/9/2012 11:57 AM  
**Subject:** Webpage Report

Hi, All

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keep in mind that all those subscribers' email addresses are available to be retrieved. Any large project is ideal for having Gove-Delivery setting up so the interesting parties can get updates on the project through email. Let Bryan or myself know when you need it.

**Topic Name Net Subscriber Profiles this period Total Subscriber Profiles To Date**

Planning: Agricultural Advisory Committee Agendas 38157  
Planning: Ascension Heights Subdivision Draft Environmental Impact Report (EIR) Documents 36190  
Planning: Big Wave Facilities Plan Draft 241201  
Planning: Highland Estates Draft EIR & Appendix 34178  
Planning: Midcoast Ground Water Study 43201  
Planning: Midcoast LCP Update Project 41204  
Planning: San Mateo 2009 County Housing Element Update 51270  
Planning: Williamson Act Program 40188  
Planning: Energy Efficiency Climate Action Plan 7070

Planning: Bayside Design Review Committee Meetings 33170  
Planning: Emerald Lake Hills Design Review Committee Meetings 34169  
Planning: Coastside Design Review Committee Meetings 41199  
Planning Commission Agendas 52245  
Planning: Zoning Hearing Officer Agendas 39176

Happy New Year! let me know if you have any Qs.

Annie

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 From: "Jie He" <jhe@smcgov.org>  
 Subject: Webpage Report  
 To: Planning-Current Planning: "Angela Chavez" <achavez@smcgov.org>, "Camille Leung" <CLEung@smcgov.org>, "Dave Holbrook" <DHolbrook@smcgov.org>, "Debra Robinson" <DRobinson@smcgov.org>, "Dennis Aguirre" <DAguirre@smcgov.org>, "Erica Adams" <eadams@smcgov.org>, "James Castaneda" <JCastaneda@smcgov.org>, "Jim Eggemeyer" <JEggemeyer@smcgov.org>, "Lisa Aozasa" <LAozasa@smcgov.org>, "Melissa Ross" <MRoss@smcgov.org>, "Mike Schaller" <MSchaller@smcgov.org>, "Olivia Boo" <OBoo@smcgov.org>, "Pete Bentley" <PBentley@smcgov.org>, "Serene Skye" <SSkye@smcgov.org>, "Summer Burlison" <SBurlison@smcgov.org>, "Tiare Pena" <TPena@smcgov.org>, "Will Gibson" <WGibson@smcgov.org>; Planning-LongRange: "Dave Carbone" <DCarbone@smcgov.org>, "Matthew Seubert" <MSeubert@smcgov.org>, "Steve Monowitz" <SMonowitz@smcgov.org>;  
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 Attachment Attachment

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**Date:** 1/9/2012 11:59 AM  
**Subject:** Fwd: Webpage Report

FYI

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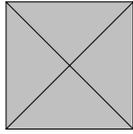
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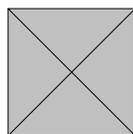
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Planning: Midcoast LCP Update Project	41	204
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Planning: Coastside Design Review Committee Meetings	41	199
Planning Commission Agendas	52	245
Planning: Zoning Hearing Officer Agendas	39	176

Happy New Year! let me know if you have any Qs.

Annie



**From:** Camille Leung  
**To:** Jim Eggemeyer; Lisa Bankosh  
**CC:** Ana Ruiz; Gina Coony; Gretchen Laustsen; Julie Andersen; Mike Williams  
**Date:** 5/11/2012 11:15 AM  
**Subject:** RE: MidPen WMA Contract Amendment Process

Hi Lisa and Jim,

For the June 26 hearing, June 11 is the day the report would be due to the County Manager's Office for Agenda Review. As we will need to include a discussion of Ag Advisory comments in the report, that will not work.

Lets shoot for July 10 (date subject to Jim's approval). A controversial project may be going forward on that day as well so I will leave this up to Jim (contract for Ascension Heights EIR).

If July 10th flies, I would need contract amendments and revisions to Neg Dec by May 22.

Let's see what Jim says.

Thanks

Camille M. Leung  
 Planning and Building Department  
 455 County Center, Second Floor  
 Redwood City, CA 94063  
 Phone: (650) 363-1826  
 Fax: (650) 363-4849

Please help us to serve you better and take a moment to complete our survey, just click on the link below:  
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Save Paper.

Think before you print.>>> "Lisa Bankosh" <[linfante@openspace.org](mailto:linfante@openspace.org)> 5/11/2012 10:07 AM >>>

Hi Camille,

Our proposed schedule to amend the contracts is below:

Next week: District revises MND and submits applications and fees for Mindego, Silva, and potentially the El Corte de Madera Creek parcels

June 4: District consults with Farm Bureau

June 11: District consults with Ag Advisory Committee

June 13: District Board certifies MND

June 26 (??): County Board of supervisors considers contract amendments

July ? Planning commission considers permit approvals

Does this look good to you? I wanted to confirm that we are on the June 11 Ag Advisory Agenda (Mike

Williams) and if June 26 works for the Board.

Thanks!  
Lisa

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

From: Camille Leung [mailto:[cleung@smcgov.org](mailto:cleung@smcgov.org)]

Sent: Wednesday, May 02, 2012 11:45 AM

To: Lisa Bankosh

Cc: James Castaneda; Jim Eggemeyer; Melissa Ross; Steve Monowitz; Steven Rosen; Tim Fox

Subject: Re: MidPen WMA Contract Amendment Process

Hi Lisa,

County Counsel and everyone else has reviewed the process outlined below. The only comment was that the Williamson Act only allows for amendment under Section 51253 (see below). Please include in your submittal a legal rationale for how the project qualifies for an amendment per this Section. MROSD will need to obtain a copy of the amendments made at that session and prove conformance (compatible uses are allowed and include public recreation).

51253. Amendment of prior contracts to conform to amended chapter. Any contract or agreement entered into pursuant to this chapter prior to the 61st day following final adjournment of the 1969 Regular Session of the Legislature may be amended to conform with the provisions of this act as amended at that session upon the mutual agreement of all parties. Approval of these amendments to a contract by the Director of Conservation shall not be required.

Thanks!

Camille M. Leung  
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Think before you print.>>> Camille Leung 4/30/2012 10:03 AM >>>

Hi Melissa and James,

MidPen wants to amend the WMA contract for 2 properties. They will be filing a formal application shortly. Please note Farm Bureau and Ag Advisory Dates below. Will these dates work for our review?

Lets talk about process when you get a chance :) I put together the following outline of my guess at the process:

- 1) File application and pay fees
- 2) MidPen to revise Neg Dec (in no particular order)
  - County to send referral to Dept. of Conservation (Maybe not necessary per Section 51253??? Anyone else?)
  - Farm Bureau and Ag Advisory review (due to Memorandum of Understanding)
  - County to write Staff Report
- 3) MidPen to certify MND
- 4) Board to review Contract Amendment
- 5) Regular Project review (RM projects, etc.)

Did I miss anything?

Thanks!!

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Save Paper.

Think before you print.>>> "Lisa Bankosh" <infante@openspace.org> 4/27/2012 9:06 AM >>>

Hi Camille,

We have drafted an amendment to the silva-Kenyon and Mindego contracts pursuant to WA section 51253. It is going thru review here and then we will send it over. Pls remind me of the process assuming this method is acceptable to your team. We are on the Farm Bureau agenda for May 7 and may try for the May 14 meeting of Ag Advisory.

Thanks,

Lisa

**From:** James Castaneda  
**To:** Dave Pine  
**CC:** David Burruto; Jim Eggemeyer  
**Date:** 3/20/2013 4:36 PM  
**Subject:** Upcoming Ascension Heights subdivision

Good afternoon Supervisor Pine,

I wanted to take a moment and point out an agenda item on the upcoming March 26th Board meeting for a forthcoming project in your district. The Ascension Heights subdivision, a 19-lot subdivision in the San Mateo Highlands area, requires an Environmental Impact Report to be circulated. The item on Tuesday's consent calendar will be to accept a contract authorizing a consultant team to start that effort in mid-April. At the conclusion of that process, we'll proceed to present the project to the Planning Commission for their consideration, which is projected for the end of the year.

To provide you with a brief background, the applicant (Dennis Thomas) has been working on this project since 2002, which was originally for 25-lots. The project was met with significant opposition from the community and in December 2009, the Planning Commission denied the project (as well as the EIR that accompanied it). The applicant has since revised his plan to reduce the number of lots to 19 in attempts to address concerns raised by the community. As such, the revised plan requires a new EIR.

Again, I wanted to take the opportunity to give you a heads up that the adoption of the contract will signal the start of the review process which will most likely receive attention within the community in the coming months. Both Jim and I are available to sit and discuss the history and particulars of the project further if you wish. Feel free to contact me to answer with any questions you have.

Regards,  
JAMES

--

James A. Castañeda, AICP  
Planner III, San Mateo County Planning & Building Department  
Program Coordinator, SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
smcplanning.org | sforoundtable.org

Save Paper.  
Think before you print.

**From:** Dave Pine  
**To:** Castaneda, James  
**CC:** Burruto, David; Eggemeyer, Jim  
**Date:** 3/20/2013 10:34 PM  
**Subject:** Re: Upcoming Ascension Heights subdivision

James,

I appreciate the heads-up on this.

Dave

>>> James Castaneda 3/20/2013 4:36 PM >>>

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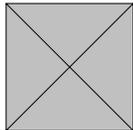
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Planner III, San Mateo County Planning & Building Department  
Program Coordinator, SFO Airport/Community Roundtable

**From:** Dave Pine  
**To:** Ozanne, Gerard  
**CC:** Alan, Palter; Burruto, David; Castaneda, James; Donald, Nagle; Eggem...  
**Date:** 3/25/2013 11:10 PM  
**Subject:** Re: Board of Supervisors March 26 Agenda Item

Gerard,

I was in meetings all day today and I am just seeing your email now.

I believe your request to have this matter withdrawn from tomorrow's Board of Supervisors' meeting agenda is a reasonable one.

I would suggest that we schedule a call or a meeting with Planning Director Jim Eggemeyer and/or James Castañeda (the planner on the project) to discuss: (1) how to most efficiently obtain your input on the Analytical Environmental Services contract and the Statement of Work; and (2) when the matter should be scheduled to come back to the Board of Supervisors for consideration.

I will call or email you again following the Board of Supervisors' meeting on Tuesday. I would appreciate it if you would forward me your cell phone number.

Dave

Dave Pine  
 San Mateo County Supervisor, First District  
 400 County Center, 1<sup>st</sup> Floor  
 Redwood City, CA 94063  
 (650) 363-4571 (w)  
 (650) (m)  
 dpine@smcgov.org

>>> Gerard Ozanne <

3/25/2013 10:52 AM >>>

To: The Honorable Dave Pine, Vice President San Mateo County Board of Supervisors  
 Re: Request to withdraw Board of Supervisors Tuesday, March 26, 2013 Consent Agenda item 24

Dear Dave,

We request that you have Board of Supervisors Tuesday, March 26, 2013 agenda item 24 listed on the consent agenda withdrawn.

Agenda Item 24 has been placed on the consent agenda as: Planning and Building, Item 24.

- A) Resolution authorizing an agreement with Analytical Environmental Services to prepare Draft and Final Environmental Impact Reports for the Ascension Heights Subdivision
- B) Resolution authorizing transfer in the amount of \$113,075 from unanticipated revenue to Contract

Services (4/5ths vote required)

Neither Baywood Park nor San Mateo Oaks Homeowners Associations, immediately adjacent to the project, were notified in advance that a proposed contract Statement of Work had been prepared for resolution authorizing an agreement with Analytical Environmental Services to prepare Draft and Final Environmental Impact Reports for the Ascension Heights Subdivision. Consequently, we have not had an opportunity to fully review it or provide our input.

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Dave, we ask you to intervene on behalf of District One residents to withdraw this resolution from the March 26<sup>th</sup> agenda for a minimum of 2 months. The community needs sufficient time to participate in the Statement of Work specifications to ensure the EIR adequately represents community concerns. This project has been actively developed for over a decade posing significant adverse impacts on this community and its surroundings and we strongly believe this request is both critical and eminently reasonable.

Thank you for your consideration,

Gerard Ozanne, President

Baywood Park Homeowners' Association

cc: The Honorable Don Horsley, President San Mateo County Board of Supervisors

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Dave Pine

San Mateo County Supervisor, First District

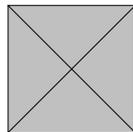
400 County Center, 1<sup>st</sup> Floor

Redwood City, CA 94063

(650) 363-4571 (w)

(650) (m)

[dpine@smcgov.org](mailto:dpine@smcgov.org)



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 Message-ID: <5150D976.EC8D.0083.1@smcgov.org>  
 X-Mailer: GroupWise 8.0  
 From: "Dave Pine" <dpine@smcgov.org>  
 Cc: "Alan, Palter" < > "Burruto, David" <DBurruto@smcgov.org>, "Castaneda, James" <JCastaneda@smcgov.org>, "Donald, Nagle" < > "Eggemeyer, Jim" <JEggemeyer@smcgov.org>, "Horsley, Don" <DHORSLEY@smcgov.org>, "Jensen, Peggy" <PJensen@smcgov.org>, "Laurel, Nagle" < > "Linda, Ozanne" < > "Nicolas, Liesje" < > "Pres, HCA" < > "Sam, Naifeh" < >  
 Subject: Re: Board of Supervisors March 26 Agenda Item  
 To: "Ozanne, Gerard" < >  
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 Attachment Attachment

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**From:** Gerard Ozanne <  
**To:** DPine@smcgov.org  
**CC:** lie...  
**Date:** 3/26/2013 8:19 AM  
**Subject:** Re: Board of Supervisors March 26 Agenda Item

Thank you very much, Dave. We certainly agree a meeting/call should be the next step. Maybe start with a call?  
 My cell is 650-

Jerry

Sent from my iPhone

On Mar 25, 2013, at 11:10 PM, Dave Pine <dpine@smcgov.org> wrote:

> Gerard,  
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 > San Mateo County Supervisor, First District  
 > 400 County Center, 1st Floor  
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 > (650) 363-4571 (w)  
 > (650) (m)  
 > dpine@smcgov.org  
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 > <IMAGE.gif>  
 > >>> Gerard Ozanne < 3/25/2013 10:52 AM >>>  
 >  
 > To: The Honorable Dave Pine, Vice President San Mateo County Board of Supervisors  
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 > Re: Request to withdraw Board of Supervisors Tuesday, March 26, 2013 Consent Agenda item 24  
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>

> Gerard Ozanne, President

>

> Baywood Park Homeowners' Association

>

>

> cc: The Honorable Don Horsley, President San Mateo County Board of Supervisors

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Sent from my iPhone

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Dave Pine

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400 County Center, 1<sup>st</sup> Floor

Redwood City, CA 94063

(650) 363-4571 (w)

(650) (m)

[dpine@smcgov.org](mailto:dpine@smcgov.org)

---

<IMAGE.gif>

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3/25/2013 10:52 AM >>>

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X-Mailer: iPhone Mail (10B146)  
 From: Gerard Ozanne <  
 Subject: Re: Board of Supervisors March 26 Agenda Item  
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 To: Dave Pine <dpine@smcgov.org>  
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cc: The Honorable Don Horsley, President San Mateo County Board of Supervisors

**From:** Jim Eggemeyer  
**To:** Dave Pine; Don Horsley  
**CC:** David Burruto; James Castaneda; Peggy Jensen;  
**Date:** 3/26/2013 8:30 AM  
**Subject:** Re: Board of Supervisors March 26 Agenda Item

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(650) (m)  
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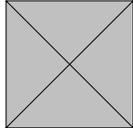
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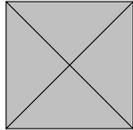
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 X-Mailer: GroupWise 8.0  
 From: "Jim Eggemeyer" <jeggemeyer@smcgov.org>  
 Cc: "David Burruto" <DBurruto@smcgov.org>, "James Castaneda" <JCastaneda@smcgov.org>, "Peggy Jensen" <PJensen@smcgov.org>,  
 Subject: Re: Board of Supervisors March 26 Agenda Item  
 To: "Dave Pine" <DPine@smcgov.org>, "Don Horsley" <DHORSLEY@smcgov.org>  
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 Attachment

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**From:** Dave Pine  
**To:** Groom, Carole  
**CC:** Burruto, David; Castaneda, James; Eggemeyer, Jim  
**Date:** 3/26/2013 2:33 PM  
**Subject:** Fwd: Re: Board of Supervisors March 26 Agenda Item

Carol,

The email thread below will provide you with some additional background on why I asked for the Ascension EIR contract to be removed from today's BoS meeting agenda.

We are scheduling a meeting with Planning staff and the neighborhood representatives to discuss the Statement of Work for the EIR contract. In his email below, Mr. Ozanne suggested that it would require a "*minimum of two months*" to revise the Statement of Work. I think it can be finalized much faster than that. Earlier this afternoon I spoke to Mr. Ozanne about this and asked that he provide a written summary of where he feels the Statement of Work is deficient.

I also spoke with Dennis Thomas a few minutes ago. He stated that an extensive "scoping" process for the project was completed in 2010. In his view the Statement of Work reflects the issues that were flagged by the community. He understands why I needed to remove the item from today's agenda, and just asked that we work expeditiously to get the contract back to the Board for approval.

I will keep you posted.

Dave

>>> Gerard Ozanne 3/26/2013 8:19 AM >> (mailto: )

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(650) (m)  
dpine@smcgov.org

<IMAGE.gif>

>>> Gerard Ozanne <

3/25/2013 10:52 AM >>>

To: The Honorable Dave Pine, Vice President San Mateo County Board of Supervisors  
Re: Request to withdraw Board of Supervisors Tuesday, March 26, 2013 Consent Agenda item 24

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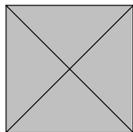
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cc: The Honorable Don Horsley, President San Mateo County Board of Supervisors

**From:** Jim Eggemeyer  
**To:** James Castaneda  
**CC:** Mike Schaller; Steve Monowitz; Steve Monowitz  
**Date:** 3/27/2013 11:53 AM  
**Subject:** Ascension Heights - Next Steps

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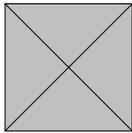
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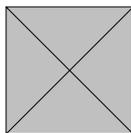
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Message-ID: <5152DDA6.D26C.00AA.1@smcgov.org>  
X-Priority: 1  
X-Mailer: GroupWise 8.0  
From: "Jim Eggemeyer" <jeggemeyer@smcgov.org>  
Cc: "Mike Schaller" <MSchaller@smcgov.org>, "Steve Monowitz" <SMonowitz@smcgov.org>, "Steve Monowitz" <  
Subject: Ascension Heights - Next Steps  
To: "James Castaneda" <JCastaneda@smcgov.org>  
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**To:** Jim Eggemeyer  
**CC:** Mike Schaller; Steve Monowitz; Steve Monowitz  
**Date:** 3/27/2013 12:27 PM  
**Subject:** Re: Ascension Heights - Next Steps

Good afternoon Jim,  
 Supervisor Pine also followed up with me yesterday evening regarding the next steps, and echoed those thoughts on coordinating a meeting as early as possible. I will request that his written summary be sent as soon as possible so I may ask AES to assist in explaining the scope of work. I suspect many of Mr. Ozanne's issues (particularly with air quality and emissions) are already considered within their proposal. If possible, I'd like to include AES to participate (if they're willing to participate) in a conference call in whatever meeting we have with Mr. Ozanne to help clarify how the process and evaluation will occur. I'll be calling AES later this afternoon to explain where we're at.

I'll effort a coordination as soon as I can this afternoon, as I'm working on the Roundtable packet for next week's meeting that must go out tomorrow afternoon.

As an aside (and I've already mentioned this to Steve), this is the exact unanticipated scenario that makes it extremely difficult to be attentive to high-profile projects that require immediate attention during time sensitive, routine Roundtable duties (particularly the two weeks leading up to a Roundtable meeting). For the time being, I can manage through the adoption of the contract, but we need to keep this in mind as we move forward with this project and the attention it'll start to receive. I'll be in the office tomorrow, so I'll follow up in person regarding how the coordination is going.

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 > his email below, Mr. Ozanne suggested that it would require a "*minimum of two*

> *months*" to revise the Statement of Work. I think it can be finalized much  
> faster than that. Earlier this afternoon I spoke to Mr. Ozanne about this  
> and asked that he provide a written summary of where he feels the Statement  
> of Work is deficient.

>  
> I also spoke with Dennis Thomas a few minutes ago. He stated that an  
> extensive "scoping" process for the project was completed in 2010. In his  
> view the Statement of Work reflects the issues that were flagged by the  
> community. He understands why I needed to remove the item from today's  
> agenda, and just asked that we work expeditiously to get the contract back to  
> the Board for approval.

>  
> I will keep you posted.

>  
> Dave

>  
>  
>>>> Gerard Ozanne 3/26/2013 8:19 AM >> (  
> <mailto:> )

>  
> Thank you very much, Dave. We certainly agree a meeting/call should be the  
> next step. Maybe start with a call?  
> My cell is 650-

>  
> Jerry

>  
> Sent from my iPhone

>  
> On Mar 25, 2013, at 11:10 PM, Dave Pine <[dpine@smcgov.org](mailto:dpine@smcgov.org)> wrote:

>  
>  
> >  
> > Gerard,  
> >  
> > I was in meetings all day today and I am just seeing your email now.  
> >  
> > I believe your request to have this matter withdrawn from tomorrow's Board  
> > of Supervisors' meeting agenda is a reasonable one.  
> >  
> > I would suggest that we schedule a call or a meeting with Planning Director  
> > Jim Eggemeyer and/or James Castañeda (the planner on the project) to discuss:  
> > (1) how to most efficiently obtain your input on the Analytical  
> > Environmental Services contract and the Statement of Work; and (2) when the  
> > matter should be scheduled to come back to the Board of Supervisors for  
> > consideration.

>  
> > I will call or email you again following the Board of Supervisors' meeting  
> > on Tuesday. I would appreciate it if you would forward me your cell phone  
> > number.

>  
> > Dave

>  
>  
>  
> > Dave Pine  
> > San Mateo County Supervisor, First District  
> > 400 County Center, 1st Floor

> Redwood City, CA 94063  
> (650) 363-4571 (w)  
> (650) (m)  
> [dpine@smcgov.org](mailto:dpine@smcgov.org)

>  
>  
>  
>

> <IMAGE.gif>

>>>> Gerard Ozanne < >>>> 3/25/2013 10:52 AM >>>>

>  
>

> To: The Honorable Dave Pine, Vice President San Mateo County Board of  
> Supervisors  
> Re: Request to withdraw Board of Supervisors Tuesday, March 26, 2013  
> Consent Agenda item 24

>  
>

> Dear Dave,  
> We request that you have Board of Supervisors Tuesday, March 26, 2013 agenda  
> item 24 listed on the consent agenda withdrawn.  
> Agenda Item 24 has been placed on the consent agenda as: Planning and  
> Building, Item 24.

>  
>

> A) Resolution authorizing an agreement with Analytical Environmental  
> Services to prepare Draft and Final Environmental Impact Reports for the  
> Ascension Heights Subdivision  
> B) Resolution authorizing transfer in the amount of \$113,075 from  
> unanticipated revenue to Contract Services (4/5ths vote required)  
> Neither Baywood Park nor San Mateo Oaks Homeowners Associations, immediately  
> adjacent to the project, were notified in advance that a proposed contract  
> Statement of Work had been prepared for resolution authorizing an agreement  
> with Analytical Environmental Services to prepare Draft and Final  
> Environmental Impact Reports for the Ascension Heights Subdivision.  
> Consequently, we have not had an opportunity to fully review it or provide  
> our input.

> We also request your support to return to the agreed upon procedures  
> ensuring full communication with our communities specifically with respect to  
> the Ascension Heights Subdivision project. Although the community, developer  
> and Planning devoted extensive time to the exchange of issues, the most  
> important next step is an appropriately specified Statement of Work directing  
> the creation of the Draft and Final EIR. The current Statement of Work  
> contains substantial deficiencies, ignoring serious issues raised in the many  
> meetings with the developer and the December 2009 Planning Commission meeting  
> with 400+ residents at CSM. In 2009 the Board of Supervisors directed that  
> District One residents be involved throughout the entire process to derive an  
> acceptable solution. The deficiencies inherent in this Statement of Work  
> portend a repeat of the previous failure.

> Dave, we ask you to intervene on behalf of District One residents to  
> withdraw this resolution from the March 26th agenda for a minimum of 2  
> months. The community needs sufficient time to participate in the Statement  
> of Work specifications to ensure the EIR adequately represents community  
> concerns. This project has been actively developed for over a decade posing

- > significant adverse impacts on this community and its surroundings and we
- > strongly believe this request is both critical and eminently reasonable.
- > Thank you for your consideration,
- >
- > Gerard Ozanne, President
- > Baywood Park Homeowners' Association
- > cc: The Honorable Don Horsley, President San Mateo County Board of
- > Supervisors
- >
- > >

**From:** James Castaneda  
**To:** Gerard Ozanne  
**CC:** David Burruto; Dave Pine; Tim Fox; Jim Eggemeyer  
**Date:** 3/27/2013 3:27 PM  
**Subject:** Ascension Heights EIR Contract Meeting

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Tuesday 4/2 at 2:00pm  
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As suggested by Supervisor Pine, it would be helpful to receive your written summary of the deficiencies in the Statement of Work as soon as you can provide it as to help facilitate our discussion.

Regards,  
JAMES

James A. Castañeda, AICP  
Planner III, San Mateo County Planning & Building Department  
Program Coordinator, SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
650.363.1853 | 650.363.4819 FAX  
smcplanning.org | sforoundtable.org

**From:** Gerard Ozanne <  
**To:** JCastaneda@smcgov.org  
**CC:** TFox@smcgov.org; JEggemeyer@smcgov.org; DPine@smcgov.org;  
DBurruto@smcgo...  
**Date:** 3/27/2013 4:28 PM  
**Subject:** Re: Ascension Heights EIR Contract Meeting

Hi James,  
Many of us are tied up or out of town due to Easter holidays. We will need at least until the week of April 8th. Can you provide possible times for that week?

Thanks,

Jerry

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

Return-path: <  
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Subject: Re: Ascension Heights EIR Contract Meeting  
MIME-version: 1.0 (Mac OS X Mail 6.2 \ (1499))  
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From: Gerard Ozanne <  
In-reply-to: <51530FF30200005A0000EA35@isdgrpwinet2vsp01.co.sanmateo.ca.us>  
No String Available Wed, 27 Mar 2013 16:28:05 -0700  
Cc: David Burruto <DBurruto@smcgov.org>, Dave Pine <DPine@smcgov.org>, Jim Eggemeyer <JEggemeyer@smcgov.org>, Tim Fox <TFox@smcgov.org>

Content-transfer-encoding: quoted-printable  
Message-id: <3A135B6A-6DB9-44A4-8CCD-21EE2E12A10E@me.com>  
References: <51530FF30200005A0000EA35@isdgrpwinet2vsp01.co.sanmateo.ca.us>

To: James Castaneda <jcastaneda@smcgov.org>  
X-Mailer: Apple Mail (2.1499)  
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X-MAIL-FROM: S=0.200(2010122901); SC=]  
<  
X-SOURCE-IP: [17.158.232.236]

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**From:** James Castaneda  
**To:** Gerard Ozanne  
**CC:** David Burruto; Dave Pine; Tim Fox; Jim Eggemeyer  
**Date:** 3/27/2013 6:20 PM  
**Subject:** Re: Ascension Heights EIR Contract Meeting

Jerry,  
For the week of April 8th, I can offer the following:

Monday 4/8 at 2:00pm  
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Let me know if either of those will work for you. Thanks.

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**To:** Gerard Ozanne  
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**Date:** 3/29/2013 2:11 PM  
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**CC:** TFox@smcgov.org; JEggemeyer@smcgov.org; DPine@smcgov.org;  
DBurruto@smcgo...  
**Date:** 3/29/2013 2:15 PM  
**Subject:** Re: Ascension Heights EIR Contract Meeting

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>>> Save Paper.  
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Subject: Re: Ascension Heights EIR Contract Meeting  
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 From: Gerard Ozanne <  
 In-reply-to: <5155A12C0200005A0000EA73@isdgrpwinet2vsp01.co.sanmateo.ca.us>  
 No String Available  
 Cc: Fri, 29 Mar 2013 14:15:34 -0700  
 David Burruto <DBurruto@smcgov.org>, Dave Pine <DPine@smcgov.org>, Jim Eggemeyer <JEggemeyer@smcgov.org>, Tim Fox <TFox@smcgov.org>

Content-transfer-encoding: quoted-printable  
 Message-id: <E9C1C015-7BB0-41C1-8147-8667DFA0B66B@me.com>  
 References: <5155A12C0200005A0000EA73@isdgrpwinet2vsp01.co.sanmateo.ca.us>

To: James Castaneda <jcastaneda@smcgov.org>  
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X-MAIL-FROM: S=0.200(2010122901); SC=]  
 X-SOURCE-IP: <[17.158.232.236]>

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>>> Save Paper.  
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**From:** Dave Pine  
**To:** Castaneda, James  
**CC:** Burruto, David; Eggemeyer, Jim; Fox, Tim  
**Date:** 4/1/2013 1:38 PM  
**Subject:** Re: Ascension Heights EIR Contract Meeting

James,

Thanks for pushing to get this meeting scheduled.

You'll want to let Dennis Thomas know that (1) we won't be able to bring the item to the BoS meeting on April 8th (which is his hope), and (2) we will update him immediately after we meet with the Ascension neighbors.

My hope is that one meeting with the Ascension neighbors is all that will be needed here as the task at hand (entering into a contract to have an EIR prepared) is not a major one and should be relatively straightforward.

Dave

>>> Gerard Ozanne < >>> 3/29/2013 2:15 PM >>>

James,  
I'm waiting for responses -- think we can make the 11th. Please pencil it in and will confirm Monday.

Thanks,

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On Mar 29, 2013, at 2:11 PM, James Castaneda <jcastaneda@smcgov.org> wrote:

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>>> James A. Castañeda, AICP  
>>> Planner III, San Mateo County Planning & Building Department  
>>> Program Coordinator, SFO Airport/Community Roundtable  
>>>  
>>> 455 County Center, 2nd Floor  
>>> Redwood City, CA 94063  
>>> 650.363.1853 | 650.363.4819 FAX  
>>> smcplanning.org | sforoundtable.org  
>>>  
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>>> Save Paper.  
>>> Think before you print.  
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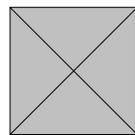
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**From:** James Castaneda  
**To:** Gerard Ozanne  
**CC:** Dave Pine; David Burruto; Jim Eggemeyer; Tim Fox  
**Date:** 4/2/2013 1:55 PM  
**Subject:** Re: Ascension Heights EIR Contract Meeting

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Save Paper.

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>>>>

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>> Think before you print.

**From:** Gerard Ozanne <  
**To:** JCastaneda@smcgov.org  
**CC:** TFox@smcgov.org; JEggemeyer@smcgov.org; DPine@smcgov.org;  
DBurruto@smcgo...  
**Date:** 4/2/2013 2:00 PM  
**Subject:** Re: Ascension Heights EIR Contract Meeting

Sorry, James.

Yes. We are prepared to meet on the 11th and will forward our comments very soon.

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Return-path: <  
 Received: from p02c11m092.mxlogic.net (mxl144v245.mxlogic.net [208.65.144.245]) by inet3gw.co.sanmateo.ca.us with ESMTP; Tue, 02 Apr 2013 13:54:27 -0700

Authentication-Results: p02c11m092.mxlogic.net; spf=pass  
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X-Proofpoint-Virus-Version: vendor=fsecureengine=2.50.10432:5.10.8626,1.0.431,0.0.0000definitions=2013-04-02\_09:2013-04-02,2013-04-02,1970-01-01 signatures=0

X-Proofpoint-Spam-Details: rule=notspam policy=default score=0 spamscore=0 ipscore=0 suspectscore=0 phishscore=0 bulkscore=0 adultscore=0 classifier=spamadjust=0 reason=mlx scancount=1 engine=6.0.2-1302030000definitions=main-1304020203

References: <5155A12C0200005A0000EA73@isdgrpwinet2vsp01.co.sanmateo.ca.us> <E9C1C015-7BB0-41C1-8147-8667DFA0B66B@me.com> <515AE34A0200005A0000EAB9@isdgrpwinet2vsp01.co.sanmateo.ca.us>

In-reply-to: <515AE34A0200005A0000EAB9@isdgrpwinet2vsp01.co.sanmateo.ca.us>

MIME-version: 1.0 (1.0)  
 Content-transfer-encoding: quoted-printable  
 Content-type: text/plain; charset=utf-8  
 Message-id: <0E4C4845-EB72-4F7F-8EFA-5827C80B6A96@me.com>  
 Cc: David Burruto <DBurruto@smcgov.org>, Dave Pine <DPine@smcgov.org>, Jim Eggemeyer <JEggemeyer@smcgov.org>, Tim Fox <TFox@smcgov.org>

X-Mailer: iPhone Mail (10B146)  
 From: Gerard Ozanne < >  
 Subject: Re: Ascension Heights EIR Contract Meeting  
 No String Available Tue, 02 Apr 2013 13:59:54 -0700  
 To: James Castaneda <jcastaneda@smcgov.org>

X-AnalysisOut: [v=2.0 cv=T7s7uY2Q c=1 sm=1  
 a=Y1EjsQCjihKXSPn4wKD3Lw==:17 a]  
 X-AnalysisOut: [=ubcKsvBr-NYA:10 a=J\_oHuY-yf3cA:10 a=BLceEmwcHowA:10 a=lkc]  
 X-AnalysisOut: [TkHD0fZMA:10 a=HHGDD-5mAAAA:8 a=UzVHsHnjIDsA:10 a=\_TnluUDs]  
 X-AnalysisOut: [AAAA:8 a=WfmLIQQpAAAA:8 a=N4miCzQ4AAAA:8 a=kANSzTJsTQHo20J]  
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 X-AnalysisOut: [:10 a=FgnJGtxWBbAA:10 a=Z9k9rHEp3W8A:10 a=yuyvWP1j8fYA:10 ]  
 X-AnalysisOut: [a=i1zE5R4R5dEA:10]  
 Received-SPF: Pass (p02c11m092.mxlogic.net: domain of me.com designates 17.158.232.236 as permitted sender)

X-Spam: [F=0.2727272727; B=0.500(0); spf=0.500; STSI=0.500(5); STSM=0.500(5); CM=0.500; MH=0.600(2013040217); S=0.200(2010122901); SC=]

X-MAIL-FROM: <  
X-SOURCE-IP: [17.158.232.236]

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**From:** James Castaneda  
**To:** Jim Eggemeyer  
**CC:** Tim Fox  
**Date:** 4/9/2013 7:52 AM  
**Subject:** Fwd: FW: Ascension Heights Subdivision EIR Update

Save Paper.

Think before you print.>>> On 4/9/2013 at 07:51, Trenton Wilson <[twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)> wrote:  
> FYI, this may be helpful in the discussions on Thursday.

>  
> TRENTON WILSON  
> ANALYTICAL ENVIRONMENTAL SERVICES  
> Project Manager/Sr. Technical Analyst | [twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)  
> 1801 7th Street, Ste 100 | Sacramento, CA 95811  
> 916.447.3479 | Fax 447.1665  
> [www.analyticalcorp.com](http://www.analyticalcorp.com)<<http://www.analyticalcorp.com/>>

>  
> From: Richard Hopper [<mailto:rhopper@rkhengineering.com>]  
> Sent: Monday, April 08, 2013 10:17 PM  
> To: Trenton Wilson  
> Subject: FW: Ascension Heights Subdivision EIR Update

>  
> Trent,  
>  
> Don't know what the holdup is, but this is the perfect time to do the  
> traffic counts. If there is further delay and when school is out in early  
> June, the counts will have to be delayed until mid to late September. Just  
> letting you know.

>  
> Richard Hopper  
> Richard K. Hopper, P.E., PTOE  
> RKH Civil and Transportation Engineering  
> 837 Columba Lane  
> Foster City, CA 94404-2809  
> Direct: 650-212-0837  
> FAX: 650-212-3150  
> [E-mail:rhopper@rkhengineering.com](mailto:rhopper@rkhengineering.com)<<mailto:rhopper@rkhengineering.com>>  
> Web: [www.rkhengineering.com](http://www.rkhengineering.com)<<http://www.rkhengineering.com/>>

**From:** Gerard Ozanne <  
**To:** DPine@smcgov.org  
**CC:**  
**Date:** 4/15/2013 12:17 AM  
**Subject:** Ascension Hts Issues

Ascension Heights Subdivision Project

(County File number PLN2002-00517)

Dear Dave,

With your support, on April 11, 2013 representatives of the Homeowners Associations within CSA1 met with Jim Eggemeyer and Tim Fox to discuss the content of the statement of work in the EIR consultant contract. During discussions we were told the County would benefit if the statement of work in the EIR consultant contract remained relatively non-specific to facilitate any future negotiations with the EIR consultant. In addition, because James Castaneda, County Planner for this project, was unable to attend the meeting, we were not able to discuss in depth the issues outlined in our letter of April 3, 2013.

Our experiences with the 2009 DEIR demonstrated Community input was totally ineffective in ensuring adequate analyses were included in the DEIR. When we identified confusing, incomplete, or missing analyses, our Public Comments were misconstrued, inadequately responded to, or determined to be 'out of scope' and not relevant with no meaningful justifications offered. We were informed the EIR consultant efforts had been completed and there were neither funds nor time for any further analyses. Ultimately, our input had no measurable influence on the DEIR contents, analyses or recommendations, leading to an inadequate DEIR.

Despite our discussion with Mr. Fox and Mr. Eggemeyer on April 11th—we certainly appreciate their efforts—the Community still believes strongly the EIR process will be improved substantially by incorporating our detailed concerns sufficiently early into the Initial Study/ADEIR/DEIR process while there are sufficient funds and time to produce accurate and relevant analyses.

For the above reasons, we request County Planning involve Community representatives in a detailed discussion of our concerns at several stages of the EIR process; specifically, insuring the Initial Study does not exclude important environmental issues, the ADEIR accurately represents the Community concerns, and sufficient analyses are incorporated into the DEIR to enable County Planning Commission and Board of Supervisors to make informed decisions.

We thank you for arranging this meeting, your continued interest, and look to your further assistance in this matter.

Jerry

Ascension Heights Subdivision Project

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Return-path: <  
 Received: from p02c12m114.mxlogic.net (mxl145v245.mxlogic.net [208.65.145.245]) by inet3gw.co.sanmateo.ca.us with ESMTTP; Mon, 15 Apr 2013 00:11:30 -0700

Authentication-Results: p02c12m114.mxlogic.net; spf=pass  
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Received: from [192.168.1.190](adsl-71-131-5-135.dsl.sntc01.pacbell.net [71.131.5.135]) by nk11p03mm-asmtmp002.mac.com (Oracle Communications Messaging Server 7u4-26.01(7.0.4.26.0) 64bit (built Jul13 2012)) with ESMTTPSA id <OMLA00M3EC93V730@nk11p03mm-asmtmp002.mac.com>; Mon, 15 Apr 2013 07:17:29 +0000 (GMT)

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Subject: Ascension Hts Issues  
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 From: Gerard Ozanne <  
 In-reply-to: <5150D976.EC8D.0083.1@smcgov.org>  
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 Cc: "Eggemeyer, Jim" <JEggemeyer@smcgov.org>, Fox Tim <TFox@smcgov.org>, "Burruto, David" <DBurruto@smcgov.org>, "Castaneda, James" <JCastaneda@smcgov.org>, Nagle Donald < < Nagle Laurel < < Ozanne Linda < < Nicolas, Liesje" < < Peter Lawrence < < "Haithcox Marilyn (Lyn)" < <

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 References: <9FD0CF51-3452-464E-B77C-953F37F92016@me.com><5150D976.EC8D.0083.1@smcgov.org>

To: Dave Pine <dpine@smcgov.org>  
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Ascension Heights Subdivision Project

(County File number PLN2002-00517)

Dear Dave,

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**From:** Dave Pine  
**To:** Burruto, David; eggemeyer, Jim;  
**Date:** 4/15/2013 9:19 AM  
**Subject:** Fwd: Ascension Hts Issues

Let's discuss.

Dave

>>> Gerard Ozanne <

4/15/2013 12:17 AM >>>

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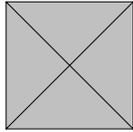
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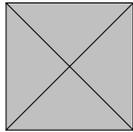
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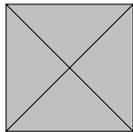
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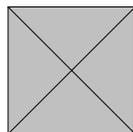
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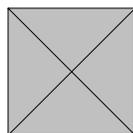
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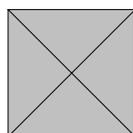
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**Date:** 4/15/2013 10:06 AM  
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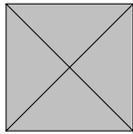
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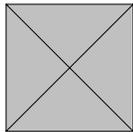


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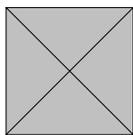


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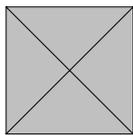
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**From:** Peggy Jensen  
**To:** Jim Eggemeyer  
**Date:** 4/19/2013 9:14 AM  
**Subject:** Re: Meeting with 4 out of 5 Supervisors During the Day

I'll see if I can think of something for you to discuss with Sup. Horsley! Thanks for the update.

>>> Jim Eggemeyer 4/19/2013 9:11 AM >>>

Just wanted to let you know the following:

Meeting with Supervisor Slocum at 11 with John Nibbelin to discuss the problems with Harvey Blight in NFO.

Meeting with Supervisors Groom and Tissier with the Perry Lane homeowners, the Valentines, and their Architect/Designer (if able to attend, lives outside of the area) from 12:30 to 1:30.

And meeting with Supervisor Pine and David Burruto to discuss the EIR contract/Homeowners meeting we had last week regarding the Ascension Heights Project.

Wish I had a meeting with Supervisor Horsley for a grand slam. Oh well, can't complain about a triple (quadruple).

Talk to you latter.

jke

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**To:** Peggy Jensen  
**Date:** 4/19/2013 5:14 PM  
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BACE - Staff went out there last night. The sound is still there. John N. will call attorney and have them deal with this ASAP or I'm ready to issue a citation. John thought it is best to call the attorney.

Stanford's Project in RWC on the old Excite.com site. Remember the presentation awhile ago in the BOS conf. room? Well, the Sup. needs for us to check in with them. Looks like RWC is getting millions from Stanford and NFO is right next door with no \$\$.

Sups. Groom and Tissier - Met with the Valentines (Perry Lane) and the Architect. They like the design alt. they brought to the table. They want this back to the full BOS for 5/7/13. (Looks like no meeting with the neighbors to show them the alt.) The Sups. thought the Valentines should meet with the other BOS members one on one. I arranged the meeting with Sup. Pine for the p.m.

Sup. Pine - Talked at length about the Ascension Heights EIR contract. Good to go for 5/7/13. He's calling the point person for the neighbors (Mr. Ozane (sp?)) this weekend to explain his perspective on moving this along. We'll see if any hiccups come Monday. After this meeting, Ms. Valentine came in and we discussed the new alt. He fully understands the design alt. Concerned about how the neighbors get a chance to see this given the direction from the Sub-Comm./BOS to put this back on for 5/7.

Nothing for Sup. Horsley. No meeting.

Time to go. Hope you have a nice weekend. Talk to you soon.

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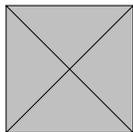
Stanford's Project in RWC on the old Excite.com site. Remember the presentation awhile ago in the BOS conf. room? Well, the Sup. needs for us to check in with them. Looks like RWC is getting millions from Stanford and NFO is right next door with no \$\$.

Sups. Groom and Tissier - Met with the Valentines (Perry Lane) and the Architect. They like the design alt. they brought to the table. They want this back to the full BOS for 5/7/13. (Looks like no meeting with the neighbors to show them the alt.) The Sups. thought the Valentines should meet with the other BOS members one on one. I arranged the meeting with Sup. Pine for the p.m.

Sup. Pine - Talked at length about the Ascension Heights EIR contract. Good to go for 5/7/13. He's calling the point person for the neighbors (Mr. Ozane (sp?)) this weekend to explain his perspective on moving this along. We'll see if any hiccups come Monday. After this meeting, Ms. Valentine came in and we discussed the new alt. He fully understands the design alt. Concerned about how the neighbors get a chance to see this given the direction from the Sub-Comm./BOS to put this back on for 5/7.

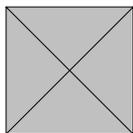
Nothing for Sup. Horsley. No meeting.

Time to go. Hope you have a nice weekend. Talk to you soon.  
jke



>>> Peggy Jensen 4/19/2013 9:14 AM >>>

I'll see if I can think of something for you to discuss with Sup. Horsley! Thanks for the update.



**From:** Heather Hardy  
**To:** Planning-Current Planning  
**Date:** 4/22/2013 3:44 PM  
**Subject:** Reminder - 5/22/13 Planning Commission Items due

Hello all,

If you intend to submit an item for the 5/22/13 Planning Commission meeting, please submit your Agenda request no later than next Wednesday 5/1/13. A list of items for upcoming meetings is below.

**4/24 (PC):**

MROSD Grading Permit (Consent)  
CCWD/POST/GGNRA Denniston Reservoir (Regular)  
Woolley (Regular)  
Allen Price (Regular)  
Martin's Beach Emergency Permit (Correspondence)  
BACE attorney letter (Correspondence)

**5/7 (BOS):**

Princeton  
Ascension Heights  
4 Perry

**5/8 (PC):**

Oceano Hotel Wedding tent  
Energy Plan

Thank you!  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

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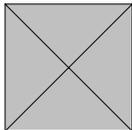
1. Princeton
2. Ascension Heights
3. 4 Perry

**5/8 (PC):**

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2. Energy Plan

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Mime-Version: 1.0  
 No String Available Mon, 22 Apr 2013 15:44:56 -0700  
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 X-Mailer: GroupWise 8.0  
 From: "Heather Hardy" <hhardy@smcgov.org>  
 Subject: Reminder - 5/22/13 Planning Commission Items due  
 To: Planning-Current Planning: "Angela Chavez" <achavez@smcgov.org>,"Camille Leung" <CLeung@smcgov.org>,"Dave Holbrook" <DHolbrook@smcgov.org>,"Debra Robinson" <DRobinson@smcgov.org>,"Dennis Aguirre" <DAguirre@smcgov.org>,"Erica Adams" <eadams@smcgov.org>,"James Castaneda" <JCastaneda@smcgov.org>,"Jim Eggemeyer" <JEggemeyer@smcgov.org>,"Lisa Aozasa" <LAozasa@smcgov.org>,"Melissa Ross" <MRoss@smcgov.org>,"Mike Schaller" <MSchaller@smcgov.org>,"Olivia Boo" <OBoo@smcgov.org>,"Pete Bentley" <PBentley@smcgov.org>,"Steve Monowitz" <SMonowitz@smcgov.org>,"Steven Rosen" <srosen@smcgov.org>,"Summer Burlison" <SBurlison@smcgov.org>,"Tiare Pena" <TPena@smcgov.org>,"Will Gibson" <WGibson@smcgov.org>;  
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 Content-Disposition: inline; modification-date="Tue, 22 Apr 2013 08:44:58-0700"  
 Attachment Attachment

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Content-Transfer-Encoding: base64  
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Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo |  
455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**From:** Heather Hardy  
**To:** James Castaneda; Jim Eggemeyer; Mike Schaller  
**Date:** 5/9/2013 1:35 PM  
**Subject:** Ascension Heights: Resolution and Agreement  
**Attachments:** #28\_Analytical Environ\_Reso#072499.pdf; #28\_Analytical Environment\_Reso#072499.pdf

For your records, the fully executed Resolution & Agreement for Ascension Heights.

Thanks,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**RESOLUTION NO. 072499**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

\* \* \* \* \*

**RESOLUTION AUTHORIZING AN AGREEMENT WITH ANALYTICAL ENVIRONMENTAL SERVICES TO PREPARE DRAFT AND FINAL ENVIRONMENTAL IMPACT REPORTS FOR THE ASCENSION HEIGHTS SUBDIVISION FOR THE TERM OF MAY 9, 2013 THROUGH MAY 9, 2014, IN AN AMOUNT NOT TO EXCEED \$113,075**

**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, the County and Analytical Environmental Services wish to enter into an Agreement, reference to which is hereby made for further particulars, whereby Analytical Environmental Services for the term of May 9, 2013 through May 9, 2014 will prepare Draft and Final Environmental Impact Reports for a maximum fiscal obligation of \$113,075; and

**WHEREAS**, this Board has been presented with a form of said Agreement and has examined and approved same as to both form and content and desires to enter into it.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of this Board of Supervisors be, and is hereby, authorized and directed to execute said Agreement for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto.

**AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND  
ANALYTICAL ENVIRONMENTAL SERVICES**

THIS AGREEMENT, entered into this \_\_\_ day of \_\_\_\_\_ 2013, by and between the COUNTY OF SAN MATEO, hereinafter called "County," and Analytical Environmental Services, hereinafter called "Contractor."

W I T N E S S E T H:

WHEREAS, pursuant to Government Code, Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof;

WHEREAS, it is necessary and desirable that Contractor be retained for the purpose of preparing an Environmental Impact Report for the proposed Ascensions Heights subdivision project (County File number PLN2002-00517) to be re-circulated.

**NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:**

**1. Exhibits and Attachments**

The following exhibits and attachments are included hereto and incorporated by reference herein:

- Exhibit A—Services
- Exhibit B—Payments and rates
- Exhibit C—Scope of Work

**2. Services to be performed by Contractor**

In consideration of the payments set forth herein and in Exhibit "B," Contractor shall perform services for County in accordance with the terms, conditions and specifications set forth herein and in Exhibit "A."

**3. Payments**

In consideration of the services provided by Contractor in accordance with all terms, conditions and specifications set forth herein and in Exhibit "A," County shall make payment to Contractor based on the rates and in the manner specified in Exhibit "B." The County reserves the right to withhold payment if the County determines that the quantity or quality of the work performed is unacceptable. In no event shall the County's total fiscal obligation under this Agreement exceed One Hundred Thirteen Thousand Seventy-Five Dollars, \$113,075.

**4. Term and Termination**

Subject to compliance with all terms and conditions, the term of this Agreement shall be from May 9, 2013 through May 9, 2014.

This Agreement may be terminated by Contractor, the Director of Community Development or his/her designee at any time without a requirement of good cause upon thirty (30) days' written notice to the other party.

In the event of termination, all finished or unfinished documents, data, studies, maps, photographs, reports, and materials (hereafter referred to as materials) prepared by Contractor under this Agreement shall become the property of the County and shall be promptly delivered to the County. Upon termination, the Contractor may make and retain a copy of such materials. Subject to availability of funding, Contractor shall be entitled to receive payment for work/services provided prior to termination of the Agreement. Such payment shall be that portion of the full payment which is determined by comparing the work/services completed to the work/services required by the Agreement.

**5. Availability of Funds**

The County may terminate this Agreement or a portion of the services referenced in the Attachments and Exhibits based upon unavailability of Federal, State, or County funds, by providing written notice to Contractor as soon as is reasonably possible after the County learns of said unavailability of outside funding.

**6. Relationship of Parties**

Contractor agrees and understands that the work/services performed under this Agreement are performed as an independent Contractor and not as an employee of the County and that Contractor acquires none of the rights, privileges, powers, or advantages of County employees.

**7. Hold Harmless**

Contractor shall indemnify and save harmless County, its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description, brought for, or on account of: (A) injuries to or death of any person, including Contractor, or (B) damage to any property of any kind whatsoever and to whomsoever belonging, (C) any sanctions, penalties, or claims of damages resulting from Contractor's failure to comply with the requirements set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all Federal regulations promulgated thereunder, as amended, or (D) any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of County, its officers, agents, employees, or servants, resulting from the performance of any work required of Contractor or payments made pursuant to this Agreement, provided that this shall not apply to injuries or damage for which County has been found in a court of competent jurisdiction to be solely liable by reason of its own negligence or willful misconduct.

The duty of Contractor to indemnify and save harmless as set forth herein, shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

**8. Assignability and Subcontracting**

Contractor shall not assign this Agreement or any portion thereof to a third party or subcontract with a third party to provide services required by contractor under this Agreement without the prior written consent of County. Any such assignment or subcontract without the County's prior written consent shall give County the right to automatically and immediately terminate this Agreement.

**9. Insurance**

The Contractor shall not commence work or be required to commence work under this Agreement unless and until all insurance required under this paragraph has been obtained and such insurance has been approved by Risk Management, and Contractor shall use diligence to obtain such insurance and to obtain such approval. The Contractor shall furnish the County with certificates of insurance evidencing the required coverage, and there shall be a specific contractual liability endorsement extending the Contractor's coverage to include the contractual liability assumed by the Contractor pursuant to this Agreement. These certificates shall specify or be endorsed to provide that thirty (30) days' notice must be given, in writing, to the County of any pending change in the limits of liability or of any cancellation or modification of the policy.

- (1) **Worker's Compensation and Employer's Liability Insurance** The Contractor shall have in effect during the entire life of this Agreement Workers' Compensation and Employer's Liability Insurance providing full statutory coverage. In signing this Agreement, the Contractor certifies, as required by Section 1861 of the California Labor Code, that it is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of the Code, and will comply with such provisions before commencing the performance of the work of this Agreement.
  
- (2) **Liability Insurance** The Contractor shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect him/her while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage which may arise from contractors operations under this Agreement, whether such operations be by himself/herself or by any sub-contractor or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall be not less than the amount specified below.

Such insurance shall include:

- (a) Comprehensive General Liability . . . . . \$1,000,000
- (b) Motor Vehicle Liability Insurance . . . . . \$1,000,000
- (c) Professional Liability . . . . . \$1,000,000

County and its officers, agents, employees and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that the insurance afforded thereby to the County, its officers, agents, employees and servants shall be primary insurance to the full limits of liability of the policy, and that if the County or its officers and employees have other insurance against the loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, the County of San Mateo at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend all further work pursuant to this Agreement.

**10. Compliance with laws; payment of Permits/Licenses**

All services to be performed by Contractor pursuant to this Agreement shall be performed in accordance with all applicable Federal, State, County, and municipal laws, ordinances and regulations, including, but not limited to, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and the Federal Regulations promulgated thereunder, as amended, and will comply with the Business Associate requirements set forth in Attachment "H," and the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended and attached hereto and incorporated by reference herein as Attachment "I," which prohibits discrimination on the basis of handicap in programs and activities receiving any Federal or County financial assistance. Such services shall also be performed in accordance with all applicable ordinances and regulations, including, but not limited to, appropriate licensure, certification regulations, provisions pertaining to confidentiality of records, and applicable quality assurance regulations. In the event of a conflict between the terms of this Agreement and State, Federal, County, or municipal law or regulations, the requirements of the applicable law will take precedence over the requirements set forth in this Agreement. Further, Contractor certifies that the Contractor and all of its subcontractors will adhere to all applicable provisions of Chapter 4.106 of the San Mateo County Ordinance Code, which regulates the use of disposable food service ware.

Contractor will timely and accurately complete, sign, and submit all necessary documentation of compliance.

**11. Non-Discrimination and Other Requirements**

- A. *Section 504 applies only to Contractors who are providing services to members of the public.* Contractor shall comply with § 504 of the Rehabilitation Act of 1973, which provides that no otherwise qualified handicapped individual shall, solely by reason of a disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in the performance of this Agreement.
- B. *General non-discrimination.* No person shall, on the grounds of race, color, religion, ancestry, gender, age (over 40), national origin, medical condition (cancer), physical or mental disability, sexual orientation, pregnancy, childbirth or related medical condition, marital status, or political affiliation be denied any benefits or subject to discrimination under this Agreement.

- C. *Equal employment opportunity.* Contractor shall ensure equal employment opportunity based on objective standards of recruitment, classification, selection, promotion, compensation, performance evaluation, and management relations for all employees under this Agreement. Contractor's equal employment policies shall be made available to County of San Mateo upon request.
- D. *Violation of Non-discrimination provisions.* Violation of the non-discrimination provisions of this Agreement shall be considered a breach of this Agreement and subject the Contractor to penalties, to be determined by the County Manager, including but not limited to
  - i) termination of this Agreement;
  - ii) disqualification of the Contractor from bidding on or being awarded a County contract for a period of up to 3 years;
  - iii) liquidated damages of \$2,500 per violation;
  - iv) imposition of other appropriate contractual and civil remedies and sanctions, as determined by the County Manager.

To effectuate the provisions of this section, the County Manager shall have the authority to examine Contractor's employment records with respect to compliance with this paragraph and/or to set off all or any portion of the amount described in this paragraph against amounts due to Contractor under the Contract or any other Contract between Contractor and County.

Contractor shall report to the County Manager the filing by any person in any court of any complaint of discrimination or the filing by any person of any and all charges with the Equal Employment Opportunity Commission, the Fair Employment and Housing Commission or any other entity charged with the investigation of allegations within 30 days of such filing, provided that within such 30 days such entity has not notified Contractor that such charges are dismissed or otherwise unfounded. Such notification shall include the name of the complainant, a copy of such complaint, and a description of the circumstance. Contractor shall provide County with a copy of their response to the Complaint when filed.

- E. *Compliance with Equal Benefits Ordinance.* With respect to the provision of employee benefits, Contractor shall comply with the County Ordinance which prohibits contractors from discriminating in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse.
- F. The Contractor shall comply fully with the non-discrimination requirements required by 41 CFR 60-741.5(a), which is incorporated herein as if fully set forth.

## **12. Compliance with Contractor Employee Jury Service Ordinance**

Contractor shall comply with the County Ordinance with respect to provision of jury duty pay to employees and have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service in San Mateo County. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employees' regular pay the fees received for jury service.

**13. Retention of Records, Right to Monitor and Audit**

(a) CONTRACTOR shall maintain all required records for three (3) years after the COUNTY makes final payment and all other pending matters are closed, and shall be subject to the examination and/or audit of the County, a Federal grantor agency, and the State of California.

(b) Reporting and Record Keeping: CONTRACTOR shall comply with all program and fiscal reporting requirements set forth by appropriate Federal, State and local agencies, and as required by the COUNTY.

(c) CONTRACTOR agrees to provide to COUNTY, to any Federal or State department having monitoring or review authority, to COUNTY's authorized representatives, and/or their appropriate audit agencies upon reasonable notice, access to and the right to examine all records and documents necessary to determine compliance with relevant Federal, State, and local statutes, rules and regulations, and this Agreement, and to evaluate the quality, appropriateness and timeliness of services performed.

**14. Merger Clause**

This Agreement, including the Exhibits attached hereto and incorporated herein by reference, constitutes the sole Agreement of the parties hereto and correctly states the rights, duties, and obligations of each party as of this document's date. In the event that any term, condition, provision, requirement or specification set forth in this body of the agreement conflicts with or is inconsistent with any term, condition, provision, requirement or specification in any exhibit and/or attachment to this agreement, the provisions of this body of the agreement shall prevail. Any prior agreement, promises, negotiations, or representations between the parties not expressly stated in this document are not binding. All subsequent modifications shall be in writing and signed by the parties.

**15. Controlling Law and Venue**

The validity of this Agreement and of its terms or provisions, as well as the rights and duties of the parties hereunder, the interpretation, and performance of this Agreement shall be governed by the laws of the State of California. Any dispute arising out of this Agreement shall be venued either in the San Mateo County Superior Court or in the United States District Court for the Northern District of California.

**16. Notices**

Any notice, request, demand, or other communication required or permitted hereunder shall be deemed to be properly given when both (1) transmitted via facsimile to the telephone number listed below and (2) either deposited in the United State mail, postage prepaid, or when deposited for overnight delivery with an established overnight courier that provides a tracking number showing confirmation of receipt, for transmittal, charges prepaid, addressed to:

**In the case of County, to:**  
Director of Community Development  
Planning & Building Department  
455 County Center, Mail Drop PLN122  
Redwood City, CA 94063

**In the case of Contractor, to:**  
Analytical Environmental Services  
1801 7<sup>th</sup> Street, Ste 100  
Sacramento, CA 95811

In the event that the facsimile transmission is not possible, notice shall be given both by United States mail and an overnight courier as outlined above.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

COUNTY OF SAN MATEO

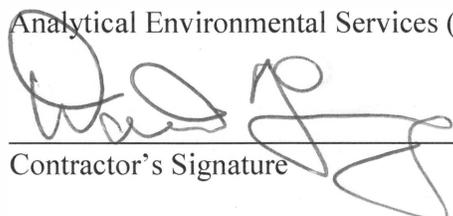
By: \_\_\_\_\_  
President, Board of Supervisors, San Mateo County

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
Clerk of Said Board

Analytical Environmental Services (AES)

  
\_\_\_\_\_  
Contractor's Signature

Date: 12-11-12

Exhibit "A"

In consideration of the payments set forth in Exhibit "B", Contractor shall provide the following services:

Contractor shall complete the preparation of an Environmental Impact Report for the proposed Ascensions Heights project (County File number PLN2002-00517) to be re-circulated. A complete Scope of Work is included in Exhibit C.

Exhibit "B"

In consideration of the services provided by Contractor in Exhibit "A", County shall pay Contractor based on the following fee schedule in attached Exhibit "B":

# EXHIBIT B - SCHEDULE OF CHARGES

AES schedule of hourly wage rates for the listing the labor categories, associated wage rates, and reimbursable expenses have been provided below.

Employee Category	Hourly Billing Rate
Principal	\$245
<b>Project Manager</b>	<b>\$140</b>
Analyst III	\$120
<b>Analyst II</b>	<b>\$110</b>
<b>Analyst I</b>	<b>\$105</b>
Cultural Resources Specialist	\$120
<b>Archaeologist III</b>	<b>\$110</b>
Archaeologist II	\$105
Archaeologist I	\$100
<b>Biologist III</b>	<b>\$120</b>
Biologist II	\$110
Biologist I	\$105
Sr. Graphic Designer	\$105
<b>Graphic Designer II</b>	<b>\$100</b>
Graphic Designer I	\$95
Office Administrator	\$100
Administrative Assistant III	\$90
Administrative Assistant II	\$85
<b>Administrative Assistant I</b>	<b>\$80</b>

Direct Costs	
Postage/Overnight Mail	Actual cost + 15%
Courier Charges	Actual cost + 15%
Mileage	Federal Rate - currently \$0.55 per mile + 15%
Other Direct Costs	Actual cost + 15%
In-house Copying Charges:	
Black & White	\$0.10 per page + 15%
Color	\$1 per page + 15%
CD duplication w/label & case	\$2.50 each + 15%

# EXHIBIT C - SCOPE OF WORK

## Project Understanding

The **Ascension Heights Subdivision Project (Proposed Project)** entails a request by the project proponent for the County of San Mateo to approve subdivision of six parcels on 21.13 acres into 21 lots for development of 19 single-family residences with the remaining 2 lots (approximately 7.81-acres) maintained as a conservation area. The project site is located adjacent to Ascension Drive and Bel Aire Road in unincorporated San Mateo County, approximately 0.87 miles north east of Highway 280 and 0.51 miles west of highway 92. Potable water would be provided by connection to the Mid-Peninsula Water District and wastewater collection would be provided by the Crystal Springs Sanitation District with treatment at the City of San Mateo Wastewater Treatment Plant. Development of the 19 subdivided lot into single-family residences would require 40,920 cubic yards of grading, of which 28,270 cubic yards would require exportation from the site. Accordingly, the project applicant also requires a grading permit from the County. Based on the size of the development, a Water Supply Assessment is not required for the Proposed Project. One significant consideration is the Cease and Desist Order (CDO) issued by the San Francisco Bay Regional Water Quality Control Board to the City of San Mateo, town of Hillsborough, and Crystal Springs County Sanitation District. The CDO was issued as a result of high infiltration rates of non wastewater during wet weather into the wastewater conveyance system resulting in associated decreases in sewage conveyance capacity which lead to unregulated releases of wastewater to surface waters. This issue will be addressed in the Draft EIR.

The Proposed Project is a re-design of a previous project that was denied by the San Mateo County Planning Commission in 2009. A Draft Environmental Impact Report (Draft EIR) and Final Environmental Impact Report (Final EIR) were prepared for the previously proposed project. The scope of services will utilize, to the extent feasible, existing information from the previous environmental process to provide a Revised EIR that meets the current CEQA guidelines as well as current legal precedent for the analysis of environmental impacts developed through CEQA case law.

## Scope of Services

### *Program Description*

The overall objective and focus of the work plan outlined below is the efficient preparation of a Revised EIR that meets the legal requirements of a complete, adequate, and objective statement of the Proposed Project's environmental consequences while incorporating background information and analysis prepared during the previous EIR process to the extent feasible and reasonable in a cost effective manner. The resulting Revised EIR document will provide a concise, integrated source of information for the public, county decision makers, and other permitting agencies including the California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board.

## *County Direction*

AES works as an extension of County staff. Our Project Manager would take direction from the assigned County Project Manager. In this role, AES will pro-actively assist with meeting the stated project objectives by maintaining an up-to-date schedule that indicates deliverable due dates and responsible parties. AES has enjoyed similar working relationships with a variety of federal, state, and municipal agencies.

## *Proposed Course of Action*

**Task 1: Kick-Off Meeting, Project Initiation and Information Review.** AES will meet with the County to establish lines of communication, determine the nature and format of the document to be prepared, and obtain relevant documentation and project details. Following this meeting, AES will review all project documentation and related planning materials, including the additional information for the previous EIR that may not have been provided during development of this Scope of Work, and available planning documents including General Plan materials, utility master plans, the County's subdivision regulations, tree regulations, and the Countywide Transportation Plan. Following this review, AES will develop a final project schedule and work plan that meets the needs of the County.

**Deliverables:** AES will prepare a final work plan and schedule to be distributed to the project team via email within five (5) days of the project initiation meeting.

**Task 2: Initial Study, NOP and Scoping.** Following the project initiation meeting, AES will prepare a draft Initial Study (IS) that includes a checklist consistent with Appendix G of the CEQA Guidelines and County guidance. The IS will be used to screen nonsignificant environmental issues from further consideration within the EIR. Following completion of the IS, AES will prepare a Notice of Preparation (NOP). Flexibility will be built into the NOP in anticipation of minor adjustments to project layout and design. This Scope of Work assumes that the County will coordinate circulation of the IS/NOP to the public. AES's Sacramento Office is located mere blocks from the State Clearinghouse and can readily deliver the IS/NOP in a cost effective manner. AES will attend and provide environmental expertise at one public town hall/scoping meeting during the 30-day public review period starting with release of the NOP. It is assumed that the County will be responsible for reserving an appropriate venue for the meeting. AES shall prepare up to 4 poster board exhibits for the public town hall/scoping meeting.

**Deliverables:** AES will provide the County with an electronic version of the IS. AES will revise the IS based on a comprehensive set of comments received on the electronic version from the County. The IS will be included as an appendix to the Administrative Draft EIR. AES will provide an electronic copy of the draft NOP to the County for review. AES will revise the NOP based on a comprehensive set of comments received on the electronic version from the County. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall/scoping meeting for approval.

**Task 3: Administrative Draft Revised EIR Preparation.** AES will conduct field studies and analysis as necessary to prepare an Administrative Draft EIR (ADEIR) in accordance with the State CEQA Guidelines, and relevant case law. AES will review the results of the IS and scoping comments submitted during the NOP comment period to focus the EIR analysis on those issues that are identified as potentially significant. AES will prepare a summary list of relevant issues to be addressed within the project analysis and consult with the County regarding any revisions to the scope of EIR services, if necessary. Given the nature of the Proposed Project, AES anticipates the EIR will be rather comprehensive, with sections analyzing the direct, indirect, and cumulative effects associated with each of the following issue areas:

- Aesthetics
- Agricultural Resources
- Air Quality and Greenhouse Gases
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems
- Transportation and Traffic

As Lead Agency, the County will make the final determination regarding the content of the EIR. Upon award of the contract, AES and the County would consider each issue area and draft a more detailed work plan that clearly outlines the expectations of the County and the obligations of AES.

**Deliverables:** AES will provide the County with a total of three (3) bound hardcopies and one (1) CD copy in color PDF format of the ADEIR.

### *ADEIR Contents*

Executive Summary. This section will provide an overview of the Draft EIR (DEIR) and include a summary table of all identified environmental effects, mitigation, and the significance level of impacts before and after mitigation.

Introduction. This section will explain the applicability of CEQA to the Proposed Project, describes the CEQA public review process, summarizes significant issues raised during the scoping process, and outlines the organization of the EIR.

Project Description. This section will present the background of the Proposed Project and identify the County's objectives in pursuing the project. AES will incorporate detailed project information and exhibits provided by the Applicant and County to describe each component of the Proposed Project in sufficient detail to enable identification of the largest envelope of potential environmental impacts. All anticipated approvals, permits, and other actions that will rely on the EIR will be identified.

Environmental Setting and Analysis. Considered the heart of the EIR, this section will provide a separate subsection for each environmental issue area in which a potentially significant impact was identified during the IS and scoping process. Each issue area subsection will discuss the existing setting, regulatory framework, analysis methods and thresholds, anticipated project-related impacts, and recommended mitigation measures to reduce or avoid adverse effects.

Cumulative Impacts. AES will assess the cumulative impacts of the Proposed Project in connection with other reasonably foreseeable projects and build-out of the County's General Plan. If available, the cumulative analysis will also consider growth projections anticipated in the County's on-going General Plan Update. AES will work with the County and relevant agencies to develop a list of relevant projects and define the geographical scope of the cumulative analysis. Cumulative analysis will cover each issue area addressed under the Environmental Setting and Analysis section of the EIR. Anticipated project-related cumulative impacts will be identified and mitigation measures will be recommended to reduce or avoid adverse effects.

Project Alternatives. In accordance with CEQA Guidelines Section 15126.6, AES will work with the County and Applicant to develop up to four (4) alternatives that could feasibly attain most of the basic objectives of the Proposed Project and would substantially lessen one or more of the project's significant environmental effects. The following alternatives may be considered as part of this process, although it is anticipated that one or more may be eliminated from detailed consideration due to the increased potential for environmental impacts:

1. No Project Alternative. As required by CEQA, one of the alternatives will be a No Project Alternative. This alternative will assume that the Proposed Project would not occur. While it is anticipated that some environmental impacts would be reduced, the basic objectives of the project would not be accomplished and may result in greater effects associated with water quality and noncompliance with permit requirements.
2. Reduced Footprint Alternative. AES will work with the County to identify a mitigated project footprint alternative within the boundaries of the project site. It is anticipated that a reconfiguration of land uses and clustering of high density residential development would accomplish the goals of this alternative.
3. Reduced Density Alternative. AES will work with the County to define a reduced density alternative that would result in fewer residents on the project site, and thus fewer demands on public utilities and infrastructure.

According to CEQA Guidelines Section 15126.6(d), “the significant effects of an alternative shall be discussed, but in less detail than the significant effects of the project as proposed.” The assessment of project alternatives will be consistent with this requirement by presenting a sufficient amount of detail necessary to afford decision makers with a reasoned choice. In most cases, environmental analyses conducted for the Proposed Project will be applicable to alternative development scenarios. Qualitative analysis of air quality and noise impacts associated with project alternatives will be conducted.

### *Issue Area Analysis and Assumptions*

Aesthetics. Development of the Proposed Project would alter the visual character of the project site from open space to urban; however, the surrounding areas consist of housing developments of similar density and therefore impacts are anticipated to be less than significant. Using visual representations of the project to be provided by the Applicant and existing analysis from the 2009 EIR to the extent possible, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation:

- Review the relevant visual quality standards contained in the County’s General Plan and consider the applicability of planning policies and ordinances related to aesthetics.
- Conduct reconnaissance field studies to assess the visual character of the project site and surrounding public view areas. Document existing visual conditions on the project site through photographs and detailed descriptions.
- Incorporate the existing three dimensional visual design exhibits of the proposed facilities prepared by Lea and Braze Engineering, Inc. for the Applicant into site and aerial photographs of the project site to assess impacts to aesthetics and viewsheds of the project region.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the aesthetics section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts and ensure consistency with relevant visual quality standards of the County’s General Plan.

Air Quality. Development of the Proposed Project would result in short-term emissions and fugitive dust during the construction phase and long-term emissions associated with vehicle traffic. AES will complete the following tasks to determine the level of potential air quality impacts and the need for mitigation.

- Review relevant local/regional air quality standards for the project area, including those issued by the Bay Area Air Quality Management District (AQMD) and California Air Resources Board (CARB).
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Federal Clean Air Act and California Clean Air Act.
- Document existing sources of air pollution and identify sensitive receptors that may be affected by development of the Proposed Project.
- AES will conduct a HRA for the Proposed Project. The assessment will use accepted County or Air District protocols to determine the necessity for dispersion modeling. AES will use either AeMOD

or CAL3QHCR modeling software to estimate concentrations at defined receptor locations and will consult with the Air District and County to determine the appropriate level of analysis.

- Identify short-term air quality impacts from construction emissions using CARB-approved URBEMIS- modeling software. In order to estimate construction emissions, AES will coordinate with the County and Applicant to acquire information regarding the nature of construction activities, types of equipment that will likely be used, and the anticipated total area of disturbance.
- Identify long-term regional air quality impacts from mobile and area source emissions using CARB approved URBEMIS modeling software. This analysis will include quantification of criteria air pollutants identified in the local air quality management plans and shall be conducted according to district methodologies. Mobile source emissions will be estimated using vehicle trip generation and distribution information provided in the traffic study prepared by RKH.
- Quantify greenhouse gas emissions as recommended within the recent amendments to the CEQA Guidelines. In accordance with this guidance, AES will provide a qualitative, performance based approach to reducing impacts. This effort will be closely coordinated within the County's General Plan Update Process to ensure consistent methodology and thresholds are being applied.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the air quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts from both construction and operation of the Proposed Project. Modeling runs will be included as an appendix to the EIR.

Agricultural Resources. The Proposed Project would not result in the conversion of prime agricultural land. Additionally, no Williamson Act contracts are held on the subject parcels. AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process. Should it be determined that Agricultural Resources should be included within the EIR, AES will complete the following tasks using the existing analysis from the 2009 EIR to the extent possible to determine the level of potential impacts to agricultural resources and the need for mitigation:

- Review the relevant local policies concerning the protection of farmlands, including those contained in the County General Plan and General Plan Update.
- Describe and map the important agricultural soils in the project area including Prime Farmland, Farmland of Statewide Importance and Unique Farmland.
- Review information on existing agricultural resource in the region and current urbanization trends.
- AES anticipates that Agricultural Resources may be excluded from the EIR through the IS process.

Biological Resources. Development of the Proposed Project has the potential to impact special-status species and other biological resources, including the endangered Mission Blue Butterfly. This scope of work does not provide for protocol-level biological surveys or permitting. AES will complete the following tasks to determine the level of potential biological impacts and the need for mitigation:

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Federal Endangered Species Act, Fish and Wildlife Coordination Act, Migratory Bird Treaty Act, Clean Water Act (Sections 401 and 404), Magnuson Fisheries-Stevens Fishery

Conservation and Management Act, California Endangered Species Act, California Fish and Game Code, and Porter-Cologne Water Quality Control Act.

- Review existing information related to biological resources included within the Biological Resources Assessment prepared for the 2009 EIR.
- Conduct an updated query of the California Natural Diversity Database/RareFind, California Native Plant Society's Electronic Inventory, and the California Wildlife-Habitat Relationships database, and obtain current special-status species lists for the project area from the U.S. Fish and Wildlife Service (USFWS).
- Conduct a biological field survey of the project site to establish the potential for occurrences of special-status species or critical habitat and confirm the findings of the Biological Resources Assessment prepared by the Applicant.
- Incorporate information from existing studies and findings into the biological resources section of the EIR and recommend avoidance or mitigation measures to reduce any potentially significant impacts. In coordination with the County, AES will informally consult with USFWS and the California Department of Fish and Game to refine mitigation measures and meet regulatory requirements. This coordination will promote an efficient environmental review process for the Proposed Project.

Cultural Resources. Development of the Proposed Project could result in adverse impacts to previously documented, newly identified, or inadvertently discovered cultural resources. Preliminary site reconnaissance indicates that the project site has been substantially disturbed from agricultural activities; however, impacts to unanticipated archaeological resources discovered during construction are always a possibility. AES will complete the following tasks during preparation of the cultural resources section of the EIR.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: CEQA Guidelines 15064.5 and PRC 21083.2, SB-18 – Tribal Consultation (required for General Plan Amendment), Section 106 of the National Historic Preservation Act (required for 404 permits)
- Conduct an updated records search at the Northwest Information Center of the California Historical Resources Information System.
- Request a sacred lands search and stakeholders list from the Native American Heritage Commission (NAHC). AES will send preliminary consultation letters to all Native American stakeholders identified by the NAHC.
- Conduct an intensive Phase-I pedestrian survey of the project site. The survey will include recordation of any newly identified sites on appropriate DPR forms. Records of previously identified sites will be updated if necessary. This scope of work assumes that no more than two relatively simple resources will require recordation or updating. Evaluation of site significance is not included in the enclosed cost estimate. If it is determined that identified site(s) need to be evaluated, AES will provide a detailed scope of work and cost estimate for this work.

- Assist the County with SB-18 consultation. SB-18 assistance will include identification of stakeholders, provision of invitation to consult language, and attendance at up to two meetings with tribal representatives.
- Conduct all surveys and records searches in compliance with Section 106 of National Historic Preservation Act in the event that federal permitting is required.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the cultural resources section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts. This Scope of Work does not provide for testing or data recovery of any identified archaeological sites.

Geology and Soils. Development of the Proposed Project has the potential to result in soil erosion or subject people or property to geologic or seismic risks. AES is teaming with Michelucci and Associates to conduct an Updated Geotechnical Study to supplement the geotechnical study they prepared for the 2009 EIR. AES will complete the following tasks during preparation of the geology and soils section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to geology, soils and seismic hazards within the project area, including those contained in the County's General Plan.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Soil and Water Conservation Act, National Earthquake Hazards Reduction Program, Alquist-Priolo Earthquake Fault Zoning Act, Seismic Hazards Mapping Act, and California Building Standards Code.
- Identify soils types within the project area based on a review of U.S. Department of Agriculture soils surveys and field investigations to estimate the potential for erosion, settlement, and liquefaction; however, it is assumed that a geotechnical report or other appropriate analysis shall be conducted that determines the shrink/swell potential and stability of the soil to support the proposed facilities prior to construction.
- Review regional/local earthquake fault and seismic hazard maps to determine the potential for seismic related hazards.
- Incorporate findings of the Geotechnical Study prepared by Michelucci and Associates and existing analysis from the 2009 EIR to the extent possible into the geology and soils section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hazards and Hazardous Materials. Development of the Proposed Project may subject people to hazardous materials or hazards. The majority of the project site has been formerly used for agricultural purposes. AES will complete the following tasks during preparation of the Hazards/Hazardous Materials section of the EIR:

- Review the relevant local and regional planning policies and ordinances related to hazards and hazardous materials within the project area, including those contained in the County's General Plan.

- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: Resources Conservation and Recovery Act, Hazardous and Solid Waste Management Acts, and Comprehensive Environmental Response, Compensation, and Liability Act.
- Request a database search from Environmental Data Services to identify whether the project site is listed on various local, state, or federal hazardous materials databases. AES will also search online database resources regarding facilities or sites identified as meeting the “Cortese List” requirements pursuant to Government Code Section 65962.5.
- AES will research historic land usage within and adjacent to the project site, including review of historic topographic maps and aerial photographs.
- AES will incorporate findings and existing analysis from the 2009 EIR to the extent possible into the hazards and hazardous materials section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Hydrology and Water Quality. Development of the Proposed Project would alter the existing drainage patterns on the project site during both construction and operation, potentially impacting run-off quantity and quality. AES understands that Lea and Braze have already completed an updated hydrological evaluation of the project site to assess drainage impacts associated with the development of impervious surfaces on the project site. AES will complete the following tasks during preparation of the Hydrology and Water Quality Section of the EIR:

- Review existing information concerning water quality in the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including the Clean Water Act and Porter-Cologne Water Quality Act.
- Identify flood hazards on the site or in the immediate project area through Review of FEMA Flood Insurance maps, the proposed flood protection/prevention measures of the project (if needed), and determine residual effects on localized or downstream flooding.
- Peer review drainage plans, estimates of storm water volumes, and existing system capacities provided to AES by Lea and Braze during the hydrological study, the County and/or the Applicant.
- Using existing information, identify the general types and sources of water quality changes that may result from the proposed development. Evaluate potential impacts of runoff from the project site on the quality of receiving waters.
- Discuss the need to apply for an NPDES permit for construction activities. Identify guidelines and policies of the SFBRWQCB, U.S. Environmental Protection Agency, and County plans regarding water quality impacts from storm water runoff.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Hydrology and Water Quality section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Land Use and Planning. The Proposed Project would result in the subdivision of the project site for the development of 19 single-family residential units. Implementation of the Proposed Project must be

considered in light of existing policies included within the County's General Plan and General Plan Update. Additionally, the Proposed Project will introduce new land uses that may be incompatible with existing or planned land uses on adjacent properties. Based on an initial review of the General Plan and Land Use designations for the project site, the Proposed Project is consistent with the land use planning documents governing development on the project site and the density of development is consistent with zoning designations. Accordingly, AES anticipates that impacts to Land Use and Planning will be less than significant and no mitigation will be required. To ensure a complete analysis is provided, AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted land use studies associated with the project area and consider the applicability of relevant local/regional planning policies and ordinances.
- Identify existing, approved, and proposed land use and zoning designations within and surrounding the project site.
- Consider the consistency of the Proposed Project with existing applicable planning documents, and include "planning consistency matrix" as an appendix to the EIR.
- Assess potential long-term compatibility issues, as well as short-term issues associated with phased development and non-conforming land uses.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Land Use and Planning section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Noise. Development of the Proposed Project would result in a short-term increase in noise and vibration during the construction phase and would result in long-term noise increases related to traffic and operational activities that may impact sensitive receptors. AES will conduct a noise assessment of the project site and incorporate the analysis and conclusions into the Noise Section of the EIR. AES will complete the following task to determine the level of potential impacts and the need for mitigation.

- Existing Noise Levels: Conduct a detailed ambient noise survey to quantify existing noise conditions at the project site and at the nearest potentially affected noise-sensitive land uses. The survey will consist of continuous and short-term noise level measurements at as many locations deemed necessary to thoroughly identify existing noise conditions for the project area which will include traffic noise from State Route 280 and 92. To the extent that information contained in the 2009 EIR is still relevant, AES will make use of it.
- Prepare Technical Report in Support of the EIR Noise Section that will contain the results of the previous task in the above-described scope of work, as well as graphics showing noise measurement locations and potential noise mitigation locations as appropriate. The report will be included as an appendix to the EIR. AES will incorporate existing analysis from the 2009 EIR to the extent possible.

Public Services and Recreation: Development of the Proposed Project would result in an increased demand for public services and recreation, including public schools, law enforcement, and fire protection. Additionally, the increase in population as a result of the project will result in increased use of County and

regional recreational facilities. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the project site and consider the applicability of relevant local/regional planning policies and ordinances..
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including:
  - Uniform Fire Code
  - California Health and Safety Code
- AES will update the public service provided questionnaires provided Appendix C of the 2009 Draft EIR. AES will contact local service providers, including the Sheriff's Department, Fire Department, County Parks Department, County Public Libraries, and School Districts to determine existing service levels in the project area and need for additional personnel, equipment, and facilities.
- Estimate the new service demands resulting from the development of the Proposed Project, including the increase in student enrollment, law enforcement demands, fire protection demands, and use of recreational facilities.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Recreation section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

Traffic and Circulation: Development of the Proposed Project would result in an increase in local traffic. AES is teaming with RKH for the preparation of a traffic analysis and study for the Proposed Project to determine the potential for adverse effects on traffic circulation and identify appropriate traffic improvements. AES will complete the following tasks during preparation of the transportation/traffic section of the EIR.

- Incorporate findings of the traffic impact analysis into the Transportation and Circulation section of the EIR.
- Assess potential impacts associated with pedestrian, bicycle, and public transportation, and recommend appropriate mitigation measures.
- Discuss potential short-term impacts associated with construction activities. It is anticipated that mitigation will likely include specific measures to be included within a Traffic Control Plan for construction activities.

Utilities and Service Systems: Development of the Proposed Project would result in an increased demand for public utilities, including potable water, wastewater treatment, drainage facilities, and solid waste services. AES is teaming with NV5, formerly Nolte and Associates to assess the potential impacts to sewer and water conveyance systems. The cost and scope assumes that the level of effort required is to update the analysis within the 2009 EIR and no modeling of conveyance capacities are required. AES will assess the potential impacts to other utility and service systems including solid waste, electricity, and telecommunications. AES will complete the following tasks to determine the level of potential impacts and the need for mitigation.

- Review previously conducted studies associated with the 2009 EIR and consider the applicability of relevant local/regional planning policies and ordinances.
- Consider the Proposed Project in light of applicable state/federal regulatory frameworks, including: California Health and Safety Code, Integrated Waste Management Act, Water Management Planning Act, SB 610 – Water Availability Assessment. Based on the number of residential units, a Water Supply Assessment is not required under SB 610, which will be duly noted in the EIR.
- Coordinate with the County’s Public Utilities Department and local service providers to determine existing service levels in the project area.
- Estimate the new service demands resulting from the development of the Proposed Project, including water supply, wastewater, drainage and solid waste.
- Evaluate impacts to wastewater treatment and drainage facilities in light of information provided within NV5’s technical assessment.
- In accordance with thresholds provided in Appendix G of the CEQA Guidelines, evaluate physical environmental impacts resulting from proposed improvements to utility systems, including the any proposed upgrades to Crystal Springs County Special District and San Mateo Wastewater Treatment plant. This task does not include site visits to assess existing conditions of off-site improvements that may be required to update wastewater infrastructure to meet the wastewater demands of the project.
- Incorporate findings and existing analysis from the 2009 EIR to the extent possible into the Public Services and Utilities section of the EIR and recommend appropriate mitigation measures to reduce any significant impacts.

**Task 4: Draft EIR and Public Circulation.** AES will meet with the County to clarify any comments and questions raised during review of the ADEIR. AES will revise the ADEIR based on a single set of comprehensive comments provided by the County. AES will provide an electronic screen check version of the Draft EIR with track changes to the County for review prior to production. Following approval by the County, AES will facilitate preparation of the Notice of Availability (NOA) and public release of the DEIR.

AES technical staff will coordinate and attend one (1) public comment town hall meeting during the 45-day public comment period on the DEIR. AES will provide up to three (3) poster board displays for the meeting. It is assumed that the County will be responsible for reserving an appropriate venue. If desired, a court reporter will be provided by the County.

**Deliverables:** AES will provide the County with ten (10) bound hardcopies one (1) CD copy in color PDF format of the Draft EIR. Fifteen (15) CD copies of the Draft EIR with hardcopies of the Executive Summary will be submitted as required to the State Clearinghouse with the Notice of Availability. AES will provide electronic copies of the proposed poster board exhibits prior to the public town hall meeting for approval.

**Task 5: Final EIR and Mitigation Monitoring and Reporting Plan.** AES will compile comments received from the public and other interested parties during the 45-day public review period for the Draft EIR, and summarize key issues for discussion with the County. AES will meet with County staff to go over the approach for responding to key issues raised during the DEIR public review period. Following this meeting, AES will formulate responses, and make any necessary revisions to the EIR. This Scope of Work assumes a moderate level of effort will be required to respond to comments. A moderate level of effort is considered to be less than 15 comment letters and 50 individual substantive comments that require a response beyond comment noted. The Response to Comments and any refinements to the DEIR text will be incorporated into a “freestanding” Final EIR. AES will prepare a Mitigation Monitoring and Reporting Plan (MMRP) to support the County’s certification of the Final EIR. The MMRP will be referenced within the text of the Final EIR and will be included as an appendix in the final document.

**Deliverables:** AES will provide the County with a total of ten (10) bound hardcopies and one (1) CD copy in PDF format of the Final EIR.

**Task 6: Findings and Final EIR Certification Support.** AES will assist with preparation of the Findings of Fact and Statement of Overriding Considerations. AES will attend/present at one meeting with the Planning Commission, and up to two staff meetings for certification of the Final EIR and Findings and Statement of Overriding Considerations.

**Task 7: Project Management and Meetings.** The AES management team will complete the myriad of small and often unforeseen tasks required to implement the preparation of an EIR. This includes numerous phone calls and emails necessary to facilitate information exchange between the Project Team and jurisdictional agencies, as well as the time required to prepare agendas, meeting minutes, schedules, and other such documents. Under this task, AES will:

- Attend a scoping hearing;
- Participate in up to 3 (3) two-hour project coordination meetings with planning staff at the County offices for the development of the Draft EIR;
- Attend up to two (2) Planning Commission hearings; and
- Participate in up to ten (10) one-hour project related conference calls with members of the project team and jurisdictional agencies.

**Deliverables:** AES will submit monthly status reports to the Project Team via email by the fifth business day of each month. AES will prepare and distribute minutes for each project-related meeting that will outline key decisions and action items.

**BE IT FURTHER RESOLVED**, that the Community Development Director or designee is authorized to execute contract amendments which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

\* \* \* \* \*

Regularly passed and adopted this 7<sup>th</sup> day of May 2013.

AYES and in favor of said resolution:

Supervisors: DAVE PINE

CAROLE GROOM

DON HORSLEY

WARREN SLOCUM

ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors: NONE

Absent Supervisors: NONE



\_\_\_\_\_  
President, Board of Supervisors  
County of San Mateo  
State of California

**Certificate of Delivery**

*I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.*



Rebecca Romero, Deputy  
Clerk of the Board of Supervisors

**From:** Heather Hardy  
**To:** Steve Monowitz  
**CC:** Jim Eggemeyer  
**Date:** 6/20/2013 5:00 PM  
**Subject:** Your input needed: Major milestones/accomplishments for FY12-13

Hi Steve,

Jim and I have done some brainstorming for the 1-pager Department Overview that we will submit tomorrow with the rest of our Budget deliverables. (The instructions are at the end of this message.) Can you think of anything else that you would list? As a small department, we are supposed to have "up to 3" accomplishments, so we'll refine the list below.

**FY 2012/13**

EECAP Development & approval by BoS  
Agritourism Guidelines  
Code Compliance Enforcement & Citation Improvements  
Draft Williamson Act for submission to the Board of Supervisors

**In progress/Upcoming**

Princeton  
Accela Upgrade  
Ascension Heights  
NFO  
General Plan Update  
Thank you!  
Heather

**Directions:** Overview: The Overview will briefly describe the services provided by the Department (large departments should highlight the top five core services and small departments should highlight up to three core services). In addition to three to five major accomplishments in FY 2012-13, describe significant challenges, initiatives and trends for the next two years. Briefly describe how performance is affected by the challenges, initiatives and trends discussed. Further guidelines regarding the types of allowable performance measures are included in the Program Summary description.

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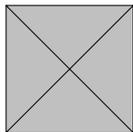
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3. Ascension Heights
4. NFO
5. General Plan Update

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**From:** Steve Monowitz  
**To:** Heather Hardy  
**CC:** Jim Eggemeyer  
**Date:** 6/21/2013 8:37 AM  
**Subject:** Re: Your input needed: Major milestones/accomplishments for FY12-13

Hi Heather and Jim,

Some other accomplishments to throw in the mix:

Coastal Commission certification of the Midcoast Update

Phase 2 Highway 1 Safety and Mobility Study and TA grant for Implementation

Regarding in progress/upcoming projects, I would specify NFO Zoning Regulations in Number 4, and replace General Plan Update with Housing Element Update and Implementation. There are other projects we might want to add later if we succeed in our efforts to get another long range planning position.

Thanks,

Steve

>>> Heather Hardy 6/20/2013 5:00 PM >>>

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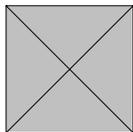
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Regarding in progress/upcoming projects, I would specify NFO Zoning Regulations in Number 4, and replace General Plan Update with Housing Element Update and Implementation. There are other projects we might want to add later if we succeed in our efforts to get another long range planning position.

Thanks,

Steve



>>> Heather Hardy 6/20/2013 5:00 PM >>>

Hi Steve,

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### **FY 2012/13**

1. EECAP Development & approval by BoS
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3. Code Compliance Enforcement & Citation Improvements
4. Draft Williamson Act for submission to the Board of Supervisors

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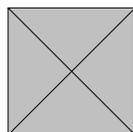
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Thank you!

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**From:** Heather Hardy  
**To:** Jim Eggemeyer; Steve Monowitz  
**Date:** 6/21/2013 9:11 AM  
**Subject:** Re: Your input needed: Major milestones/accomplishments for FY12-13

Steve - thanks for these additions. I've updated the list (below) for both of you to look at and prioritize.

**FY 2012/13 (Choose 3 to 5)**

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Agritourism Guidelines  
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Draft Williamson Act for submission to the Board of Supervisors  
Coastal Commission certification of the Midcoast update  
Phase 2 Highway 1 Safety & Mobility study

**In progress/Upcoming**

Princeton  
Accela Upgrade  
Ascension Heights  
NFO Zoning Regulations  
Housing Element Update and Implementation  
Thanks,  
Heather

>>> Steve Monowitz 6/21/2013 8:37 AM >>>

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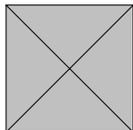
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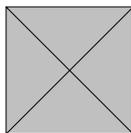
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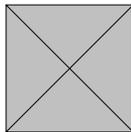
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**From:** Jim Eggemeyer  
**To:** JCastaneda@smcgov.org  
**Date:** 9/5/2013 2:25 PM  
**Subject:** Re: Ascension Heights, Scoping Meeting Notice

I am out of the office and will return Monday, September 9, 2013. I will respond to your e-mail upon my return.

If you need assistance before I return, please contact Heather Hardy at 650/363-1859 for any issues and she will assist you. Or contact our front desk at 650/363-4161.

jke  
>>> James Castaneda 09/05/13 14:25 >>>

Good afternoon Supervisor Pine,  
In an effort to keep you apprised of activities relating to the Ascension Heights propose subdivision in the San Mateo Highlands (unincorporated) area, I'd like to inform you that we are preparing to start the environmental review process, and as such starting our community outreach and notification.

The attached letter, inviting the community to an environmental scoping session on September 25th, will be sent this afternoon to all residences within 600-feet of the project site, as well other interested parties we have on recorded for the project. We've also been working with Marshall Wilson regarding a press release on the matter as well. We expect that to go out Monday.

If you have any questions, please don't hesitate to contact me.

Regards,  
JAMES

--

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
smcplanning.org | sforoundtable.org

**From:** James Castaneda  
**To:** Dave Pine  
**CC:** David Burruto; Jim Eggemeyer; Randy Torrijos  
**Date:** 9/5/2013 2:25 PM  
**Subject:** Ascension Heights, Scoping Meeting Notice  
**Attachments:** 20130905\_PLN2002-517\_Notice.pdf

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County of San Mateo

Planning and Building Department

455 County Center  
Redwood City, CA 94063  
650/363-4650 / 363-4849

MaiDrop N122  
plngbl dg@smcgov.  
www.co.sanmateo.ca.us

September 25, 2013

Dear Baywood and San Mateo residents:

In the coming months, the San Mateo County Planning and Building Department will begin processing applications for proposed subdivision of lots at the level of approximately 19 on Wat eifank Hill at the corner of Ascension and Bel Air Road. A preliminary plan for 25 lots is being prepared. The project was submitted to the Planning Commission in December 2009. The project was submitted to the Planning Commission in December 2009. The project was submitted to the Planning Commission in December 2009.

With the processing of the subdivision application, the Planning and Building Department will begin the review of the proposed subdivision. The second environmental impact report will be prepared. The second environmental impact report will be prepared. The second environmental impact report will be prepared.

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As we prepare to begin the environmental review process, we would like to invite you to help us with the review process. We would like to invite you to help us with the review process. We would like to invite you to help us with the review process.

Wednesday, September 25, 2013  
7:00 p.m.  
Collegiate San Mateo Theater  
1700 Hillside Avenue, San Mateo, CA 94062  
Doors open at 6:30 p.m.

Baywood and San Mateo. The project is located in the City of San Mateo, California. The project is a proposed subdivision of approximately 100 acres of land. The project is located in the City of San Mateo, California. The project is a proposed subdivision of approximately 100 acres of land. The project is located in the City of San Mateo, California. The project is a proposed subdivision of approximately 100 acres of land.

At this time, you will be able to meet and ask questions of the project staff. The project staff will be available to answer your questions and provide you with information about the project. The project staff will be available to answer your questions and provide you with information about the project. The project staff will be available to answer your questions and provide you with information about the project.

We are providing you with a link to the project website. The project website is located at the following URL: <http://www.smcpeakout.com/water-tank-hill-proposed-subdivision-environmental-concerns>

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For the most up-to-date information, please visit the project website. The project website is located at the following URL: <http://www.smcpeakout.com/water-tank-hill-proposed-subdivision-environmental-concerns>

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Regards,



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[jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)  
650 36-8153

JAC: f cJACX0633\_WFN.DOCX

**From:** Gerard Ozanne <  
**To:** hhardy@smcgov.org  
**CC:** JEggemeyer@smcgov.org; DPine@smcgov.org  
**Date:** 9/13/2013 2:50 PM  
**Subject:** Re: Scheduling: Ascension Heights Discussion

Hi Heather,  
To follow up on your phone call today, Supervisor Pine and I would like to schedule a meeting with Mr. Eggemeyer in his office at 4pm on Wed., September 18.

Thank you,

Jerry

On Sep 13, 2013, at 2:12 PM, Gerard Ozanne < > wrote:

> Hi Heather,  
> Can you tell me if the Initial Study and the Notice of Preparation have been completed? and distributed?  
>  
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> Jerry  
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>> Heather  
>>  
>>  
>> Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455 County Center 2nd Floor Redwood City, CA 94063 | (650)363-1859 | Available M - F, 8:30 - 5:30  
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Subject: Re: Scheduling: Ascension Heights Discussion  
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 From: Gerard Ozanne <  
 In-Reply-To: <E0A82CDB-8065-4EE9-8BEF-E0F319C0D91D@earthlink.net>  
 No String Available  
 Cc: Pine Dave <dpine@smcgov.org>, Eggemeyer Jim <JEggemeyer@smcgov.org>  
 Message-Id: <90E19704-F939-426F-9958-963B35CB9067@earthlink.net>  
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To: Heather Hardy <hhardy@smcgov.org>  
 X-Mailer: Apple Mail (2.1508)  
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X-MAIL-FROM: <  
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Content-Type: text/html;charset=us-ascii

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**To:** Gerard Ozanne  
**CC:** Dave Pine; Jim Eggemeyer  
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**From:** Heather Hardy  
**To:** Jim Eggemeyer  
**Date:** 10/8/2013 11:00 AM  
**Subject:** MindMixer URL

Hi Jim,

The MindMixer site for the Water Tank Hill/Ascension Heights project is here:

<http://www.smcspeakout.com/water-tank-hill-proposed-subdivision-environmental-concerns>

Please let me know if I can help with anything else.

Thanks,  
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5:30

**From:** Jim Eggemeyer  
**To:** Peggy Jensen  
**Date:** 10/8/2013 12:03 PM  
**Subject:** Ascension Heights MindMixer URL

Hi Peggy, Per our conversation yesterday regarding the Ascension Heights project, here is the MindMixer link you were going to send out. Let me know if you need anything else. Thanks.  
jke

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**From:** Donald Nagle <  
**To:** JEggemeyer@smcgov.org; JCastaneda@smcgov.org  
**CC:** DPine@smcgov.org;  
**Date:** 11/4/2013 4:35 PM  
**Subject:** Nagle Scoping Comments for Ascension Heights Proposal  
**Attachments:** Nagle letter to County 4Nov2013.doc

Jim and James,  
See attached for our Scoping Comments on the Ascension Heights Proposal.  
Sincerely,  
Laurel and Donald Nagle  
1538 Parrott Drive,  
San Mateo, CA 94402

Jim and James,

See attached for our Scoping Comments on the Ascension Heights Proposal.

Sincerely,

Laurel and Donald Nagle

1538 Parrott Drive,

San Mateo, CA 94402

November 4, 2013

James Castenada  
County of San Mateo  
455 County Center, 2nd floor  
Redwood City, CA 94063

RE: Public Comments due November 4, 2013 for Ascension Heights proposal

Dear Mr. Castenada,

We are residents of 1538 Parrott Drive, and live in a home that abuts directly against the proposed development.

1. As a general statement, we believe the county decision making process would benefit from more comprehensive analyses of the various issues (rather than less comprehensive analysis). Given the steepness of the hillside and the various issues identified during the last DEIR process (culminating in the 2009 denial of the DEIR), we recommend that the DEIR process and resultant report err on the side of more data and more analysis rather than less.

2. We request that mitigations be described and mandated for any issues that are identified.

- This would be in contrast to last time (2009), when the DEIR stated for numerous issues that impacts, particularly but not limited to Parrott Drive neighbors adjacent to the site, were "... determined to be significant but unavoidable" and that several were not sufficiently mitigable to reduce impacts below recommended levels. We believe that mitigations may be put in place for nearly any issue or impact, and look forward to the process this time describing and mandating appropriate mitigations that would result in reducing the impact below recommended levels.
- Additionally, we request that mitigations be described with words like "must" rather than "should" or "could". The former (use of "must") defines prescribed mitigations upon which current residents in the neighborhood can depend, while the latter (use of "could") implies that the developer may do what he would like rather than follow through on the mitigation.

3. We request that Reduced Density Alternatives be created and considered thoughtfully. In meetings dating back to ~2008, the developer has repeatedly said that he has no interest in building anything less than ~25 homes on the site (now reduced to 19 homes in his latest proposal given the rejection of his previous proposal in 2009), and that he does not consider any Reduced Density Alternatives as feasible or of

interest to him. That said, the process leading the DEIR must include appropriate Reduced Density Alternatives for the County to consider thoughtfully.

4. Currently, the water tank on top of the hill has a large outlet pipe that runs straight down the hill to Parrott Drive, along an easement between 1538 Parrott (our home) and 1526 Parrott. The development plans for the propose to re-route this pipe between our property and the water tank, inserting four 90-degree turns into the pipe, and running within a few feet of our property line. We have two specific concerns about this planned re-routing of this water pipe.

- First, as context, we have three very large trees in our backyard adjacent to the property line. The diameters for these trees are ~47 inches, ~49 inches, and ~80 inches when measured ~two feet above ground level. Note that the trees spread out in trunk dimension, and so measuring diameters at the more typical "five feet above ground level" would significantly increase the measured diameters.
- We request that the plan be changed to comply with International Arborist standards which strongly recommends avoiding digging in the tree root zone that extends "1 to 1-1/2 feet away from the tree per inch of tree diameter". Given the 47-inch diameter of our smallest tree, the nearest edge of the excavation for the water pipe, or any development digging for that matter, would be 47 feet from that tree. Using the larger "1-1/2 feet per inch" recommendation, excavation should be no closer than 71 feet from this tree.
- Second, we are concerned about the possible impact from the proposed change in pipe design from a straight pipe which allows any water discharge to flow unencumbered through the pipe to the proposed design which incorporates four sharp turns (90 degrees). The increased pressure generated by these angles will lead to faster erosion inside the pipes. We are concerned and request a comparative analysis of the lifespan of the proposed design versus it's current design.

5. As mentioned above, we have three, very large and old trees. Arborists and original neighbors report the trees as being of, at least, 60, possibly 75, years old. As with most plants, over 70% of root activity occurs within the top few inches of soil. This is where the water, air and nutrition are primarily processed. *Architectural Graphic Standards* contains research by James Urban who determined that the critical factor in determining long-term tree health is the volume of root-supporting soil available. (Also mentioned in *Sustainable Landscape Construction* by J. William Thompson and Kim Sorvig.) The rule of thumb for area that must be untouched (to preserve tree health) is one and one-half times the area of the drip line. The International Arborist Society which certifies US arborists uses the guideline mentioned above in comment #1, bullet #2. By untouched, the guidelines specify no parking, storing materials, or changing the grade. Even 6 inches of additional soil against the trunk can cause disease and removing the top soil

will disproportionately hurt the trees' ability to thrive. Given these professional guidelines, **it is impossible to insure healthy mature trees and put housing or roads as close as they are proposed.**

While most of the proposed trees are not of the width as ours, it is essential that the same guidelines be used for those remaining trees as well.

6. The Developer has stated that all grading for the hill will be done at once and at the beginning of construction. We are very concerned about the potential for erosion and other damage if various precautions are not taken, including ones to conserve the health of the topsoil. The top soil is where growth happens. It also contains its own active ecology which is crucial for plant development. Ideally, the top soil should be removed and saved before grading the subsoil. Soils scientist, teacher at Harvard's School of Design and author of Urban Soils, Phil Craul, makes the following suggestions for keeping the soil as alive and healthy as possible – make several small piles, not one large; depth of piles should be no more than 4 feet for clay soils; keep the piles moderately damp; protect the soil from wind and water erosion by covering or planting; and handle the soil as little as possible. Caltrans has found that reapplication of the top soil works to improve the growth of post construction plantings. (Claasen, V.P. And R.J. Zaoski, "The Effect of Top Soil Reapplications on Vegetation Re-establishment", California Dept. Of Transportation, 1994.

We request that the same precautions be taken on any development on the hill.

7. The hammerhead turn-around points directly into our back yard and windows, specifically 2 of our children's bedrooms. Both of these could be mitigated, though that might require the developer to drop at least 1-2 lots.

8. The separation between the new development and Parrott homes (in 2002 CT referred to a ~25-foot gap between two separate fences, which is the bare minimum we wanted, along with mature trees in that separation) is vague and the developer is sending very mixed messages now. As one example, his plans don't show the trees or the gap between fences or even declare an easement the length of the development next to Parrott, but his artistic renderings from 2+ years ago show very mature pine trees in between "them" and "us". The "skinniest" pine trees I could find on the internet still have a branch spread of ~10-feet in radius, which means 20-feet in diameter, which requires more space than he is now showing; and most pine trees are broader than that. We request a definitive plan drawn and an analysis of the ability of any easement or buffer zone to effectively grow healthy trees, given visual and sound privacy, and not drop leaf/needle debris in an amount that would hurt plantings pools and other elements in the Parrott back yards.

9. Given the steep slope of the project and several areas of erosion, we are concerned that a qualified team of landscape architect, soils scientist and native horticulturalist have not been engaged to advise on the best choices for planting in the development. Some sample drawings have should lush grass on open spaces and standard street trees. This is an unlikely and expensive landscape with little chance for success and reminds us of the developer's ignorance of the site.

10. We request that AES survey the site and surrounding area at various times after rainfalls. Residents continue to manage foundation shifts and add drainage piping to their properties. Our yard regularly flooded until we added drainage trenches in three places, plus a catchment on our patio. Our outgoing sewage pipe was bent due to shift soil and our neighbors are currently going through the same process of having to replace the sewage outpipe.

11. Regarding the traffic on Parrott, between CSM and Laurie Drives, Laurel has personally seen 3 accidents where cars left the road and landed in yards. The third accident actually hit the house. In addition, we have lost 2 side mirrors on cars that were parked legally on the street. Finally, a student on the way to CSM claims she was blinded by the sunlight and rear-ended our minivan which was legally parked on the street. The insurance declared the car "totalled." Traffic speeds by regularly and safety is threatened. An analysis and recommendations for improved safety needs to be taken.

12. We have solar panels which provide for all of our annual electric needs. We request compensation for any dust or other blockages that prevent our panels from working to full capacity.

Thank you for your attention,  
Laurel and Donald Nagle  
1538 Parrott Drive  
San Mateo, CA 94402

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Subject: Nagle Scoping Comments for Ascension Heights Proposal  
To: "Castaneda, James" <JCastaneda@smcgov.org>, "Eggemeyer, Jim" <JEggemeyer@smcgov.org>

Cc: "Ozanne, Gerard" < (Lyn), Haithcox Marilyn" < "Burruto, David" <DBurruto@smcgov.org>, "Craig, Nishizaki" < "Hardy, Heather" <hhardy@smcgov.org>, "Laurel, Nagle" < Linda Ozanne < "Pete, Lawrence" < Dave Pine <dpine@smcgov.org>

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Content-Transfer-Encoding: quoted-printable  
Attachment: Nagle letter to County 4Nov2013.doc

Jim and James,  
See attached for our Scoping Comments on the Ascension Heights Proposal.  
Sincerely,  
Laurel and Donald Nagle  
1538 Parrott Drive,  
San Mateo, CA 94402

**From:** Heather Hardy  
**To:** Gerard Ozanne  
**CC:** David Burruto; James A. Castañeda; Jim Eggemeyer  
**Date:** 11/19/2013 6:42 PM  
**Subject:** Meeting Confirmation - December 9, 2013 at 3PM

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Thank you,

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 |

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**From:** Gerard Ozanne <  
**To:** hha...  
**CC:** JEggemeyer@smcgov.org; DBurruto@smcgov.org; jcastaneda@sforoundtable.org  
**Date:** 11/19/2013 8:48 PM  
**Subject:** Re: Meeting Confirmation - December 9, 2013 at 3PM

Thanks, Heather.

I appreciate everyone's flexibility very much.

James, some of us have time next week to address the particular issues you would like to cover during this meeting. Please let us know which they are at your earliest convenience.

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**From:** Gerard Ozanne <  
**To:** JEggemeyer@smcgov.org; DBurruto@smcgov.org; jcastaneda@sforoundtable.org...  
**Date:** 12/5/2013 10:01 AM  
**Subject:** Re: Meeting Confirmation - December 9, 2013 at 3PM

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 References: Heather Hardy <hhardy@smcgov.org>, Nagle Laurel < Peter Lawrence < Ozanne Linda < James A. Castañeda" <jcastaneda@sforoundtable.org>, David Burruto <DBurruto@smcgov.org>, Jim Eggemeyer <JEggemeyer@smcgov.org>

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**From:** James Castaneda  
**To:** Gerard Ozanne; Nagle Laurel; Ozanne Linda; Peter Lawrence  
**CC:** David Burruto; Heather Hardy; Jim Eggemeyer  
**Date:** 12/5/2013 3:34 PM  
**Subject:** Re: Meeting Confirmation - December 9, 2013 at 3PM

Good afternoon Jerry,

Based on our two previous and taking into account a few takeaways I had, I was thinking we can focus on two areas for Monday afternoon's meeting:

First, I think we should spend some time discussing the upcoming administrative draft EIR, which we should receive right before the holidays and be reviewing after. As we discussed before, the administrative drafts gives us an opportunity to get our first view of the document to look for any major omissions, clarity of context, and overall content.

Since this is not a public document, I think it's important for us to get some feedback in regards to what Jim and I should be on the lookout for as we review the administrative draft. I'd like to focus more on specifics in the individual sections of the EIR and what might be the expectation in how the information is presented and covered, and less so specifics of criteria for data or analysis validation (I'll discuss how to approach doing such in the second part of the meeting).

As reminder, the specific sections we can expect in the EIR are:

- Aesthetics
- Agricultural Resources
- Air Quality and Greenhouse Gases
- Biological Resources
- Cultural Resources
- Geology and Soil
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems
- Transportation and Traffic

As for the second part of the meeting, I would also like to spend some time getting into a little more detail of the various opportunities where the community participates in the process in the form of communicating feedback, comments, concerns, and suggestions that the Planning Commission will need. In our last meeting we briefly discussed examples of what are the appropriate opportunities to make requests (such as story poles) or where specific comments/concerns will be directed to be discussed and address (i.e. cover in the EIR or staff report) during the process. I'll try to have an brief outline to hand out including that included a few examples, but I think it would be valuable for us to go over again the different reports/documents the community can expect, what they cover, and where specific community concerns, requests, and issues are covered.

For your part, I would you to come prepared to reiterate some of the bigger issues we've been talking about, as well as what you foresee will be additional issues your fellow community members that is expected to be covered. My goal is to expand on this outline in order to clearly and easily convey where someone's comments and concerns were discussed throughout the process.

If you have any questions, please let me know. We'll see everyone Monday at 3pm.

Regards,  
JAMES

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First, I think we should spend some time discussing the upcoming administrative draft EIR, which we should receive right before the holidays and be reviewing after. As we discussed before, the administrative drafts gives us an opportunity to get our first view of the document to look for any major omissions, clarity of context, and overall content.

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As reminder, the specific sections we can expect in the EIR are:

- Aesthetics
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- Hydrology and Water Quality
- Land Use and Planning
- Noise
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**From:** Gerard Ozanne <  
**To:** JEggemeyer@smcgov.org; JCastaneda@smcgov.org  
**CC:** hhardy@smcgov.org; DBurruto@smcgov.org;  
**Date:** 12/6/2013 10:19 AM  
**Subject:** Fwd: Meeting Confirmation - December 9, 2013 at 3PM  
**Attachments:** CommunityCommScopeNov4Final.docx

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>> From: James Castaneda <jcastaneda@smcgov.org>  
 >> Date: December 5, 2013 at 3:34:24 PM PST  
 >> To: Ozanne Linda < Gerard Ozanne < Peter Lawrence < Nagle Laurel  
 < David Burruto <DBurruto@smcgov.org>, Heather Hardy <hhardy@smcgov.org>, Jim Eggemeyer  
 <JEggemeyer@smcgov.org>  
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San Mateo County Planning Department

## Baywood Park Homeowners Association Scoping Comments

Ascension Heights Subdivision  
November 4, 2013

### General Concerns

*[Community Expectations for DEIR:*

1. **Reduced Density Alternative (CEQA).** “.... The assessment of project alternatives will be consistent with this requirement by presenting a sufficient amount of detail necessary to afford decision makers with a reasoned choice.” **Statement Of Work—AES**  
*There are critical impacts of this project that would be substantially reduced and possibly minimized to “less than significant” by adoption of the Reduced Density Alternative. The Decision Makers cannot be afforded a “reasoned choice” without quantitative impact comparisons between the Proposed Project and the Reduced Density Alternative. We have indicated the impacts most sensitive to Density comparisons, which are essential for achievement of a “reasoned choice”.*
2. *Define who will be responsible for maintaining common areas, Conservation Areas, and subdivision systems (e.g., swales, rainwater control, fugitive dust management, erosion) and who, or what entity, will assume legal liability due to any failures. Specify in the DEIR all Covenants, Conditions and Restrictions (CC&Rs) required for the project and incorporate those CC&Rs in all analyses.*
3. *Describe in one location in the DEIR all impacts on the current homeowners on Parrott Drive adjacent to the proposed development.*
4. *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. The 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.*
5. *Project Phasing: The initial rough grading of the site has been stated to last about 45 days, followed by a 6-month period to construct the private street. It estimates home build-out to be an additional 5-10 years. Until home construction is completed and replanting and landscaping is complete and survives, the site will undergo erosion of exposed sand stone, excess surface water drainage, and dust pollution. Despite the excessively prolonged construction phase, a stable project site must be ensured by the DEIR.*
6. *Hours of the day for construction and truck traffic as well as days of the week activities must be specified.*
7. *Assess how the Parrott homes will be affected during the construction from dirt, debris, and rocks being pushed down the slope onto the Parrott homes, e.g., fences and backyards. Include what will be done to prevent and to fix and clean up these intrusions as they occur.*
8. *Assess the degree of light pollution shining onto neighboring homes from the site at*

*Baywood Park HOA Scoping Comments  
Ascension Heights Subdivision  
November 4, 2013*

*night, and describe how onsite night-time lighting will be shielded from neighboring homes. The construction activities will persist for 5-10 years and impart yet another significant annoyance. Mitigation should be managed through consultation with impacted residents.*

9. *Formally notify CSM of project proposal.]*

## **I. Aesthetics (CEQA)**

**“Would the project:**

**Have a substantial adverse effect on a scenic vista?**

**Substantially degrade the existing visual character or quality of the site and its surroundings?” –CEQA**

*[Community Expectations for DEIR:*

1. *Assess impacts of proposed development on the vistas as seen from nearby homes on both sides of the streets (Parrott, Bel Aire, Ascension, CSM Drive), as well as character and quality of these surroundings.*
2. *Assess impacts of proposed development on the vistas as seen from further distances (e.g., from Polhemus, Bunker Hill), as well as character and quality of these surroundings.*
3. *Assess privacy intrusion on Parrott Drive homes and backyards both during construction and from the proposed development on an ongoing basis. Include the ongoing impact of car lights from the hammerhead turnarounds and the new road illuminating specific Parrott neighbors' yards and houses. Include the impact of car traffic and car lights from the new road adjacent to the Parrott home shown as “lot 4” (has a pool in its backyard) on the proposed plans given that the new street appears to come within a couple feet of that Parrott home's backyard.*
4. *In addition, assess the privacy intrusion on Parrott Drive homes given the proximity and slope of the proposed properties.*
5. *Assess effectiveness of visual separation provided by newly planted trees (describing appropriate factors including required tree numbers, sizes (heights and spreads), maturity at planting, time to adequate maturity) (a) in the easement between Parrott homes and the development and (b) on the other boundaries of the development*
6. *Evaluate effectiveness of easement proposed by Developer between Parrott and the proposed development to provide visual privacy and noise reduction for residents in each set of homes. Describe easement width and landscaping plan for providing that visual privacy and noise reduction. Describe location for backyard fences for the Ascension Heights properties on their side of the easement.*
7. *Assess landscape maintenance plan for the trees and foliage within the easement between Parrott and the proposed development, including the degree to which the*

*Baywood Park HOA Scoping Comments  
Ascension Heights Subdivision  
November 4, 2013*

*width of the easement will be sufficient for healthy tree growth and maintenance.*

8. *Evaluate the open space proposed by Developer, including the appropriateness of planned landscaping and re-grading and its contribution to the vistas in the area.*
9. *Include in the assessment Story Poles, which are essential to adequately assess backyard intrusions due to increased elevation and slope of final graded surface as well as current heavy tree and bush growth, which obscures views.*
10. *Provide detailed assessments for the Reduced Density Alternative]*

## **II. Agricultural Resources (CEQA)**

*[Community Expectations for DEIR:*

1. *Evaluate “tree replacement” plan proposed by Developer, including numbers and species of trees removed versus numbers and species of trees planted, chance for healthy growth given the conditions on the hill, size (height and spread) and maturity of replacement trees, maintenance plan for continued tree health, and a multi-year plan and guarantee for tree health.*
2. *Evaluate the ecological contribution of proposed Open Space, including the diversity and use of native plants.*
3. *Incorporate the variable conditions on the hill (wind gusts, water, and soil health) on the likelihood of success of the landscape development plans, both during the multi-year build-out period and permanently.*
4. *Propose a specific solution to ensure 5-10 year longevity for all plantings and estimate cost of the plan.]*

## **III. Air Quality and Greenhouse Gases (CEQA)**

*[Community Expectations for DEIR:*

1. *Identify all specific classes of ‘sensitive receptors’ including fetuses— reference new study of birth defects secondary to 1<sup>st</sup> trimester exposures.*
2. *Define assumptions, justifications and expertise used to build the most current URBEMIS model for predicting emission data (e.g., numbers of simultaneously operating equipment, age of diesel engines, type of fuel, exhaust catalyst, etc.) and detail peak and average TAC concentrations for each phase of construction. Include brake lining contaminants if trucks traverse down Laurie, Bel Aire, and Ascension.*
3. *BAAQMD adopted “thresholds of significance” for air quality for Construction-related activities in 2012. Include these thresholds for evaluating the significance of the project’s air quality impacts.*
4. *Assess effectiveness in reducing concentrations of PM10 and PM2.5 particles by using new, cleaner diesel fuel and new engines for both ‘off-road’ and ‘on-road’ usage.*
5. *Include locally measured wind gusts from the site (measured at multiple times, and in particular late afternoons, during storms, and during seasonal transitional weather periods) in all air quality assessments.*
6. *Determine maximum site activity levels during “spare the air” days and any other*

*Baywood Park HOA Scoping Comments  
Ascension Heights Subdivision  
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- conditions leading to unacceptably high TAC concentrations.
7. Assess effectiveness of CEQA phase 1 and 2 measures used to control fugitive dust.
  8. Estimate dust volume deposited on houses and yards as function of distance from the construction site, off-site hauling routes and wind dispersion (possibly 40 – 50 mph).
  9. Assess pollution impact (e.g., particulate matter, dust) from construction on nearby homes (Parrott Drive, CSM Drive, Bel Aire, and Ascension), as function of distance from the construction site, off-site hauling routes and wind dispersion). Include deposits specifically on solar energy panels (electricity and hot water), swimming pools, and outdoor plants.
  10. Define necessary processes applicant will use to clean and remove dust from affected residences.
  11. Since project is projected to last 5 -10 years, compute monthly fugitive dust for entire time hillside may be exposed due to non-planting of any area, estimated erosion rates for such areas, failure of plantings to survive the 10-year build-out, estimated erosion rates in those areas with failed plantings, and disruption of plants in Conservation Area.
  12. Determine an effective, unbiased monitoring program for containment of all contaminants with power to halt operations when acceptable contaminant limits exceeded or other conditions warrant.
  13. Include in the assessments impacts from trucks and equipment both on site and in use offsite (e.g., trucks that are idling on neighborhood streets awaiting entry onto the site).
  14. Provide detailed, quantitative assessments for Air Quality Expectations 2,4,5,6,8 for the Reduced Density Alternative
  15. **Conduct a comprehensive Health Risk Analysis.** Health risks of immediate, short-term (24 hours) exposure to air pollution are significant. The levels estimated in the 2009 Project of PM10 and PM2.5 emissions were 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 the Reduced Density Alternative. The preponderance of evidence demonstrating **immediate death, heart attack, stroke, asthma and COPD exacerbations 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,<sup>21, 22, 23, 24</sup>
    - ii. Increased mortality in infants and young children;<sup>25</sup>
    - iii. Increased numbers of heart attacks, especially among the elderly and in people with heart conditions;<sup>26</sup>

*Baywood Park HOA Scoping Comments  
Ascension Heights Subdivision  
November 4, 2013*

- iv. *Inflammation of lung tissue in young, healthy adults;*<sup>27</sup>
- v. *Increased hospitalization for cardiovascular disease, including strokes and congestive heart failure;*<sup>28, 29, 30</sup>
- vi. *Increased emergency room visits for patients suffering from acute respiratory ailments;*<sup>31</sup>
- vii. *Increased hospitalization for asthma among children;*<sup>32, 33, 34</sup> and
- viii. *Increased severity of asthma attacks in children.*<sup>35]</sup>

#### **IV. Biological Resources (CEQA)**

*[Community Expectations for DEIR:*

1. *The Mission Blue Butterfly question is key to determining the solution to the heavy, extensive erosion that has worsened substantially in the last six years since the 2007 assessment. A full assessment of the possible presence of the Butterfly does need be completed since the last assessment was indeterminate. The solution proposed in 2009 included no erosion remediation; thereby leaving the area “undisturbed and protected” is unacceptable.*
2. *If the new assessment does determine the probable presence of the Butterfly, acceptable erosion control methods must be explored and implemented as part of the mitigation. Appropriate planting might provide adequate erosion control without disturbing the Butterfly habitat.]*

#### **V. Cultural Resources (CEQA)**

#### **VI. Geology and Soils (CEQA)**

*[Community Expectations for DEIR:*

1. *The plan conveys many acres into a conservation area, which is steep and has experienced extensive, severe erosion and substantial slides above Bel Aire within the past two years. In 2009 and in subsequent discussions with the developer, there apparently is no intension to repair the erosion. This entire area will require a full assessment and recommendations for repairing and stabilizing the erosion by appropriate experts.*
2. *The time line for project completion is expected by the developer to be 5 – 10 years. Evaluate likelihood of increased and ongoing erosion during the build-out period. Erosion of lots and any unplanted areas awaiting construction completion will require assessment for mitigation solutions and continual monitoring of slope stability.*
3. *Many of the final lot slopes are very steep but don’t appear to be determined since the house layouts are not finalized and potentially may be modified by new house owners prior to building. Final, or maximum, slopes of appropriate steepness must be included in the project plans. Describe specific steepness for each proposed lot, and compare with County and City of San Mateo guidelines and current practices.*
4. *Assess impact of the grading proposal and multi-year “build out” period on soil health on the hill. Include the “soil health” related credentials of the assessor.*
5. *Present likely outcomes of the post-grading landscape plan (e.g., seed spraying) to*

*Baywood Park HOA Scoping Comments  
Ascension Heights Subdivision  
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*stabilize the hill after grading and throughout years of the build-out period.*

6. *Use updated analysis and information to assess hill stabilization, including specifically the new slide at the East end of Rainbow Drive on the location of a recently repaired major slide (~2003).*
7. *Provide detailed assessments for the Reduced Density Alternative]*

## **VII. Hazards and Hazardous Materials (CEQA)**

## **VIII. Hydrology and Water Quality (CEQA)**

*[Community Expectations for DEIR:*

1. *Assess after construction how the Parrott homes will be affected from debris, dirt, and water coming down the slope into their backyards during the initial grading phase, the build-out period, and on an ongoing basis.*
2. *Use a 100-year storm model for all rainwater calculations given the numerous, recent large storms that have exceeded calculated 10 year maximums.*
3. *Describe effectiveness of swales on equally steep hillsides and catchment areas in other developments.*
4. *Assess potential for overflows from the swales onto Parrott Drive homes and down Bel Aire as a function of multiple rain falls over a short time time.*
5. *Calculate the storm water flows down Bel Aire for capacity of curb containment and propensity for overflows at Ascension storm drain and contamination/damage to houses on Ascension and Valley View--include in calculations failures of Ascension storm drain due to debris accumulations.*
6. *Multiple houses on Ascension and CSM Drives with property lines coincident with the project experience underground streams flowing under their houses often requiring sump pumps for water extraction. No assessments have been made to determine the location of these streams and the potential for disruption by the proposed construction. Assessments during the wet season prior to construction must be conducted and if flows increase after construction, necessary diversions constructed.*
7. *Determine responsible party for maintenance of storm water system and legal responsibility for failures of the system.*
8. *Provide detailed assessments for the Reduced Density Alternative]*

## **IX. Land Use and Planning (CEQA)**

## **X. Noise (CEQA)**

*[Community Expectations for DEIR:*

1. *Assessments of peak sound levels at nearby, off-site homes must be calculated with maximum and typical numbers of simultaneously operating engines (note that the noise levels produced by a single diesel engine exceeded thresholds and could not be mitigated according to the 2009 DEIR.). Assess the noise impacts during all*

*Baywood Park HOA Scoping Comments  
Ascension Heights Subdivision  
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phases of construction.

2. *Unacceptable sound levels must be defined with mitigation to include reducing the number of operating engines, improving mufflers, shutting off idling engines, etc.*
3. *Assess truck haul noise levels along residential streets.*
4. *Assess the noise impact from the trucks using compression braking if the route takes them down any steep slopes (e.g., Bel Aire to Ascension Drive).*
5. *Sound levels must be continuously monitored by an independent service with the ability to halt activities as necessary.*
6. *Provide detailed assessments for the Reduced Density Alternative.]*

## **XI. Population and Housing (CEQA)**

## **XII. Public Services (CEQA)**

*[Community Expectations for DEIR:*

1. *The conservation areas apparently are to remain untouched by the developer. Eight to twelve foot brush is prevalent on the conservation areas. A fire assessment should be made of the potential for this very dry brush to cause a fire.*
2. *The street layout includes two hammerhead turn-arounds and steep streets exceeding standard slopes that may impede access of fire trucks. The street layout needs to be re-assessed for fire safety.*
3. *The entire subdivision has very limited off-street parking capacity, which will result in extensive on-street parking. Assess and describe access for fire trucks in the scenario of maximum used on-street parking from home owners and visitors; compare against current practices considered safe and normal within County and City of San Mateo.*
4. *Describe the parking capacity for the proposed subdivision, to include on-street and off-street parking.*
5. *Provide detailed assessments for the Reduced Density Alternative.]*

## **XIII. Recreation (CEQA)**

## **XIV. Utilities and Service Systems (CEQA)**

## **XV. Transportation and Traffic (CEQA)**

*[Community Expectations for DEIR:*

1. *Assess safety of large trucks traversing neighborhood streets for blind spots, tight turns, brake failures on hills, heavy traffic; specify carrying capacity and dimensions (length, width, height, empty weight, loaded weight) of the trucks used in all traffic assessments.*
2. *Assess impact from permanent traffic increase due to the proposed development.*
3. *Specifically assess multiple times throughout the day and early evening, with*

*Baywood Park HOA Scoping Comments  
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November 4, 2013*

*specific intent to include CSM class-change periods and regular morning and afternoon commuter rush hours (due to the increased parking on CSM western parking lots by businesses located on Clearview and the shuttle buses that now run throughout the day from those parking lots, onto CSM Drive, up to Hillsdale, and then down to Clearview and back again) at the following intersections:*

- a. *– Hillsdale and 92;*
  - b. *– Hillsdale and Clearview;*
  - c. *– Hillsdale and CSM Drive;*
  - d. *– CSM Drive and Parrott;*
  - e. *– Parrott and Laurie;*
  - f. *– Laurie and Bel Aire;*
  - g. *– Bel Aire and the proposed exit from the development;*
  - h. *– Bel Aire and Ascension;*
  - i. *– Ascension and Polhemus;*
  - j. *– Polhemus and DeAnza*
4. *Assess safety impact from construction traffic and permanent traffic on Parrott roughly four to five homes north of the CSM/Parrott intersection (there is a “limited sightline” due to the rapid grade change on Parrott).*
  5. *Construction activities will disrupt traffic on Bel Aire, especially CSM student traffic, with impacts on Enchanted way, Rainbow and Starlite, among others. Assessment of these areas must include this additional, displaced traffic when identifying problematic areas such as blind spots and dangerous curves.*
  6. *Include a live demonstration of the proposed route for large trucks during construction through all neighborhood intersections from Highway 92 to and from the site. Monitor the speed of the trucks to make sure they will not be slowing down traffic going through the turns. Also have 2 trucks driving by each other in opposite direction to make sure that they can both safely maneuver the roads including turns and parked cars and all intersections, to include but not limited to Hillsdale and CSM Drive. Video this test and notify neighbors and CSM officials so that they can be present during the testing.*
  7. *Determine the number of trucks that will need to exit the site to offload the excavated material. Describe the calculation, including truck size (must be the same size used for the demonstration in #6 as well as all traffic assessments), soil aeration estimate (e.g.,  $\frac{3}{4}$  cubic yard becomes 1 cubic yard when dumped into a truck), total excavation volume and total return-soil-to-site volume, specific hours per day truck traffic will drive onto and off the site during excavation and grading, Convert the number of trucks into “a truck will enter or leave the site every x minutes during the soil excavation phase”.*
  8. *Describe where trucks will stand to await entry into the site; assess traffic impact and safety any such standing or slow moving trucks, including describing the temporarily narrowed road widths.*
  9. *The exit route from the development entails traffic risks due to an elevation of Bel Aire north of the entrance to the subdivision resulting in a blind spot. A thorough traffic safety analysis must be completed providing acceptably safe solution during construction.*

*Baywood Park HOA Scoping Comments  
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10. *Traffic safety analysis must provide an acceptably safe solution for home owner traffic traversing this blind corner at the subdivision.*
11. *All street damage must be assessed before and after the majority of heavy truck traffic with cost of repairs for returning the surface back to its initial condition to be paid by developer.*
12. *Provide detailed assessments for the Reduced Density Alternative]*

**From:** James Castaneda <[jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)>  
**Date:** December 5, 2013 at 3:34:24 PM PST  
**To:** Ozanne Linda < > Peter Lawrence  
< > Nagle Laurel < >  
Gerard Ozanne < >  
**Cc:** David Burruto <[DBurruto@smcgov.org](mailto:DBurruto@smcgov.org)>, Heather Hardy  
<[hhardy@smcgov.org](mailto:hhardy@smcgov.org)>, Jim Eggemeyer  
<[JEggemeyer@smcgov.org](mailto:JEggemeyer@smcgov.org)>  
**Subject: Re: Meeting Confirmation - December 9, 2013 at 3PM**

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Department | County of San Mateo | 455 County Center 2<sup>nd</sup> Floor  
Redwood City, CA 94063 | (650)363-1859 |

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 References: Apple Mail (2.1283)  
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 X-MAIL-FROM: <  
 X-SOURCE-IP: [152.131.26.46]

Content-Transfer-Encoding: quoted-printable  
Content-Type: text/plain; charset=windows-1252  
Attachment: CommunityCommScopeNov4Final.docx Attachment

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**From:** Laurel Nagle <  
**To:** JCastaneda@smcgov.org  
**CC:**  
**Date:** 1/8/2014 1:33 PM  
**Subject:** Site visit

James,

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We were hoping this Saturday or next Saturday would be convenient. The walk shouldn't take more than 45 minutes.

If you use public transportation, I can pick you up at the train station, and return you when we finish. Hillsdale is the best stop. Samtrans bus 250 comes to the College of San Mateo which is one and a half blocks from my home.

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Return-path: <  
 Received: from p02c11m026.mxlogic.net (mxl144v245.mxlogic.net [208.65.144.245]) by inet3gw.co.sanmateo.ca.us with ESMTP (TLS encrypted); Wed, 08 Jan 2014 17:43:08 -0800

Authentication-Results: p02c11m026.mxlogic.net; spf=pass; spf=pass; spf=pass; spf=pass  
 Received: from unknown [17.158.232.236] (EHLO nk11p03mm-asmt001.mac.com) by p02c11m026.mxlogic.net (mxl\_mta-7.2.2-0) with ESMTP id 52ffdc25.0.367657.00-2148.647122.p02c11m026.mxlogic.net (envelope-from < Wed, 08 Jan 2014 18:45:09 -0700 (MST)

Received: from [192.168.1.190](adsl-71-131-3-88.dsl.sntc01.pacbell.net [71.131.3.88]) by nk11p03mm-asmt001.mac.com (Oracle Communications Messaging Server 7u4-27.08(7.0.4.27.7) 64bit (built Aug22 2013)) with ESMTPSA id <0MZ400LRB277OA30@nk11p03mm-asmt001.mac.com>; Thu, 09 Jan 2014 01:45:09 +0000 (GMT)

X-Proofpoint-Virus-Version: vendor=fsecureengine=2.50.10432:5.11.87,1.0.14,0.0.0000definitions=2014-01-09\_01:2014-01-07,2014-01-09,1970-01-01 signatures=0

X-Proofpoint-Spam-Details: rule=notspam policy=default score=0 spamscore=0 suspectscore=3 phishscore=0 adultscore=0 bulkscore=0 classifier=spam adjust=0 reason=mlx scancount=1 engine=7.0.1-1308280000 definitions=main-1401080179

Subject: Re: Meeting Reminder - Monday January 13, 2014 at 3PM  
 MIME-version: 1.0 (Mac OS X Mail 6.6 \ (1510\))  
 Content-Type: multipart/alternative; boundary="=\_reb-r79795BC2-t52CDFF25"  
 From: Gerard Ozanne <  
 In-reply-to: <52CD6D800200004500018DDF@isdgrpwinet2vsp01.co.sanmateo.ca.us>  
 No String Available Wed, 08 Jan 2014 17:45:07 -0800  
 Cc: David Burruto <DBurruto@smcgov.org>, James Castaneda <JCastaneda@smcgov.org>, Jim Eggemeyer <JEggemeyer@smcgov.org>

Message-id: <2DF8F779-824B-4BD6-B891-DD14B310BB57@me.com>  
 References: <B161E949-DDA5-42F1-84A2-84233A9358B9@me.com><527772A7.EC8D.0083.1@smcgov.org><0B888A9F-5121-4712-B716-9114F2D1EC2A@me.com><527B7079.0B6C.0045.1@smcgov.org><52CD6D800200004500018DDF@isdgrpwinet2vsp01.co.sanmateo.ca.us>

To: Heather Hardy <hhardy@smcgov.org>  
 X-Mailer: Apple Mail (2.1510)  
 X-Processed-By: Rebuild v2.0-0  
 X-AnalysisOut: [v=2.0 cv=KpD6LxqN c=1 sm=1 a=+lpQyY/xk5tqpWFm1iEq+g==:17 a] [=WI-JuKdYKv4A:10 a=J\_oHuY-yf3cA:10 a=BLceEmwcHowA:10 a=HHG]  
 X-AnalysisOut: [DD-5mAAAA:8 a=DrNAGiZy4SMA:10 a=\_TnluUDsAAAA:8 a=JfBCgm5BU]  
 X-AnalysisOut: [lvidUh4go8A:9 a=CjulK1q\_8ugA:10 a=IkHOxu5fjyEA:10 a=65dU3w]  
 X-AnalysisOut: [v2bfsA:10 a=yuyvWP1j8fYA:10 a=F1FcyHCkXzc2Fx1c:21 a=uETeld]  
 X-AnalysisOut: [DEJfvgGW\_7:21 a=vpesTCz49Z99BNay6OMA:9 a=\_W\_S\_7VecoQA:10 a]

X-AnalysisOut: [=sDNGEIvwvFrg2sW3:21]  
Received-SPF: Pass (p02c11m026.mxlogic.net: domain of me.com designates 17.158.232.236 as permitted sender)  
X-Spam: [F=0.1428571429; B=0.500(0); spf=0.500; spf=0.500; spf=0.500; spf=0.500; STSI=0.500(-8); STSM=0.400(-8); CM=0.500; MH=0.500(2014010820); S=0.200(2010122901); SC=]  
X-MAIL-FROM: <>  
X-SOURCE-IP: [17.158.232.236]  
Content-Transfer-Encoding: 7bit  
Content-Type: text/html;charset=us-ascii

Hi Heather,  
Happy New Year to you.

Yes, we are looking forward to the meeting next Monday.

Thank you,

Jerry

On Jan 8, 2014, at 3:23 PM, Heather Hardy <[hhardy@smcgov.org](mailto:hhardy@smcgov.org)> wrote:

Hello Dr. Ozanne,

Happy New Year. I've been notified by James Castaneda and the office of Board President Dave Pine that the next Ascension Heights meeting is scheduled as follows:

Monday January 13, 2014  
3:00 - 4:30 PM  
455 County Center, Room 201 (Planning & Building)

Please confirm your attendance.

Thank you,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo | 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 |

**From:** Laurel Nagle <  
**To:** DBurruto@smcgov.org; JEggemeyer@smcgov.org; JCastaneda@smcgov.org  
**CC:**  
**Date:** 1/10/2014 12:48 PM  
**Subject:** Fwd: Site visit

James, Jim, and David,  
Did you get the email below? Although rain may be forecasted, it is projected for the afternoon and maybe it would be good to see how the water flows. Don't know what time the football games start on Sat, but will try to keep the visit short.

Look forward to hearing from you,  
Laurel Nagle  
Cell

Sent from my iPad

Begin forwarded message:

> From: Laurel Nagle <  
> Date: January 8, 2014, 1:32:38 PM PST  
> To: James Castaneda <jcastaneda@smcgov.org>  
> Cc: Jim Eggemeyer <JEggemeyer@smcgov.org>, David Burruto <DBurruto@smcgov.org>, Gerard  
Ozanne < Linda Ozanne < Donald  
<  
> Subject: Site visit  
>  
> James,  
>  
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Heights Site (or as the residents call it Water Tank Hill). I am assuming you have either just received, or  
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> We were hoping this Saturday or next Saturday would be convenient. The walk shouldn't take more  
than 45minutes.  
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> If you use public transportation, I can pick you up at the train station, and return you when we finish.  
Hillsdale is the best stop. Samtrans bus 250 comes to the College of San Mateo which is one and a half  
blocks from my home.  
>  
> Jim and Dave, if you haven't been up here, we love to have you, too.  
>  
> Please let me know if the timing works for you.  
>  
> Laurel Nagle  
>

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Sent from my iPad

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**From:** Laurel Nagle <[lnagle@smcgov.org](mailto:lnagle@smcgov.org)>  
**Date:** January 8, 2014, 1:32:38 PM PST  
**To:** James Castaneda <[jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)>  
**Cc:** Jim Eggemeyer <[JEggemeyer@smcgov.org](mailto:JEggemeyer@smcgov.org)>, David Burruto <[DBurruto@smcgov.org](mailto:DBurruto@smcgov.org)>, Gerard Ozanne <[GOzanne@smcgov.org](mailto:GOzanne@smcgov.org)>, Linda Ozanne <[LOzanne@smcgov.org](mailto:LOzanne@smcgov.org)>, Donald <[Donald@smcgov.org](mailto:Donald@smcgov.org)>  
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Laurel Nagle

Return-path: <  
 Received: from p02c11m071.mxlogic.net (mxl144v245.mxlogic.net [208.65.144.245]) by inet3gw.co.sanmateo.ca.us with ESMTP (TLS encrypted); Fri, 10 Jan 2014 12:45:36 -0800

Authentication-Results: p02c11m071.mxlogic.net; spf=pass; spf=pass; spf=pass  
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 Received: by mail-gg0-f175.google.com with SMTP id c2so777304ggn.34 for <multiple recipients>; Fri, 10 Jan 2014 12:47:44 -0800 (PST)

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=gmail.com; s=20120113; h=subject:references:from:mime-version:content-type:message-id:date:cc:content-transfer-encoding:to; bh=/ONVqaHJiGf76FRlzcS2UEsJiavXW7a5OzyWxywIAvw=; b=mpQekRBOhKQn7pGTDqIVMBgo8jqVC7FKDmH5SYng3Ru78SAOt5USDSx/bubqYEJgo0Dw1/mUmQCGyzw176ZDILHZAZFZqK/AwvOCLs+yDZg1bEr7s1s13C8paKgIRvRG/5HlwVuQytYUx9Ef9ySiBhMxkGLd5X8+jhq72LJzTSqHd1BL1iGgyno+5iMQq3rcK/hvloY/7NFA8UlyQl5KjBnsKfQsZXjm9BEI5IEMGdTIBDpTvBzVqApKZYOinPCecKi/ovcG+sCPDUpNXzH2ixJRp+mISGjYEzVloOouGhtJRzj4mY+1VZ/1wKDauylsAjFtnq3hTQ+X8MoO+vT8g==

X-Received: by 10.236.10.112 with SMTP id 76mr2752021yhu.84.1389386864324; Fri, 10 Jan 2014 12:47:44 -0800 (PST)

Return-Path: <  
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Subject: Fwd: Site visit  
 References: <CAKzkVKNzUkDpOicmBz8w=Sz8xYpxg3LKp64GM\_GZbzYCP9OM7w@mail.gmail.com>  
 From: Laurel Nagle <  
 Mime-Version: 1.0 (1.0)  
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 X-Mailer: iPad Mail (10A523)  
 Message-Id: <EFB8BBE9-497E-44B1-8F07-A45C1640485A@gmail.com>  
 No String Available  
 Cc: Gerard Ozanne <  
 Content-Transfer-Encoding: 7bit  
 To: James Castaneda <jcastaneda@smcgov.org>, Jim Eggemeyer <JEggemeyer@smcgov.org>, David Burruto <DBurruto@smcgov.org>

X-Processed-By: Rebuild v2.0-0  
 X-AnalysisOut: [v=2.0 cv=Gfyga3rL c=1 sm=1 a=T9lkfS+2DEeTOHY8DLVlbg==:17 a]  
 X-AnalysisOut: [=nDghuxUhq\_wA:10 a=BLceEmwcHowA:10 a=pGLkceISAAAA:8 a=IDxC]  
 X-AnalysisOut: [Q8\_9FsoA:10 a=\_TnlUUDsAAAA:8 a=HHGDD-5mAAAA:8 a=5Up8faWwAA]  
 X-AnalysisOut: [AA:8 a=2Yr\_s\_uVjnhQq-lvxu8A:9 a=CjulK1q\_8ugA:10

X-AnalysisOut: a=zwi5SCsl]  
 [9l8A:10 a=MSI-tDqOz04A:10 a=yuyvWP1j8fYA:10  
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 X-AnalysisOut: [:10 a=v6MMM96S\_sUA:10 a=QEXdDO2ut3YA:10  
 a=\_W\_S\_7VecoQA:10 ]  
 X-AnalysisOut: [a=Pg9Vz\_wtOXirTwZR:21]  
 Received-SPF: Pass (p02c11m071.mxlogic.net: domain of gmail.com designates  
 209.85.161.175 as permitted sender)  
 X-Spam: [F=0.2000000000; B=0.500(0); spf=0.500; spf=0.500; spf=0.500;  
 STSI=0.500(0); STSM=0.500(0); CM=0.500;  
 MH=0.500(2014011010); S=0.200(2010122901); SC=]  
 X-MAIL-FROM: <  
 X-SOURCE-IP: [209.85.161.175]  
 Content-Type: text/html;charset=utf-8  
 Content-Transfer-Encoding: quoted-printable

James, Jim, and David,  
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Look forward to hearing from you,  
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Sent from my iPad

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**From:** Laurel Nagle <  
**Date:** January 8, 2014, 1:32:38 PM PST  
**To:** James Castaneda <[jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)>  
**Cc:** Jim Eggemeyer <[JEggemeyer@smcgov.org](mailto:JEggemeyer@smcgov.org)>, David Burruto  
 <[DBurruto@smcgov.org](mailto:DBurruto@smcgov.org)>, Gerard Ozanne < Linda  
 Ozanne < Donald <  
**Subject:** Site visit

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If you use public transportation, I can pick you up at the train station, and return you when we finish. Hillsdale is the best stop. Samtrans bus 250 comes to the College of San Mateo which is one and a half blocks from my home.

Jim and Dave, if you haven't been up here, we love to have you, too.

Please let me know if the timing works for you.

Laurel Nagle

**From:** James Castaneda  
**To:** Burruto, David; Eggemeyer, Jim;  
**CC:**  
**Date:** 1/10/2014 1:24 PM  
**Subject:** Re: Fwd: Site visit

Good afternoon Laurel,

I'm sorry for the lateness in my response (I was out sick yesterday, and off today). I do appreciate the invitation, and as expressed at our earlier small meetings, I certainly see the benefit. At our last meeting, Jerry and Linda graciously offered as well to host a walk on the hill. Unfortunately, I do have some standing plans at home this and next weekend. But I also want to have a quick chat with Jim on the matter before heading out. With this being our first real week back from the holidays, I haven't had a chance to sync up. If I can, let me do that, and I can perhaps get coordinate with a time that works in the coming weeks. I'd like to coordinate with others if they're wanting to join as well. I should have a better idea on Monday, and we can plan something out.

Again, than's for reaching out Laurel, and we'll talk on this matter very soon. Have a good weekend.

JAMES

>>> Laurel Nagle 01/10/14 12:48 PM >>>

James, Jim, and David,

Did you get the email below? Although rain may be forecasted, it is projected for the afternoon and maybe it would be good to see how the water flows. Don't know what time the football games start on Sat, but will try to keep the visit short.

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> From: Laurel Nagle  
> Date: January 8, 2014, 1:32:38 PM PST  
> To: James Castaneda  
> Cc: Jim Eggemeyer , David Burruto , Gerard Ozanne , Linda Ozanne , Donald  
> Subject: Site visit

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**From:** Laurel Nagle <  
**To:** JEGgemeyer@smcgov.org; JCastaneda@smcgov.org;...  
**Date:** 1/10/2014 3:04 PM  
**Subject:** Re: Fwd: Site visit

It sounds like Saturday is a bad day. As James suggested, let's talk about this on Monday. Have a good weekend. Laurel  
 On Jan 10, 2014 1:35 PM, "David Burruto" <DBurruto@smcgov.org> wrote:

> This Saturday is not the best for me but I could also come by myself at  
 > some point if next Saturday is not good for the other folks.  
 >  
 >  
 > David Burruto  
 > Chief of Staff  
 > Office of Supervisor Dave Pine  
 > San Mateo County  
 > District 1  
 > Hall of Justice & Records  
 > 400 County Center  
 > Redwood City, CA 94063  
 > 650-363-4571  
 > dburruto@co.sanmateo.ca.us  
 > >>> Laurel Nagle < 1/10/2014 12:47 PM >>>  
 > James, Jim, and David,  
 > Did you get the email below? Although rain may be forecasted, it is  
 > projected for the afternoon and maybe it would be good to see how the water  
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 > Look forward to hearing from you,  
 > Laurel Nagle  
 > Cell  
 >  
 > Sent from my iPad  
 >  
 > Begin forwarded message:  
 >  
 > \*From:\* Laurel Nagle <  
 > \*Date:\* January 8, 2014, 1:32:38 PM PST  
 > \*To:\* James Castaneda <jcastaneda@smcgov.org>  
 > \*Cc:\* Jim Eggemeyer <JEGgemeyer@smcgov.org>, David Burruto <  
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 > Donald <  
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- > Laurel Nagle
- >
- >
- >

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<div class="gmail\_quote">On Jan 10, 2014 1:35 PM, &quot;David Burruto&quot; &lt;<a href="mailto:DBurruto@smcgov.org">DBurruto@smcgov.org</a>&gt; wrote:<br type="attribution"><blockquote class="gmail\_quote" style="margin:0 0 .8ex;border-left:1px #ccc solid;padding-left:1ex">

<div style="FONT:10pt Segoe UI;MARGIN:4px 4px 1px">

<div>This Saturday is not the best for me but I could also come by myself at some point if next Saturday is not good for the other folks.<br></div>

<div></div>

<div>

<div align="left"><font color="#0000ff" size="3">David Burruto</font></div>

<div align="left"><font color="#0000ff" size="3">Chief of Staff</font></div>

<div align="left"><font color="#0000ff" size="3">Office of Supervisor Dave Pine</font></div>

<div align="left"><font color="#0000ff" size="3">San Mateo County</font></div>

<div align="left"><font color="#0000ff" size="3">District 1</font></div>

<div align="left"><font color="#0000ff" size="3">Hall of Justice & Records</font></div>

<div align="left"><font color="#0000ff" size="3">400 County Center</font></div>

<div align="left"><font color="#0000ff" size="3">Redwood City, CA 94063</font></div>

<div align="left"><font color="#0000ff" size="3"><a href="tel:650-363-4571" value="+16503634571" target="\_blank">650-363-4571</a></font></div>

<div align="left"><a href="mailto:dburruto@co.sanmateo.ca.us" target="\_blank"><font color="#0000ff" size="3">dburruto@co.sanmateo.ca.us</font></a>&gt;&gt;&gt; Laurel Nagle &lt;<a href="mailto:

target="\_blank"> a>&gt; 1/10/2014 12:47 PM &gt;&gt;&gt;<br>

</div>

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<div><br></div>

<div>Look forward to hearing from you,</div>

<div>Laurel Nagle</div>

<div>Cell <a href="tel: value="+16504400449" target="\_blank"> a><br><br>Sent from my iPad</div>

<div><br>Begin forwarded message:<br><br></div>

<blockquote type="cite">

<div><b>From:</b> Laurel Nagle &lt;<a href="mailto: target="\_blank">

a>&gt;<br><b>Date:</b> January 8, 2014, 1:32:38 PM PST<br><b>To:</b> James Castaneda &lt;<a href="mailto:jcastaneda@smcgov.org" target="\_blank">jcastaneda@smcgov.org</a>&gt;<br>

<b>Cc:</b> Jim Eggemeyer &lt;<a href="mailto:JEggemeyer@smcgov.org" target="\_blank">JEggemeyer@smcgov.org</a>&gt;&gt;, David Burruto &lt;<a href="mailto:DBurruto@smcgov.org" target="\_blank">DBurruto@smcgov.org</a>&gt;&gt;, Gerard Ozanne

&lt;<a href="mailto: target="\_blank"> a>&gt;, Linda Ozanne

&lt;<a href="mailto: target="\_blank"> a>&gt;, Donald &lt;<a href="mailto: target="\_blank">

a>&gt;<br>

<b>Subject:</b> <b>Site visit</b><br><br></div></blockquote>

<div>

<div dir="ltr">

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<div> </div>

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<div>Laurel Nagle</div>

<div> </div></div></div></blockquote></div>

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Authentication-Results: p02c11m011.mxlogic.net; spf=pass  
 Received: from unknown [209.85.216.46] (EHLO mail-qa0-f46.google.com) by p02c11m011.mxlogic.net (mxl\_mta-7.2.2-0) over TLS secured channel with ESMTP id 66c70d25.0.226398.00-2367.371850.p02c11m011.mxlogic.net (envelope-from < > Fri, 10 Jan 2014 16:04:06 -0700 (MST))  
 Received: by mail-qa0-f46.google.com with SMTP id ii20so936524qab.5 for <jeggemeyer@co.sanmateo.ca.us>; Fri, 10 Jan 2014 15:04:06 -0800 (PST)

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In-Reply-To: <52CFF6DF020000BD00012D30@isdgrpwinet2vsp01.co.sanmateo.ca.us>

References: <CAKzkVKNzUkDpOicmBz8w=Sz8xYpxg3LKp64GM\_GZbzYCP9OM7w@mail.gmail.com><EFB8BBE9-497E-44B1-8F07-A45C1640485A@gmail.com><52CFF6DF020000BD00012D30@isdgrpwinet2vsp01.co.sanmateo.ca.us>

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Subject: Re: Fwd: Site visit  
 From: Laurel Nagle <>  
 To: David Burruto <DBurruto@smcgov.org>, James Castaneda <jcastaneda@smcgov.org>, Jim Eggemeyer <jeggemeyer@co.sanmateo.ca.us>, Gerard Ozanne <>

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 X-MAIL-FROM: <  
 X-SOURCE-IP: [209.85.216.46]  
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 Content-Transfer-Encoding: quoted-printable

It sounds like Saturday is a bad day. As James suggested, let's talk about this on Monday. Have a good weekend. Laurel

On Jan 10, 2014 1:35 PM, "David Burruto" <[DBurruto@smcgov.org](mailto:DBurruto@smcgov.org)> wrote:

This Saturday is not the best for me but I could also come by myself at some point if next Saturday is not good for the other folks.

[David Burruto](#)  
[Chief of Staff](#)  
[Office of Supervisor Dave Pine](#)  
[San Mateo County](#)  
[District 1](#)  
[Hall of Justice & Records](#)  
[400 County Center](#)  
[Redwood City, CA 94063](#)  
[650-363-4571](tel:650-363-4571)  
[dburruto@co.sanmateo.ca.us](mailto:dburruto@co.sanmateo.ca.us)

>>> Laurel Nagle <

1/10/2014 12:47 PM >>>

James, Jim, and David,

Did you get the email below? Although rain may be forecasted, it is projected for the afternoon and maybe it would be good to see how the water flows. Don't know what time the football games start on Sat, but will try to keep the visit short.

Look forward to hearing from you,

Laurel Nagle

Cell

Sent from my iPad

Begin forwarded message:

**From:** Laurel Nagle <  
**Date:** January 8, 2014, 1:32:38 PM PST  
**To:** James Castaneda <[jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org)>  
**Cc:** Jim Eggemeyer <[JEggemeyer@smcgov.org](mailto:JEggemeyer@smcgov.org)>, David Burruto  
<[DBurruto@smcgov.org](mailto:DBurruto@smcgov.org)>, Gerard Ozanne  
< Linda Ozanne  
< Donald  
<  
**Subject:** Site visit

James,

On behalf of our homeowner's association, we would like to invite you to take a tour of the Ascension Heights Site (or as the residents call it Water Tank Hill). I am assuming you have either just received, or are about to receive, the preliminary draft of the EIR. This would be a great time to walk the site so you can visualize some of the issues and data.

We were hoping this Saturday or next Saturday would be convenient. The walk shouldn't take more than 45 minutes.

If you use public transportation, I can pick you up at the train station, and return you when we finish. Hillsdale is the best stop. Samtrans bus 250 comes to the College of San Mateo which is one and a half blocks from my home.

Jim and Dave, if you haven't been up here, we love to have you, too.

Please let me know if the timing works for you.

Laurel Nagle

**From:** David Burruto  
**To:** James Castaneda; Jim Eggemeyer  
**Date:** 2/28/2014 11:19 AM  
**Subject:** RE: Chamberlain/Ascension Heights

Gentlemen,

I was hoping to get an update on the Ascension Heights EIR. Has the admin draft been reviewed and when is the next step? Any significant items to consider in that process? And do we have a set meeting again with the neighbors? Is the time line for circulation of the EIR the same or delayed?

On another front, I attended a Highlands Community Association meeting this week at which one of the neighbors made several assertions that the developer has undertaken unpermitted work, taking down trees which now have been left in and around the easement area with substantial brush which he described as a fir hazard. The HCA is contemplating raising funds internally to hire a planner and a geotechnical consultant to act as advisors in reviewing each step of the development from now on. They are very concerned that the developer is not being managed and that he will continue to do pursue the development for his convenience and could cause erosion/slides or maybe even a fire if he is not monitored in an aggressive way.

I know nothing of these allegations but I did want to confirm if any unpermitted work was done, what is our response and what will the developer do to fix any issues that may have been caused if any and whether or not the developer has such a track record.

Any assistance you may be able to provide would be appreciated.

DB

David Burruto  
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Office of Supervisor Dave Pine  
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400 County Center  
Redwood City, CA 94063  
650-363-4571  
dburruto@co.sanmateo.ca.us

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[dburruto@co.sanmateo.ca.us](mailto:dburruto@co.sanmateo.ca.us)

**From:** James Castaneda  
**To:** David Burruto  
**CC:** Jim Eggemeyer; Lisa Aozasa  
**Date:** 2/28/2014 12:18 PM  
**Subject:** RE: Chamberlain/Ascension Heights

David,

We'll be having a conference call with the consultants on Wednesday regarding the edits we had on the admin draft EIR, and at that time have a better sense of when we can expect the draft EIR will go public. We'll also have a better idea of when we'll plan the public meeting to take comments on the draft EIR, which we tentatively projected to be sometime in mid-April. Since there were delays with reviewing the admin draft EIR in January, as I indicated last time, there is about a month delay in the last published timeline from the consultants. We'll be asking for a revised timeline from the consultants during our conference call with them on Wednesday.

In regards to the alleged unpermitted work, we'll need to look into that. I just want to confirm this is on the Ascension site, and not the Highlands project.

JAMES

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David Burruto  
Chief of Staff  
Office of Supervisor Dave Pine  
San Mateo County

**From:** David Burruto  
**To:** James Castaneda  
**CC:** Jim Eggemeyer  
**Date:** 2/28/2014 4:36 PM  
**Subject:** RE: Chamberlain/Ascension Heights

The unpermitted work I referenced is Chamberlain, NOT Ascension. That is why I copied Jim.

David Burruto  
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**From:** Jim Eggemeyer  
**To:** Gail (Law) Slocum  
**Date:** 3/12/2014 8:40 AM  
**Subject:** RE: Checking In

Thank you. April 9 looks the best, April 23 will be a night meeting out in the Highlands on the Ascension Heights/Thomas Subdivision DEIR. Not sure how May is shaping up yet. We'll be in touch.

By the way, how is everything else?

Talk to you soon.  
jke

>>> "Slocum, Gail (Law)" < >>> 3/10/2014 1:25 PM >>>

Jim

My CPUC hearings will be over by the end of March, so something in April or May is possible, if doing a thank you luncheon for my service on the PC is still something on your radar.

## Gail Slocum

PG&E Law Department  
<http://www.pge.com>

415 973-6583  
cell

**From:** Slocum, Gail (Law)  
**Sent:** Thursday, February 13, 2014 6:02 PM  
**To:** 'Jim Eggemeyer'  
**Subject:** RE: Checking In

Jim,

Hi! Nice to hear from you. Yes, I had heard from Lennie about Ranken resigning. Suffice it to say that I think there are plusses for the Commission and the County of getting someone new in that position.

What a nice idea to have a luncheon – but I hate to say it, I really don't want to be recognized at the same time as Chris Ranken. I think we each should have a separate going away lunch. Mine was NOT a resignation, rather, my term had been up when the supervisor changed, he held me over and then finally found someone he wanted to appoint. There was no issue with my substantive performance, Warren simply preferred someone Latino. The difference is that Ranken was asked by his Supervisor to submit his resignation because of things Ranken did on the Commission that the Supervisor found fault with. Plus I have a very different style from Chris, and we never really got along like I did with all the other commissioners (though I hope that wasn't TOO obvious as I tried to be relatively professional). So I prefer not to do it together.

In terms of dates for me, I can't commit to either March 12 or 26<sup>th</sup>. I am on a major deadline through the end of this month and won't know until early March whether I am in hearings from mid to late March at the CPUC on a big important case. Plus I am no longer working 90% - went back to 100%. Right now it feels like 150% work (many late nights and will be working this Sunday and all day on the Monday holiday). It's possible March 26 might work, but I just can't say until early March - it's up the Administrative Law Judge in my case. We will just have to touch bases in early March and see if I have more clarity then.

I am sure staff could conclude that there are "scheduling conflicts" such that Ranken's had to be at a different time than mine, right? Sorry to make things complicated... Can you work with that?

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**From:** Jim Eggemeyer [mailto:[jeggemeyer@smcgov.org](mailto:jeggemeyer@smcgov.org)]  
**Sent:** Thursday, February 13, 2014 5:45 PM  
**To:** Slocum, Gail (Law)  
**Subject:** Checking In

Hi Gail, How's everything? Checking in with you to see about a PC lunch in the future. How's your schedule?

On another topic, did you hear, Commissioner Ranken resigned yesterday? His last meeting was yesterday. Surprise. At the end of the meeting I mentioned to the PC about finding a day for you to come in for lunch (and a resolution/agenda item). They also thought it would great to recognize both you and Chris for your years of service. Please let me know how March 12 or 26 might work for you.

Hope all is well. Talk to you soon.

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To learn more, please visit <http://www.pge.com/about/company/privacy/customer/>

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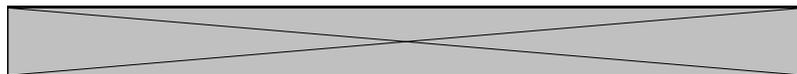
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 Message-ID: <53201D74.D26C.00AA.1@smcgov.org>  
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 Subject: RE: Checking In  
 To: "Gail (Law) Slocum" <  
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>>> "Slocum, Gail (Law)" < 3/10/2014 1:25 PM >>>

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Gail Slocum  
 PG&E Law Department  
<http://www.pge.com>

415 973-6583  
 cell

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 Sent: Thursday, February 13, 2014 6:02 PM  
 To: 'Jim Eggemeyer'  
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**To:** JEggemeyer@smcgov.org  
**Date:** 3/12/2014 11:51 AM  
**Subject:** RE: Checking In

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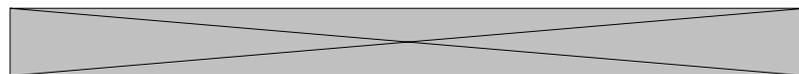
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To: Jim Eggemeyer <jeggemeyer@smcgov.org>  
Subject: RE: Checking In  
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**To:** Gail (Law) Slocum  
**Date:** 3/12/2014 2:07 PM  
**Subject:** RE: Checking In

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PG&E Law Department  
<http://www.pge.com>

415 973-6583

cell

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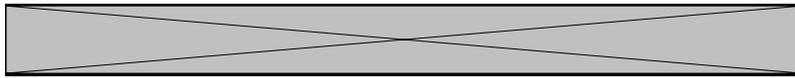
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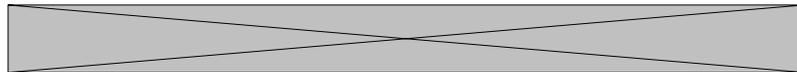
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In-Reply-To: <37CFA7DF56478242B5A2836F2EF7EFAF146F6491@EXCHMBFF111.Utility.pge.com>

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 X-Mailer: GroupWise 8.0  
 From: "Jim Eggemeyer" <jeggemeyer@smcgov.org>  
 Subject: RE: Checking In  
 To: "Gail (Law) Slocum" <  
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Keep me posted once you know about the 23rd.

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To: Jim Eggemeyer <jeggemeyer@smcgov.org>  
Subject: RE: Checking In  
Thread-Topic: Checking In  
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**From:** James Castaneda  
**To:** Burruto, David  
**CC:** Eggemeyer, Jim; Aozasa, Lisa  
**Date:** 3/17/2014 3:33 PM  
**Subject:** RE: Ascension Heights DEIR timeline

David,

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JAMES

>>> David Burruto 03/17/14 2:44 PM >>>

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650-363-4571  
dburruto@co.sanmateo.ca.us

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**To:** James Castaneda  
**CC:** Jim Eggemeyer; Lisa Aozasa  
**Date:** 3/17/2014 3:37 PM  
**Subject:** RE: Ascension Heights DEIR timeline

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>>> James Castaneda 3/17/2014 12:35 PM >>>

David, we have a few things in flux right now regarding the next key steps on this project. Right now we're trying to secure a venue to hold a Planning Commission meeting in the neighborhood to take public comments on the draft EIR. Based on when we can secure a room, we'll determine the release of the draft EIR so it can occur three weeks prior to this hearing, which allows equal time after the meeting to continue to take public comments. The idea is we want the public hearing to occur in the middle of the 45-day commenting period of the draft EIR, and since its the document is nearing completion, we want to plan its release around when we can have a public hearing. We're currently looking at availability windows for both a venue and commissioners before sending Jerry, after which we can start finalizing a date.

Based on the information we have so far, it's starting to become likely that a mid-May hearing date will be occurring, but again, this is still in flux and being worked on as we speak. Unfortunately our Planning Commission secretary is out this week on a family emergency, and realistically should have a better idea of a date range by next week.

As soon as we narrow this down further, we'll provide an update to Jerry and other parties. But for now, communicating any dates is premature.

>>> On 3/17/2014 at 10:06, David Burruto wrote:

Jim,

Could you or James give me a few key dates for the revised rollout of the Ascension DIER?

Also, has Gerry Ozanne been contacted? If not, I will do that today.

DB

David Burruto  
Chief of Staff  
Office of Supervisor Dave Pine  
San Mateo County  
District 1  
Hall of Justice & Records  
400 County Center  
Redwood City, CA 94063  
650-363-4571  
dburruto@co.sanmateo.ca.us

**From:** Heather Hardy  
**To:** Planning-Current Planning  
**CC:** Frances Contreras  
**Date:** 3/26/2014 12:21 PM  
**Subject:** April 23 Planning Commission meeting

Dear Planners,

I wanted to let you know that the April 23 Planning Commission meeting **will** proceed in the daytime as scheduled. (There had been some discussion of using that date for an evening, Ascension Heights-only meeting. That meeting is currently expected to be scheduled sometime in May.) I haven't received any agenda requests for 4/23, but have heard of some projects (S. Rosen, S. Burlison) that might be presented on that date. I can accept your agenda requests until end of day next Tuesday the 1st, so please send them my way.

Thanks,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 |

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**From:** Jim Eggemeyer  
**To:** Peggy Jensen  
**Date:** 4/1/2014 5:26 PM  
**Subject:** Re: Reminder - update paragraphs for Community Services monthly BOS report

Hi Peggy, Regarding our phone conversation, here are some thoughts:

Planning and Building has completed implementation and conversion of the Department's permit tracking system to Accela Automation. Future improvements to the system will include Citizen Access and Electronic Document Review for enhanced owner and applicant access, document submission, and permit management. Plan Princeton continues to proceed along with the recent completion of the existing conditions report and is now moving into the alternatives phase. An update to the Planning Commission will be in late April, along with an update to the Board of Supervisors in early May. The Department and their consultant are nearing completion of the Draft Environmental Impact Report for the Ascension Heights Subdivision in the unincorporated San Mateo Highlands and will be released to the public for comment in mid to late April. In addition the Department entering into a contract for environmental review services to assist in the processing for the revised Big Wave Project, out on the coast, north of Princeton. The Department is also pleased to have recently hired a new Building Official, Gary West. Mr. West comes to us from the City of Vallejo.

>>> Peggy Jensen 3/31/2014 3:46 PM >>>  
Hi everyone,

Just a reminder that I'm putting together the first monthly Community Services report. Please send at least one update for your department. Doesn't need to be more than a short paragraph and also anything you're doing related to the drought. I'd appreciate receiving your comments by noon tomorrow so we can get a final version to the County Manager on the 1st.

Thanks,  
Peggy

**From:** Peggy Jensen  
**To:** Jim Eggemeyer  
**Date:** 4/2/2014 10:08 AM  
**Subject:** Re: Reminder - update paragraphs for Community Services monthly BOS report

Perfect. Thank you.

>>> Jim Eggemeyer 4/1/2014 5:26 PM >>>

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**From:** Jim Eggemeyer  
**To:** Gail (Law) Slocum  
**Date:** 4/2/2014 3:32 PM  
**Subject:** RE: Lunch with the PC? - Checking In

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Keep me posted once you know about the 23<sup>rd</sup>.

## Gail Slocum

PG&E Law Department  
<http://www.pge.com>

415 973-6583  
cell

**From:** Jim Eggemeyer [mailto:jeggemeyer@smcgov.org]  
**Sent:** Wednesday, March 12, 2014 2:08 PM  
**To:** Slocum, Gail (Law)  
**Subject:** RE: Checking In

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**To:** 'Jim Eggemeyer'  
**Subject:** RE: Checking In

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What a nice idea to have a luncheon – but I hate to say it, I really don't want to be recognized at the same time as Chris Ranken. I think we each should have a separate going away lunch. Mine was NOT a resignation, rather, my term had been up when the supervisor changed, he held me over and then finally found someone he wanted to appoint. There was no issue with my substantive performance, Warren simply preferred someone Latino. The difference is that Ranken was asked by his Supervisor to submit his resignation because of things Ranken did on the Commission that the Supervisor found fault with. Plus I have a very different style from Chris, and we never really got along like I did with all the other commissioners (though I hope that wasn't TOO obvious as I tried to be relatively professional). So I prefer not to do it together.

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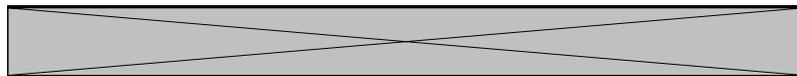
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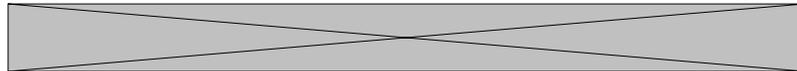
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 Subject: RE: Lunch with the PC? - Checking In  
 To: "Gail (Law) Slocum" <  
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PG&E Law Department

<http://www.pge.com>

415 973-6583

cell



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**Sent:** Wednesday, March 12, 2014 2:08 PM

**To:** Slocum, Gail (Law)

**Subject:** RE: Checking In

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**To:** 'Jim Eggemeyer'  
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**Sent:** Thursday, February 13, 2014 5:45 PM

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**From:** "Slocum, Gail (Law)" <  
**To:** JEggemeyer@smcgov.org  
**Date:** 4/2/2014 3:42 PM  
**Subject:** RE: Lunch with the PC? - Checking In

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Gail Slocum  
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[think before you print]

From: Jim Eggemeyer [mailto:jeeggemeyer@smcgov.org]  
Sent: Wednesday, April 02, 2014 3:32 PM  
To: Slocum, Gail (Law)  
Subject: RE: Lunch with the PC? - Checking In

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To: Jim Eggemeyer <jeggemeyer@smcgov.org>  
Subject: RE: Lunch with the PC? - Checking In  
Thread-Topic: Lunch with the PC? - Checking In  
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 Attachment: image001.png

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PG&E Law Department

<http://www.pge.com>

415 973-6583

cell



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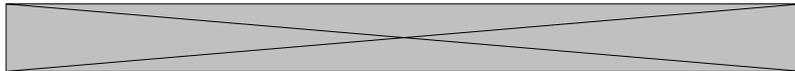
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 Subject: RE: Lunch with the PC? - Checking In  
 To: "Gail (Law) Slocum" <  
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Great to hear!  
We'll share with the PC at next week's hearing.  
I would think about arriving at 11. We have two items for the PC on 4/23, so we'll move the start time to 10. (Tentative projects and times for now, but enough to start planning around.)  
jke

>>> "Slocum, Gail (Law)" < 4/2/2014 3:42 PM >>>

Jim

Things are good. Yes, April 23 works. Just tell me when to arrive.

## Gail Slocum

PG&E Law Department

<http://www.pge.com>

415 973-6583

cell



**From:** Jim Eggemeyer [mailto:jeggemeyer@smcgov.org]  
**Sent:** Wednesday, April 02, 2014 3:32 PM  
**To:** Slocum, Gail (Law)  
**Subject:** RE: Lunch with the PC? - Checking In

Hi, My, how time flies. How is everything? Looking to see about Lunch with your fellow PC members. How is 4/23 looking for you? We need to publish the agenda next week, so I'm checking in. Please let me know if it's a go! Thanks. Talk to you soon.

jke

>>> "Slocum, Gail (Law)" < >>> 3/12/2014 4:33 PM >>>

Jim

So glad you guys and Anna got to see the show. I agree – it was wonderful.

Of all those, 4/23 would be the best for me. Probably second choice would be 5/28. 4/9 is not out of the question, but tougher to engineer.

Keep me posted once you know about the 23<sup>rd</sup>.

**Gail Slocum**

PG&E Law Department

<http://www.pge.com>

415 973-6583

cell



Before printing, think about ENVIRONMENTAL responsibility!

**From:** Jim Eggemeyer [<mailto:jeggemeyer@smcgov.org>]  
**Sent:** Wednesday, March 12, 2014 2:08 PM  
**To:** Slocum, Gail (Law)  
**Subject:** RE: Checking In

Hi,

We saw Diana! We took Anna and a girlfriend to the show. Loved it! Diana was great! And with the other two in the group. We stayed after, seeing if we could say hi, but it didn't pan out.

As for the PC lunch, I spoke about it today with the PC. 4/9 was good for everyone and we have three, maybe four items, so that puts us to the lunch hour. But I know about work schedules and efforts needed. The next meeting 4/23 was suppose to be a night time meeting for a DEIR release. The venue for 4/23 doesn't work, so we are looking at 4/16 and 4/30 night time meetings. That might shift to May 14th. Can't say at the moment. If the DEIR shifts to May, then 4/23 might happen as a regular day meeting. Next available day meeting for projects would then be 5/28. Bottom line, 4/9 or 5/28, maybe 4/23.

Talk to you soon.

jke

>>> "Slocum, Gail (Law)" <

3/12/2014 11:51 AM >>>

Jim

Hi! Nice to hear from you. Things are busy but good for me. Diana was in the Musical Seussical at M-A and really loved doing that – her first time to sing and dance at the same time.

Although April 9<sup>th</sup> might potentially work, May will be much safer – fewer big deadlines. What dates might work in May?

## Gail Slocum

PG&E Law Department

<http://www.pge.com>

415 973-6583

cell



Before printing, think about ENVIRONMENTAL responsibility!

**From:** Jim Eggemeyer [<mailto:jeggemeyer@smcgov.org>]

**Sent:** Wednesday, March 12, 2014 8:40 AM

**To:** Slocum, Gail (Law)

**Subject:** RE: Checking In

Thank you. April 9 looks the best, April 23 will be a night meeting out in the Highlands on the Ascension Heights/Thomas Subdivision DEIR. Not sure how May is shaping up yet. We'll be in touch.

By the way, how is everything else?

Talk to you soon.

jke

>>> "Slocum, Gail (Law)" <

3/10/2014 1:25 PM >>>

Jim

My CPUC hearings will be over by the end of March, so something in April or May is possible, if doing a thank you luncheon for my service on the PC is still something on your radar.

## Gail Slocum

PG&E Law Department

<http://www.pge.com>

415 973-6583

cell



Before printing, think about ENVIRONMENTAL responsibility!

**From:** Slocum, Gail (Law)  
**Sent:** Thursday, February 13, 2014 6:02 PM  
**To:** 'Jim Eggemeyer'  
**Subject:** RE: Checking In

Jim,

Hi! Nice to hear from you. Yes, I had heard from Lennie about Ranken resigning. Suffice it to say that I think there are plusses for the Commission and the County of getting someone new in that position.

What a nice idea to have a luncheon – but I hate to say it, I really don't want to be recognized at the same time as Chris Ranken. I think we each should have a separate going away lunch. Mine

was NOT a resignation, rather, my term had been up when the supervisor changed, he held me over and then finally found someone he wanted to appoint. There was no issue with my substantive performance, Warren simply preferred someone Latino. The difference is that Ranken was asked by his Supervisor to submit his resignation because of things Ranken did on the Commission that the Supervisor found fault with. Plus I have a very different style from Chris, and we never really got along like I did with all the other commissioners (though I hope that wasn't TOO obvious as I tried to be relatively professional). So I prefer not to do it together.

In terms of dates for me, I can't commit to either March 12 or 26<sup>th</sup>. I am on a major deadline through the end of this month and won't know until early March whether I am in hearings from mid to late March at the CPUC on a big important case. Plus I am no longer working 90% - went back to 100%. Right now it feels like 150% work (many late nights and will be working this Sunday and all day on the Monday holiday). It's possible March 26 might work, but I just can't say until early March - it's up the Administrative Law Judge in my case. We will just have to touch bases in early March and see if I have more clarity then.

I am sure staff could conclude that there are "scheduling conflicts" such that Ranken's had to be at a different time than mine, right? Sorry to make things complicated... Can you work with that?

## Gail Slocum

PG&E Law Department

<http://www.pge.com>

415 973-6583

cell



Before printing, think about ENVIRONMENTAL responsibility!

**From:** Jim Eggemeyer [<mailto:jeggemeyer@smcgov.org>]  
**Sent:** Thursday, February 13, 2014 5:45 PM  
**To:** Slocum, Gail (Law)  
**Subject:** Checking In

Hi Gail, How's everything? Checking in with you to see about a PC lunch in the future. How's your schedule?

On another topic, did you hear, Commissioner Ranken resigned yesterday? His last meeting was yesterday. Surprise. At the end of the meeting I mentioned to the PC about finding a day for you to come in for lunch (and a resolution/agenda item). They also thought it would great to recognize both you and Chris for your years of service. Please let me know how March 12 or 26 might work for you.

Hope all is well. Talk to you soon.

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**From:** Lisa Aozasa  
**To:** Jim Eggemeyer; Steve Monowitz  
**CC:** Heather Hardy  
**Date:** 4/10/2014 4:33 PM  
**Subject:** Update on Waverly Place

Hello --

It gets worse! The latest is that Tiare met with Janet Stone today, and was informed that the project needs its approvals in place before July 1st, or they will lose their chance for tax credit funding this year. If we're going to make this happen (do we have a choice?) -- then it will have to go to the NFO Council on April 28, PC on May 28 (May 14 is going to be reserved for Ascension Heights) and the BOS on July 1.

Tiare has contacted Sup. Slocum's office regarding the schedule for the NFO Council, and is checking back with Janet Stone to make sure July 1 meets their criteria. Just in case the neighbors weren't already upset, this is going to make it worse as we are now forced to rush through the hearing process. Let me know your thoughts/concerns...

Lisa

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Lisa

**From:** Jim Eggemeyer  
**To:** Peggy Jensen  
**Date:** 4/10/2014 4:42 PM  
**Subject:** Fwd: Update on Waverly Place

Hi Peggy, Per the recent voicemail I left a minute ago, here is the email of the moment about the housing project in NFO. I think we need to talk with Sup. Slocum about this. Call when you have a moment. Thanks.  
jke

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Thanks.

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Lisa

**From:** Heather Hardy  
**To:** Planning-Current Planning  
**CC:** Frances Contreras  
**Date:** 4/21/2014 9:23 AM  
**Subject:** Next P/C Meetings

Good morning Planners,

I hope you are well. I believe that you are aware that May 14 is the evening, Ascension Heights-only Planning Commission meeting. Agenda requests for May 28 are due tomorrow, April 22. I haven't received any yet, but have heard of a few potential projects. Please submit them to me ASAP, as Jim will present the draft agenda at this Wednesday's meeting.

Thanks,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 |

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**From:** James Castaneda  
**To:**  
**CC:** Dave Pine; David Burruto; Heather Hardy; Jim Eggemeyer; Laurel Nagle...  
**Date:** 4/25/2014 8:45 AM  
**Subject:** Ascension Heights DEIR Now Available

Good morning Jerry, I just wanted to remind that the Ascension Heights draft Environmental Impact Report is available today. The report, as well as the Notice of Availability which should be in mailboxes today, can be downloaded at the following page:

<https://planning.smcgov.org/ascension-heights-subdivision-project>

Again, the Planning Commission meeting to hold public comments will be on Wednesday, May 14th at 7pm. We are now holding it at the Theater at the College of San Mateo as we have in the past, not the lecture hall I indicated in my earlier email. If there are any issue accessing the document, please let us know. Have a good weekend,

Regards,  
JAMES

**James A. Castañeda, AICP**  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

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Redwood City, CA 94063  
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**From:** Jim Eggemeyer  
**To:** James Castaneda  
**Date:** 4/25/2014 9:20 AM  
**Subject:** Re: Ascension Heights DEIR Now Available

Hi James, Thanks! Nice to see it published! D. Thomas know too?  
Also, what coordination with Heather and the Planning Commission is or will take place relative to getting this link in their hands? Also, I know of one Planning Commissioner that likes to have a hard copy. How many were printed?  
Thanks again. Talk to you soon.  
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**From:** James Castaneda  
**To:** Jim Eggemeyer  
**Date:** 4/25/2014 9:31 AM  
**Subject:** Re: Ascension Heights DEIR Now Available

I'll check in with Heather regarding the Planning Commissioners, as I'm not sure if she anticipated that while I was focusing on the mass distribution. I'll make sure to have that taken care of on Monday when Heather returns. I believe we have four hard copies after yesterday's distribution, so we can accommodate Commissioners who need one. In a pinch we can print them on our side if necessary.

I updated Dennis Thomas earlier this week to inform him both release date for the DEIR, as well as the public hearing- he didn't have an issues. So we're good to go so far.

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**From:** Jim Eggemeyer  
**To:** Fred Hansson; Laurie Simonson; Manuel Ramirez; Steve Dworetzky; Zoe ...  
**CC:** Heather Hardy; James Castaneda; John Nibbelin; Tim Fox  
**Date:** 4/25/2014 3:10 PM  
**Subject:** Ascension Heights DEIR Now Available

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If you need a hard copy for review, please let either Heather or me know as soon as you can and a copy will be sent.

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jke

**From:** Zoe Kersteen-Tucker <  
**To:** hhardy@smcgov.org; JEggemeyer@smcgov.org  
**Date:** 4/26/2014 8:42 AM  
**Subject:** Re: Ascension Heights DEIR Now Available

Hi,  
Please send me a hard copy of the DEIR. Many thanks.  
Zoe

On Apr 25, 2014, at 3:10 PM, Jim Eggemeyer wrote:

>  
> Hello Commissioners,  
>  
> I just wanted you to know that the Ascension Heights draft Environmental Impact Report is available  
> today. The report, as well as the Notice of Availability can be downloaded at the following page:  
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Return-path: <  
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Authentication-Results: p01c11m074.mxlogic.net; spf=pass; spf=pass  
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 Received: by mail-yh0-f41.google.com with SMTP id i57so4736978yha.0 for <multiple recipients>; Sat, 26 Apr 2014 08:42:05 -0700 (PDT)

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From: Zoe Kersteen-Tucker <  
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 In-Reply-To: <535A7B02020000AA00027D9F@isdgrpwinet2vsp01.co.sanmateo.ca.us>

To: Jim Eggemeyer <JEggemeyer@smcgov.org>, Heather Hardy <hhardy@smcgov.org>

References: <535A7B02020000AA00027D9F@isdgrpwinet2vsp01.co.sanmateo.ca.us>

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Content-Transfer-Encoding: 7bit  
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Hi,  
Please send me a hard copy of the DEIR. Many thanks.  
Zoe

On Apr 25, 2014, at 3:10 PM, Jim Eggemeyer wrote:

Hello Commissioners,

I just wanted you to know that the Ascension Heights draft Environmental Impact Report is available today. The report, as well as the Notice of Availability can be downloaded at the following page:

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We have notified the public of the availability. Your Planning Commission meeting to receive public comments will be on Wednesday, May 14th at 7pm. More information to come.

If you need a hard copy for review, please let either Heather or me know as soon as you can and a copy will be sent.

If there are any issues accessing the document, please let us know. Have a good weekend.

jke

**From:** Jim Eggemeyer  
**To:** Laurie Simonson  
**Date:** 4/28/2014 5:30 PM  
**Subject:** PC Meeting 5/14/14

Hello Commissioner,

Wanted to check in with you regarding the upcoming meeting in May we are having to take comments on the DEIR for the Ascension Heights Project. You mentioned that you will not be able to attend but wanted to see/hear a video recording for the event. I want to take a minute to clarify what you need so we can arrange for any additional services you need.

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**From:** Heather Hardy  
**To:** Jim Eggemeyer; Zoe Kersteen-Tucker  
**Date:** 4/28/2014 6:05 PM  
**Subject:** Re: Ascension Heights DEIR Now Available

Hi Zoe,

No problem! I have your NFO Plan also, and will put both documents in the mail. Thanks,

Heather

>>> Zoe Kersteen-Tucker < >>> 4/26/2014 8:42 AM >>>  
Hi,  
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**From:** Laurie Simonson <  
**To:** JEggemeyer@smcgov.org  
**Date:** 4/28/2014 9:03 PM  
**Subject:** Re: PC Meeting 5/14/14

Jim,

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Sent from my iPhone

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**From:** Peggy Jensen  
**To:** Jim Eggemeyer  
**Date:** 5/2/2014 4:26 PM  
**Subject:** Monthly BOS update - P&B section

Hi Jim,

I'm compiling the monthly community services update. Here's was you submitted last month. You can update this or submit something else.

Thanks,  
Peggy

#### Planning and Building

- Project Updates – Recent work and next steps on major projects are noted below.
- Plan Princeton – This project continues to proceed along with the recent completion of the existing conditions report and is now moving into the alternatives phase. An update to the Planning Commission will be in late April, along with an update to the Board of Supervisors in early May.
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- Automation - Planning and Building has completed implementation and conversion of the Department's permit tracking system to Accela Automation. Future improvements to the system will include Citizen Access and Electronic Document Review for enhanced owner and applicant access, document submission, and permit management.
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**Date:** 5/2/2014 4:56 PM  
**Subject:** Re: Monthly BOS update - P&B section

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**From:** Jim Eggemeyer  
**To:** Peggy Jensen  
**Date:** 5/6/2014 5:16 PM  
**Subject:** Re: Monthly BOS update - P&B section

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Big Wave - The Department has now entered into three separate contracts to assist with environmental assessment and processing for the Big Wave Project. The Department is planning to have the project before the Planning Commission in September.

Ascension Heights Subdivision - The Draft Environmental Impact Report (DEIR) has been issued by the Department commencing a 45 day comment period. The Planning Commission will be conducting a public hearing on May 14th at 7:00 out at the College of San Mateo, Theater.

Farm Labor Housing Policy Revisions - Planning staff has completed a draft of the Policy revisions to streamline the permitting process for Farm Labor Housing. The draft documents will be provided to the Agricultural Advisory Committee for their June 9th meeting.

Recruitments - The Department has made an offer to fill the Code Compliance Officer position and is waiting a response from the candidate, while final interviews to fill two planner positions (one permanent position in Long Range and one Agile position in Current Planning) are scheduled for May 8th and 9th.

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**From:** Heather Hardy  
**To:** Planning-Current Planning  
**CC:** Frances Contreras  
**Date:** 5/7/2014 11:59 AM  
**Subject:** Upcoming Planning Commission meetings

Dear Planners,

Here's what's coming soon:

5/14: Ascension Heights evening meeting + Consent GPC (Will Gibson for Real Property)

5/28: 6 tentative items:

Angela - Fitzgerald Marine Reserve Parking Lot

Melissa - Ano Nuevo State Park

Mike - Public Works, Green Streets Improvement Project

Olivia - Tree appeal

Summer - Girl Scout Camp

Summer - Plan Princeton Update

6/11: Agenda requests were due last week, and none have been received. Please tell me **today** if you intend to present an item because we are going to notify the Commission that the meeting is canceled.

6/25: Farm Meeting (Lemos, Pastorino, and Arata) (other items are allowed)

8/13: Big Wave Informational Meeting (other items are allowed)

9/24: Big Wave Decision Meeting (evening, El Grenada Elementary or similarly located. No other items considered)

Thanks, all!

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 |

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**From:** Jim Eggemeyer  
**To:** Steve Monowitz  
**Date:** 5/29/2014 10:13 AM  
**Subject:** Fwd: Re: Monthly BOS update - P&B section

Steve, Here is the monthly update for May (or is it April's?), the second one.  
jke

>>> Jim Eggemeyer 5/6/2014 5:16 PM >>>

Sorry, sidetracked on getting back to you on this one. For our updates:

Plan Princeton - A few more refinements were necessary on the existing conditions report from the Consultant, so the report is nearly complete. Staff will be presenting a status report to the Planning Commission on May 28, 2014 and then to the Board of Supervisors on June 3rd.

Big Wave - The Department has now entered into three separate contracts to assist with environmental assessment and processing for the Big Wave Project. The Department is planning to have the project before the Planning Commission in September.

Ascension Heights Subdivision - The Draft Environmental Impact Report (DEIR) has been issued by the Department commencing a 45 day comment period. The Planning Commission will be conducting a public hearing on May 14th at 7:00 out at the College of San Mateo, Theater.

Farm Labor Housing Policy Revisions - Planning staff has completed a draft of the Policy revisions to streamline the permitting process for Farm Labor Housing. The draft documents will be provided to the Agricultural Advisory Committee for their June 9th meeting.

Recruitments - The Department has made an offer to fill the Code Compliance Officer position and is waiting a response from the candidate, while final interviews to fill two planner positions (one permanent position in Long Range and one Agile position in Current Planning) are scheduled for May 8th and 9th.

That's it for now.  
jke

>>> Peggy Jensen 5/2/2014 4:56 PM >>>

Thanks. The sooner the better.... I'd like to get this out early next week.

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Sure, I can edit/add. When is it due back to you? Thanks.

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>>> Peggy Jensen 5/2/2014 4:26 PM >>>

Hi Jim,

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Thanks,  
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- **Automation** - Planning and Building has completed implementation and conversion of the Department's permit tracking system to Accela Automation. Future improvements to the system will include Citizen Access and Electronic Document Review for enhanced owner and applicant access, document submission, and permit management.
  
- **New Building Official** - The Department is pleased to have recently hired a new Building Official, Gary West. Mr. West comes to us from the City of Vallejo.

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jke

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**From:** "Heather Hardy" <hhardy@smcgov.org>  
**To:** LAozasa@smcgov.org  
**CC:** SMonowitz@smcgov.org; JEggemeyer@smcgov.org  
**Date:** 6/6/2014 6:16 PM  
**Subject:** Re: Court Reporter for Business License Board

Hi Lisa! If this helps for reference, we paid between \$900 and \$1000 last year to a service recommended by Tim for the Ascension Heights scoping meeting last year. The transcript for the 90 minute meeting was finished in about 2 weeks.

See you Monday.

Heather

> On Jun 6, 2014, at 7:06 PM, "Lisa Aozasa" <laozasa@smcgov.org> wrote:

>

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>

> Lisa

> <mime-attachment>

Return-path: <hhardy@smcgov.org>  
Received: from hosted24.notifylink.com ([172.16.17.177]) by mail.co.sanmateo.ca.us with ESMTP; Fri, 06 Jun 2014 18:15:56 -0700

Content-Type: text/plain; charset=us-ascii  
Content-Transfer-Encoding: quoted-printable  
Mime-Version: 1.0 (1.0)  
Subject: Re: Court Reporter for Business License Board  
From: "Heather Hardy" <hhardy@smcgov.org>  
In-Reply-To: <53920331020000960003B9C6@CSM>  
Cc: Jim Eggemeyer <JEggemeyer@smcgov.org>, Steve Monowitz <SMonowitz@smcgov.org>  
No String Available Fri, 6 Jun 2014 19:15:44 -0600  
Message-Id: <7832D6AC-90D5-4E7D-8BE6-E4F14A73D44D@smcgov.org>  
References: <53920331020000960003B9C6@CSM>  
To: Lisa Aozasa <laozasa@smcgov.org>

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**From:** Donald Nagle <  
**To:** JCastaneda@smcgov.org; JEggemeyer@smcgov.org  
**CC:**  
**Date:** 6/9/2014 4:22 PM  
**Subject:** Baywood Park HOA comments on Ascension Heights DEIR 9 June 2014  
**Attachments:** HOA Ascension Heights DEIR response letter final 9June2014.docx; Concerns with Ascension Hill Project -- Baywood Park HOA submission 9 June 2014.pdf

James,

See attached for comments from the Baywood Park HOA on the Ascension Heights DEIR. We have included a 3-page cover letter as well as a detailed list of issues.

Please let me know if you have any problems with the attachments.

Thank you for your consideration,

Donald  
(cell)

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Baywood Park HOA response to Ascension Heights proposal/DEIR

9June2014

James Castaneda  
San Mateo County Planning and Building Department  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063

Dear James:

This letter represents the Baywood Park Homeowners' Association response to the proposed Ascension Heights proposal and associated DEIR.

As you know, this project was previously considered in 2009 and rejected by the Planning Commission. The new plan removes an emergency access road and 24% of the houses. From what we can see, the project is unchanged in every other substantive regard. Considering the project was rejected 4-0 and generated over 400 people at the meeting for final consideration, one would expect a substantial change in the proposal. This is not the case. In 2009, the Final EIR was considered inadequate on multiple fronts, including the impact on the community, and had numerous unclear and incomplete sections. The DEIR for the new, slightly smaller proposal has over 600 pages, so the presumption is that it must address the community concerns and the weaknesses in the 2009 EIR. Why go through this effort if not to address the serious issues raised in the last proposal, either related to the project or the environment?

The new proposal will still require massive land movement (more than 46,000 cubic yards), as well as removal of most of the existing flora (55% of significant trees and all smaller trees and shrubs), and has the same unanswered questions about the endangered fauna. The new proposal still leaves unanswered questions about the Blue Butterfly, raptors and other biotic concerns. So little concern was shown for this issue that only one attempt was made to locate the butterfly, and that was in July of last year at the very end of the butterfly's possible viewing due to its short lifecycle. Residents easily verified and photographed the existence of lupine plants in multiple locations around the hill in May of this year, as well as sightings of the butterflies themselves. Residents have also submitted photos of large raptors circling the hill.

The new proposal and associated DEIR make no effort to address the prior aesthetic concerns. The proposed homes will still loom over existing homeowners on Parrott Drive, will still violate their privacy, will still be significantly larger than the average size home in the neighborhood, will still be built on the steep Ascension side of the hill that the Planning Commissioners in 2009 asked the developer to avoid, and will still be visible from all nearby vantage points.

Neither the proposal nor DEIR addresses the very real concerns about the steepness of the proposed lots and the soil stability in the neighborhood. Many of the houses are still being proposed on steep grades exceeding engineering recommendations and County guidelines. In the 4+ years since the last proposal, we have seen numerous hillside problems that put into question the standards and code for houses in this area (e.g., the continuing difficulties on Rainbow Drive). It is not clear that it is prudent to build anything

Baywood Park HOA response to Ascension Heights proposal/DEIR

9June2014

on the steep hillsides, let alone 19 houses with many slopes at 40 degrees or more.

The proposed road exceeds the code for steepness, is a hazard to houses across from it on Bel Aire, and would enter Bel Aire at a blind spot, all of which increase dangers at the proposed intersection.

The proposal and DEIR seem to accept the dramatic noise and air pollution that will result as an "ugly reality" of these types of projects. Even the minimum analyses completed show that nearby residents will be significantly impacted. Given that none of the new science related to short-term health impacts, including possible fatalities, was referenced, the impacts would only be stronger with their inclusion. The DEIR assesses these impacts as "less than significant" only because the County apparently allows this intrusion and danger during construction. We can only hope this is truly not the case.

In the interim 4+ years since the project was rejected by the Planning Commission and the Board of Supervisors, there have been additional significant soil movement problems in the neighborhood, and the entire state has gone into a drought. The DEIR does not reflect these new material events that impact the project significantly. One of the main ways to mitigate pollution, toxic materials and wind blowing both construction materials and dirt around the neighborhood is to copiously water down all exposed land areas and equipment multiple times a day. While that practice might help reduce air pollution for portions of the day, such profligate use of water seems inconceivable when we are in a severe drought. Additionally, ripping up nearly all of the existing vegetation, which currently provides soil stability to much of the hill as well as protection from runoff, and then replacing it with new vegetation that will take significant water over years to reach maturity merely to restore hill stability, seems unnecessary and extremely wasteful.

Very little information is available to judge the proposal's novel approach to drainage. It calls for many tons of water to be stored in underground cisterns above the nearby existing houses. Given that the site sits extremely close to a known major earthquake fault, we're very concerned by the lack of analysis on the flooding impact should an earthquake strike while the cisterns are full.

To summarize, the lack of additional material in the DEIR on the major concerns that the neighborhood has raised multiple times in the past, as well as the lack of material addressing concerns resulting from new aspects of the proposal, seem to put this DEIR in the same position as the old one – it is incomplete and inadequate. In short, nothing material has changed over the past five years!

The project was sufficiently objectionable in 2009 that 400 people showed up at the Final EIR hearing to object. This figure represents more than half of all nearby residents attending the meeting, which suggests a high degree of concern in the neighborhood. The 4-0 rejection by the Planning Commission suggests the County also had meaningful concerns. Subsequently, the County hosted meetings in 2010 with the intent that the developer engage with the neighborhood in a true dialogue, searching for common ground. Instead, the developer did not negotiate at all, and made his position

Baywood Park HOA response to Ascension Heights proposal/DEIR

9June2014

exceedingly clear that these meetings were simply to “educate” the community on the specifics of his new proposal. This attitude is reflected in his application, in which he addresses none of the issues the community raised in those 2010 meetings.

We find the problems for the project are substantially the same, or even worse in some cases, than the 2009 proposal, in spite of the removal of the emergency access road and the lower tier of six houses on the Ascension side of the hill. Nearly all of the concerns raised by the Planning Commission and the Community remain as concerns the same today, with no material adjustments by the developer. The community is concerned about the impact of the project on its members and on the environment. We cannot recommend the project go forth with these concerns, especially given that in the more than four years the developer has had to speak with the community since his previous proposal was rejected, he has not taken the opportunity to allay a single concern (beyond removing a few houses). The community finds itself in the unfortunate position of being very worried should the project go forward that the developer has no intent to do anything to ameliorate community concerns without active, constant oversight by the Planning Commission and its representatives to ensure all mitigations are followed completely, meeting their full spirit and intent.

The Highlands / Baywood community is a bucolic, peaceful, amazing place that the community loves passionately. We are proud of this area and do not wish to prevent construction. Any project should add to the beauty and the quality of the neighborhood, without significantly impacting current homeowners. We would be amenable to true dialogue on a proposal that meets our very real concerns.

-----

Attached are specific comments related to errors, inconsistencies, or omissions in the DEIR, and our recommendations for what must be incorporated into the Final EIR to correct those errors, inconsistencies, or omissions.

We respectfully request that the County address each comment in writing, either by (a) agreeing with our comments and updating the information and mitigations in the Final EIR or (b) disagreeing with our comments, stating clearly why we are mistaken.

Thank you in advance for reviewing our detailed comments.

Respectfully,

Baywood Park Homeowners’ Association

Baywood Park HOA comments on the Ascension Heights DEIR

9 June 2014

Item#	Errors, Inconsistencies or Omissions in the DEIR, required to be fixed in the Final EIR	DEIR page	Recommendation for the Final EIR process and document	County/AES response
1	Planning DEIR refers to "discussion" and "engagement" between the Applicant and the Community. Nothing could be further from reality. At the first meeting, the Applicant informed Community representatives he was there to "educate" the community representatives about his updated proposal, and also would attempt to answer questions. He made it clear the plan itself was "not up for discussion".	3-6	Final EIR must be clear that there was NO discussion and NO engagement between the Applicant and the Community, that there were merely meetings in which the Applicant "told the community about the proposal with zero room for discussion about possibilities instead of what he was submitting."	
2	Planning DEIR refers to the project repeatedly as a "Reduced Intensity" proposal. What is the definition of this term? Reduced intensity implies significantly smaller. In this case, however, the project is only a bit smaller -- (a) 76% as many houses as the first proposal (25 houses down to 19 houses); (b) 80% as many tiers of houses (5 tiers down to 4 tiers), and (c) 100% the same in terms of building on both sides of the hill as well as the top. The only thing truly reduced in intensity is the removal of the "emergency access" road.	3-6	Final EIR must stop referring to the current proposal as "reduced intensity".  Or, if "Reduced Intensity" has an official definition by County Planning Department, then that definition must be referenced in full quotation within the EIR. Additionally in this case, the EIR should attached the following after each and every reference to "Reduced Intensity" -- "76% as many houses as the first proposal (25 down to 19); 80% as many tiers of houses (5 down to 4), and 100% the same in terms of building on both sides of the hill as well as the top]" -- other than references of course in Chapter 6 "Alternatives" to a separate Reduced Intensity alternative.	
3	Planning Who determines the "Project Objectives"? The DEIR refers in multiple locations to examining only those alternatives that support a majority of the seven objectives. The problem is that four of the objectives are unrelated to impact, and therefore any project no matter how extreme the environmental impact would still meet a majority of the objectives.	3-7	The process leading to the Final EIR should revisit the Project Objectives and engage the public in updating the Project Objectives. If not possible to edit the Project Objectives, then the Final EIR must state who specifically by name, when, and with which specific public engagement activities (a) created those objectives, (b) determined that only alternatives meeting a majority would be considered within the DEIR process, and (c) evaluated the alternatives relative to the objectives.	
4	Planning DEIR refers to "Open Space" and "Common Area". The DEIR states "The common area would be open to subdivision residents and the general public." This language and the context implies this is positive and even desirable. The overwhelming majority of that open space/common area, however, is so steep that having individuals attempting to walk on and use that area would highly likely increase erosion and would be dangerous to the individuals. It is Orwellian to refer to that land as a "Common Area" for use by all.	3-12	Final EIR, both in the text and on the maps and figures, must refer to those locations as what they are -- "land that is too steep for development and therefore being permanently zoned as Open Space", with the tagline that it is "unbuildable steep hillside". Additionally, all Open Space and Common Space as currently indicated should be described as "off limits" to any individuals due to the danger in which they would place themselves as well as the erosion impacts, and should NOT be "open to subdivision residents and the general public".	
5	Planning DEIR refers to Lot C as "Common Area". This lot is an odd-shaped lot split into two sections. One section is ~1800 square feet and is bounded by an 8-foot drop-off to the entry road on one side and 12 feet of retaining wall on the other two sides.	Drawings C-2, C-3	Final EIR, both in the text and on the maps and figures, should be clear that Lot C is "off limits" to any individuals due to the danger in which they would place themselves due to the sheer dropoff to the road and is NOT "open to subdivision residents and the general public".	
6	Planning DEIR refers to "Foot Trails" and "Nature Trails" in multiple locations, and even provides a cross-section drawing of such a trail. Yet there are no references to specific locations for such trails in the document or on any of the maps.	2-1; 3-12 Figure 3-6; 4-5-10	If there will be trails, the Final EIR must describe specific locations, both in the text of the document and on each and every map. Additionally, in this case, the Final EIR must describe the impacts from those trails. If there will NOT be trails, the Final EIR must remove all such references, both in the text and on any figures and maps.	
7	Planning DEIR refers to the lots being arranged in three blocks. This understates the number of rows running laterally across the hillside. One can see clearly that there are four tiers of houses being proposed (not three) -- two separate tiers running across the Parrott Side of the hill, a third tier on top of the hill, and a fourth tier on the Ascension side of the hill.	3-10	Final EIR must refer correctly in the Project Description to "four tiers of houses".	
8	Planning It is difficult to grasp the steepness of the hill and of each of the proposed lots on the hill simply from the topographical map.	Missing	Given the extreme steepness involved, the process leading up to the Final EIR must include a scale model of the site, including the entry from Bel Aire as well as each of the 19 houses as well as the adjacent Parrott properties and the Bel Aire properties near the proposed site entrance, to help assess the impact.	
9	Planning DEIR does not address the steepness of individual lots, nor compare that data to County General Plan guidelines that recommend building on shallower slopes. DEIR does not address current engineering comments about the dangers of building on slopes greater than 15%; see for example recent engineering reports created after the Rainbow slides.	Missing	Final EIR must include a clear reference to specific guidance in the County General Plan related to avoiding building on steep hillsides, must include a table listing the steepness of each lot, and must describe how many lots are beyond County guidelines. Additionally, the Final EIR must cap the steepness on which lots can be established for this project.	
10	Planning DEIR includes minimal to no reference in the DEIR commentary to the steepness on the Parrott Side, which in some places is as steep as on the Ascension side	Missing	Final EIR must include references to the steepness on both sides of the hill (the Parrott side in addition to the Ascension side).	
11	Planning DEIR refers to street parking within the development ("14 feet for parallel parking spaces (7 feet per side)", but does not appear to describe the hammerheads as being "off limits" to street parking. Being a no-parking zone would be required to enable emergency vehicles to use the hammerheads as intended. Additionally, impact to new residents would be "no parking on the street adjacent to their properties" for residents of Lots 7 and 12, which is NOT the norm for the neighborhood.	3-10	Final EIR (a) must describe the hammerheads as "no parking" zones, and (b) state clearly within the Access Roadway and Parking section of the Project Description (Chapter 3) that residents in Lots 7 and 12 would have zero on-street parking adjacent to their properties.	
12	Planning DEIR does not address whether sidewalks should be developed on either Bel Aire or Ascension along the sides of the site. Their absence is out of character with the immediate neighborhood, as sidewalks are the norm on Bel Aire and Ascension. Without those sidewalks, future residents would need to walk in the dirt (and mud in the winter rains) when they walk out of the new development down the hill on Bel Aire to Ascension.	Missing	Final EIR should assess the impact from the lack of sidewalks on Bel Aire and Ascension along the project site.	
13	Planning DEIR does not describe any criteria by which the future homeowners would be responsible to repair future slope failures on the site. This is problematic given that such slope failures are likely given the history of the hill.	Missing	Final EIR must describe the criteria by which the future homeowners would be responsible to repair future slope failures anywhere on the site.	

Baywood Park HOA comments on the Ascension Heights DEIR

9 June 2014

Item#	Errors, Inconsistencies or Omissions in the DEIR, required to be fixed in the Final EIR	DEIR page	Recommendation for the Final EIR process and document	County/AES response
15	<p>DEIR Appendix includes a letter dated November 17, 2013 from CalWater stating in Item 3 "There is an existing 8" water main in a Cal Water easement connecting the tank and the water main on Parrott Drive.... This water main is required to be remained in the same location. ... No structure should be built on the existing easement".</p> <p>-- moves this water main from its current location</p> <p>-- places shows homes (Lots 6 and 11), as well as a street, directly on top of the current location of that water main</p> <p>-- plans to route drain pipes and other infrastructure directly through current location.</p> <p>Correspondingly, Mitigation 4.10-2c is in error.</p>	4.10-26;	Site plan must be updated prior to the Final EIR to take into consideration CalWater's statements that the current Parrott water main is required to be remained in the same location and that "No structure should be built on the existing easement". Mitigation requires that Lots 6, 7, 11, and 12 must be removed or changed materially to avoid building on (or through) the water main.	
16	<p>DEIR does not adequately assess the impacts and dangers of the proposed new intersection of Bel Aire with the new road. Construction trucks, and residents' vehicles in the future, would exit the site moving down the steep slope pointed directly at the existing Bel Aire properties. Any vehicle that lost control would likely run into parked cars on Bel Aire or, if no cars were present, drive over the curb and into the Bel Aire properties. This danger is exacerbated by the small width of Bel Aire as well as the blind spot (which the DEIR does describe). A quick internet search found two references describing the dangers of this configuration: <a href="http://abcnews.go.com/blogs/hea/dlines/2012/05/pa-coupled-tired-of-cars-crashing-into-home/">http://abcnews.go.com/blogs/hea/dlines/2012/05/pa-coupled-tired-of-cars-crashing-into-home/</a> <a href="http://safety.fhwa.dot.gov/inter_section/resources/fhwasa10005/br_ief_13.cfm">http://safety.fhwa.dot.gov/inter_section/resources/fhwasa10005/br_ief_13.cfm</a>.</p> <p>What can be done to protect the two houses on Bel Aire immediately across from the road to the site to reduce the danger?</p> <p>One possibility is to split the site entry/exit road into two short, one-way sections. Car exiting the site onto Bel Aire must turn right toward Laurie Lane. Cars entering the site could do so only by traveling up Bel Aire from Ascension and turning right into the site. This would prevent any cars from crossing traffic to the opposite side of Bel Aire.</p>	6.4-2	Prior to the Final EIR being reviewed, the proposed intersection between the new road and Bel Aire must be redesigned to mitigate the dangers of this intersection, specifically to the existing homes and homeowners on Bel Aire, to drivers on Bel Aire, and to drivers exiting the development.	
17	<p>DEIR does not describe alternative locations or design to the proposed entry road, even though it is too steep for current code and therefore requires a variance and even though it creates a dangerous intersection. It also does not describe impacts to adjacent/nearby Parrott residences, which would suffer both privacy and structural impacts, or to the Bel Aire homes directly opposite from the entry/exit (which would have a dangerous intersection imposed on them directly in front of their properties).</p> <p>Alternatives might include:</p> <p>(a) Road entry from Bel Aire that follows more directly the current angled entry of the water tank access road onto the site.</p> <p>(b) Road entry on the Ascension only, following the path of the previously contemplated emergency access road or a similar route modified as necessary to reduce steepness.</p> <p>What other road locations are possible?</p> <p>What would be the differences between the various alternatives for the site entry road?</p> <p>If no other locations are possible, does the planned road as designed impinge too much on the privacy of and structural impacts to adjacent/nearby Parrott properties and/or pose too much danger to the immediately opposite Bel Aire homes, therefore making the project intractable?</p>	6.4-2	Final EIR should consider alternatives to the precise road location, both slight adjustments at the current location and other possible entry locations, in an attempt to mitigate the impacts of the currently planned road to adjacent/nearby Parrott Drive properties, and to lessen the potential danger posed to residents in houses on Bel Aire from cars driving directly down the new road aimed at them.	
18	<p>DEIR states that actual construction will last only 27 months, even if there is a delay between the 6-month grading period and the 18-month house construction period. Rescaling or ramping construction activity after any delay, however, adds time to the subsequent build period.</p> <p>Additionally, the DEIR does not offer a range for either construction period. Housing projects often run into issues which lead to delays. Without a reasonable range that includes possible delays, then determining the impact from the duration of construction is uncertain.</p> <p>During 2009, the developer shared that he expected to take 5-10 years to complete the project, with the first year to complete the grading, utilities, and roads, including the emergency access road; the remaining 4-9 years were to complete the 25 homes. How is it possible to complete essentially the same project in only 18 months instead of 4-9 years?</p>	3-16, 3-17	Final EIR must acknowledge that if there is a delay between grading and house construction, then total construction time likely will be longer than 27 active months, even if only by a few weeks or months. <p>Final EIR must provide a reasonable range of months for both construction periods (illustrative examples: 9-12 months for grading, and 18-24 months for house construction) to better understand how long the construction may last and therefore allow better estimation of the impact from construction duration.</p> <p>Final EIR must describe mitigations to implement whenever there is a construction delay to protect the neighborhood from slides, water runoff, air pollution, soil dispersion, ...; these mitigations would include as an example appropriate landscaping and irrigation so that the site would be a stable site.</p> <p>Final EIR must describe a penalty bond effective with any halt in construction longer than three months. Such a bond must be sufficiently large to stabilize and landscape the hill.</p> <p>Final EIR must assess impacts and prepare mitigations under the scenario that the work would take five years.</p>	
19	<p>DEIR does not describe environmental impacts that would result from any delays during the project after the initial grading has scraped the hill clear of nearly all vegetation. Given that the DEIR states "home construction may be intermittent and may not occur immediately following the completion of the grading" (3-16, 3-17), it is reasonable to assume there will be delays. How much soil will blow off the site onto nearby neighbors? How long would the hill need to sit bare before it would be considered an eyesore and a significant visual impact?</p>	Missing	Final EIR must assess impacts, including but not limited to air pollution, soil dispersal, and visual, from any delays in the project once grading has scraped the hill clear of nearly all vegetation, and most also describe associated mitigations.	
20	<p>DEIR contains contradictory dates/times for when construction would be allowed to occur. On pages 2-19 and 4.8-13, it states "Construction activities shall be limited to occur between 7am to 6pm Monday through Friday, and 8am to 5pm on Saturdays." On page 3-17, however, it states "Construction activities would be limited to daytime hours between 7am and 7pm" and does not reference days of the week. Which is the correct proposal?</p>	2-19, 3-17, 4.8-13	Final EIR must be consistent in references to when construction activities will be allowed on the site.	

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21	Aesthetics DER does not assess the Privacy impact to neighboring properties, particularly those on Parrott. DER does not describe mitigations for this Significant impact.	Missing	Final EIR must assess the privacy impacts to neighboring properties, both during construction and from the planned development, including but not limited to those on Parrott adjacent to the site, and must include appropriate mitigations -- a construction-specific mitigation that shields the Parrott residents from the construction (and prevents construction workers from staring into Parrott homes and yards) as well as a new site plan that includes a meaningful buffer between the new homes and the Parrott homes (see below).  The site plan must be updated prior to the Final EIR being considered to create a clear buffer zone of at least 25-feet between the new development and the existing homes on Parrott. This buffer zone must be bounded by separate back yard fences on both sides -- backyard fences for the first tier of house above Parrott will be on the uphill side of the buffer zone and at least 25 feet away from the Parrott backyard fences. The new homes in that first tier must have backyard fences that are solid (i.e. one cannot see through them) and at least 9 feet in height. The buffer zone must be zoned as a new, separate lot on the site plan, which would be Open Space owned by the to-be-created Homeowners' Association of the new development and not owned by any individual homeowner. The buffer zone must be landscaped with at least two rows of trees of a significant height and width/spread, as well as appropriate shrubs, to act as an effective buffer to provide privacy to the current Parrott residents and to reduce the noise impact. The developer must create a landscape maintenance plan that the new Homeowners Association will follow to maintain the health of the trees and shrubs. Any trees or shrubs that die must be replaced within three months. Final EIR must assess and mitigate the privacy impact from the road, preventing car lights from shining into backyards or homes for the current residents on Parrott. This mitigation could, for example, consist of tall dense trees planted along the both sides of the new road from Bel Aire up through the split in the road. This mitigation must be in place before any residents move into the new development.	
22	Aesthetics DER does not assess impact from cars driving down the new road being able to see into the backyards and homes on Parrott, or from carlights shining into those yards and homes.	Missing	Final EIR must include photos that are current, taken in person, from locations that can easily see the hill, including but not limited to the "Hillsdale" CSM student parking lot located off CSM Drive just south of its intersection with Hillsdale Blvd. "photoshop out" those trees/shrubs on the hill that will be removed during construction, and show ALL proposed houses on the hill.	
23	Aesthetics DER includes photos purporting to show nearby visual impact from the development, yet those photos (a) appear to be two or more years old and taken from Google Street View, (b) missing key sightlines that can easily see the hill, e.g., from the "Hillsdale" CSM student parking lot located off CSM Drive just south of its intersection with Hillsdale Blvd, (c) include trees/shrubs on the hill that will be removed, and therefore increase visibility of the new houses, and (d) show only a few houses proposed for the development.	Figure 4.1-2a Figure 4.1-2b	Final EIR should include views from the Parrott backyards, views which should be updated to remove any vegetation or trees that will be removed during development, should show only the planned replacement trees as they will look in the first year (e.g., if using 5-gallon replacements then show these skinny short trees accurately), and should show all houses that could be seen from each backyard in a panorama view.	
24	Aesthetics DER does not show any views from the backyards of adjacent Parrott properties, despite the fact that the Applicant drafted such views and shared them with the Baywood Park HOA in 2010.	Missing	Final EIR must also include side-view scale drawings showing the proposed new homes along with the Parrott homes (look at slide 14 in the Baywood Park HOA presentation to the Planning Commission on May 2014 as an example of such a side view drawing) so as to better show the impact of the proposed development looming above Parrott.	
25	Aesthetics It is difficult to grasp, even from artistically updated photos, the impact of these large homes looming about the nearby residents. Side-view scale drawings showing the proposed new homes along with the Parrott homes would help demonstrate the impact (look at slide 14 in the Baywood Park HOA presentation to the Planning Commission on May 2014 as an example of such a side view drawing).	Missing	Story poles must be implemented in sufficient locations across the sites, including locations in each of the four tiers of houses, so as to help determine adequately the likely aesthetic impact of the development BEFORE review of the Final EIR.	
26	Aesthetics DER did not attempt to assess the visual impact with any physical representations onsite, e.g., by using story poles.	Missing	Final EIR must include photos of the hill from multiple public vistas that can see the hill from further away than on the immediately adjacent streets. Specifically, it must include photos and descriptions of visual impact from multiple locations in The Highlands, to include but not limited to the top of Bunker Hill Drive just below Yorktown Drive (e.g., from in front of 2285 Bunker Hill Drive), and other nearby subdivisions that can see the hill, including those in the Town of Hillsborough. These photos must "photoshop out" those trees/shrubs on the hill that will be removed during construction, and show ALL proposed houses on the hill.	
27	Aesthetics DER does not describe clearly or adequately the visual impact of the site from public vistas further away from the site, e.g., from various streets in The Highlands or from other nearby subdivisions, including properties in the Town of Hillsborough that have a clear view of the hill from their homes.	Missing	Final EIR must describe the impact to the ridgeline and skyline as seen from multiple locations around the site.	
28	Aesthetics DER does not adequately assess the impact to the ridgelines and skylines adequately, in accordance with the County General Plan's guidelines to minimize such impacts. Instead, the DER assumes that "any scenic views available from the surrounding areas are likely in a direction (downslope) away from the project site. Additionally, long distance views ... are largely obstructed by intervening topography." Neither is fully accurate. The hill can be seen from numerous public locations in all directions.	4.1-6, 4.1-7	Final EIR must include a shadow study describing impact on nearby Parrott homes from the proposed development.	
29	Aesthetics DER does not describe impact to Parrott homes due to shadow changes, which are likely given the construction of three-story homes within 20 feet of the Parrott properties.	Missing	Final EIR must describe impact on nearby Parrott homes from planned landscaping.	
30	Aesthetics DER does not describe the impact on Parrott homes' backyards from planned landscaping (e.g., impact to due to shade or invasive growth).	Missing	Final EIR must acknowledge that removing the last undeveloped local hill IS a significant impact, and is much more than simply extending a horizontal development by a few more homes.	
31	Aesthetics The hill is the last open, undeveloped hill locally in San Mateo.	Missing	Final EIR must include a full traffic assessment of the selected route(s) for soil removal and return of empty trucks. The grading truck route(s) -- for empty grading trucks and for full grading trucks -- must be approved by the Public Works Department as part of the Final EIR.	
32	Grading Traffic DER does not select a specific route for grading trucks to and from site. There is no traffic assessment for any specific route.	Missing	Obtain appropriate County approvals from the Public Works Department for the construction traffic route, before the Final EIR.	
33	Traffic DER does not describe whether the proposed construction traffic routes have been approved.	Missing	Final EIR must round up when calculating truckloads per day (since all the dirt must still leave the property).	
34	Grading Traffic DER makes an error in calculating truckloads onto/off the property during grading and soil excavation. Specifically, 40,000 bulk cubic yards divided by 30 days divided by a 17-yard truck equals 78.43 loaded trucks per day, which would mean 79 loaded trucks (you can't round down because the dirt must still leave the property). Doubling this number would mean 158 truck trips either onto or off of the site each day, and NOT the 156 listed in the DEIR.	3-17; 4.8-13	Final EIR must use actual capacity (NOT an average) of the trucks planned to be used when calculating truck trips onto and off the site during grading.	
35	Grading Traffic DER assumes a mythical 17-yard truck in the above calculation. It also suggests the truck mix might include 10-yard, 15-yard, and 20-yard trucks.	3-17; 4.8-13		

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36	Grading Traffic DER assumes trucks would enter and exit the site for 11 hours during grading (7am-6pm). Commute hours are crowded on these streets due to the influx of CSM students in addition to regular neighborhood traffic. For safety reasons, we are asking for grading truck traffic to be limited to non-commute hours, specifically 9am-4pm, which avoids the AM and PM "street peak hours" referenced in the traffic study (Appendix H).	4.8-13	Final EIR must create a table showing trucks/hour and trucks/minute entering and leaving the site during grading across various time options -- (a) 7am-6pm; (b) 8:30am-4:30pm; (c) 9am-4pm. This table also must use truck capacity for the actual trucks that will be used.	
37	Grading Traffic DER does NOT describe the ability of the soil removal trucks to get onto the site during grading (site entrance is tight), or to navigate the local streets (which are narrow with cars parked on each side).	Missing	Prior to the Final EIR, videotape the actual soil removal truck that will be used navigating the route up to the site. Demonstrate safe ("remaining in lane") turns through each intersection. Also, create an animated model showing the truck entering and leaving the site via the new entrance on Bel Aire. Include parked cars on both sides of Bel Aire (since the DEIR refers on 3-17 to construction workers parking on the east side of Bel Aire, i.e., the "site side" of the road) in both the videotape and the animated model. And show a car moving in the opposite direction of the truck so that traffic safety may be better assessed.	
38	Grading Traffic DER claims that the number of truck trips per day during grading would "NOT result in an increase of greater than 0.1 TIRE index, which is defined as a noticeable increase in traffic on the street". How can a large construction soil removal truck driving up or down Bel Aire and Ascension every 1-4 minutes NOT be anything other than a major and noticeable increase in traffic on the street?	4.11-8	Final EIR must describe the spacing between trucks in minutes and seconds (referencing the high and low ranges from the table above) and also describe in plain English language how that is considered a noticeable increase in traffic or not.	
39	Grading Traffic DER uses TIRE scale for traffic impacts, which is difficult for the average person to understand in terms of the impact to the neighborhood during construction traffic. On Bel Aire, the increase in traffic due to construction vehicles would be 178 trips minimum above the current 760 trip (24-hour) baseline from the Traffic Study, which is a 23% increase. Assuming use of 10-yard trucks, the number of construction vehicle trips would increase to 288, which would be a 38% increase.	4.11-3; 4.11-4; 4.11-8	Final EIR also must describe the traffic increase in % terms, e.g., 23% increase in traffic on Bel Aire due to construction vehicles, in addition to TIRE terms (which are not as readily understood by the general public).	
40	Construction Traffic DER does not assess traffic controls that might be necessary at the Bel Aire entrance to the site during construction (only refers to a "blind spot" analysis), or for the remainder of the construction traffic route.	Missing	Final EIR must assess and describe traffic controls for the construction traffic route, to include in particular controls at the new intersection of Bel Aire and the site entry road.	
41	Construction Traffic DER does NOT assess possible brake failures on the steep surface streets during construction, discuss Jake brake prohibition, or discuss alternate safety measures for construction traffic.	Missing	Final EIR must assess possible brake failures on the steep surface streets during construction and determine appropriate safety measures, including the use of reduced speeds and smaller trucks.	
42	Construction Traffic DER does not include a requirement for the developer to repair damage to surface streets from construction traffic.	Missing	Final EIR must include specific language requiring the developer to repair surface streets used as the route(s) for construction traffic after construction is completed, as well as before then as necessary.	
43	Traffic DER neglects to state that the 760 trips on Bel Aire was measured over a 24-hour period (and is actually 759); see Appendix H. The relevant time period for any impact to the neighborhood from Construction Traffic would be during the construction window. The Traffic Study shows 569 trips from 7am-6pm on Bel Aire. The increase in traffic trips on Bel Aire during Grading from 7am-6pm would be 31% (178 above 569). Assuming use of 10-yard trucks, the traffic increase would be 51% (288 above 569).  Updated TIRE analysis for the period 7am-6pm follows: -- 569 trips (baseline) = T.I.R.E. 2.76 -- 747 trips (increased traffic due to 17-yard "average" grading truck) = T.I.R.E. 2.87 (which is greater than a 0.1 increase, and therefore considered an impact) -- 857 trips (increased traffic due to use of actual 10-yard trucks) = T.I.R.E. 2.93 (which is greater than a 0.1 increase, and therefore considered an impact)	Missing	Final EIR must base the traffic denominator on the construction window to assess any impacts on traffic due to Construction Traffic (and not compared to a 24-hour baseline).  Final EIR must re-calculate the T.I.R.E. analysis using this construction window denominator as the baseline.  Final EIR must develop mitigation given that the updated T.I.R.E. analysis will show a "greater than 0.1" increase.	
44	Traffic DER states that construction vehicles could park along the east side of Bel Aire Road "without interfering with adjacent residential parking". The DER neglects to mention, however, that Bel Aire would be a narrow road with parking on both sides, and at times may be limited in practical purposes to a one-lane road, e.g., during grading when soil removal trucks are moving up and down Bel Aire every 1-4 minutes, constrained by parked cars on both sides.	3-17	Final EIR must assess the traffic and safety impacts from construction vehicle parking on the east side of the road. It specifically must assess and model the ability of Bel Aire to remain a two-lane road during grading given residential parking on the west side of the road and construction vehicle parking on the east side of the road, and grading trucks driving up and down the road.	
45	Traffic DER does not evaluate the steepness of the construction traffic route (Polhemus to Ascension to Bel Aire)	3-17	Final EIR must describe the steepness of the construction traffic route.	
46	Traffic DER does not prepare a mitigation for the Significant impact on neighborhood traffic due to construction traffic.	Missing	Final EIR must mitigate the Significant impact on neighborhood traffic. This shall include a construction traffic management plan that will, among other things, require that all heavy truck movement (e.g., grading trucks) or high-volume truck movement associated with project construction occur outside commute peak hours.	
47	Road steepness within the development DER states "Street grades would range from 11 to 19 percent" and that "Figure 3-6 (Private Street Cross Sections) provides a diagram". Those cross sections, however, only show the slope from left to right across the road. They do not show the vertical grades moving up/down the street as implied by the quote.	3-10	Final EIR must explain the various for the road, comparing it to County guidelines. It must include cross-section drawings showing the steepness up/down the hill for the entire length of the road, with an overlay of what would be allowed by guidelines along the way. It must explain in writing how the proposed road will be safe in all weather and traffic conditions. It will include detail for the above about the (a) site entry/exit, which is a steep, U-turn curve aimed at existing Bel Aire properties and entering Bel Aire at a blind spot, (b) steepness all the way up the hill, and (c) emergency access and turnarounds at the two hammerheads, including modeling access with illegal parking in the hammerheads.	
48	Project Alternatives DER describes project alternatives in general, yet does not provide any maps, location data, or specific data about the lots or the roads in the alternatives. Assessing the impact from project alternatives requires an understanding of where precisely the lots, and road, would be proposed in each alternative, how large they are, on what slopes they would be built, and how much grading would be required.	Section 6.0	Final EIR must include site maps for each project alternative, as well as grading estimates and other appropriate data to allow for more formal impact assessment as well as to allow the public and Planning Commission an informed dialogue among alternatives. Simply saying "less impact" is not the same as saying "here is the plan, and there is less impact."	
49	Project Alternatives DER states that some of the impacts from the official alternatives are equal to or greater than the proposed development, yet does not provide data to justify such conclusions.	6-4, 6-5, 6-6	Final EIR must provide specific data to justify any "equal to or greater" impacts from the smaller alternatives.	

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50	Project Alternatives DEIR eliminates a "Minimal Grading" alternative from consideration without adequate description or data. It describes such an alternative as one with the six lots with the "most substantial grading" being eliminated, thereby becoming a 13-lot alternative. The selection of "six" as the number of lots to be eliminated is not justified, and therefore appears arbitrary. Most of the lots in the 19-lot proposal are steep. The term "Minimal Grading" suggests truly minimal grading, in other words "sloping to contour grading", which is a County General Plan guideline, as much as possible. This would result in a much smaller alternative being considered under this scenario (4 or 5 houses?).	6-2, 6-3	Final EIR must include a Minimal Grading alternative that adheres to the spirit of the term "minimal", i.e., follows contour grading as much as possible. The Final EIR must define the steepness threshold used to select the number of lots to be included in this proposal.	
51	Project Alternatives DEIR makes an error in referring to a "Reduced Intensity" alternative. Text at the bottom of 6-2 and top of 6-3 states that the Reduced Intensity Alternative would result in "reducing the number of residential lots ... by half or more", and yet the cursory description of this alternative at the bottom of 6-3 describes it as including "10 single-family residences", which is MORE than half of the 19 currently proposed homes.	6-3, 6-4	Final EIR must include a Reduced Intensity Alternative that fulfills the commitment of considering an alternative that is "half or more" reduced, which would mean no more than nine single-family residential lots.	
52	Project Alternatives DEIR does not describe how the Reduced Intensity Alternative minimizes the impact to the ridgeline and skyline from surrounding views compared to the current plan.	Missing	Final EIR must describe specifically how the Reduced Intensity Alternative minimizes the impact to the ridgeline and skyline from surrounding views compared to the current plan.	
53	Biology DEIR refers to the San Mateo County General Plan's section on vegetative resources (e.g., Sections 1.10, 1.24, 1.25, and 1.26 from the General Plan), which includes requirements that "the development will: (1) minimize the removal of vegetative resources and/or; (2) protect vegetation that enhances micro-climates and/or (3) protect historic and scenic trees." All three sections are relevant to the site. The proposed development violates all three sections given that the nearly all vegetation and trees will be removed. How is this "minimizing removal" or "protecting"? Planting new vegetation and trees after removing existing vegetation and trees is not the same things as "minimizing removal" of or "protecting" the existing vegetation and trees.	4.1-5, 4.1-6, 4.3-17	Final EIR must clearly state that the development plan is contrary to this portion of the County General Plan. Alternatively, the plan could be modified prior to the Final EIR so that the large majority of existing trees, shrubs, and vegetation would be maintained and not disturbed.	
54	Biology DEIR refers to the San Mateo County Significant Tree Ordinance. The DEIR does not, however, describe specifically the number of significant trees that would be (a) cut down or (b) otherwise impacted, e.g., by digging within the dripline, as a result of the proposed development.	4.3-19	Final EIR must include an inventory of all Significant Trees that would be (a) cut down or (b) otherwise impacted, e.g., by digging within the dripline, as a result of the proposed construction. Final EIR also must describe the impacts from construction on those Significant Trees that are planned to remain standing. Final EIR must mitigate these impacts in the form of a formal Tree Protection Plan.	
55	Biology DEIR does not assess the impact to any biology, in particular but not limited to Large or Significant Trees, on adjacent properties. As one example of impact that will happen, the current plan proposes trenching and construction within the driplines of Large/Significant Trees on adjacent Parrott Drive properties.	Missing	Final EIR must describe impact of the development on biology on adjacent properties, to include but not limited to (a) updating the Tree Inventory to include Large or "Significant" Trees in the backyards of Parrott Drive properties, (b) describing how those trees would be impacted by the construction, and (c) describing mitigations to prevent the impacts, including changes required to the proposed lots as well as a formal Tree Protection Plan.	
56	Biology DEIR states that 43 of 78 trees will be removed. Many more trees, however, will need to be cut down to build the road and the houses, as shown for example by tree symbols in the middle of the proposed street on the maps. These additional trees are not highlighted with an "X" on the maps, even though they will be removed. The true impact of removing trees, shrubs, and other vegetation is never clearly nor fully described.	3-7; 4.1-14; Map C-3	Final EIR must describe every tree and shrub that will be cut down. Additionally, it must document those specific few existing trees/shrubs that will remain.	
57	Biology DEIR describes the use of 5-gallon size stock replacement trees, without describing how long it would take for such trees to reach maturity in order to offset the impacts from existing trees being cut.	4.1-14; Missing	Final EIR must describe how long the replacement trees will take to reach maturity. For those trees designed to serve as a screen between the new development and existing homes on Parrott, the Final EIR must describe how many years it will be before the replacement trees can serve effectively as a true screening mechanism. Final EIR must mandate mitigation that replacement trees come sized at a minimum of 24"x24"x24" stock and be correspondingly more mature and larger than what the DEIR envisioned in 5-gallon containers.	
58	Biology DEIR makes contradictory references to the ratio of replacement trees. It states 3:1 as the ratio on page 4.1-14 but only 1:1 as the ratio on page 4.3-25.	4.1-14, 4.3-25	Final EIR must be clear and non-contradictory when describing replacement tree ratios, which must be 3:1 for EVERY tree that is cut down, whether Significant Tree or not. Each replacement tree shall be no smaller than a 24" box. Those that are replacements for Significant Trees shall be noted on the Landscape Plan as a Significant Tree Replacement.	
59	Biology DEIR does not describe specific landscaping on the site.	Missing	Final EIR must assess the proposed landscaping for the site, which must be shown on the site plan. The landscape plan shall incorporate trees with broad, dense canopies as a screen between the new homes and the surrounding existing neighbors, including those on Parrott Drive.	
60	Biology DEIR states that no Mission Blue butterfly was observed. The survey, however, was on July 25, 2013, which is at the end of the time period when the butterfly might be alive and so not observing it then is not that surprising. Additionally, the Mission Blue butterfly habitat range itself is in dispute as other EIRs say the range of the butterfly is much larger than this DEIR specifies. The adult butterfly only lives 10 days. During a casual examination of the hill over the week beginning May 14, 2014, local residents believe they observed at least two Mission Blues (one each on two separate occasions, photographed each time) at the top of the hill where construction is supposed to occur.	4.3-2, 4.3-14	The Final EIR must include an updated biological survey of the butterflies, to include multiple observations over multiple days across the full time period during which the Mission Blue butterfly may be alive. The Final EIR must acknowledge the May 2014 documented sightings. Final EIR must mitigate now, and not defer mitigation.	

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61	<p>Biology</p> <p>DER did not describe the existence of any lupines (which are the plants with which the butterfly symbiotically exists) other than those previously known to be at the northwest corner of the site, near the intersection of Ascension and Bel Aire.</p> <p>Casual observation (a) along Bel Aire from Ascension up to the proposed entry to the site and (b) from locations along the existing water tank access road up to the water tank found lupines living in multiple locations, including:</p> <ul style="list-style-type: none"> <li>-- many of the erosion paths leading down to Bel Aire</li> <li>-- along the edge of Bel Aire where construction vehicles are expected to be parked</li> <li>-- in the proposed entry road onto the site</li> <li>-- in at least two of the proposed lots on the hill itself.</li> </ul> <p>The small zone on the northwest corner near the intersection of Ascension and Bel Aire, which is currently considered off limits as a sanctuary for lupines and the butterfly, therefore appears to be a significant underestimation of the actual range of lupine (and the butterfly) on this hill.</p>	<p>4.3.4, 4.3-20, 4.3-21, Missing</p>	<p>Final EIR must include an updated biological survey of lupines (i.e., it is not acceptable to defer this survey) during multiple dates in April and May.</p> <p>The County must involve and work closely with the community before and during these surveys given the community's local knowledge.</p> <p>Final EIR must describe (a) the impacts on the lupines located in the erosion paths above Bel Aire from the possibility of construction on the hills creating more severe runoff in the erosion areas, as well as (b) the impacts on those lupines found within feet of Bel Aire from workers entering/exiting their parked vehicles on Bel Aire (which is the currently designated construction worker parking zone).</p> <p>Final EIR must expand the "no building" and "no access" zones accordingly; must describe clearly all actions that will be taken to prevent the destruction by the project on all lupine habitats on the hill, and must describe those actions as mandatory (i.e., it is NOT acceptable to merely suggest a buffer be established "if feasible").</p>	
62	<p>Biology</p> <p>DER includes an animal survey that was incomplete. As an example, owls live on the hill; residents on Parrot hear them frequently, both during the day and at night. Additionally, raptors fly over the hill routinely, including some with wingspans approaching 8-10 feet. As a result, the DEIR does not adequately describe the biological impact from the project nor propose adequate mitigations.</p>	<p>4.3-21 - 4.3-24, Missing</p>	<p>Final EIR must include an updated animal/bird survey held at multiple, appropriate times of the year given animal migration and breeding cycles, updated impact assessments, and updated mitigations. Conduct a longer survey than two single-day visits.</p>	
63	<p>Biology</p> <p>DER includes no data on the disruption to migratory birds given the large number of trees that will be removed ("interference with migratory bird corridors" and foraging sites).</p>	<p>4.3-21 - 4.3-24, Missing</p>	<p>Final EIR must include an assessment of impact on migratory bird corridors and reduction in foraging sites.</p> <p>Final EIR must mitigate the impacts.</p>	
64	<p>Biology</p> <p>DER describes removal of trees outside of nesting season as a mitigation (4.3-4). This action, however, prevents the future return of any nesting pairs. In what way is this a mitigation?</p>	<p>2-10</p>	<p>Final EIR must acknowledge that removal of trees outside of nesting season merely attempts to help with the current nesting season, and actually destroys any opportunity for future nesting on the hill (given that the habitat will be permanently converted to a housing development).</p> <p>Final EIR must mitigate.</p>	
65	<p>Biology</p> <p>DER has no data on the cumulative impact due to habitat loss for special-status wildlife (need specific contribution of this site loss added together with other projects, e.g., Chamberlain).</p>	<p>Missing</p>	<p>Final EIR must include an assessment due to habitat loss for special-status wildlife (need specific contribution of this site loss added together with other projects, e.g., Chamberlain), and must mitigate.</p>	
66	<p>Biology</p> <p>DER defers biological mitigation. Specifically, it plans for future surveys after the EIR process is complete. DER discusses potential impacts to the special status plant species, calls for avoidance and buffering and surveys to be completed by a qualified botanist, and gives various options for specific activities to be performed if special status species are found.</p> <p>According to San Joaquin Raptor Rescue Center v County of Merced, Raptor argued the deferral of the plan development violated CEQA guidelines section 15126.4(a)(1)(B), which states: "Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Formulation of mitigation measures should not be deferred until some future time. However, measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one way specified." Raptor argued that the deferral resulted in a failure to adequately inform the public and the decision makers of the effectiveness and the full extent of the proposed mitigation.</p>	<p>Missing</p>	<p>Final EIR must not defer these biology mitigations, including but not limited to the several specific surveys. They must be completed prior to approval of the Final EIR so that the public and Planning Commission would understand the effectiveness and full extent of the proposed mitigations.</p>	
67	<p>Noise Pollution</p> <p>DER treats each truck trip during grading as the equivalent of 8 passenger cars, and determines an average increase in noise over the course of the entire day. Yet a large dump truck is significantly noisier than a passenger car, which means there will be a significantly loud spike in noise when a grading truck is on the street.</p>	<p>4.8-13; 4.8-14</p>	<p>Final EIR must describe the actual noise level created by the soil removal trucks during grading, must include increased noise levels created by braking with a fully loaded truck driving downhill, and must describe the spikes in noise level attributable to the trucks.</p>	
68	<p>Noise Pollution</p> <p>DER states that the level of noise will exceed county regulations. Given that medical studies have shown chronic noise above 50db can produce stress, heart attacks, and strokes, we believe residents should know what noise to expect where, who will get the most noise, and when.</p>	<p>4.8.4</p>	<p>Final EIR must include a contour map showing the levels of noise expected during the project at different phases and which houses will be impacted by those noise levels (similar to the air pollution contour map).</p>	
69	<p>Noise Pollution</p> <p>DER does not describe mitigations for nearby residents who will suffer high levels of noise. What can be done to keep noise levels during high occupancy periods of households in the area below the chronic severity level determined in studies? A schedule could be established based on noise -- e.g. least noisy activities (below 60db) could proceed during the full construction window; those from 60-70db could proceed only between 10am-5pm; those above 70db must be intermittent, no longer than x minutes at a time, and only allowed even under those conditions from 11am-12noon and 1-3pm.</p>	<p>Missing</p>	<p>Final EIR must mandate a meaningful noise reduction plan to reduce the impact of construction related noise on nearby properties. Such a plan will include but not be limited to:</p> <ul style="list-style-type: none"> <li>-- description of when certain construction activities may proceed on a time-of-day basis;</li> <li>-- use of electrically or hydraulically powered tools;</li> <li>-- compressed air silencers on equipment;</li> <li>-- procedures describing that workers (a) comply with manufacturer's muffler requirements on all construction equipment engines; (b) turn off engine construction equipment when not in use, where applicable; (c) locate stationary equipment as far as practical from receiving properties; (d) use temporary sound barriers or curtains around loud stationary equipment if the other noise reduction measures methods are not effective or possible; (e) shroud or shield impact tools, and (f) use electric-powered rather than diesel-powered construction equipment.</li> </ul>	
70	<p>Greater impact on nearby residents</p> <p>DER does not review the disproportionate impact on adjacent and nearby residents, nor does it propose any mitigations or remediation for them specifically. The construction takes place so close to, and directly above, these residents (those adjacent to the site on Parrot Drive and those directly across from the site on Bel Aire) that it creates a much greater impact on them. The disproportionate impact is in all forms, including but not limited to dramatically reduced air quality, significantly increased noise pollution, and the complete elimination of privacy.</p>	<p>Missing</p>	<p>Final EIR must estimate the separate and cumulative impacts on adjacent and nearby properties on Parrot and Bel Aire, and must propose mitigations, both during and after construction, that prevent the disproportional and dramatic impact on these homeowners and their properties.</p>	

Baywood Park HOA comments on the Ascension Heights DEIR

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Item#	Errors, Inconsistencies or Omissions in the DEIR, required to be fixed in the Final EIR	DEIR page	Recommendation for the Final EIR process and document	County/AES response
71	Water: Drought DEIR does not describe the volume of water that will be used during construction, even though the state is in an emergency drought condition and the planned air pollution mitigations in the DEIR require significant amounts of water to be sprayed on the site and construction vehicles throughout the day. Any large use of water should be considered carefully. San Mateo County regulations require efficient use of water but do not stipulate how much additional water may be used during construction.	4.6-8	Final EIR must estimate the full volume of water needed during construction phase for dust and toxic material mitigation, as well as the full volume of water required for the multiple years specified to irrigate the replacement plants and trees during construction and beyond.	
72	Water: Drought DEIR does not assess the amount of water required to support the development. Mitigation measure 4.10-2a is inadequate to mitigate the water shortage.	Missing	Final EIR must provide an analysis of total water required for daily living within 19 single-family residences, and develop appropriate mitigations, and develop stricter mitigation than 4.10-2a (e.g., mandate the use of grey water for all landscaping within the new development, both in common areas and on individual lots).	
73	Lighting DEIR does not describe the impact on nearby properties from any on-site lighting during construction. This is an issue given that there are no street lights on the portion of Parrott Drive adjacent to the site, in contrast to lighting on Bel Aire.	Missing	Final EIR must describe the impact on Parrott Drive properties from on-site construction lighting, and must describe mitigations to prevent such lighting from shining on Parrott Drive properties.	
74	Lighting DEIR does not correctly describe the impact on nearby properties from any lighting planned for the development. This is an issue given that there are no street lights on the portion of Parrott Drive adjacent to the site, in contrast to lighting on Bel Aire. Street lights in the development WOULD constitute an infringement on Parrott properties.	3-7, 4.1-5, 4.1-8, 4.1-10	Final EIR must describe the impact on Parrott Drive properties from permanent on-site lighting (e.g., street lights, exterior house lighting), and must describe mitigations to prevent lighting from shining on Parrott Drive properties, e.g., use of low-height lights situated at the pavement level. As a mitigation, Final EIR must provide evidence that the cumulative impact would not negatively impact the ambient light in the project area.	
75	Hydrology The DEIR does not address the effects of storms causing erosion on the hill and runoff onto adjacent properties and streets and into nearby storm drains once most of the plant material has been removed from the hill. No calculation has been made of the potential damage due to the resulting runoff and erosion.	4.6-15	Final EIR must assess the impact of a rain storm on a relatively barren hillside to all relevant elements -- hillsides, neighboring properties, storm drains, streets. It must calculate both the water runoff and resulting erosion a 100-year storm. It must describe the mitigation to prevent damage to other properties during the construction before the drainage facilities on each lot are built. The runoff from the new development during construction or after must not exacerbate the existing erosion on the undeveloped portion of the hillside.	
76	Hydrology DEIR describes water and site drainage on the completed development for 10-year storms, and states clearly that the system is designed only for a 10-year event. The science underlying modeling storm intensity and frequency has been updated since this project was first proposed; 50- and 100-year storms are occurring more frequently, and the latest models predict continued greater frequencies than previously assumed.	4.6-15, 4.6-16	Final EIR must describe the impacts on the drainage plan from a 100-year storm. The drainage plan must be updated prior to the Final EIR being considered so that the proposed plan would handle water flows from a 100-year storm. Final EIR must share the calculation data for all associated models. Final EIR must mitigate the impacts from a 100-year storm, including established a damage bond.	
77	Hydrology DEIR does not describe the impact of a catastrophic failure of this complex water retention and drainage system, e.g., due to a major earthquake. In such a case, components of the system would like rupture, releasing immense amounts of water down the hill onto nearby properties.	Missing	Final EIR must assess the impact of catastrophic failure of the system, including specifically from a significant earthquake.	
78	Hydrology DEIR refers to several elements of a drainage system in the text, but does not appear to describe in detail in a single location the full extent of this system. References on 3-14 and 3-16 are general at best. What are the specifics? What are the details for each element? As just one example, the plan refers to the use of concrete valley gutters without describing where specifically they will be placed (on the streets? ... on the hillside?) or how deep they will be; without those details we cannot know their effectiveness in channeling water flow. Also, what is the full design of the overall drainage system? How will all components work together? A more detailed, comprehensive description is required to assess impact of water flow and drainage on such a steep hillside.	3-14, 3-16, Figure 3-7	Final EIR must include a comprehensive, specific, detailed description of the drainage system and all of its component elements in a single location in the document.	
79	Hydrology DEIR describes a storm water retention system, which requires storage of storm water underground on each lot to release over time when storm passes. The use of this type of never retention/drainage system raises questions. These systems have not been used extensively, if at all, in situations similar to this hill (steep slopes with developed properties immediately below). Specific use cases demonstrating efficacy, reliability, and safety in similar situations are not documented in the DEIR. These systems can fail, among other reasons because water may flow elsewhere on the site (for instance, see: <a href="http://www.ecy.wa.gov/programs/sea/pubs/95-107/other.html">http://www.ecy.wa.gov/programs/sea/pubs/95-107/other.html</a> ).	2-13 - 2-16, 3-14, 3-16	Final EIR must document that such systems have been used before successfully in similar instances as this development (steep slopes with developed properties immediately below), where would the storage system(s) be placed for each unit and for the catchal system. What would the result be for catastrophic failure of the system as during an earthquake or a storm larger than the system is designed? What would happen to adjacent properties and to the community if such failure occurs during or near a storm incident? If the research demonstrates there are risks associated with using this type of system in this situation, the Final EIR must (a) include information on alternative systems that are more equipped and reliable during a catastrophic event or (b) describe updates to the proposed system so that it can handle catastrophic incidents, and must mitigate with alternative plans.	
80	Hydrology DEIR describes complex and continual maintenance required for the complex water control/drainage system to function properly. The sheer complexity of it all suggests increased risks of failures. Yet the DEIR does not (a) assess the impact from any deferral or mistakes in complying with the maintenance procedures or (b) evaluate the feasibility of such a complex system being run by homeowners.	2-13 - 2-16, 3-14, 3-16	Final EIR must assess the impact from any deferral or mistakes in complying with the maintenance procedures and evaluate the feasibility of such a complex system being run by homeowners. Final EIR must mitigate in ways other than "hire someone competent" as the main mitigation.	
81	Hydrology DEIR states the "drainage flows down the slopes in a southwesterly direction towards Polhemus Creek." The DEIR erroneously omits reference to drainage also flowing in a southerly/southeasterly direction toward the CSM Drive cul-de-sac, as well as easterly toward Parrott Drive. The omissions are critical as properties in both additional locations are impacted by water flowing down the hill, particularly during the winter.	3-5	Final EIR must add references to drainage flowing in a southerly/southeasterly direction toward the CSM Drive cul-de-sac, as well as easterly toward Parrott Drive.	

Baywood Park HOA comments on the Ascension Heights DEIR

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82	Hydrology DER makes an error in stating that "should rainfall exceed that of a 10-year event or should the system become intermittently clogged, the slope of the project site and surrounding areas is such that water will run as over land flow and will drain into a nearby creek and thereby would neither pond on the project site nor flood adjacent properties." First, there is NO "nearby" creek into which water could flow without crossing currently existing residential properties -- three existing tiers of houses on the west side of Ascension and on both sides of Valley View, as well as Polemus Road itself, stand between the development site and Polemus Creek, which is the nearest creek. Second, since the site is on a hillside, any water flow exceeding system capacity would flow down the hill onto directly adjacent properties on all sides of the hill -- overflow from Lots 1-7 would flow directly onto adjacent Parrott properties; overflow from Lots 8-11 would likely flow onto the Parrott properties and/or downhill flooding over Bel Aire/Ascension onto those properties; overflow from Lot 12 would flow onto adjacent CSM Drive properties, and overflow from Lots 13-19 would likely flow onto Ascension properties.	4.6-16	Final EIR must correct this error and acknowledge that an overflow of the drainage system due to either stated circumstance would result in water flow onto adjacent properties, including but not limited to flooding onto the Parrott and CSM Drive properties.  Final EIR must assess the impact of this overflow onto adjacent properties for (a) a 10-year storm when the system is clogged, (b) a 100-year storm overtaxing the capacity of the system, and (c) a 100-year storm when the system is clogged.	
83	Hydrology DER describes a CDS runoff treatment device near the new intersection of the Private Road and Bel Aire to handle most of the runoff from the proposed development. This device does NOT handle any runoff from Lots 16-19, which are the lots on the Ascension side of the hill.	3-16, 4.6-16	The plan must be revised prior to the Final EIR to include a mechanism to treat runoff from Lots 16-19. If this is not done, the Final EIR must acknowledge that runoff from those lots will flow into the storm system untreated, and must describe that impact.	
84	Hydrology DER has insufficient or erroneous information about the use of swales to redirect runoff water on the site. From site maps, there appears to be a swale planned to cut across the backyards of Lots 1-77. Is this true? If so, how will this swale be constructed? How deep and steep would it be? What volume/speed of flow could it redirect before the water would run up and over the swale into the Parrott properties? Additional, the DEIR refers to other swales (page 3-16) without referring to their location in the text or on any of the maps or figures.	3-16, Figure 3-7, Missing	Final EIR must describe the swales proposed for the site in more detail, to include where they will be situated precisely, how they will be constructed (i.e., what materials will be used?), their dimensions (width, depth, slopes within, and slope leading to and leading away from the swales). It must also describe the volume/speed of flow each swale could redirect before the water would run up and over the swale, in particular for any propose swale above the Parrott properties.	
85	Hydrology DER erroneously refers to a "ditch" or a natural drainage swale running the width of the hill above and close to Parrott that could offer protection to Parrott properties from water running down the hill. There is NOT a ditch on the Parrott side of the hill, and in particular not where one is shown on Figure 4.3-2. The only feature remotely close to that location is a trail that begins in the southeast corner of the site and extends ~500 feet to Lot 2. For that entire duration, it is either flat or slopes downhill, which means it could not serve as a natural swale or offer any downhill protection from water. Once the trail reaches Lot 2, it becomes a shallow depression (~3-5 inches), which would offer trivial protection to the downhill Parrott property. With the exception of that portion behind Lot 2, this trail could in no way be construed as either a ditch or as a drainage swale (despite suggestion on 4.6-1 that it could).	4.3-5, Figure 4.3-2, 4.6-1	Final EIR must remove and correct any references, both in the text and on any/all figures, to this "ditch" or "drainage swale" and its purported ability to serve as a natural swale, redirect water flow, or offer downhill protection from water. Any references to this feature must refer to it properly as a trail.	
86	Hydrology DER does not describe or include any data on possible water seepage onto Parrott and CSM Drive properties, either during construction or from the proposed development, to include any seepage from the drainage system.	Missing	Final EIR must assess impact from water seepage onto Parrott and CSM Drive properties, either during construction or from the proposed development, to include any seepage from the drainage system.	
87	Hydrology DER does not describe impact from the standing water during construction that would likely result from the proposed mitigation to reduce air pollution and soil dispersion, which is to water down the site and construction vehicles multiple times per day. Standing water would likely require mosquito abatement procedures.	Missing	Final EIR must describe impact from standing water during construction that would likely result from the frequent "hosing down" of the site and vehicles, and describe mosquito control measures that would be required (e.g., removing standing water daily from materials or construction vehicles on the site).	
88	Vibration DER states that vibration from the project construction is not significant. This is incorrect in at least one case. The pool at 1450 Parrott Dr is within 25 feet of the point of construction of the entry road, which will require significant excavation adjacent to the property with the pool as well as the building of three retaining walls to hold back the exposed earth. The excavation and other building activities will present 0.17PPV to this structure (the pool and its deck) throughout its entire width and depth. It is likely that this structure, not being equivalently strong as a wood house structure, would experience cracking and possibly severe leaking representing a hazard to the house on the property as well as adjacent houses.	4.8-14	Final EIR must assess the vibration impact to and describe appropriate mitigation for the structure (pool and deck) at 1450 Parrott to insure the pool does not leak or cause a problem to adjacent properties and structures.  More generally, Final EIR must determine maximum vibration that will be allowed as monitoring by stations on the edges of the site.	
89	Geology DER includes a soils and geology report based in part on 1981 investigation by Harian and Associates of the site, as well as some boreholes drilled in 2002.	4.4-1, 4.4-2	Final EIR must be based on new geotechnical data gathering, to include an appropriate number of newly drilled boreholes and updated analysis.	
90	Geology DER does not consider knowledge learned from the continued difficulties faced by 1406 Rainbow Drive. The house on that lot was built with the best county standards, yet the property has had two slides and has lost more than 50% of its value as it has tilted and settled beyond any expectation. Additionally, the property is surrounded by catastrophic slides and partial slides that have resulted in other property losses. Even if the houses in the Ascension Heights proposal appear stable, their construction may cause problems with other properties for reasons the county doesn't seem to understand. Without understanding with high confidence what is happening and how to build these properties without these problems, the county will be potentially liable.	4.4.4	Prior to the Final EIR, the County must mitigate by updating its guidelines for building on these hills, including minimum pier depths, slopes suitable for construction, drainage, and any other prudent measures to ensure the safety and environmental stability of the properties.	
91	Geology DER is missing references to two nearby slides -- (1) one on the south/southeast side of the same hill as the proposed development, above the CSM Drive cul-de-sac, and (2) another between Parrott Drive and Los Altos Drive.	4.4.2	Final EIR must include references to both of these prior slides, and describe the geology of those two locations and compare them to the portion of the hill proposed for development.	
92	Soil: Geology DER conflicts with Soils Engineering recommendation to repair multiple erosions, including in "Conservation" and "Undisturbed and Protected" Areas.		Final EIR must describe how the multiple erosions will be repaired, including but not limited to those that can be seen from Bel Aire and from Ascension and specifically including those in "Conservation" and "Undisturbed and Protected" Areas. It must also describe how those repairs will be stable over time, including from new drought tolerant landscaping.	
93	Soil: Geology DER does not describe the impact to soil health and slope stability from removing ~55% of the Significant Trees on the site.	Missing	Final EIR must describe the impact to soil health and slope stability from removing ~55% of the Significant Trees on the site, and must describe mitigations to maintain soil health and slope stability, including removing fewer Significant Trees.	

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94	Soil; Geology DEIR does not provide data related to the soil blowing away after grading, particularly given that it describes a possible gap in time between grading, at which point the hill will be nearly bare, and home construction.	Missing	Final EIR must provide estimates of soil loss, particularly but not limited to the period after the hill will be graded and nearly bare and before house construction and all landscaping will be completed, and also must describe mitigations to prevent such loss.	
95	Air Quality DEIR does not include comprehensive, Acute Health Risk assessments for individuals in impacted areas under multiple, representative conditions and project phases.	4.2-	Final EIR must calculate Acute health risks for all categories of sensitive receptors under multiple, meteorologic conditions, simultaneous equipment usage and project phases. The Acute Health Risk assessments must include pulmonary, cardiac and sudden death outcomes for each type of sensitive receptors, including infants and fetuses.	
96	Air and Noise Pollution; Safety/Risk DEIR does not adequately define or quantify 'sensitive receptors'. DEIR does not describe specific impacts to residents from air and noise pollution given the unique composition of the neighborhood. This is an older neighborhood, with recent residents being families with young children. Many, if not most, nearby residents have increased sensitivity to the air and noise impacts. These residents are older (many in their 60s, 70s, and 80s), younger (many children less than 10 years old), have asthma and/or allergies, have COPD or other lung issues, or are otherwise disproportionately sensitive to noise and air quality concerns. Their lives may become unbearable and possibly life threatening due to construction impacts. DEIR does not assess the number of houses that would be impacted from the air and noise pollution. DEIR does not assess the number of sensitive receptors who might be injured from prolonged exposure to either or both types of pollution.	Section 4.2, Section 4.8, Missing	Final EIR must include a refined Health Risk Assessment to evaluate the risks associated with exposing sensitive receptors to toxic air contaminants associated with construction of the Project. This would include a survey of residents of houses to determine the number and types of people (e.g., ages) affected (infants, fetuses, elderly), any chronic medical issues that might be exacerbated by excessive noise or air pollution, and their proximity with respect to noise, dust, DPM, and PM 2.5. It must then use all of this information to evaluate the likely impacts from noise and air pollution (individually and in combination) on the actual residents near the site, and then create a plan to alert them in an effective and timely manner to the dangers on a daily basis from the beginning of the project through to its completion. Additional mitigations to lessen the impact on this group also must be planned.	
97	Air Quality DEIR does not include Air Quality dispersion calculations for all phases of the project.	4.2-22	Final EIR must include concentrations for all phases of construction and their durations in order to accurately determine the Acute Health Risks.	
98	Air Quality DEIR states the Lakes AERMOD View, Version 8.2.0 dispersion model was used to determine the dispersion pattern of DPM given the local meteorology.	4.2-18	Final EIR must include specific meteorologic conditions assumed in the dispersion model since the project site is its own microclimate experiencing 50 MPH Westerly winds, no winds on Spare the Air days, and Easterly winds on temperature inversion days. The full range of wind conditions must be used to calculate the TAC dispersion concentrations and Acute Health Risks. Further, explain why CALPUFF was not selected to compute the complex winds fields found in the area: 1. Stagnation and/or recirculation conditions with persistent light wind. 2. Coastal influence through strong land/sea-breeze circulation patterns. Because of the model formulation in CALPUFF (Gaussian puff) and the use of a spatially and temporally varying wind field, the model is capable of simulating recirculation and low wind speed stagnation events. AERMOD's treatment of these conditions appears more limited.	
99	Air Quality DEIR states construction emissions of DPM are temporary and intermittent and would not create long-term health risk to sensitive receptors.	4.2-21; Figure 4.2-1 (pg 4.2-23)	Final EIR must account for the excessively high levels of dispersed exhaust covering the neighborhood and exceeding the EPA Reference Concentration (RFC) level used as a health benchmark above which adverse health effects begin to occur. The level for diesel exhaust is 5 ug/m3.	
100	Air Quality DEIR states DPM (Diesel Particulate Matter) emissions along Bel Aire Road and Ascension Drive would be...reduced with implementation of Mitigation Measure 4.2-1b	4.2-22	Final EIR must clarify this assumption, which appears to be incorrect because the concentrations have been calculated with Tier 2 vehicles which include Mitigation Measure 4.2-1b. If assumption is incorrect, there is no Mitigation for the excessively high toxic DPM concentrations and Final EIR must reflect this fact.	
101	Air Quality DEIR states DPM emissions along Bel Aire Road and Ascension Drive would only occur during construction hours	4.2-22	Final EIR must include duration of sensitive receptor exposure both throughout the day, by meteorologic conditions, including "Spare the Air" days, and during every phase of construction.	
102	Air Quality DEIR dispersion model computes the maximum concentration of DPM due to diesel exhaust at 224.96ugm/m3, which exceeds State/Federal maximum levels of PM 2.5 by 450% and maximum 24-hour levels by 640%.	4.2-21; Figure 4.2-1 (pg 4.2-23)	Final EIR must assess the health risks of DPM, the particulate component of diesel exhaust, which includes soot and aerosols such as ash particulates, metallic abrasion particles, sulfates, and silicates. When released into the atmosphere, DPM can take the form of individual particles or chain aggregates, with most in the invisible sub-micrometre range of 100 nanometers, also known as ultrafine particles (UFP) or PM0.1. It is clear the health detriments of fine particle emissions are severe and pervasive. (EPA and Wikipedia) EPA 24hr limits are PM10 150ugm/m3 (one exposure per year) and PM2.5 35ugm/m3 (no exposures per year)	
103	Air Quality DEIR does not include any quantitative estimates for Air Quality Health Risks for any of the suggested Alternatives.	4.2-	Final EIR must include fractional estimate for the "minimum grading" and 6-unit Alternatives since the amounts of a pollutant are more proportional to the grading than to the number of houses, and, therefore, the Air Quality Health Risks for any alternative would vary widely depending on the precise amount of grading proposed.	
104	Air Quality DEIR Dispersion and Exposure Calculations include diesel exhaust only.	Missing	Final EIR must include all sources of TAC and dust in the Dispersion and Exposure Calculations including pollution during Spare the Air days.	
105	Air Quality Appendix G of the CEQA Guidelines states: "Impacts to air quality and climate change would be significant if the Proposed Project would...Expose sensitive receptors to substantial pollutant concentrations"	4.2-18	Final EIR must include these maximum daily, times per year, and annual concentrations, and must state the % by which they exceed State/Federal maximum levels. EPA levels must be included in assessments.	
106	Air Quality DEIR does not include sufficient metrics of exposure -- e.g., concentration, duration, frequency, exposure levels and # individuals --nor describe impact on properties east of Parrott Drive or on CSM.	Missing	Final EIR must include the following metrics of exposure -- concentration, duration, frequency, exposure levels and # individuals -- for areas impacted, including properties east of Parrott Drive and CSM for assessment of Acute Health Risks.	
107	Air Quality DEIR does not include more common DPM and dust reduction mitigations despite the extreme levels of toxic air contaminants.	Missing	Final EIR must incorporate the entire BAAQMD Table 8-2 "Additional Construction Measures Recommended for Projects with Construction Emissions Above the Threshold" as mitigation measures to include: a) All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe. b) All trucks and equipment, including their tires, shall be washed off prior to leaving the site. c) Minimize the idling time of diesel powered construction equipment to two minutes, and d) Conduct daily, independent verification to ensure all contractors use equipment that meets CARB's most recent certification standard for off-road heavy-duty diesel engines including Tier 2 engines and diesel particulate filters.	

Baywood Park HOA comments on the Ascension Heights DEIR

9 June 2014

Item#	Errors, Inconsistencies or Omissions in the DEIR, required to be fixed in the Final EIR	DEIR page	Recommendation for the Final EIR process and document	County/AES response
108	Air Quality, Noise DEIR estimates the duration of the project to be a minimum of 27 months, and suggests there may be an unknown delay between the grading phase and the house construction phase, and even additional delays between the construction of the houses. This means that the neighborhood, and in particular those on Parrott and on Bel Aire will be impacted for years. The conditions for building and impact on the residents needs to consider that lengthy duration. For instance, building 11 hours a day, 6 days a week is an undue hardship on residents for 2-4 years.	3-16, 3-17	Final EIR must describe mitigations to reduce the acute impacts on nearby residents given that they will face years of construction above them including the possibility of reducing the hours of dangerous construction, notifying residents of dangerous construction and helping them leave their premises during the periods of dangerous construction or putting in a warning system of measuring devices to insure construction does not proceed when adjacent houses pollution levels exceed acute levels.	
109	Monitoring of all mitigations and conditions; Performance Bond DEIR does not include a process to ensure each day that the contractor and subs are adhering to the mitigations, conditions, plans, and other requirements of the EIR or Conditions of Acceptance. DEIR does not discuss the posting of any bonds to ensure developer compliance with mitigations, conditions, plans, and other requirements, other than an optional bond for the landscaping plan (which is still TBD).	Missing	Final EIR must describe the use of an independent consultant who will monitor mitigations and construction conditions on-site daily for the community, to ensure that all mitigations and conditions are being met continuously and in their full spirit and intent. Such monitoring will be paid for by the developer.  For Air and Noise Pollution specifically, Final EIR must include means to measure daily air (noise) pollution levels for particulates (db) at several points in the project near residences. When levels of air (noise) pollution exceed a specified threshold, construction must be stopped and residents warned until levels are below that threshold. In addition, independent monitoring to ensure compliance must include required certification of all equipment, numbers of equipment in simultaneous operation, meteorological conditions, levels soil water content on site, truck compliance with off-site hauling, and other relevant, to-be-determined factors.  Final EIR must describe a Performance Bond to be posted by the Developer to assure compliance to every mitigation, condition, and requirement.	
110	Short-term Property Damage; Loss of Use; Liability Bond DEIR does not assess the short-term impacts to nearby residents in terms of physical damage or loss of use that might occur from being so very close to a construction site looming above their heads. Nearby residents could suffer property damage, loss of use of their property, to include loss of use of their pools, backyards, as well as their entire property. They could also suffer underperformance of various systems, to include their solar panels, solar hot water heating systems, air conditioning and heating systems. They may need to make repairs or replacements or have extremely frequent cleaning performed. They also may need to purchase preventive supplies such as air filters or air masks. They may also need to vacate their properties at certain times due to the construction and should be reimbursed accordingly. DEIR does not describe any process to resolve quickly any of these related issues.	Missing	Final EIR must require an efficient process for resolving damage related issues and reimbursing residents for damage, replacement, loss of use, and associated temporary relocation, whether such damage occurs directly from construction activity or indirectly from waterflow, runoff, and slides from the hill once construction has begun. Final EIR must also include a process for rapidly resolving any disputes and claims. Final EIR must require a construction-period claims bond to be posted by the developer to enable rapid reimbursement of claims. The residents and developer should agree on a neutral party to adjudicate such claims expeditiously. If the funds prove inadequate additional funds must be deposited to meet obligations.	
111	Short-term Health impacts; Liability Bond DEIR does not assess nearby residents being impacted by acute health traumas/injuries/illnesses or exacerbated chronic health issues requiring medical treatment as a result of being so very close to a construction site looming above their heads. Residents may need to seek medical treatment (physical, dental, mental/behavioral). Residents may also need to re-locate temporarily due to the construction.	Missing	Final EIR must require an efficient process for resolving health related issues and reimbursing residents for medical treatment and associated temporary re-location. Final EIR must also include a process for rapidly resolving any disputes and claims. Final EIR must require a construction-period claims bond to be posted by the developer to enable rapid reimbursement of claims. The residents and developer should agree on a neutral party to adjudicate such claims expeditiously. If the funds prove inadequate additional funds must be deposited to meet obligations.	
112	Long-term Property Damage; Loss of Use; Liability Bond DEIR does not assess any long-term problems that may result from the project and the many risks it will impose on the community, e.g., from slides, erosion, drainage system failures, any of which may lead to future property damage, loss of use, and acute or exacerbated chronic health impacts.	Missing	Final EIR must describe an efficient process for resolving long-term claims, whether property or health related. Final EIR must require a long-term claims bond to be posted by the developer to enable reimbursement of those claims.	

**From:** Gerard Ozanne <  
**To:** JCastaneda@smcgov.org; JEggemeyer@smcgov.org  
**CC:**  
**Date:** 6/10/2014 5:44 AM  
**Subject:** Re: Baywood Park HOA comments on Ascension Heights DEIR 9 June 2014

Hi James,  
There was some confusion whether you received this email with our DEIR comments from Baywood Park HOA?

Could you please confirm you received both documents from Donald Nagle?

Thanks,

Jerry

On Jun 9, 2014, at 7:21 PM, Donald Nagle < > wrote:

> James,  
> See attached for comments from the Baywood Park HOA on the Ascension Heights DEIR. We have included a 3-page cover letter as well as a detailed list of issues.  
> Please let me know if you have any problems with the attachments.  
> Thank you for your consideration,  
> Donald  
> (cell)  
> <HOA Ascension Heights DEIR response letter final 9June2014.docx><Concerns with Ascension Hill Project -- Baywood Park HOA submission 9 June 2014.pdf>

**From:** James Castaneda  
**To:** Gerard Ozanne; Jim Eggemeyer  
**CC:** Donald Nagle; Laurel Nagle  
**Date:** 6/10/2014 9:13 AM  
**Subject:** Re: Baywood Park HOA comments on Ascension Heights DEIR 9 June 2014

Jerry,  
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JAMES

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**CC:** JEggemeyer@smcgov.org  
**Date:** 6/10/2014 9:53 AM  
**Subject:** Re: Baywood Park HOA comments on Ascension Heights DEIR 9 June 2014

Good

Thanks James.  
Jerry

Sent from my iPhone

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**From:** Gerard Ozanne <  
**To:** JEggemeyer@smcgov.org  
**CC:** DBurruto@smcgov.org;  
**Date:** 10/31/2014 12:09 AM  
**Subject:** Fwd: Ascension Heights update

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> To: James Castaneda <jcastaneda@smcgov.org>  
> Cc: David Burruto <DBurruto@smcgov.org>, Pine Dave <DPine@smcgov.org>, Hardy Heather <hhardy@smcgov.org>, Lisa Aozasa <LAozasa@smcgov.org>, Steve Monowitz <SMonowitz@smcgov.org>, Rick Priola <Nagle Laurel <  
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> Jerry Ozanne  
> Laurel Nagel,  
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> Co-Presidents,  
>  
> Baywood Park Homeowners' Association

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>> JAMES

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>>

>> James A. Castañeda, AICP

>> Planner III - San Mateo County Planning & Building Department

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>>

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>

**From:** Jim Eggemeyer  
**To:** Gerard Ozanne  
**CC:** David Burruto; Nagle Laurel  
**Date:** 10/31/2014 9:04 AM  
**Subject:** Re: Fwd: Ascension Heights update

Hello Mr. Ozanne, Thank you for your email, however I am on assignment with the County Manager's Office as the Director of the County's new Office of Sustainability. I will forward your email to the Acting P & B Director, Steve Monowitz and his assistant, Heather Hardy.  
 Best to you.  
 jke

**Jim Eggemeyer**  
 Director

County of San Mateo  
 Office of Sustainability  
 400 County Center, 1<sup>st</sup> Floor  
 Redwood City, CA 94063-1646  
 650-363-4189 T  
 650-363-1916 F  
 www.smcgov.org  
 green.smcgov.org

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**Subject:** Fwd: Ascension Heights update

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planning.smcgov.org | sforoundtable.org

**From:** Heather Hardy  
**To:** Jim Eggemeyer  
**Date:** 10/31/2014 9:09 AM  
**Subject:** Re: Fwd: Ascension Heights update

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**From:** Jim Eggemeyer  
**To:** Heather Hardy  
**Date:** 10/31/2014 9:15 AM  
**Subject:** Re: Fwd: Ascension Heights update

Thanks.  
I will. Planned day off next Tues. with Carolyn. Can't wait!  
jke

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**James A. Castañeda, AICP**

Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
planning.smcgov.org | sforoundtable.org

**From:** Gerard Ozanne <  
**To:** JEggemeyer@smcgov.org  
**CC:** DBurruto@smcgov.org  
**Date:** 10/31/2014 12:27 PM  
**Subject:** Re: Ascension Heights update

Thanks, Jim. Sounds like an interesting assignment!

Jerry

On Oct 31, 2014, at 9:04 AM, Jim Eggemeyer <jeggemeyer@smcgov.org> wrote:

> Hello Mr. Ozanne, Thank you for your email, however I am on assignment with the County Manager's Office as the Director of the County's new Office of Sustainability. I will forward your email to the Acting P & B Director, Steve Monowitz and his assistant, Heather Hardy.

> Best to you.

> jke

>

>

>

>

>

> Jim Eggemeyer

> Director

>

> County of San Mateo

> Office of Sustainability

> 400 County Center, 1st Floor

> Redwood City, CA 94063-1646

> 650-363-4189 T

> 650-363-1916 F

> www.smcgov.org

> green.smcgov.org

> <Mail Attachment.png>

> >>> Gerard Ozanne <

10/31/2014 12:08 AM >>>

> Hi Jim,

> We received James' "Out of Office" automated response so I am forwarding you our response to the proposed date for the Planning Commission meeting. Please let us know if there are any problems with postponing the meeting until after the holidays.

>

> Thanks,

>

> Jerry and Laurel

>

> Begin forwarded message:

>

>> From: Gerard Ozanne <

>> Subject: Re: Ascension Heights update

>> Date: October 30, 2014 at 11:52:08 PM PDT

>> To: James Castaneda <jcastaneda@smcgov.org>

>> Cc: David Burruto <DBurruto@smcgov.org>, Pine Dave <DPine@smcgov.org>, Hardy Heather <hhardy@smcgov.org>, Lisa Aozasa <LAozasa@smcgov.org>, Steve Monowitz <SMonowitz@smcgov.org>, Rick Priola <

Nagle Laurel <

>>

>> Hi James,

>>

>> Neighborhood representatives are nonplussed by the suggestion to hold a public Planning Commission meeting three weeks subsequent to the release of the proposed Final EIR, which includes the week of Thanksgiving. The amount of work remaining to be done by the neighborhood is enormous. The Draft EIR exceeded 600 pages. The Final EIR version, after undergoing four subsequent months of revision, is unlikely to be shorter and will require comprehensive scrutiny and a complete re-assessment by the neighborhood. Note in comparison, your office, with full-time paid employees, is planning at least 4 weeks and possibly longer for review of this EIR version.

>>

>> Lack of a firm publication date and limited time allotted by your office complicates people's schedules, prevents meaningful assessment of the Final EIR version, limits dispersing critical information to our neighborhoods, and inhibits adequate neighborhood input and support for the project goals. Our neighborhoods consider the project as proposed to encroach extensively on major aspects of our community life and, as a result, have invested an enormous effort to discover and affect appropriate solutions. Scheduling such an important meeting in the midst of the two busiest holidays of the year makes absolutely no sense to us.

>>

>> In the unanimous opinion of representatives from affected neighborhoods, we are convinced it will be impossible for us to participate adequately by December 10th. We formally request to re-schedule the Planning Commission's consideration of the proposed Final EIR until January next year provided the public release occurs by November 15th.

>>

>>

>> Thank you,

>>

>> Jerry Ozanne

>> Laurel Nagel,

>>

>> Co-Presidents,

>>

>> Baywood Park Homeowners' Association

>>

>>

>>

>> On Oct 14, 2014, at 11:14 AM, James Castaneda <jcastaneda@smcgov.org> wrote:

>>

>>> Good morning Jerry,

>>>

>>> I wanted to give you a quick update as to where we are, and what we're looking towards for the rest of the year with the Ascension Heights project.

>>>

>>> First, the consultants are finishing up the Final EIR as we speak, and we'll be reviewing administrative/internal draft in the next few weeks. They're taking some additional time in their response to the comments received to ensure they are thorough as possible. We anticipate a public release of the Final EIR in mid-November after we complete our review of the consultant's work.

>>>

>>> Looking further ahead, we're looking at a tentative hearing date of December 10, 2014 for the Planning Commission to consider the project and the EIR. Due to the Planning Commission's busy fall hearing schedule with other high profile projects, we're very limited on dates. I'll have additional details regarding the hearing in the next few weeks, but I did want to give you sufficient heads up what we're tentatively anticipating in December.

>>>

>>> As soon as I have some additional information to provide, I'll make sure to do so. Hope all is well.

>>>

>>> Regards,

>>> JAMES

>>>

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 4/9/2014 4:12 PM  
**Subject:** RE: Ascension Heights DEIR, status

Sorry, file size too large, original email:  
Darn you beat me to it, we were just finishing up the pdf of the screencheck when you emailed. It is in tracked changes to help for a review.  
To download the document, please click here:  
<ftp://212558:a2rz@173.166.239.180>

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | [twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)<<mailto:twilson@analyticalcorp.com>>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
[www.analyticalcorp.com](http://www.analyticalcorp.com)<<http://www.analyticalcorp.com/>>

From: Trenton Wilson  
Sent: Wednesday, April 09, 2014 4:00 PM  
To: 'James Castaneda'  
Cc: Lisa Aozasa  
Subject: RE: Ascension Heights DEIR, status

Darn you beat me to it, we were just finishing up the pdf of the screencheck when you emailed. It is in tracked changes to help for a review of what has changed and then we can send over the Public Review Copy (aka the Draft EIR for Public Release).

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | [twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)<<mailto:twilson@analyticalcorp.com>>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
[www.analyticalcorp.com](http://www.analyticalcorp.com)<<http://www.analyticalcorp.com/>>

From: James Castaneda [<mailto:jcastaneda@smcgov.org>]  
Sent: Wednesday, April 09, 2014 3:35 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Ascension Heights DEIR, status

Good afternoon Trent,  
Just checking in on timing again. Lisa will have her feedback on the visual analysis as soon as she can (later this week), but we wanted to double check if you were waiting on that feedback, or anything else before getting a screen check/final copy. We're trying to nail down the Planning Commission meeting where we'll take public testimony on DEIR, which is looking at the week of May 12th. Before we start committing to a date, I just want to make sure what left is outstanding on your end.

Also, please let me know if there have been any additional developments regarding the traffic analysis situation on your end. We're still efforting that on our end in favor of moving forward with the DEIR's existing analysis. We'll hopefully being meeting with DPW again in the next few days to discuss this further. Thanks in advance.

JAMES

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org; hhardy@smcgov.org  
**Date:** 4/15/2014 2:33 PM  
**Subject:** RE: Ascension Heights DEIR drop date, 4/25

You bet. As soon as we get the comments we will prepare the public draft and have it to you Tuesday.

-Trent Wilson  
Sent from Samsung tablet

----- Original message -----

From James Castaneda <jcastaneda@smcgov.org>  
Date: 04/15/2014 1:30 PM (GMT-08:00)  
To Trenton Wilson <twilson@analyticalcorp.com>  
Cc Heather Hardy <hhardy@smcgov.org>, Lisa Aozasa <LAozasa@smcgov.org>  
Subject Ascension Heights DEIR drop date, 4/25

Good afternoon Trent,  
I wanted to give you an update on what we have going on here, and make sure we're on the same page. We're looking at going live with the DEIR on Friday, April 25th. Assuming I finish with my review of the screen check and Lisa proves the last comments by the end of this week, will it be possible to get the document finalized on Tuesday so we can have all the logistics done and set in place by Thursday? Let me know when you get a chance.

JAMES

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department  
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T 650.363.1853 | F 650.363.4819  
smcplanning.org | sforoundtable.org

**From:** Stephanie Henderson <shenderson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org; twilson@analyticalcorp.com  
**Date:** 4/22/2014 2:59 PM  
**Subject:** RE: Ascension-DEIR Copies and Notices

Hi James,

I believe we have everything we need. We are moving forward with printing at our end. We will have everything to you Thursday before COB. Please let us know if you need anything to keep things moving on your end.

Stephanie

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Tuesday, April 22, 2014 2:26 PM  
To: Stephanie Henderson  
Cc: Trenton Wilson; Lisa Aozasa  
Subject: RE: Ascension-DEIR Copies and Notices

Didnt attached the notice as I said...

Those are the correct address where we'll hand deliver the hard copies and CD ourselves on Friday morning (or Thursday afternoon). Those locations are indicated on the NOA we're submitting for the newspaper (attached) as well as the NOA for mail distribution (I'll send that tomorrow). Ill let you know if we need anything else, and please certainly keep us apprized of any additional items we need to make sure gets done.

JAMES

>>> On 4/22/2014 at 11:29, Stephanie Henderson  
<shenderson@analyticalcorp.com<mailto:shenderson@analyticalcorp.com>> wrote:  
Hi James,

Thanks for the responses.

- 1.) We will handle all SCH submittals, including the Notice of Completion (NOC)—the quick administrative form similar to an NOA submitted to SCH for their records.
- 2.) I was site visit this morning, but see that Trent sent you a draft NOA for use in the newspaper. I wanted to verify these are the addresses at which 1 hard copy and 2 CDs of the DEIR will be available:

The County of San Mateo

Planning and Building Department

455 County Center, 2nd Floor

Redwood City, California 94063

San Mateo County Library-Belmont Branch

1110 Alameda de Las Pulgas

Belmont, CA 94002

The City of San Mateo Public Library, Main Branch  
55 West 3rd Avenue  
San Mateo, CA 94402

The College of San Mateo library address was included and the City of San Mateo library was not included in the draft NOA Trent forwarded you. In Lisa's comments on the DEIR, she had put "College of San Mateo?" as a possible location. Locations where the DEIR is available to the public are at the Lead Agency's discretion; 2 libraries and the County office works just fine. Please let us know how you would like to proceed. Also, I wanted to point this out to be sure the addresses were updated in the NOA before submitted to the San Mateo Times.

3.) Thank you for handling residents and interested parties notification. Just let us know if you need anything from our end.

4.) We will send you five hard copies (1 per each of the 3 public locations, plus 2 extra copies) and 8 CDs (2 per each of the 3 public locations, plus 2 extra copies) of the DEIR to arrive at your office on Thursday.

Stephanie

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Tuesday, April 22, 2014 7:59 AM  
To: Stephanie Henderson  
Cc: Trenton Wilson; Lisa Aozasa  
Subject: RE: Ascension-DEIR Copies and Notices

Stephanie,  
To answer your questions:

1) NOC? My apologies if I forget that this is, but anything that goes to the State Clearinghouse, I'm ok with AES taking care of, as I understand its easily hand delivered from your office.

2) We can arrange publishing the NOA in the San Mateo Times, but we have until 10am TODAY to submit the ad. Do you have something already written up as a legal notice you've used before?

3) We can arrange notification to residence and interested parties as we did for the scoping meeting.

4) We will need hard copies to place here at the Planning Department, and at two libraries- the county library in Belmont, and the City of San Mateo's Public Library. We did not have a copy at the college last time. Is that being advised to do so? If we could have the suggested one hard copy and two CDs for each location (as suggested), in addition to two hard copies, that would be great. Well need these by Thursday afternoon, as Ill run those to the libraries myself Friday morning.

Also, please CC Lisa Aozasa on these emails. Today I'm on the public counter and will do my best to quickly response to any pressing questions, but just in case she'll see them as well (in addition to being in the loop).

JAMES

>>> On 4/21/2014 at 15:50, Stephanie Henderson  
<shenderson@analyticalcorp.com<mailto:shenderson@analyticalcorp.com>> wrote:  
I forgot to attach...

From: Stephanie Henderson  
Sent: Monday, April 21, 2014 3:49 PM  
To: 'James Castaneda'  
Cc: Trenton Wilson  
Subject: Ascension-DEIR Copies and Notices

Hi James,

I am working with Trent to prepare copies of the DEIR and get all the notices in order. I recall for the NOP, the County handled public notices including newspaper publication and we managed coordinating with the State Clearinghouse. Did you want to do the same this time around? From the list below, please let us know how you would like to proceed.

- 1.) Submit NOC of DEIR to State Clearinghouse-AES
- 2.) Publish NOA in local newspapers-San Mateo County? If you would like us draft anything for you or manage this task entirely, please let us know.
- 3.) Send notice to interested parties-San Mateo County? I attached the Interested Parties Mailing List we compiled from the scoping hearing. Please let us know if we can draft anything or help in any way.
- 4.) Provide copies of NOA and DEIR to the County Planning and Building Dept and College of San Mateo Library for public review.
  - a. Was there another library or other public place copies of the DEIR should be made available?
  - b. We will generate these copies; we suggest 1 hard copy and 2 electronic (CD) copies at each location. What would you prefer?
  - c. Would you like the library copies sent directly to you at the County offices, or should we contact and coordinate with the library? The copies for the County offices will go directly to you.

If you could let us know ASAP, we'll get moving on this.

Thank you,  
Stephanie

--

Stephanie Henderson  
ANALYTICAL ENVIRONMENTAL SERVICES  
Technical Analyst / Associate | shenderson@analyticalcorp.com<mailto:jreadye@analyticalcorp.com>  
1801 7th Street, Suite 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** shenderson@analyticalcorp.com; JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 4/25/2014 8:55 AM  
**Subject:** RE: Draft EIR to SCH

Great news!

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916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Friday, April 25, 2014 8:39 AM  
To: Stephanie Henderson  
Cc: Trenton Wilson; Lisa Aozasa  
Subject: Re: Draft EIR to SCH

Stephanie,  
Thanks for checking in. At this point, we are all go for release. Our website has now been updated, notifications should hit mailboxes today, and library copies were delivered yesterday afternoon. So we're are live on our end.

JAMES

>>> On 4/25/2014 at 08:15, Stephanie Henderson <shenderson@analyticalcorp.com> wrote:  
Good Morning James,

We plan to submit the Ascension Heights Subdivision Project Draft EIR to the State Clearinghouse this morning around 10AM to officially initiate the 45-day public comment period. Please let us know if for any reason we should delay. After we submit today, I will email you a copy of the signed/stamped Notice of Completion confirming submission to the State Clearinghouse.

Thanks,  
Stephanie

--

Stephanie Henderson  
ANALYTICAL ENVIRONMENTAL SERVICES  
Technical Analyst / Associate | shenderson@analyticalcorp.com<mailto:jreadye@analyticalcorp.com>  
1801 7th Street, Suite 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

**From:** James Castaneda  
**To:** Tom Luong  
**CC:** Lisa Aozasa  
**Date:** 5/1/2014 3:27 PM  
**Subject:** Re: Fwd: Scoping Comments, Ascension Heights Subdivision Project

Tom, I'll investigate that with our consultants regarding the letters received during the scoping session. Please note that the purpose of the comments for the scoping was to help guide them through what the community feels are the more significant environmental issues to cover in the draft EIR. The submitted letters were not going to be responded to directly. Comments towards the draft EIR (just released), however, will be responded to in the Final EIR. I will forward your concerns from November 2013 to the consultants to look into if they received them (and covered those topics), but also to have your concerns responded to in the Final EIR.

If you have other questions, please feel free to contact me. Note I'll be out of the office tomorrow, and will be back in on Monday. Have a good weekend.

Regards,  
JAMES

>>> On 5/1/2014 at 14:01, Tom Luong < > wrote:

Hi James,

I writing because I looked through the DEIR and Appendices for the Ascension Heights Project in San Mateo. I did not see my safety concerns addressed there.

Can you please let me know if it will be addressed or did it missed it somewhere else?

Below is the original letter I wrote to you in November 2013.

Thanks,  
Tom

On Mon, Nov 4, 2013 at 8:47 AM, Tom Luong < > wrote:

Mr James Castaneda,

My Name is Trang (Tom) Luong. I live on 1486 Parrott Drive, San Mateo, 94402.

I have a 5yr old, 3yr old , and a newborn coming mid next year. As you are aware, Parrott Dr is one of the main arteries of our community. It can get pretty busy and has many speedsters on the road. I keep my kids confined to the backyard 100% of the time because of this. However, this construction project will literally be taking place right in my back yard.

I have two safety concerns. I am concern about the safety of my kids playing in the back yard because there will be construction vehicles driving around the steep grade. What if a truck rolled over down the steep grade into my back yard (or large pieces of debris) while my kids are in back? The probability is higher than you may think and the possibility exists. Please think about having some kind of wall to safeguard against this possibility. The other safety concern I have is the health of my kids from inhaling the dust that will be kicked up in the air. We definitely don't want to have to be wearing a mask at home. I would like there to be a water truck watering down the ground.

I appreciate your consideration of my concerns.

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** shenderson@analyticalcorp.com; JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 6/5/2014 2:38 PM  
**Subject:** RE: Ascension Heights Comments, 6/5

Thanks, we'll log these and start bracketing!

TRENTON WILSON  
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Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Thursday, June 05, 2014 2:30 PM  
To: Stephanie Henderson; Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Ascension Heights Comments, 6/5

Good afternoon Trent,  
The attached are a few of the e-mail comments we've received so far. I'm out of the office tomorrow and Monday, so I'll forward what I receive in the next few days on Tuesday.

JAMES

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

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planning.smcgov.org | sforoundtable.org

**From:** James Castaneda  
**To:** Lisa Aozasa  
**Date:** 7/9/2014 7:43 AM  
**Subject:** Ascension Heights meeting with CC/Staff

Morning Lisa, just a reminder we need to get something set up ASAP regarding the traffic study with Ascension Heights. If this is something we're going to need to do prior to FEIR, this will need to be brought up to Dennis sooner than later. Let me know if you need any help setting this up.

JAMES

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org; shenderson@analyticalcorp.com  
**Date:** 7/14/2014 3:09 PM  
**Subject:** RE: Ascension Schedule

10am Thursday works well for us. Should we call you or do you want to call us?

TRENTON WILSON  
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916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Monday, July 14, 2014 2:52 PM  
To: Trenton Wilson  
Cc: Stephanie Henderson; Lisa Aozasa  
Subject: Re: Ascension Schedule

Hi Trent. Actually, would sometime Thursday morning work? 10am perhaps? Let me know.

JAMES

>>> On 7/14/2014 at 08:50, Trenton Wilson  
<twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>> wrote:  
Good morning James,

Now that we have the transcripts to go through and bracket and respond, I feel this would be a good time to nail down the Final EIR schedule. Do you have time today or tomorrow for a call to discuss a Final EIR schedule? Please let me know what day and time works for you.

Thanks!

TRENTON WILSON  
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916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

**From:** James Castaneda  
**To:** Trenton Wilson  
**CC:** Lisa Aozasa; Stephanie Henderson  
**Date:** 7/14/2014 3:11 PM  
**Subject:** RE: Ascension Schedule

We'll call you. We'll need to figure out where we can meet on our end. Thanks Trent.

JAMES

>>> On 7/14/2014 at 15:10, Trenton Wilson <twilson@analyticalcorp.com> wrote:

10am Thursday works well for us. Should we call you or do you want to call us?

**TRENTON WILSON**  
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**From:** James Castaneda [mailto:jcastaneda@smcgov.org]  
**Sent:** Monday, July 14, 2014 2:52 PM  
**To:** Trenton Wilson  
**Cc:** Stephanie Henderson; Lisa Aozasa  
**Subject:** Re: Ascension Schedule

Hi Trent. Actually, would sometime Thursday morning work? 10am perhaps? Let me know.

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Good morning James,

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Thanks!

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**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org; shenderson@analyticalcorp.com  
**Date:** 7/14/2014 3:20 PM  
**Subject:** RE: Ascension Schedule

Great, speak with you then.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
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From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Monday, July 14, 2014 3:12 PM  
To: Trenton Wilson  
Cc: Stephanie Henderson; Lisa Aozasa  
Subject: RE: Ascension Schedule

We'll call you. We'll need to figure out where we can meet on our end. Thanks Trent.

JAMES

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<twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>> wrote:  
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From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Monday, July 14, 2014 2:52 PM  
To: Trenton Wilson  
Cc: Stephanie Henderson; Lisa Aozasa  
Subject: Re: Ascension Schedule

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JAMES

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**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 7/17/2014 10:52 AM  
**Subject:** RE: Ascension Schedule  
**Attachments:** Ascension Heights Subdivision Pro Rev per PWs.pdf

Attached please find the revised scope for Traffic I had the sub send me back in March (items specific to PW's requests are in red).

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Thursday, July 17, 2014 10:29 AM  
To: Trenton Wilson  
Subject: RE: Ascension Schedule

Quick question Trent- when do you think we can expect getting a scope back from the traffic sub? Just trying to figure out when we can meet with DPW and we'd like to have that scope prior. Just give me a heads up when you get a chance.

JAMES

>>> On 7/14/2014 at 15:21, Trenton Wilson  
<twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>> wrote:  
Great, speak with you then.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Monday, July 14, 2014 3:12 PM  
To: Trenton Wilson  
Cc: Stephanie Henderson; Lisa Aozasa  
Subject: RE: Ascension Schedule

We'll call you. We'll need to figure out where we can meet on our end. Thanks Trent.

JAMES

>>> On 7/14/2014 at 15:10, Trenton Wilson  
<twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>> wrote:  
10am Thursday works well for us. Should we call you or do you want to call us?

TRENTON WILSON

ANALYTICAL ENVIRONMENTAL SERVICES  
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From: James Castaneda [<mailto:jcastaneda@smcgov.org>]  
Sent: Monday, July 14, 2014 2:52 PM  
To: Trenton Wilson  
Cc: Stephanie Henderson; Lisa Aozasa  
Subject: Re: Ascension Schedule

Hi Trent. Actually, would sometime Thursday morning work? 10am perhaps? Let me know.

JAMES

>>> On 7/14/2014 at 08:50, Trenton Wilson  
<[twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)<<mailto:twilson@analyticalcorp.com>>> wrote:  
Good morning James,

Now that we have the transcripts to go through and bracket and respond, I feel this would be a good time to nail down the Final EIR schedule. Do you have time today or tomorrow for a call to discuss a Final EIR schedule? Please let me know what day and time works for you.

Thanks!

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**From:** Hanieh Houshmandi  
**To:** Diana Shu; James Castaneda; Lisa Aozasa  
**Date:** 8/5/2014 8:56 AM  
**Subject:** Re: Ascension Heights -- Additional Traffic Analysis

Hi Lisa,

I have not gotten a chance to go over the document, is there a way we can do this later this week?

Hanieh

Hanieh Houshmandi, PE, TE, PTOE  
Associate Civil Engineer  
Roadway Traffic Services  
Department of Public Works  
San Mateo County  
752 Chestnut Street, Redwood City, CA 94063  
(650) 599-1481

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>>> Lisa Aozasa 8/1/2014 4:15 PM >>>

Hello -- you may remember that you needed some additional analysis for the traffic study for Ascension Heights, and we agreed we could release the Draft EIR for comment, then circle back and add the additional analysis as part of the Response to Comments/Final EIR. We're at that point now, and would like to make sure you get what you need, with an eye toward minimizing the extra time and cost added. Attached is the scope their traffic consultant put together to address the additional analysis. James and I would like to meet with you to review it and make sure it includes what you need -- and not a whole lot extra you don't. Thanks for your help!

**From:** James Castaneda  
**To:** Diana Shu; Hanieh Houshmandi  
**CC:** Lisa Aozasa  
**Date:** 8/5/2014 10:36 AM  
**Subject:** Re: Ascension Heights -- Additional Traffic Analysis

Hanieh/Diana,  
How does Thursday at 2pm sound? Lisa and I can accommodate that.

JAMES

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**From:** Diana Shu  
**To:** Hanieh Houshmandi; James Castaneda  
**CC:** Lisa Aozasa  
**Date:** 8/5/2014 10:55 AM  
**Subject:** Re: Ascension Heights -- Additional Traffic Analysis

Hi James

Can we make it for 3:00 PM? I have a walk thru in WM just before this.

Diana Shu  
dshu@smcgov.org  
650-599-1414  
Please provide us with your feedback at:  
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**From:** James Castaneda  
**To:** Diana Shu; Hanieh Houshmandi  
**CC:** Lisa Aozasa  
**Date:** 8/5/2014 11:15 AM  
**Subject:** Re: Ascension Heights -- Additional Traffic Analysis

I'm only available through 3:30, so as long as we can start promptly at 3, I think we can cover things in half an hour.

Looking at GroupWise, looks like 11am also could work. Let me know.

JAMES

>>> On 8/5/2014 at 10:55 AM, Diana Shu <dshu@smcgov.org> wrote:

Hi James

Can we make it for 3:00 PM? I have a walk thru in WM just before this.

Diana Shu  
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**To:** Diana Shu; Hanieh Houshmandi  
**CC:** Lisa Aozasa  
**Date:** 8/6/2014 9:32 AM  
**Subject:** Re: Ascension Heights -- Additional Traffic Analysis

Diana/Hanieh,

Any word on tomorrow? Either 11am or 3pm for half an hour tomorrow. Need to know so I dont book something else, we're trying hard not to push this back, as we need to report back to the consultant sooner than later. Greatly appreciated.

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**From:** Hanieh Houshmandi  
**To:** Diana Shu; James Castaneda  
**CC:** Lisa Aozasa  
**Date:** 8/6/2014 9:38 AM  
**Subject:** Re: Ascension Heights -- Additional Traffic Analysis

I am open for both, but prefer afternoon.

Hanieh Houshmandi, PE, TE, PTOE  
Associate Civil Engineer  
Roadway Traffic Services  
Department of Public Works  
San Mateo County  
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**From:** James Castaneda  
**To:** Hanieh Houshmandi  
**CC:** Diana Shu; Lisa Aozasa  
**Date:** 8/7/2014 12:15 PM  
**Subject:** Re: Ascension Heights -- Additional Traffic Analysis

Sounds good, well see you at 3pm.

JAMES

>>> On 8/6/2014 at 16:36, Hanieh Houshmandi <hhoushmandi@smcgov.org> wrote:

I just checked with Diana and she said she can do 3 pm, You can go ahead and send the meeting request so it is up on our calenders.

Thanks  
Hanieh

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**From:** Diana Shu  
**To:** James Castaneda; Lisa Aozasa  
**CC:** Hanieh Houshmandi  
**Date:** 8/7/2014 2:44 PM  
**Subject:** Re: Ascension Heights -- Additional Traffic Analysis

James and Lisa  
Just got back from the walk thru.  
We are on our way over.  
Diana

Diana Shu  
dshu@smcgov.org  
650-599-1414  
Please provide us with your feedback at:  
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>>> James Castaneda 8/7/2014 12:15 PM >>>  
Sounds good, well see you at 3pm.

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**From:** James Castaneda  
**To:** Aozasa, Lisa  
**Date:** 8/13/2014 8:39 AM  
**Subject:** Ascension Heights DPW Follow Up

Good morning Lisa,

I wanted to follow up with you regarding our conversation from last week with DPW on Ascension Heights. I was thinking we should email a copy of the RFP and contract to Tim and set up meeting to go over what we're able to do in getting a revised traffic study. Let me know if this sounds alright, and I can get something over to Council. Thanks.

JAMES

James A. Castañeda, AICP  
Planner III, San Mateo County Planning & Building Department  
Program Coordinator, SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
650.363.1853 | 650.363.4819 FAX  
[smcplanning.org](http://smcplanning.org) | [sforoundtable.org](http://sforoundtable.org)

**From:** Lisa Aozasa  
**To:** James Castaneda  
**Date:** 8/13/2014 12:01 PM  
**Subject:** Re: Ascension Heights DPW Follow Up

Hi James --

Yeah, I think that's our next step. Set up an appointment with Tim, and send over the docs so he can review them ahead of time. He may not actually do that, but at least he'll have the chance. Thanks!

Lisa

>>> James Castaneda 8/13/2014 8:39 AM >>>

Good morning Lisa,

I wanted to follow up with you regarding our conversation from last week with DPW on Ascension Heights. I was thinking we should email a copy of the RFP and contract to Tim and set up meeting to go over what we're able to do in getting a revised traffic study. Let me know if this sounds alright, and I can get something over to Council. Thanks.

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Now that we have the transcripts to go through and bracket and respond, I feel this would be a good time to nail down the Final EIR schedule. Do you have time today or tomorrow for a call to discuss a Final EIR schedule? Please let me know what day and time works for you.

Thanks!

**TRENTON WILSON**  
**ANALYTICAL ENVIRONMENTAL SERVICES**  
 Senior Project Manager | [twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)  
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## MEMORANDUM

**TO:** James Castañeda

**FROM:** Trenton Wilson

**DATE:** 4/3/2014

**RE:** Ascension Heights Traffic Study

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In accordance with PW's Traffic Impact Study Requirements (TISR), Public Works is generally concerned with adverse impacts from traffic if:

1. Traffic generated by a project considered alone or cumulatively with other related projects, when added to existing traffic volumes, exceeds certain capacity thresholds of an intersection or roadway, contributes to an unacceptable level of service (LOS), or exacerbates an existing congested condition.
2. Project generated traffic interferes with the existing traffic flow (e.g., due to the location of access roads, driveways, and parking facilities).
3. Proposed access locations do not provide for adequate safety (e.g., due to limited visibility on curving roadways).
4. Nonresidential uses generate commuter or truck traffic through a residential area; and/or
5. Project generated traffic significantly increases on a residential street and alters its residential character.

1: The traffic generated by the Ascension Heights project would not alone or cumulatively exceed capacity thresholds, contribute to an unacceptable LOS, or exacerbate an existing congestion issue based on initial professional review by a qualified (according to the TISR) Traffic Engineer. The Traffic Engineer conducted a qualitative assessment to determine if project traffic would require LOS analysis and the results concur that LOS assessment is not necessary as not changes would occur. **We could add this analysis to his report.**

2,3: The traffic generated by the Ascension Heights project would not interfere with the existing traffic flow (e.g., due to the location of access roads, driveways, and parking facilities) or present safety concerns. These issues were excluded from the EIR per analysis in the initial studying indicating further analysis was unnecessary.

4,5: Project's land use is consistent with surrounding residential character, does not include non-residential land uses, and would slightly increase residential road use; however this increase would not meet a definition of significant (as indicated in the TIRE analysis). These trips would not significantly increase the traffic on the residential roadways or alter the residential character.

In addition, the TISR states that "generally, a traffic report is generally needed if a project generates over 500 trips per day or over 100 trips during the peak hour" (or special conditions impacts are experienced, which are not relevant to a small residential project or were already addressed above). Our project does not meet these triggers.

April 3, 2014

Thirdly, the TISR states that "(a)ll previous traffic studies relating to the development that are more than two years old will have to be updated, unless the County determines that conditions have not changed significantly". The previous traffic study for the old EIR was conducted appropriately, and an update of the previous study was conducted using the same methodology to determine if conditions have changed. According to the results of the updated analysis, no conditions have changed to the existing environment that could be considered significant or would result in new impacts not identified during the previous traffic studies. **We could clarify in the Traffic Study that the purpose was to assess the existing roadway conditions in comparison to the previous studies by using the same methodologies to determine if further analysis was necessary.**

Therefore, the County, in compliance with PW's TISR, is not required to update the Traffic Study to assess level of service of the project roadways. In addition, implementation of the Ascension Heights project would comply with CEQA significant criteria:

CEQA Significance Criteria (from the EIR):

Impacts to the existing transportation network would be considered significant if the Proposed Project would:

- Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.
- Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways;
- In addition, a change in the TIRE index of 0.1 or more would be a noticeable increase in traffic on the street and would therefore result in a significant impact upon the residential environment.

Please note that the third significance criteria was added because of the low level of vehicle trips that would be generated by the development would not adversely impact LOS standards based on the Logic Rule. This significance criteria establishes a sensitivity to residential roadways not allowed under the LOS standards.



# Traffic Impact Study Requirements

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**County of San Mateo**

Department of Public Works  
Roadway Services

9/1/2013

## **I. Introduction**

The County of San Mateo (County), Department of Public Works (Department) requires that the traffic and circulation impacts of proposed development projects be analyzed. This requirement can be satisfied through the preparation of a Traffic Impact Study (TIS). A TIS is to be prepared in conformance with Department requirements described herein. The document must be prepared by a Traffic Engineer or a Civil Engineer (Engineer) registered in the State of California qualified to practice traffic engineering. This "Traffic Impact Study Requirements" guide identifies the suggested format and methodology that is generally required to be utilized in the study preparation, and is subject to amendment without any notification. The purpose of this guide is to establish procedures to ensure consistency of analysis and the adequacy of information presented regarding a proposed development project (Project).

The primary responsibility for assessing the traffic impacts associated with a proposed development will rest with the developer, with the County serving in a review capacity.

The applicant will be notified at the pre-planning stage if a traffic study will be required, provided sufficient information is available for the County to determine whether the trip generation criterion has been met. If sufficient information is unavailable but the property appears to involve sufficiently intense land use, the applicant will be informed that a traffic study is required. It is strongly recommended that the applicant's traffic engineer consult with County staff before beginning the study to establish the scope and basic assumptions of the study and any deviations from these Guidelines to avoid unnecessary delays or revisions.

## **II. Purpose**

The purpose of a Traffic Impact Study is to determine:

- The capacity and safety impacts a particular development will have on the Countywide transportation system;
- Whether the development will meet the County's Minimum Transportation Standards for roadway capacity and safety; and
- Mitigating measures necessary to alleviate the capacity and safety impacts so that Minimum Transportation Standards are met.

## **III. Requirements**

Generally, Department staff is concerned with adverse impacts on traffic if:

1. Traffic generated by a project considered alone or cumulatively with other related projects, when added to existing traffic volumes, exceeds certain capacity thresholds of an intersection or roadway, contributes to an unacceptable level of service (LOS), or exacerbates an existing congested condition.
2. Project generated traffic interferes with the existing traffic flow (e.g., due to the location of access roads, driveways, and parking facilities).
3. Proposed access locations do not provide for adequate safety (e.g., due to limited visibility on curving roadways).
4. Nonresidential uses generate commuter or truck traffic through a residential area.

5. Project generated traffic significantly increases on a residential street and alters its residential character.

In addition to the conditions described above, a traffic report is generally needed if a project generates over 500 trips per day or over 100 trips during the peak hour or where other possible adverse impacts as discussed in the Analysis and Impact Section (beginning on page 3) of these Guidelines are identified. Before a full review is conducted, the County staff will check the completeness of the TIS report using the attached check list (Exhibit A). If the report is missing any of the check list items, it will be returned for revision.

Projects shall not be split into phases to avoid the TIS requirements. If an additional phase of a project, when added to the preceding phases, causes the sum of the phases to exceed the threshold, the entire project must be analyzed as a unit. The analysis must be conducted when the phases are anticipated and should not wait for later phases, even if earlier phases alone would not exceed the threshold.

All previous traffic studies relating to the development that are more than two years old will have to be updated, unless the County determines that conditions have not changed significantly. Where access points are not defined, or a site plan is not available at the time the traffic study is prepared, additional traffic work may be required when a site plan becomes available or the access points are defined.

#### **IV. TIS Report Contents**

##### **A. Project Description**

**Project Location and Study Area** – A brief description of the location within the County and the region shall be included in the section. In addition, roadways that afford access to the site and those that are included in the study area shall be identified. General terrain features within the study area should also be described. The exact limits of the study area should be based on engineering judgment and an understanding of existing traffic conditions surrounding the site. In all instances, however, the study area limits shall be subject to approval of the Department. A vicinity map that shows the site and the study area boundaries in relation to the surrounding transportation system must be included.

**Existing and Proposed Site Uses** – The existing and proposed uses of the site should be identified in terms of the various zoning categories of the County/City and also the land use codes defined by Institute of Transportation Engineers (ITE). This information shall include square footage of the various uses or the number and size of the units. All driveways in the vicinity of the project that could affect operations shall also be shown.

**Existing and Proposed Uses in the Vicinity of the Site** – A complete description (including a map) of the existing land uses in the study area as well as their current zoning and use must be included. In addition, all vacant land within the study area and its assumed future uses must be identified. This latter item is especially important where large tracts of undeveloped land are in the vicinity of the site, and within the prescribed study area.

## **B. Graphics and Data Requirements**

Traffic counts, including vehicular, pedestrian, and transit counts should be less than one year old. Traffic counts must be performed for all critical time periods such as AM, Midday, PM or Saturday peak hours. Traffic counts should be performed on typical midweek days – no accidents, weather events, holidays, school closures, special events, etc.

Graphics should be included to illustrate the study area and vicinity, study intersections including photographs and lane diagrams for cross-reference, existing, background and future traffic volumes.

## **C. Analysis Methodology and Software Requirements**

All technical analysis of transportation networks must use standards and methodology provided by the latest editions of Institute of Transportation Engineers, Highway Capacity Manual (HCM) and California Department of Transportation. It is the County's requirement that the applicant use **Synchro** software to evaluate intersections. The applicant must submit Synchro files as part of the TIS package for review. Performance measures of effectiveness shall include level of service, vehicle delay, and volume-to-capacity ratio. Among parameters input to code traffic models, standard normal ranges of saturation flow for travel lanes, general signal timing settings, normal values for percentages of heavy vehicles, peak hour factors and headway factors must be used. Any deviation from default values for parameters used in the HCM or any software packages should be clearly noted in the report and is subject to approval by the County.

Additional technical analysis requested by the County on a case-by-case basis may include:

- i. Arterial Travel Time and Delay
- ii. Site access & on-site circulation
- iii. Vehicle Classification
- iv. Parking Demand, Utilization and Turnover studies
- v. Queuing analysis
- vi. Sight distance analysis
- vii. Gap and Speed studies
- viii. Origin-Destination Studies
- ix. Traffic signal timing optimization
- x. Signal warrant analysis per Manual on Uniform Traffic Control Devices guidelines
- xi. Left turn phasing analysis for signalized intersections
- xii. Safety analysis and review of historical accident data
- xiii. Traffic Calming evaluation
- xiv. Pedestrian and Bicycle Level of Service
- xv. Transit Boarding and Alighting and Level of Service, and
- xvi. Evaluation of intersection geometry including turning radii, particularly related to freight movement

- 1) Trip Generation-** Tabulate the estimated number of daily trips and AM and PM peak-hour trips generated by the proposed project entering and exiting the site. Trip generation factors and source are to be included in the report. The trip generation rates contained in the latest edition of the Institute of Transportation Engineers Trip Generation Manual should generally be used.

Internal trip reduction can only be applied for mixed-use types of developments and pass-by trip reduction for retail/commercial types of developments. Pass-by trips are those made as intermediate stops on the way from an origin to a primary trip destination. They do not affect the driveway or site access volumes but do affect the amount of traffic added to the adjacent street system. Pass-by trips can be estimated for certain types of commercial developments using the most current version of the ITEs' Trip Generation Manual. However, until this methodology is finalized, the County must approve pass-by trip estimates for each development on a case-by-case basis, and reserves the option of not allowing pass-by trip reductions if sufficient supporting data is absent.

Internal or pass-by trip reduction assumptions will require analytical support based on verifiable actual similar developments to demonstrate how the figures were derived and will require approval by the County.

- 2) Trip Distribution-** Diagrams showing the percentages and volumes of the project and nearby project's AM and PM peak-hour trips logically distributed on the roadway system must be provided.

If it is assumed that new routes will alter traffic patterns, adequate documentation including traffic distribution maps must be provided showing how and why these routes will alter traffic patterns.

- 3) Related Projects List-** A list of related projects that are approximately within a 2.5 mile radius of the project site and would reasonably be expected to be in place by the project's build out year must be included in the report. Related projects should include all pending, approved, recorded, or constructed projects that are not occupied at the time of the existing traffic counts. The County and adjacent municipalities should be contacted to obtain the latest listings for the vicinity of the proposed development. A table and a map showing the status, project/zone change/conditional use permit/parcel map/tract number, and the location of each project must be provided.
- 4) Traffic Volume Projections-** Background traffic volumes are composed of existing volumes and an accepted general growth of traffic in the study area. An appropriate growth rate is subject to County approval and must be incorporated in the study to forecast any future volumes.
- 5) Level of Service Analysis-** The standard criterion used to define quality of traffic flow is "level of service"(LOS). This is a qualitative assessment of factors such as speed, volume, geometry, delays, and ease of maneuvering. All analysis techniques

specify the quality of operations as a letter– with ‘A’ representing the best operating condition and ‘F’ representing the worst.

LOS	Average Delay/Vehicle (sec/veh)	
	Signalized Intersection	Unsignalized intersection
A	≤10	≤10
B	>10 - 20	>10 - 15
C	>20 - 35	>15 - 25
D	>35 - 55	>25 - 35
E	>55 - 80	>35 - 50
F	>80	>50

The minimum acceptable design level of service (LOS) in the County is ‘C’. At intersections, analyses should show an overall LOS of ‘C’ with no individual movement operating at less than ‘D’ to be considered acceptable and not require mitigation measures. On occasion, level of service ‘D’ may be allowed for peak period in dense urban condition per County’s discretion.

Other than Level of Service, other factors such as delay, queue, volume/capacity ratio and other items may need to be analyzed as part of the report, as explained in section IV.C of this document.

The report should include a discussion of assumptions made in the above calculations, such as saturation flow rates, peak hour factors, and lane configurations. Full documentation of the LOS calculations must be provided in an appendix.

**D. Analysis of Roadway Conditions**

Analysis of roadway conditions should incorporate traffic data, roadway geometry, alternative modes of access, levels of service, delays and volume-to-capacity ratios. The analysis should be performed for the following scenarios during AM, PM peak hours for all projects and also for Midday peak hour when appropriate. Full details of the analysis must be included in the appendix. Results should be summarized in tables for cross reference and must include the following:

**1. Existing Conditions**

Existing traffic volumes on existing roadways

**2. No Build Baseline**

Existing traffic volumes on existing roadways plus project in project completion year

**3. No Build Horizon Year**

Existing Traffic volumes on existing (or planned and programmed) roadway system analyzed for 20 years from project completion.

If improvements/modifications to the existing roadway system are planned and programmed, County staff will provide this information to the applicant and the improved

roadway system will be used as a base for testing horizon year traffic conditions – as appropriate.

If roadway improvements or modifications beyond those formally planned or programmed are assumed in the ‘no-build’ analysis, then these improvements or modifications will be considered to be the responsibility of the applicant. If this is not the case, then the rationale for considering such improvements must be clearly described.

#### 4. Full Build Horizon Year

Full Build Horizon Year analysis must include Existing+ Background + Site generated traffic volumes on existing (or planned and programmed) roadway system analyzed for 20 years from project completion.

If improvements/modifications to the existing roadway system are planned and programmed, County staff will provide this information to the applicant and the improved roadway system will be used as a base for testing horizon year traffic conditions – as appropriate.

If roadway improvements or modifications beyond those formally planned or programmed are assumed in the ‘no-build’ analysis, then these improvements or modifications will be considered to be the responsibility of the applicant. If this is not the case, then the rationale for considering such improvements must be clearly described.

### **Significant Impact Threshold**

- **Intersection currently in compliance with LOS standard**

A project will be considered to have a significant impact if the project will cause the intersection to operate at a level of service that violates the standard overall LOS of ‘C’ with no individual movement operating at worse than ‘D’. On occasion, level of service ‘D’ may be allowed for peak periods in very dense urban condition per County’s discretion.

- **Intersection currently NOT in compliance with LOS standard**

A project will be considered to have a significant impact if the project will cause the intersection to operate at a level of service that violates the standard LOS mentioned above and the proposed project increases average control delay at the intersection by four (4) seconds or more.

### **Mitigation Measures**

If it is determined that a development will have significant impact, the TIS must identify feasible mitigation measures which would mitigate the project and/or other related projects' significant impacts to a level of insignificance. Also, the TIS must identify those mitigation measures which will be implemented by others. Those mitigation measures that are assumed to be implemented by others will be made a condition of approval for the project to be in place prior to issuance of building permits.

Mitigation measures may include, but are not limited to, the following:

**Traffic Engineering Techniques**

- a. Locate access points to optimize visibility and reduce potential conflict.
- b. Design parking facilities to avoid queuing into public streets during peak arrival periods.
- c. Provide additional off-street parking.
- d. Dedicate visibility easements to assure adequate sight distance at intersections and driveways.
- e. Signalize or modify traffic signals at intersections.
- f. Install left-turn phasing and/or multiple turning lanes to accommodate particularly heavy turning movements.
- g. Widen the pavement to provide left- or right-turn lanes to lessen the interference with the traffic flow.
- h. Widen intersection approaches to provide additional capacity.
- i. Prohibit left turns to and from the proposed development.
- j. Restrict on-street parking during peak hours to increase street capacity.

**Exemptions**

The following development activities are excluded from the obligation to complete a TIS:

- Alteration or expansion of an existing structure that does not add any residential dwelling units or expand the gross floor area of nonresidential structures by more than 100 square feet
- Miscellaneous improvements, including, but not limited to, fences, walls, signs, and residential swimming pools
- Demolition or removal of a structure within the County
- Replacement of a non-residential structure with a new non-residential structure of the same size and use at the same site or lot when a completed application for the building permit for such replacement is accepted by the County within 12 months of the demolition or destruction of the prior nonresidential structure. A replacement nonresidential structure shall be considered to be the same size as the prior nonresidential structure if the gross floor area of the building will not be increased by more than 100 square feet
- Replacement of a residential structure with a new residential structure of the same number of dwelling units at the same site or lot when a completed application for the building permit for such replacement is accepted by the County within 12 months of the demolition or destruction of the prior residential structure
- Police and fire stations

**V. Neighboring Jurisdictions Recommendations**

When it appears that other jurisdictions will be impacted by a development, the Department will request that the involved jurisdiction also review the TIS. A written response from that jurisdiction should be provided with appropriate follow-up to the County.

## Exhibit A-TIS completeness check list

- Introduction**
  - Land Use, Site and Study Area Boundaries
    - Size of parcel
    - General terrain features
    - Location w/in County
    - Adjacent roadways w/ characteristics
    - Vicinity map w/ transportation system
  - Existing and Proposed Site Uses**
    - Existing zoning categories
    - Proposed zoning categories
    - Specific proposed uses
  - Existing and Proposed Uses in Vicinity of Site w/ map**
    - Existing zoning and uses
    - Vacant land w/ future use
  - Existing and Proposed Roadways and Intersections w/ map**
    - Volumes of streets & intersections
    - Geometrics & traffic signal control
    - Future improvements w/ schedule, agency, & funding
  - Trip Generation and Design Hour Volumes**
    - Summary table
      - Each type of land use w/ size
      - Average trip rates w/ AM, PM & Midday (if applicable) peak
      - Total trips with site and streets
    - Trip Distribution**
      - % distribution in N, S, E, & W
      - Map of street distribution
    - Trip Assignment**
      - % distribution at each access & intersection
- Diagram of each access & intersection
- Related Project List**
- Existing and Projected Traffic Volumes**
  - Diagrams showing in/out & turning for each access, intersection, & street
    - AM/PM peak hour site traffic
    - AM/PM peak hour total traffic for current & 20-yr
    - Other peak hour total traffic for current & 20yr
    - Existing total daily traffic for streets
      - Projected total daily traffic for streets for current
      - Projected total daily traffic for streets for 20-yr
- Volume projections for background traffic growth**
- Existing daily volumes traffic based on counts not estimates**
- LOS analyses**
  - Existing Conditions
  - No Build Baseline
  - No Build 20-yr Horizon
  - Full Build 20-yr Horizon
- Significant Impact**
  - Significant Impact
  - No Significant Impact
- Mitigation Measures**
- Neighboring Jurisdiction Approval/Comments**

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 8/20/2014 2:05 PM  
**Subject:** RE: Conference Call, Ascension Heights

Tuesday 10am works best for me.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
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From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, August 20, 2014 1:53 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Conference Call, Ascension Heights

Good afternoon Trent,  
Wanted to check in regarding doing a conference call so we can see how the response to comments are coming, as well as talk about the traffic analysis. Lisa and I have time tomorrow morning from 11am to noon, and next Tuesday after 10am. Let me know if any of those work or your availability. Thanks!

JAMES

**From:** James Castaneda  
**To:** Trenton Wilson  
**CC:** Lisa Aozasa  
**Date:** 8/20/2014 2:11 PM  
**Subject:** RE: Conference Call, Ascension Heights

Great! We'll call you Tuesday at 10am. Thanks.

JAMES

>>> On 8/20/2014 at 14:06, Trenton Wilson <twilson@analyticalcorp.com> wrote:

Tuesday 10am works best for me.

**TRENTON WILSON**  
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**www.analyticalcorp.com**

**From:** James Castaneda [mailto:jcastaneda@smcgov.org]  
**Sent:** Wednesday, August 20, 2014 1:53 PM  
**To:** Trenton Wilson  
**Cc:** Lisa Aozasa  
**Subject:** Conference Call, Ascension Heights

Good afternoon Trent,

Wanted to check in regarding doing a conference call so we can see how the response to comments are coming, as well as talk about the traffic analysis. Lisa and I have time tomorrow morning from 11am to noon, and next Tuesday after 10am. Let me know if any of those work or your availability. Thanks!

JAMES

**From:** James Hinkamp  
**To:** Mike Schaller  
**CC:** Lisa Aozasa  
**Date:** 9/15/2014 8:33 AM  
**Subject:** 11/12 PC Agenda Request

Hi Mike,

I'm writing to request inclusion of a status report/presentation on the Comprehensive Transportation Management Plan (CTMP) for the Planning Commission's November agenda (11/12). I realize the possibility that the Ascension Heights project may take precedence. If workable, presenting the CTMP item at that time would be of great benefit to the project timeline.

Thanks very much,

James

**From:** Lisa Aozasa  
**To:** Planning-Planning  
**CC:** Heather Hardy  
**Date:** 9/16/2014 9:09 AM  
**Subject:** Let there be pastries...

but no meeting this morning. Please help yourself -- thanks, Erica :-)

One announcement: the October 22 PC meeting is now open for items -- Big Wave has moved to November 12. It looks like Ascension Heights will be on December 10. We will consider adding a second meeting in November or December, if necessary. Please let Heather know if you are planning items for these remaining end-of-the-year meetings, and so we can figure out if we'll need to fit another meeting in. Thanks!

Lisa

**From:** Heather Hardy  
**To:** Planning-Planning  
**CC:** Frances Contreras; Janna Hing-Lewis; Pamela Cattich  
**Date:** 10/2/2014 10:48 AM  
**Subject:** Last call for 10/22 Planning Commission Agenda Requests

Dear Planners,

Here's what the Planning Commission schedule looks like for the remainder of the year:

**10/8:** DPW road culvert project (Rob), Fitzgerald tree removal + Farm Labor Housing (Dave), Sister Christina/Siena Center (Lisa), Waverly (Mike)

**10/22:** *Last regular meeting for 2014.* 2 items from Steven Rosen + County Counsel's CEQA presentation (tentative)

**11/12:** Big Wave evening meeting on the Coast (consent items should be okay)

**12/10:** Ascension Heights evening meeting in the Highlands (consent items should be okay)

If instructed to do so by Steve or Lisa, I'll work with the Commission to schedule a special meeting in November or December. If you intend to present an item on October 22, I need your agenda request **today** so that I can finalize the agenda to send it to the newspaper.

Thanks,  
Heather

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

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**From:** Heather Hardy  
**To:** Diana Shu; Laurie Simonson; Manuel Ramirez; Tim Fox; Zoe Kersteen-Tu...  
**CC:** Lisa Aozasa; Steve Monowitz  
**Date:** 10/3/2014 8:49 AM  
**Subject:** RE: Input requested: Possible special Planning Commission meeting on December 17

Dear all,

As I have now heard from four Commissioners, let's plan on a special meeting on Wednesday December 17. Here's your calendar for the remainder of the year:

**10/8/14** - 9AM, Board Chambers (could be a long meeting)

**10/22/14** - 9AM, Board Chambers (could be a long meeting)

**11/12/14** - Evening, Coast (Big Wave) This date is contingent on the applicant submitting a number of mandatory materials.

**12/10/14** - Evening, Highlands (Ascension Heights)

**12/17/14** - 9AM + Holiday Lunch (Board chambers are unavailable that day, so venue is currently TBD).

Thanks,  
Heather

>>> Manuel Ramirez < >>> 10/3/2014 6:46 AM >>>  
Yes, I can make it.

Manuel.

**From:** Heather Hardy (mailto:hhardy@smcgov.org)

**Sent:** 10/2/2014 1:04 PM

**To:** Laurie Simonson (mailto: ); Zoe Kersteen-Tucker < (mailto:Zoe%20Kersteen-

Tucker%20% ); zkybum@myastound.net; Diana Shu (mailto:dshu@smcgov.org); Tim Fox (mailto:TFox@smcgov.org); hansson@stanford.edu

**Cc:** Lisa Aozasa (mailto:LAozasa@smcgov.org); Steve Monowitz (mailto:SMonowitz@smcgov.org)

**Subject:** Input requested: Possible special Planning Commission meeting on December 17

Dear Commissioners, Diana, and Tim,

I have been asked by our Deputy Director, Lisa Aozasa, to determine if you can be available for a special Planning Commission meeting on December 17. This is specifically to discuss the Housing Element, although other items might also be considered that day. If that works out, I would like to also have the Commission holiday luncheon on that date. (Your only other December meeting, on the 10th, will be in the evening and out in the Highlands.) Can you be available for a meeting on December 17?

Thanks,  
Heather

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

**From:** Heather Hardy  
**To:** Lisa Aozasa  
**Date:** 10/3/2014 2:07 PM  
**Subject:** P&B performance PPT (7/15/14)  
**Attachments:** BoS Performance Presentation 7.15.14 as of 7.8 v2\_2.pptx

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

Planning and Building Department  
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**From:** Heather Hardy  
**To:** Planning-Planning  
**CC:** Frances Contreras; Janna Hing-Lewis; Pamela Cattich  
**Date:** 10/10/2014 1:24 PM  
**Subject:** Remaining 2014 Planning Commission Dates

Dear Planners,

Please see the updated meeting list below.

**10/22:** Cablecom + 91 Loyola + Housing Element + County Counsel's CEQA presentation

**11/12:** Big Wave evening meeting on the Coast (consent items okay)

**12/10:** Ascension Heights evening meeting in the Highlands (consent items okay)

**12/17:** \*\*\*Newly added Regular meeting\*\*\*, 9AM in Chambers, Housing Element briefing. Open for items!

Thanks,  
Heather

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

Planning and Building Department  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
(650) 363-1859 T  
(650) 363-4849 F  
[www.planning.smcgov.org](http://www.planning.smcgov.org) ( [about:www.planning.smcgov.org](http://about:www.planning.smcgov.org) )

**From:** Lisa Aozasa  
**To:** Heather Hardy  
**CC:** Will Gibson  
**Date:** 10/10/2014 1:28 PM  
**Subject:** Re: Remaining 2014 Planning Commission Dates

Hi Heather --

Will is thinking he will put another housing-related but separate item on 12/17, just FYI.

Lisa

>>> Heather Hardy 10/10/2014 1:24 PM >>>

Dear Planners,

Please see the updated meeting list below.

**10/22:** Cablecom + 91 Loyola + Housing Element + County Counsel's CEQA presentation

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**12/10:** Ascension Heights evening meeting in the Highlands (consent items okay)

**12/17:** \*\*\*Newly added Regular meeting\*\*\*, 9AM in Chambers, Housing Element briefing. Open for items!

Thanks,  
Heather

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

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**COUNTY** OF **SAN MATEO**



# Planning and Building Performance Report

**Steve Monowitz**

July 15, 2014

COUNTY OF SAN MATEO

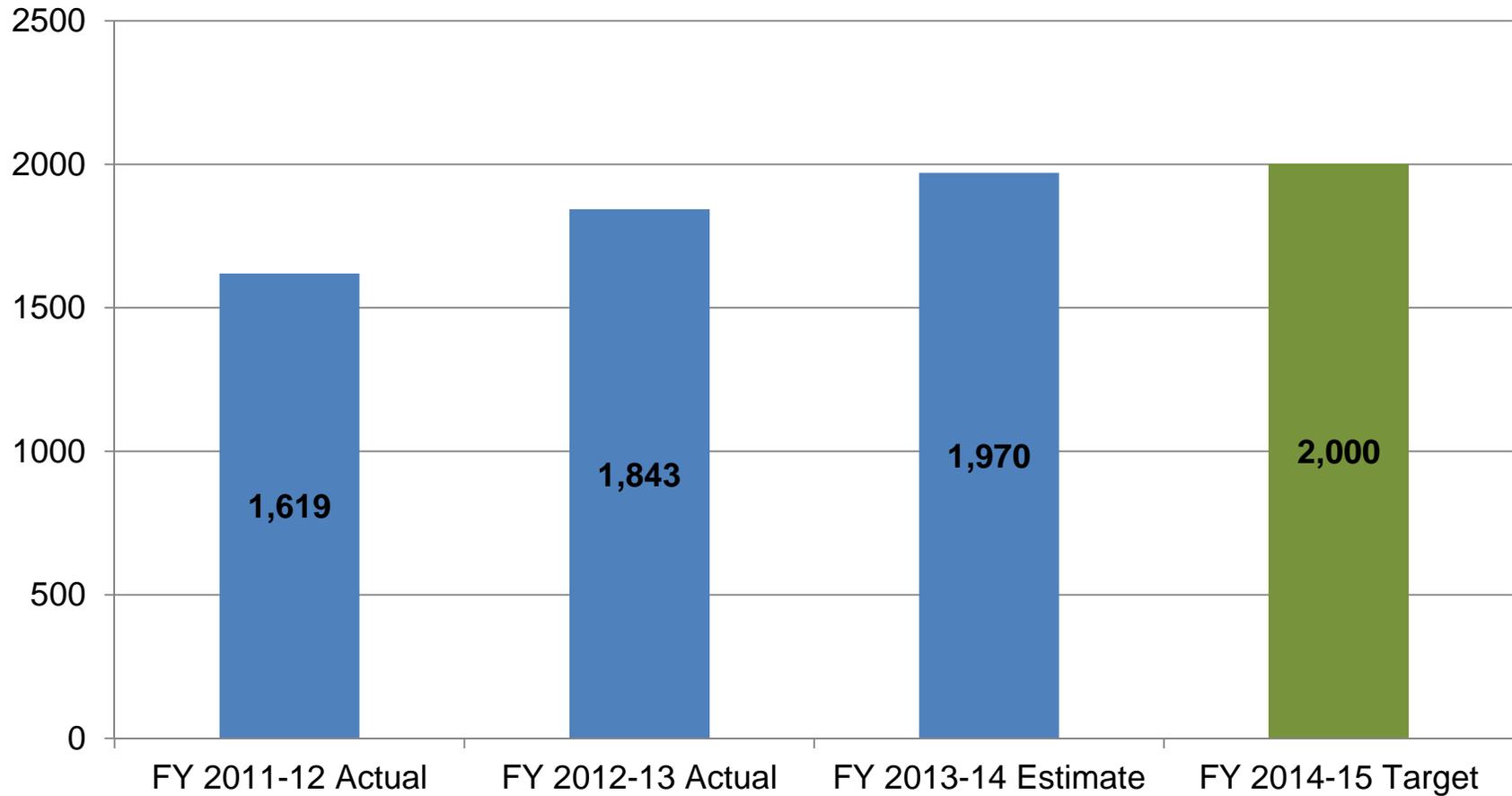


# Planning and Building Mission

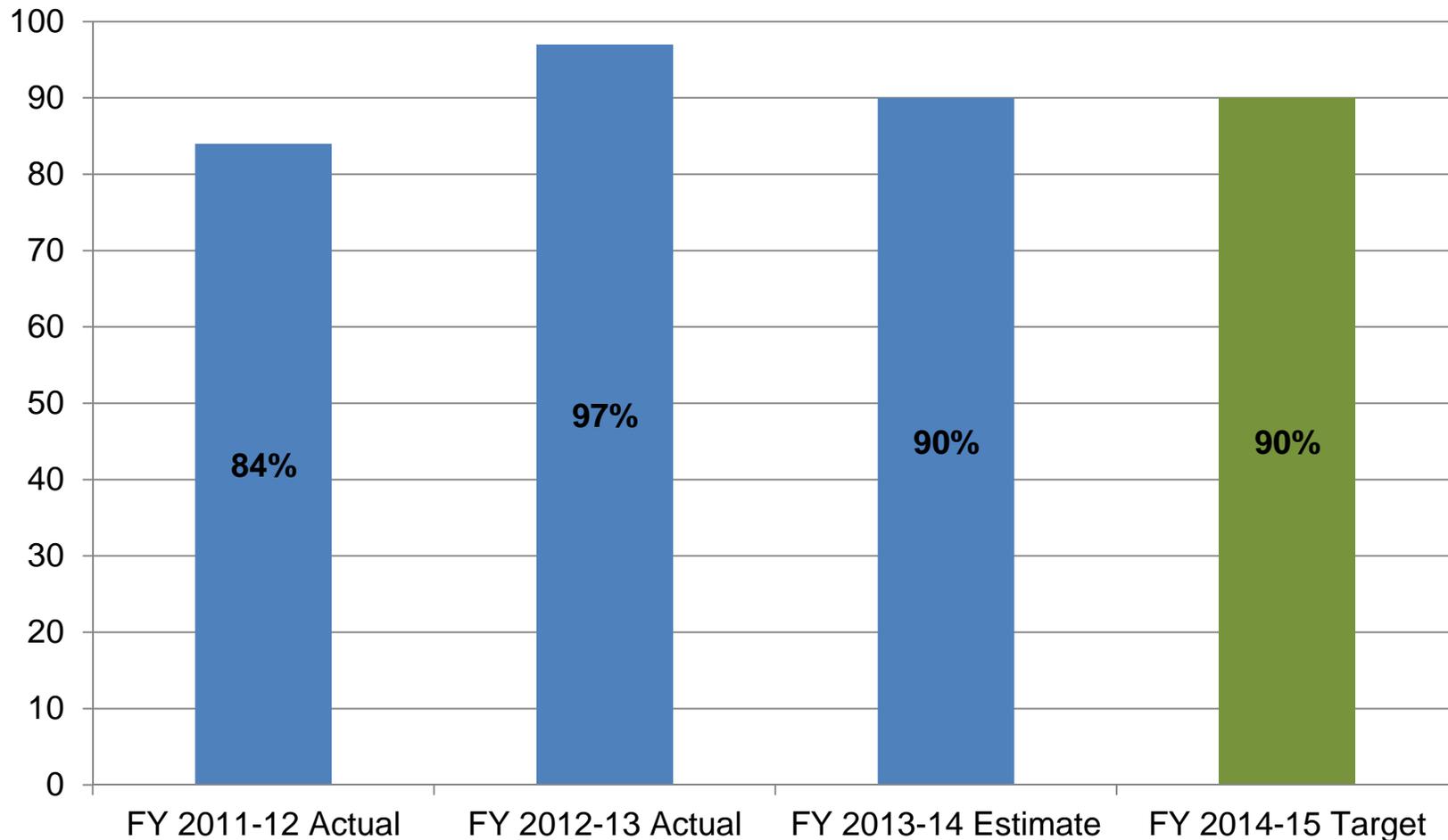
- **The Planning and Building Department serves the County and its communities through the preparation and administration of land use plans and regulations and by ensuring development proposals conform with applicable zoning and building requirements.**



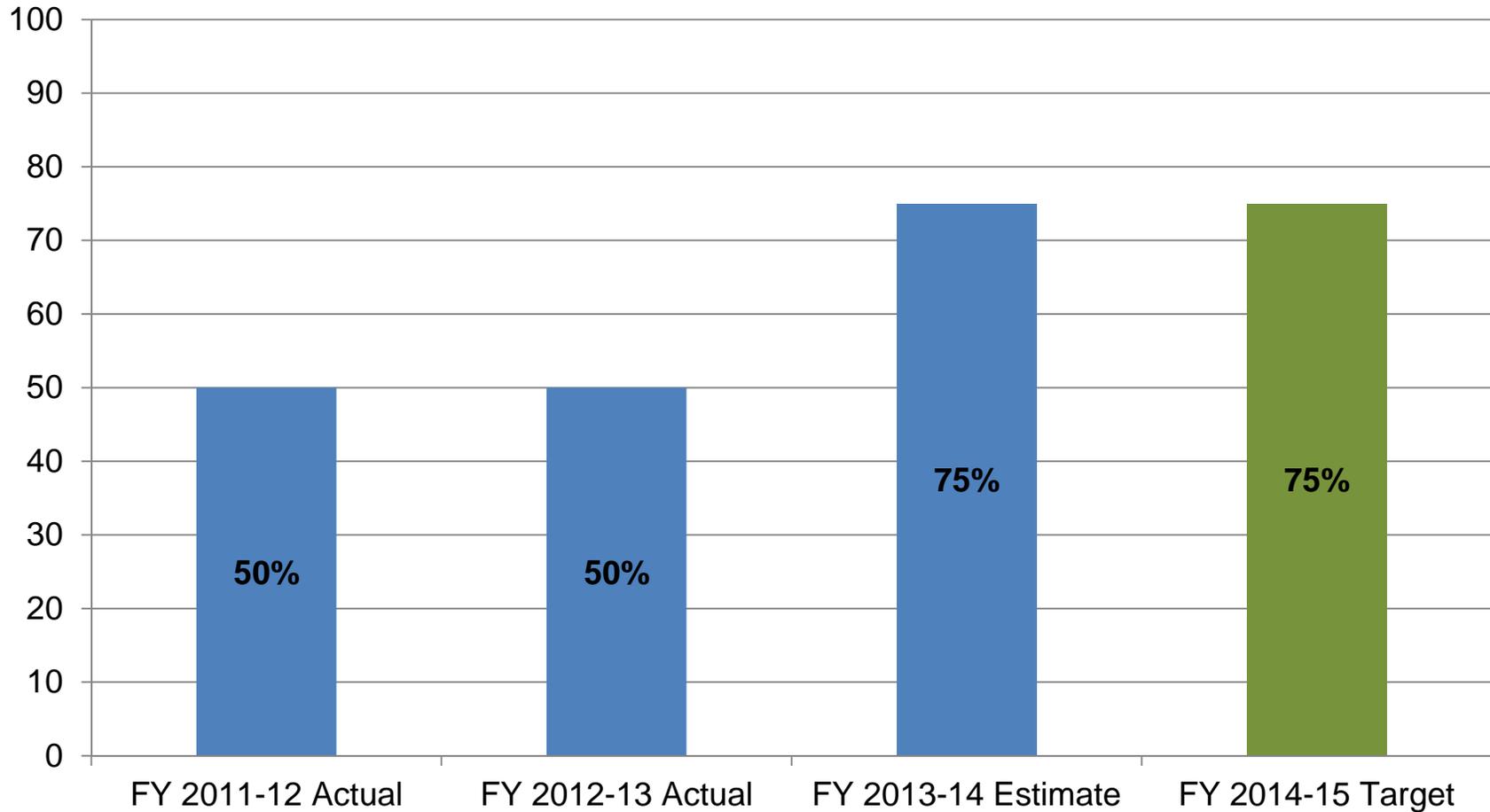
# Number of Building Projects Finalized



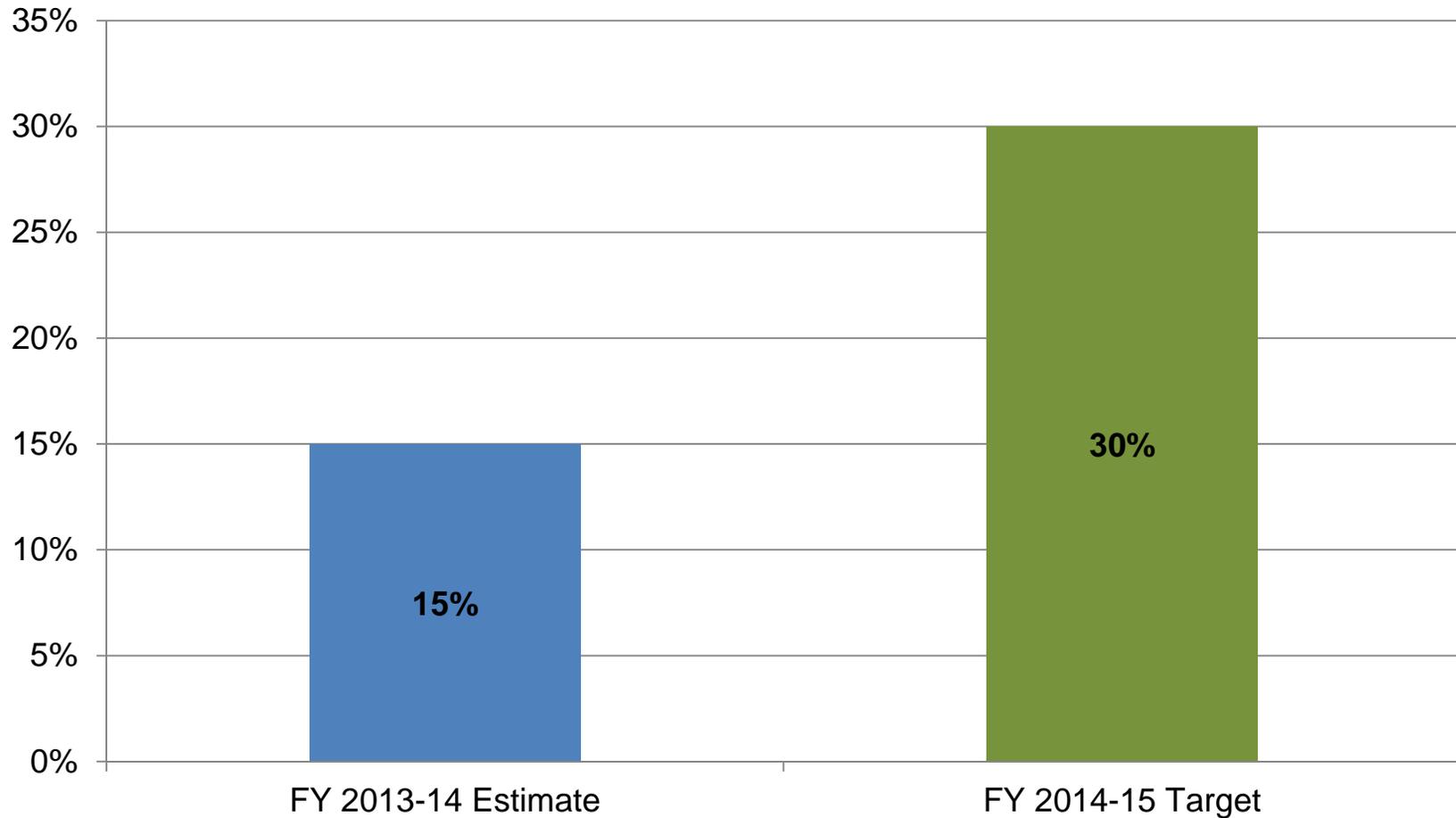
# Percent of Customers Rating Overall Satisfaction as Good or Excellent



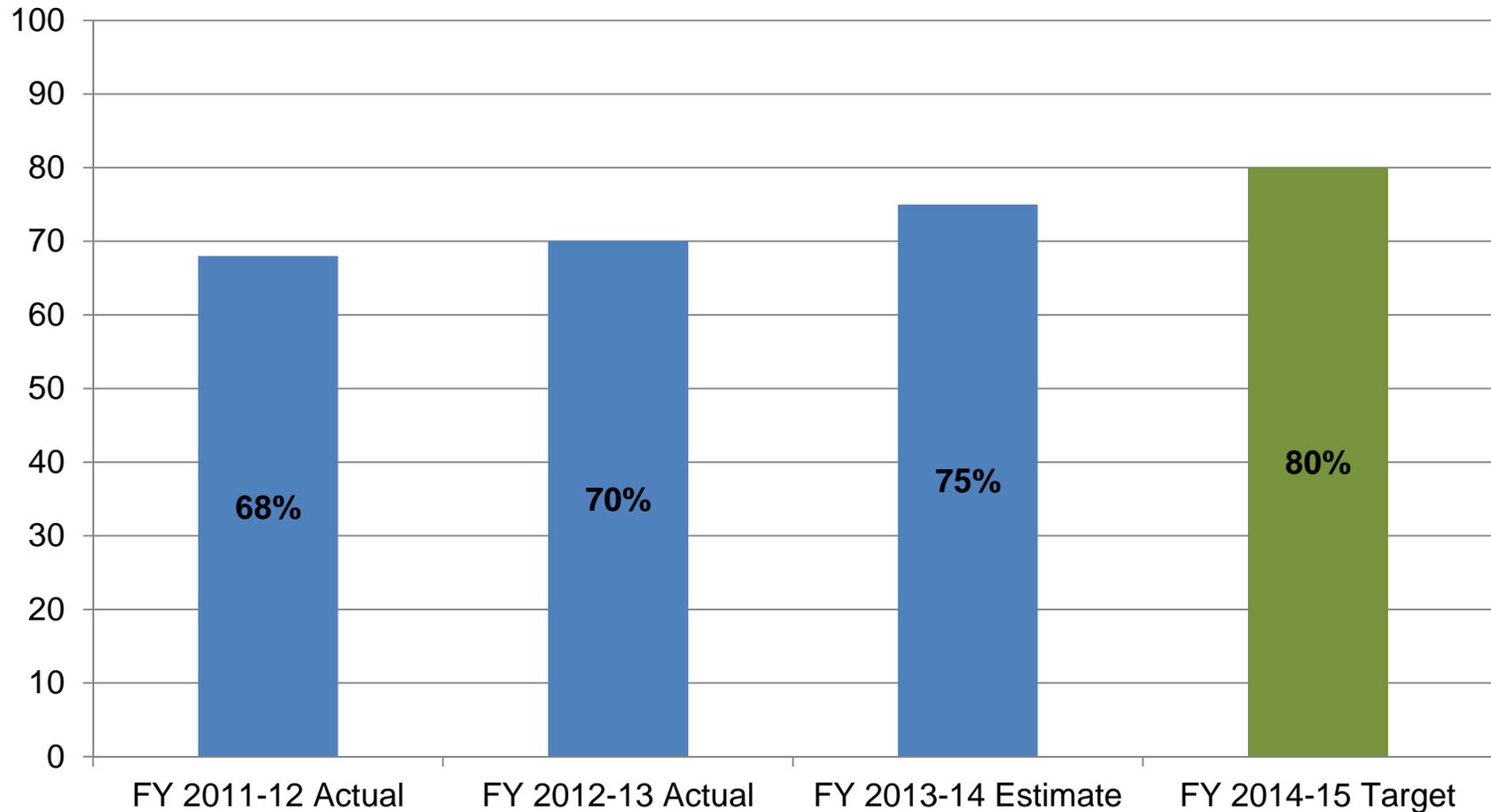
# Percent of Outcome and Efficiency Goals and Benchmarks Met



# Emission Reduction Targets



# Percent of Hearing Level Permits Processed Within Four Months



# Budget Summary

- **FY 2013-14**

- Total Sources:  
9,333,938
- Total Requirements:  
12,447,947
- Net County Cost:  
3,114,009
- Funded FTEs: 47.4

- **FY 2014-15**

- Total Sources:  
7,858,254
- Total Requirements:  
11,035,068
- Net County Cost:  
3,176,814
- Funded FTEs: 48.4



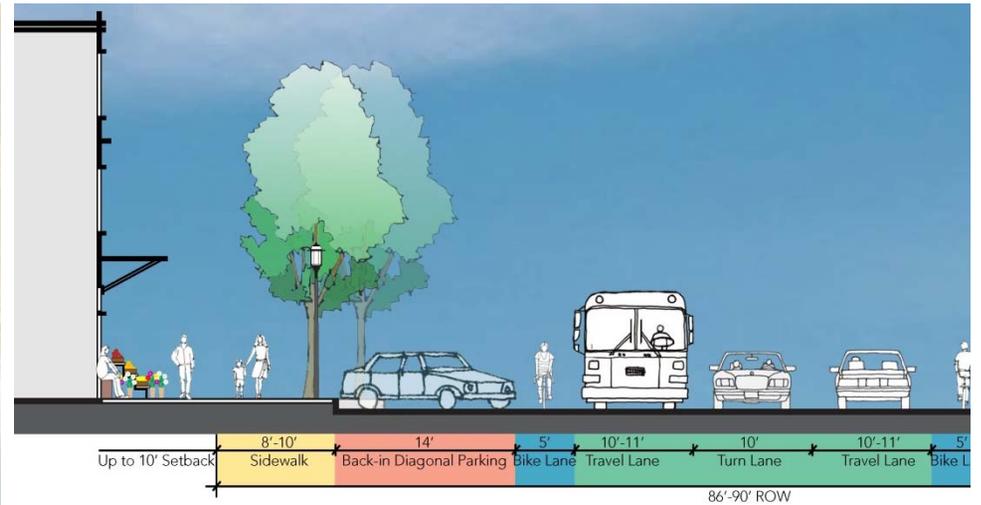
# Fiscal Year 2013-15 HIGHLIGHTS

- Williamson Act update
- Plan Princeton and Coastside Transportation Management Plan



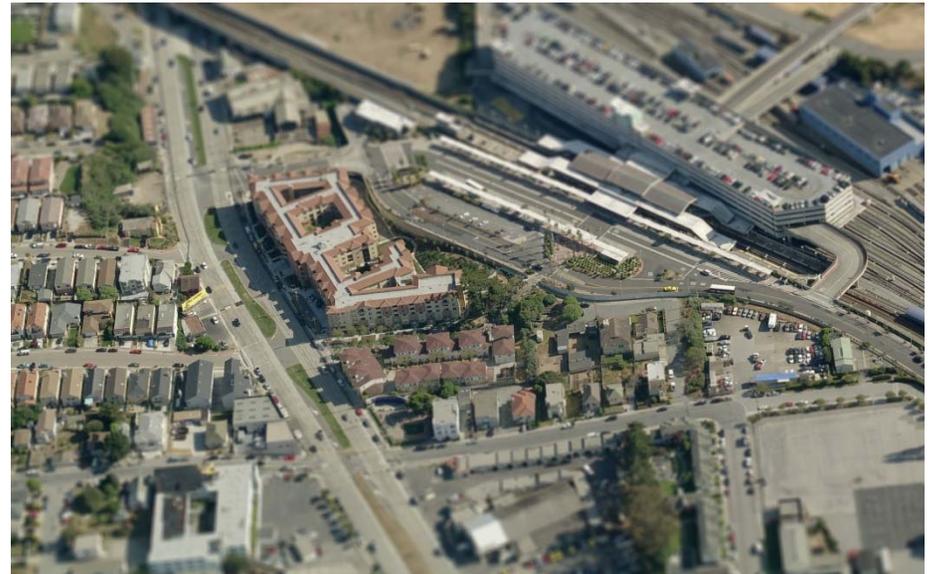
# Fiscal Year 2013-15 HIGHLIGHTS

- Highway 1 pedestrian crossings and vehicle left turn lanes
- Middlefield Road Improvements



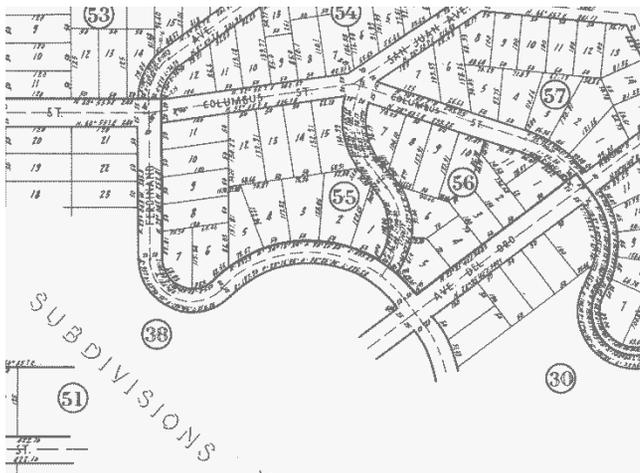
# Fiscal Year 2013-15 HIGHLIGHTS

- NFO zoning amendments
- Implementation of 2012 Housing Element
- Completion of 2015 Housing Element



# Fiscal Year 2013-15 HIGHLIGHTS cont'd

- Subdivision, grading, and tree removal regulation updates



# Fiscal Year 2013-15 HIGHLIGHTS cont'd

- Revised Big Wave project and Ascension Heights subdivision



# Fiscal Year 2013-15 HIGHLIGHTS cont'd

- Improved code compliance and stormwater compliance programs



# Fiscal Year 2013-15 HIGHLIGHTS cont'd

- Improved public facing permit database



## COUNTY OF SAN MATEO PLANNING AND BUILDING

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**General Search**  Search All Records

Record Number:  Parcel No.:  Start Date:  End Date:

Street No.:  Direction:  Street Name:  Street Type:  City:

State License Number:

**23 Record results matching your search results**

Click any of the results below to view more details.

Showing 1-10 of 23 | [Download results](#)

Date	Record Number	Record Type	Project Name	Address	Status
07/07/2014	<a href="#">VIO2014-00098</a>	Violation	illegal dwelling/other use	2905 FLOOD AVE, NORTH FAIR OAKS CA	Investigation
06/10/2014	<a href="#">VIO2014-00088</a>	Violation	Nuisance	2905 FLOOD AVE, NORTH FAIR OAKS CA	Closed
06/03/2014	<a href="#">VIO2014-00082</a>	Violation	USE	766 WARRINGTON AVE, NORTH FAIR OAKS CA	Closed
04/29/2014	<a href="#">VIO2014-00062</a>	Violation	use	2627 EL CAMINO REAL, NORTH FAIR OAKS CA	Closed
12/19/2013	<a href="#">PLN2013-00510</a>	Project	Merger	860 HURLINGAME AVE, REDWOOD CITY CA 94063	Recorded
12/09/2013	<a href="#">VIO2013-00215</a>	Violation	Rooster	671 STANFORD AVE, NORTH FAIR OAKS CA	Closed
08/15/2013	<a href="#">PLN2013-00350</a>	Project	GRADING	3201 EL CAMINO REAL, NORTH FAIR OAKS	Grading Permit Issued
07/17/2013	<a href="#">PLN2013-00301</a>	Project	ADDITION	527 PALMER LN, NORTH FAIR OAKS	Approved
07/11/2013	<a href="#">VIO2013-00113</a>	Violation	NUISANCE	697 WARRINGTON AVE, NORTH FAIR OAKS	Closed
06/19/2013	<a href="#">VIO2013-00095</a>	Violation	USE	2836 MARLBOROUGH AVE, NORTH FAIR OAKS	Violation 2

< Prev 1 2 3 Next >

[aca.accela.com/smcgov](http://aca.accela.com/smcgov)



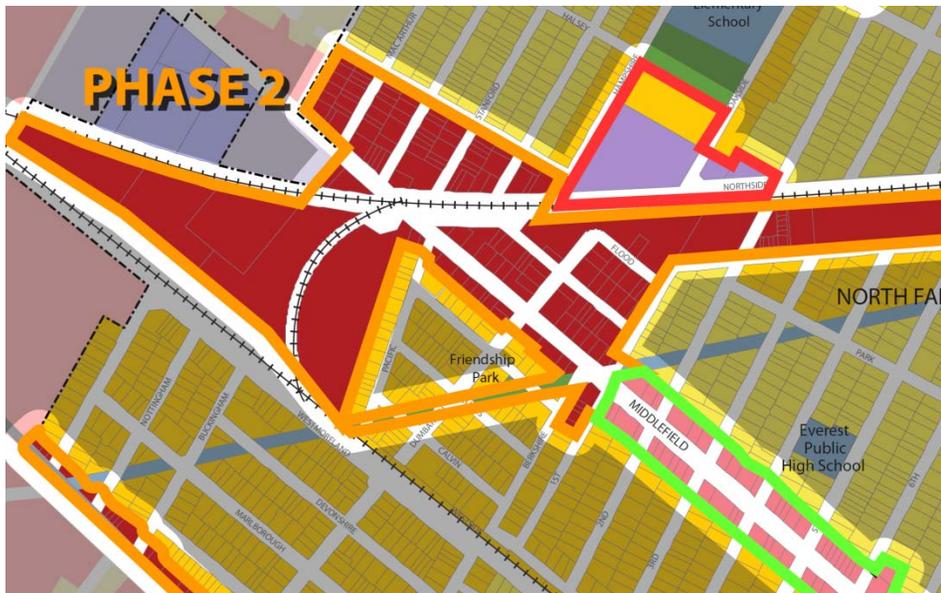
# Fiscal Year 2013-15 HIGHLIGHTS cont'd

- Highway 1 Parallel Trail Grant Applications
- California Coastal Trail at Surfers Beach



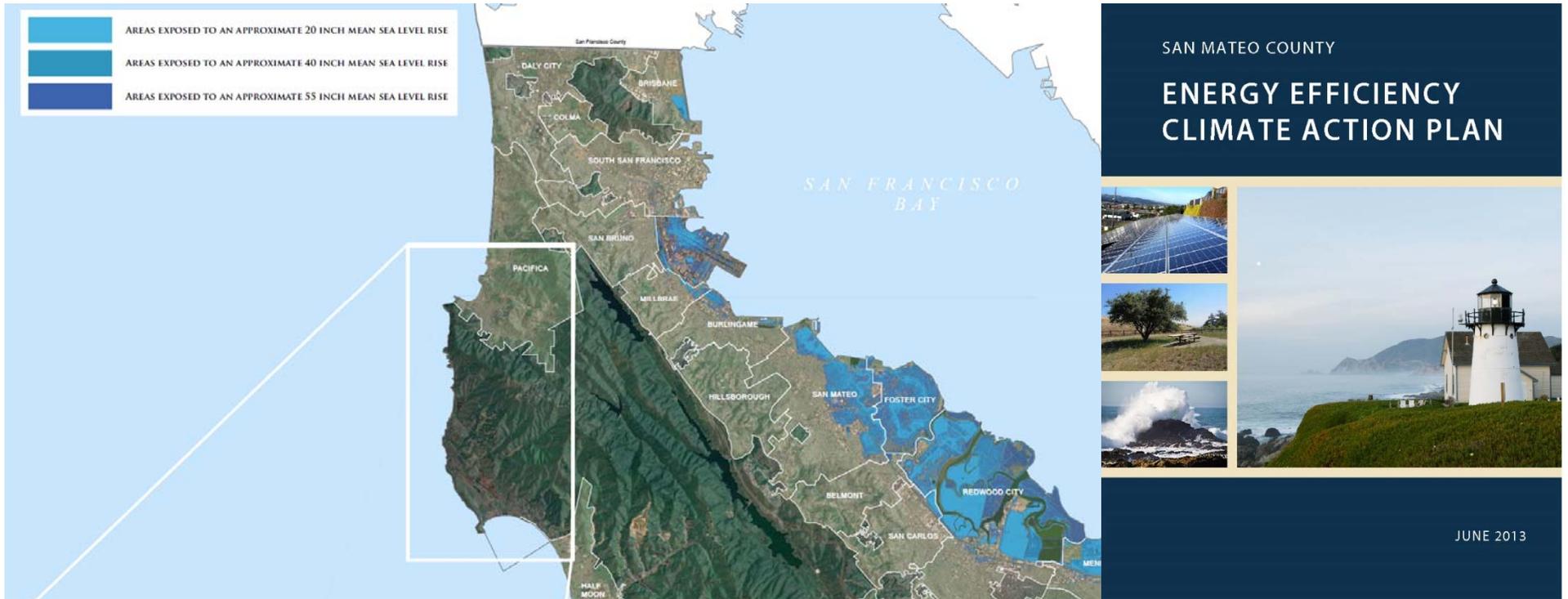
# Fiscal Year 2015-17 PRIORITIES

- Second and third phases of NFO zoning amendments



# Fiscal Year 2015-17 PRIORITIES

- Implementation of Climate Action Plan



COUNTY OF SAN MATEO



# Fiscal Year 2015-17 PRIORITIES

- Implementation of 2015 Housing Element
- Design, construction, and implementation of transportation improvements



# Fiscal Year 2015-17 PRIORITIES

- Updates to General Plan Land Use, Open Space, and Conservation Elements



COUNTY OF SAN MATEO



# Fiscal Year 2015-17 PRIORITIES

- Ongoing permit streamlining and stormwater compliance efforts
- Continued improvements to Accela and GIS



**COUNTY** OF **SAN MATEO**



**From:** Will Gibson  
**To:** Heather Hardy; Lisa Aozasa  
**Date:** 10/10/2014 1:29 PM  
**Subject:** Re: Remaining 2014 Planning Commission Dates

Yes- the transitional and supportive housing zoning text amendment. I think we can complete that in time for 12/17.

Thanks,

Will

William Gibson  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
(650) 363-1816

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Hi Heather --

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Lisa

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**From:** Heather Hardy  
**To:** Lisa Aozasa; Will Gibson  
**Date:** 10/10/2014 1:39 PM  
**Subject:** Re: Remaining 2014 Planning Commission Dates

That sounds awesome!!!

Heather

>>> Will Gibson 10/10/2014 1:29 PM >>>

Yes- the transitional and supportive housing zoning text amendment. I think we can complete that in time for 12/17.

Thanks,

Will

William Gibson  
Planning and Building Department  
455 County Center, Second Floor  
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Executive Secretary  
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**From:** James Castaneda  
**To:**  
**CC:** Dave Pine; David Burruto; Heather Hardy; Lisa Aozasa; Steve Monowitz  
**Date:** 10/14/2014 11:14 AM  
**Subject:** Ascension Heights update

Good morning Jerry,

I wanted to give you a quick update as to where we are, and what we're looking towards for the rest of the year with the Ascension Heights project.

First, the consultants are finishing up the Final EIR as we speak, and we'll be reviewing administrative/internal draft in the next few weeks. They're taking some additional time in their response to the comments received to ensure they are thorough as possible. We anticipate a public release of the Final EIR in mid-November after we complete our review of the consultant's work.

Looking further ahead, we're looking at a tentative hearing date of December 10, 2014 for the Planning Commission to consider the project and the EIR. Due to the Planning Commission's busy fall hearing schedule with other high profile projects, we're very limited on dates. I'll have additional details regarding the hearing in the next few weeks, but I did want to give you sufficient heads up what we're tentatively anticipating in December.

As soon as I have some additional information to provide, I'll make sure to do so. Hope all is well.

Regards,  
JAMES

**James A. Castañeda, AICP**  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
[planning.smcgov.org](http://planning.smcgov.org) | [sforoundtable.org](http://sforoundtable.org)

**From:** Gerard Ozanne <  
**To:** 4pclaw@g...  
**CC:** SMonowitz@smcgov.org; LAozasa@smcgov.org; hhardy@smcgov.org;  
DPine@smcgo...  
**Date:** 10/14/2014 9:41 PM  
**Subject:** Re: Ascension Heights update

Thanks for the information, James. Adding more people to your announcement. We will get back to you.

Jerry

Sent from my iPhone

> On Oct 14, 2014, at 1:14 PM, James Castaneda <jcastaneda@smcgov.org> wrote:

>

> Good morning Jerry,

>

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> Planner III - San Mateo County Planning & Building Department

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> [planning.smcgov.org](http://planning.smcgov.org) | [sforoundtable.org](http://sforoundtable.org)

**From:** James Castaneda  
**To:** David Burruto  
**CC:** Lisa Aozasa  
**Date:** 10/15/2014 11:32 AM  
**Subject:** Re: Briefing

Can we either do tomorrow or Friday morning? I'm stuck at the front counter this morning and booked this afternoon. Can either do 11 tomorrow or on Friday.

JAMES

>>> On 10/15/2014 at 11:04, David Burruto <DBurruto@smcgov.org> wrote:

Hey James,

if you have 15 mins I would like to swing by and have a chat about the Ascension Heights EIR. Just an update and to get clear picture of process.

Let me know.

DB

David Burruto  
Chief of Staff  
Office of Supervisor Dave Pine  
San Mateo County  
District 1  
Hall of Justice & Records  
400 County Center  
Redwood City, CA 94063  
650-363-4571  
dburruto@co.sanmateo.ca.us

**From:** James Castaneda  
**To:** David Burruto  
**CC:** Lisa Aozasa  
**Date:** 10/15/2014 11:50 AM  
**Subject:** Re: Briefing

Just come up to reception, and we'll figure out a room.

>>> On 10/15/2014 at 11:47, David Burruto <DBurruto@smcgov.org> wrote:

11 am tomorrow is great. I will come to you. Just let me know the where etc.

David Burruto  
Chief of Staff  
Office of Supervisor Dave Pine  
San Mateo County  
District 1  
Hall of Justice & Records  
400 County Center  
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dburruto@co.sanmateo.ca.us

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650-363-4571  
dburruto@co.sanmateo.ca.us

**From:** Lisa Aozasa  
**To:** Mike Schaller  
**CC:** Camille Leung; Dave Holbrook; Melissa Ross  
**Date:** 10/20/2014 11:33 AM  
**Subject:** Please do not put James on Counter in November

Hey Mike --

James is looking at a perfect storm of stuff coming due in November -- the Ascension Heights FEIR comes out, he'll need to prepare the staff report for the December 10 meeting, he needs to prep for a Round Table meeting in early December, and there's a smaller project that's come alive and is pressing. Bottom line, he'll need a break on something to handle it all, so I'm suggesting we leave him off counter for November.

You could put me on for a couple of shifts, and/or, let's talk to Bryan about what his contribution to current planning could be -- either a phone desk shift or two similar to what James H. is doing, or maybe we can put him on tree permits? We still don't have his position back filled yet, so we can't have him do too much, but no reason why we can't have him start small on something.

Let me know your thoughts --

Lisa

**From:** Mike Schaller  
**To:** Lisa Aozasa  
**CC:** Camille Leung; Dave Holbrook; Melissa Ross  
**Date:** 10/20/2014 11:44 AM  
**Subject:** Re: Please do not put James on Counter in November

OK, no problem. I'll make the schedule work.

>>> Lisa Aozasa 10/20/2014 11:33 AM >>>  
Hey Mike --

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Let me know your thoughts --

Lisa

**From:** James Castaneda  
**To:** Diana Shu  
**CC:** Jim Toby; Lisa Aozasa;  
**Date:** 10/22/2014 12:02 PM  
**Subject:** RE: Ascension and Bel Aire - San Mateo County

Good afternoon Diana,  
Just checking to see how we're doing with your final review of the project, and to see if there was any resolution on the items you discussed in this email chain with Jim Toby. Since we're starting to make plans to take this project in front of the Planning Commission for their consideration in December, I want to ensure that any DPW issues have been resolved or working towards that effort before the hearing. I encourage you to continue working with Jim Toby in getting what you need to complete your review, and please do keep both myself and Lisa apprised via cc'ed email, so we can anticipate any issues that impact our preparation for the Planning Commission hearing. Greatly appreciate your help.

JAMES

>>> On 10/14/2014 at 13:46, Diana Shu <dshu@smcgov.org> wrote:

Thank you.

Diana Shu  
dshu@smcgov.org  
650-599-1414  
Please provide us with your feedback at:  
<https://www.surveymonkey.com/s/DPWTraffic>

>>> Jim Toby <jtoby@leabraze.com> 10/14/2014 1:46 PM >>>

OK, I see where the confusion lies. Our write-up was never updated, but the plans were. Please look at the plans and I will update the verbiage on the report.

Thanks Jim

**Jim Toby, P.E., P.L.S, Leed AP**  
**Principal/Civil Engineering**  
**Qualified SWPPP Developer (QSD)**  
**Lea & Braze Engineering, Inc**  
**Civil Engineers | Land Surveyors**  
**San Francisco Bay Area Region**  
2495 Industrial Parkway West  
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Phone: 510-887-4086 x.105 Email: [JToby@leabraze.com](mailto:JToby@leabraze.com)  
**Roseville/Sacramento Region**  
3017 Douglas Blvd., Suite 300  
Roseville, CA 95661  
Phone: 916-966-1338  
[www.leabraze.com](http://www.leabraze.com)

**From:** Diana Shu [mailto:dshu@smcgov.org]  
**Sent:** Tuesday, October 14, 2014 12:29 PM  
**To:** James Castaneda; Jim Toby  
**Subject:** RE: Ascension and Bel Aire - San Mateo County

Hi James and Jim

There seems to be some confusion, I looked at Jim Toby's notes below and the calcs that he sent me, but they do not jive.

The calcs still show the CDS unit...so I will need him to revise and resubmit.

Thanks

Diana

Diana Shu

dshu@smcgov.org

650-599-1414

Please provide us with your feedback at:

<https://www.surveymonkey.com/s/DPWTraffic>

>>> James Castaneda 10/14/2014 11:12 AM >>>

Just checking how we're doing with DPW comments. I want to make sure I'm caught up so I can plan accordingly since we're making plans for a hearing in December, and address any issues now. Thanks.

JAMES

>>> On 10/8/2014 at 08:45, Diana Shu <dshu@smcgov.org> wrote:

Have you tried a sediment bag and filter on the inlet with weekly maintenance?

Diana Shu

dshu@smcgov.org

650-599-1414

Please provide us with your feedback at:

<https://www.surveymonkey.com/s/DPWTraffic>

>>> Jim Toby <jtoby@leabraze.com> 10/7/2014 9:51 PM >>>

Thanks Diana,

The CDS is long gone. We removed this over two years ago. We now have a biofiltration area, mainly constructed with retaining walls to keep it flat.

Not sure what we can do on the areas with silt. This area is adjacent to the curb and in the Right of Way and since I can't grade it or touch it, I am left with little options before it reaches the storm drain.

Thanks for getting back to me so fast!

Jim

**Jim Toby, P.E., P.L.S, Leed AP**  
**Principal/Civil Engineering**  
**Qualified SWPPP Developer (QSD)**  
**Lea & Braze Engineering, Inc**  
**Civil Engineers | Land Surveyors**  
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3017 Douglas Blvd., Suite 300  
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[www.leabraze.com](http://www.leabraze.com)

**From:** Diana Shu [mailto:dshu@smcgov.org]  
**Sent:** Tuesday, October 07, 2014 9:48 PM  
**To:** Jim Toby  
**Cc:** James Castaneda  
**Subject:** RE: Ascension and Bel Aire - San Mateo County

Hi Jim

I have your plans and am just starting to look at them again.

Have you addressed the CDS unit...the MRP does not allow them anymore?

Also, have you considered putting something outside the protected zone to address the sediment that continues to enter into the catch basin?

Thanks

Diana

Diana Shu

dshu@smcgov.org

650-599-1414

Please provide us with your feedback at:

<https://www.surveymonkey.com/s/DPWTraffic>

>>> Jim Toby <jtoby@leabraze.com> 10/7/2014 9:31 PM >>>

Diana, I wanted to check in and see if the plans for Ascension have been passed onto you by James Castaneda?

The plans are the same as the ones we submitted about a year and half ago when we first addressed the

comments still on the County website.

I am hoping these plans clear the comments once and for all.

You have one comment about the erosion on the corner of Ascension and Bel Aire. I wanted to point out that we would like to address this issue, but there appears to be a protected plant noticed by the project biologist and we are not allowed to work in this area. If in the future, we find out that we can work in this area, the developer is happy to do so.

Please let me know if there any other questions or if I can help in any way.

Thanks, Jim

**Jim Toby, P.E., P.L.S, Leed AP**  
**Principal/Civil Engineering**  
**Qualified SWPPP Developer (QSD)**  
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**From:** Diana Shu [mailto:[dshu@smcgov.org](mailto:dshu@smcgov.org)]  
**Sent:** Friday, September 12, 2014 1:45 PM  
**To:** Jim Toby  
**Cc:** Richard Lee  
**Subject:** Re: Ascension and Bel Aire - San Mateo County

Hi Jim

These are the latest set of comments from the latest set of plans:

7/10/13 dys: still waiting on these submittals listed below:

9/10/12 dys: see comments and conditions  
1) project needs to meet C.3 latest revisions

- 2) project needs maintenance agreements for private stormwater systems and private trails etc.
- 3) project needs to address erosion at Belaire and Ascension immediately. Owner needs to keep the silt out of the catch basins.
- 4) submit final drainage calcs

If you think you have already submitted these, please resubmit.

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Phone: 510-887-4086 x.105 Email: [JToby@leabraze.com](mailto:JToby@leabraze.com)  
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**To:** James Castaneda  
**CC:** Jim Toby; Lisa Aozasa;  
**Date:** 10/22/2014 5:58 PM  
**Subject:** RE: Ascension and Bel Aire - San Mateo County

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**Sent:** Tuesday, October 07, 2014 9:48 PM  
**To:** Jim Toby  
**Cc:** James Castaneda  
**Subject:** RE: Ascension and Bel Aire - San Mateo County

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**From:** Diana Shu [<mailto:dshu@smcgov.org>]  
**Sent:** Friday, September 12, 2014 1:45 PM  
**To:** Jim Toby  
**Cc:** Richard Lee  
**Subject:** Re: Ascension and Bel Aire - San Mateo County

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**To:** JCastaneda@smcgov.org; dshu@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 10/22/2014 6:00 PM  
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**From:** James Castaneda  
**To:** dshu@smcgov.org; jtoby@leabraze.com  
**CC:** LAozasa@smcgov.org;  
**Date:** 10/23/2014 8:19 AM  
**Subject:** Re: RE: Ascension and Bel Aire - San Mateo County

Jim, thanks for the update. For this report revision, can you please send a copy both directly to Diana and one to me? I'll be out of the office through next week and won't be able to route it to DPW if it comes through Planning until I get back. Much appreciated!

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Sent: Tuesday, October 14, 2014 12:29 PM

To: James Castaneda; Jim Toby

Subject: RE: Ascension and Bel Aire - San Mateo County

Hi James and Jim

There seems to be some confusion, I looked at Jim Toby's notes below and the calcs that he sent me, but

they do not jive.  
The calcs still show the CDS unit...so I will need him to revise and resubmit.

Thanks  
Diana

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650-599-1414  
Please provide us with your feedback at:  
<https://www.surveymonkey.com/s/DPWTraffic>

[cid:image001.gif@01CFEE22.25D2E270]  
>>> James Castaneda 10/14/2014 11:12 AM >>>  
Just checking how we're doing with DPW comments. I want to make sure I'm caught up so I can plan accordingly since we're making plans for a hearing in December, and address any issues now. Thanks.

JAMES

>>> On 10/8/2014 at 08:45, Diana Shu <dshu@smcgov.org<mailto:dshu@smcgov.org>> wrote:  
Have you tried a sediment bag and filter on the inlet with weekly maintenance?

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Thanks for getting back to me so fast!

Jim

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From: Diana Shu [mailto:dshu@smcgov.org]  
Sent: Tuesday, October 07, 2014 9:48 PM  
To: Jim Toby  
Cc: James Castaneda  
Subject: RE: Ascension and Bel Aire - San Mateo County

Hi Jim  
I have your plans and am just starting to look at them again.

Have you addressed the CDS unit...the MRP does not allow them anymore?

Also, have you considered putting something outside the protected zone to address the sediment that continues to enter into the catch basin?

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Diana

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>>> Jim Toby <jtoby@leabraze.com<mailto:jtoby@leabraze.com>> 10/7/2014 9:31 PM >>>  
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The plans are the same as the ones we submitted about a year and half ago when we first addressed the comments still on the County website.

I am hoping these plans clear the comments once and for all.

You have one comment about the erosion on the corner of Ascension and Bel Aire. I wanted to point out that we would like to address this issue, but there appears to be a protected plant noticed by the project biologist and we are not allowed to work in this area. If in the future, we find out that we can work in this area, the developer is happy to do so.

Please let me know if there any other questions or if I can help in any way.

Thanks, Jim

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From: Diana Shu [mailto:dshu@smcgov.org]  
Sent: Friday, September 12, 2014 1:45 PM  
To: Jim Toby  
Cc: Richard Lee  
Subject: Re: Ascension and Bel Aire - San Mateo County

Hi Jim

These are the latest set of comments from the latest set of plans:

7/10/13 dys: still waiting on these submittals listed below:

9/10/12 dys: see comments and conditions

- 1) project needs to meet C.3 latest revisions
- 2) project needs maintenance agreements for private stormwater systems and private trails etc.
- 3) project needs to address erosion at Belaire and Ascension immediately. Owner needs to keeps the silt out of the catch basins.
- 4) submit final drainage calcs

If you think you have already submitted these, please resubmit.

If you are still using a vault type system, they are no longer allowed under current MRP rules.

Thanks  
Diana

Diana Shu  
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>>> Diana Shu 7/29/2014 10:00 AM >>>

Hi Jim

Sorry, do you have the case number? I think all our comments are available for viewing online.

I've attached a checklist that may help to answer your questions for this and for other projects which you may be working on.

Thanks  
Diana

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Diana, I also wanted to check in with a very old project, the Ascension Heights project.

It has been many, many months since we sent in our responses and from what I understand the project is finally moving forward through the planning department.

I want to be sure everything is finally signed off on your side for the tentative map.

Thanks, Jim

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Please note: I will be out of the office from August 1st thru August 13th with limited access to email.

**From:** Jim Toby <jtoby@leabraze.com>  
**To:** dshu@smcgov.org; JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org;  
**Date:** 10/23/2014 8:27 AM  
**Subject:** RE: RE: Ascension and Bel Aire - San Mateo County

Will do.

Thanks, Jim

Jim Toby, P.E., P.L.S, Leed AP  
Principal/Civil Engineering  
Qualified SWPPP Developer (QSD)  
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-----Original Message-----

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Thursday, October 23, 2014 8:19 AM  
To: Jim Toby; Diana Shu  
Cc: Lisa Aozasa  
Subject: Re: RE: Ascension and Bel Aire - San Mateo County

Jim, thanks for the update. For this report revision, can you please send a copy both directly to Diana and one to me? I'll be out of the office through next week and won't be able to route it to DPW if it comes through Planning until I get back. Much appreciated!

JAMES

>>> Jim Toby <jtoby@leabraze.com> 10/22/14 18:00 PM >>>

All, I am revising the written portion of the report to match the plans that were submitted. I will have this back in the County's hands in the next couple days.

Jim

Jim Toby, P.E., P.L.S, Leed AP  
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From: Diana Shu [mailto:dshu@smcgov.org]  
Sent: Wednesday, October 22, 2014 5:58 PM  
To: James Castaneda  
Cc: Jim Toby; Lisa Aozasa;  
Subject: RE: Ascension and Bel Aire - San Mateo County

James

Per my last phone conversation with Jim Toby, he was going to revise and resubmit his drainage calculations to match his plans.  
I am waiting for his resubmittal.  
Diana

Diana Shu  
dshu@smcgov.org<mailto:dshu@smcgov.org>  
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[cid:image001.gif@01CFEE22.25D2E270]  
>>> James Castaneda 10/22/2014 12:02 PM >>>

Good afternoon Diana,

Just checking to see how we're doing with your final review of the project, and to see if there was any resolution on the items you discussed in this email chain with Jim Toby. Since we're starting to make plans to take this project in front of the Planning Commission for their consideration in December, I want to ensure that any DPW issues have been resolved or working towards that effort before the hearing. I encourage you to continue working with Jim Toby in getting what you need to complete your review, and please do keep both myself and Lisa apprised via cc'ed email, so we can anticipate any issues that impact our preparation for the Planning Commission hearing. Greatly appreciate your help.

JAMES

>>> On 10/14/2014 at 13:46, Diana Shu <dshu@smcgov.org<mailto:dshu@smcgov.org>> wrote:  
Thank you.

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[cid:image001.gif@01CFEE22.25D2E270]  
>>> Jim Toby <jtoby@leabraze.com<mailto:jtoby@leabraze.com>> 10/14/2014 1:46 PM >>>  
OK, I see where the confusion lies. Our write-up was never updated, but the plans were. Please look at

the plans and I will update the verbiage on the report.

Thanks Jim

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Please note: I will be out of the office from August 1st thru August 13th with limited access to email.

**From:** James Castaneda  
**To:** twilson@analyticalcorp.com  
**CC:** Aozasa, Lisa  
**Date:** 10/30/2014 7:20 PM  
**Subject:** RE: Status Report, Ascension Heights

Trent,

I wasn't planning to be back physically in the office till Monday, but was going to spend some time catching up and recovering from jet lag tomorrow. Ill can give you a ring tomorrow, but can you give me an estimate in the meantime? Things are going to be pretty tight on our end in the coming weeks, and I need to see if this is going necessitate putting the brakes on our plans for a December hearing.

JAMES

>>> Trenton Wilson 10/29/14 1:31 PM >>>

Morning James, when you get in give me a ring so we can update schedules. I have fallen a little behind as Stephanie resigned from consulting to work closer to home and (because fun always comes in twos) I just received the traffic report this weekend. But, we are still keeping the cost low and will be completed with the final shortly.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Thursday, October 09, 2014 10:27 AM  
To: Trenton Wilson  
Subject: RE: Status Report, Ascension Heights

Nope, this is fine. Like I said, its going to get pretty tight for me after November 3rd, so I'm just trying to get everything in order. Ill be out of the office the last week of this month, so trying to keep the calendar clear and look ahead. Thanks for keeping me up to speed. Our office will be closed Monday, so anything that comes in Ill respond Tuesday morning.

JAMES

>>> On 10/9/2014 at 10:17, Trenton Wilson > wrote:

We are still on track to have an administrative draft of the Final EIR to you by the end of the month which will include a revised traffic report. We will have a few clarification questions for you Monday to help us complete the drafts. Basically some decisions we need you to make based on comments received. The traffic counts are completed and Richard Hopper is back in the office Monday so I hope to have a revised traffic report meeting PW requirements by the end of next week. I will let you know as soon as I receive it and give a summary of the results!

If you have any more questions let me know!

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com  
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From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Thursday, October 09, 2014 10:11 AM  
To: Trenton Wilson  
Subject: Status Report, Ascension Heights

Good morning Trent,

Just reminder of getting quick progress report tomorrow morning. Don't necessarily need to do a call if you can just outline where we are, and how we're looking on the timelines. Based on that, I need to do some critical date planning with my workload with the holidays coming, and just need to make sure we're coordinate on this project with the EIR's availability. I also need to give both Mr Thomas and the HOA a heads up we're looking at December 10th (so we can make sure we give a generous two months heads up). Thanks Trent.

JAMES

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
planning.smcgov.org | sforoundtable.org

**From:** Gerard Ozanne <  
**To:** JCastaneda@smcgov.org  
**CC:** SMonowitz@smcgov.org; LAozasa...  
**Date:** 10/30/2014 11:52 PM  
**Subject:** Re: Ascension Heights update

Hi James,

Neighborhood representatives are nonplussed by the suggestion to hold a public Planning Commission meeting three weeks subsequent to the release of the proposed Final EIR, which includes the week of Thanksgiving. The amount of work remaining to be done by the neighborhood is enormous. The Draft EIR exceeded 600 pages. The Final EIR version, after undergoing four subsequent months of revision, is unlikely to be shorter and will require comprehensive scrutiny and a complete re-assessment by the neighborhood. Note in comparison, your office, with full-time paid employees, is planning at least 4 weeks and possibly longer for review of this EIR version.

Lack of a firm publication date and limited time allotted by your office complicates people's schedules, prevents meaningful assessment of the Final EIR version, limits dispersing critical information to our neighborhoods, and inhibits adequate neighborhood input and support for the project goals. Our neighborhoods consider the project as proposed to encroach extensively on major aspects of our community life and, as a result, have invested an enormous effort to discover and affect appropriate solutions. Scheduling such an important meeting in the midst of the two busiest holidays of the year makes absolutely no sense to us.

In the unanimous opinion of representatives from affected neighborhoods, we are convinced it will be impossible for us to participate adequately by December 10th. We formally request to re-schedule the Planning Commission's consideration of the proposed Final EIR until January next year provided the public release occurs by November 15th.

Thank you,

Jerry Ozanne  
Laurel Nagel,

Co-Presidents,

Baywood Park Homeowners' Association

On Oct 14, 2014, at 11:14 AM, James Castaneda <jcastaneda@smcgov.org> wrote:

> Good morning Jerry,

>

> I wanted to give you a quick update as to where we are, and what we're looking towards for the rest of the year with the Ascension Heights project.

>

> First, the consultants are finishing up the Final EIR as we speak, and we'll be reviewing administrative/internal draft in the next few weeks. They're taking some additional time in their response to the comments received to ensure they are thorough as possible. We anticipate a public release of the Final EIR in mid-November after we complete our review of the consultant's work.

>

> Looking further ahead, we're looking at a tentative hearing date of December 10, 2014 for the Planning Commission to consider the project and the EIR. Due to the Planning Commission's busy fall hearing schedule with other high profile projects, we're very limited on dates. I'll have additional details regarding the hearing in the next few weeks, but I did want to give you sufficient heads up what we're tentatively

anticipating in December.

>

> As soon as I have some additional information to provide, I'll make sure to do so. Hope all is well.

>

> Regards,

> JAMES

>

>

> James A. Castañeda, AICP

> Planner III - San Mateo County Planning & Building Department

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**From:** James Castaneda  
**To:** twilson@analyticalcorp.com  
**CC:** Aozasa, Lisa  
**Date:** 10/31/2014 8:56 AM  
**Subject:** RE: Status Report, Ascension Heights

Thanks for the heads up Trent. Let's chat on Monday afternoon- Ill have had a chance to catch up at the office and sync up with Lisa and staff about our timelines. Just to be clear, the "fully edited final" would be the admin draft or the final draft?

JAMES

>>> Trenton Wilson 10/31/14 7:39 AM >>>

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916.447.3479 | Fax 447.1665  
www.analyticalcorp.com

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

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Thursday, October 30, 2014 7:21 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: RE: Status Report, Ascension Heights

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JAMES

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 10/31/2014 8:59 AM  
**Subject:** RE: Status Report, Ascension Heights

Admin draft with QA/QC fully implemented

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Sent: Thursday, October 09, 2014 10:11 AM  
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**From:** Heather Hardy  
**To:** Lisa Aozasa; Steve Monowitz  
**Date:** 10/31/2014 9:25 AM  
**Subject:** Re: Ascension Heights update

Hi Steve and Lisa,

My 2 cents on this request is that operationally it would work better for the Department to convert 12/10 to a regular PC meeting. The Planners have a number of projects (approximately 8) they are trying to bring to hearing on 12/17. (I have 3 requests on my desk, + Housing Element + Zomorodi Subdivision. Dennis says that he intends on presenting 3 items that day.) I have entered an application for the 12/10 venue, but it's nothing that can't be undone if needed. We hadn't signed the contract or paid yet.

Thank you,  
Heather

>>> Gerard Ozanne <

10/30/2014 11:52 PM >>>

Hi James,

Neighborhood representatives are nonplussed by the suggestion to hold a public Planning Commission meeting three weeks subsequent to the release of the proposed Final EIR, which includes the week of Thanksgiving. The amount of work remaining to be done by the neighborhood is enormous. The Draft EIR exceeded 600 pages. The Final EIR version, after undergoing four subsequent months of revision, is unlikely to be shorter and will require comprehensive scrutiny and a complete re-assessment by the neighborhood. Note in comparison, your office, with full-time paid employees, is planning at least 4 weeks and possibly longer for review of this EIR version.

Lack of a firm publication date and limited time allotted by your office complicates people's schedules, prevents meaningful assessment of the Final EIR version, limits dispersing critical information to our neighborhoods, and inhibits adequate neighborhood input and support for the project goals. Our neighborhoods consider the project as proposed to encroach extensively on major aspects of our community life and, as a result, have invested an enormous effort to discover and affect appropriate solutions. Scheduling such an important meeting in the midst of the two busiest holidays of the year makes absolutely no sense to us.

In the unanimous opinion of representatives from affected neighborhoods, we are convinced it will be impossible for us to participate adequately by December 10th. We formally request to re-schedule the Planning Commission's consideration of the proposed Final EIR until January next year provided the public release occurs by November 15th.

Thank you,  
Jerry Ozanne

Laurel Nagel,  
Co-Presidents,  
Baywood Park Homeowners' Association

On Oct 14, 2014, at 11:14 AM, James Castaneda <jcastaneda@smcgov.org> wrote:

Good morning Jerry,

I wanted to give you a quick update as to where we are, and what we're looking towards for the rest of the year with the Ascension Heights project.

First, the consultants are finishing up the Final EIR as we speak, and we'll be reviewing administrative/internal draft in the next few weeks. They're taking some additional time in their response to the comments received to ensure they are thorough as possible. We anticipate a public release of the Final EIR in mid-November after we complete our review of the consultant's work.

Looking further ahead, we're looking at a tentative hearing date of December 10, 2014 for the Planning Commission to consider the project and the EIR. Due to the Planning Commission's busy fall hearing schedule with other high profile projects, we're very limited on dates. I'll have additional details regarding the hearing in the next few weeks, but I did want to give you sufficient heads up what we're tentatively anticipating in December.

As soon as I have some additional information to provide, I'll make sure to do so. Hope all is well.

Regards,  
JAMES

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**From:** James Castaneda  
**To:** twilson@analyticalcorp.com  
**CC:** Aozasa, Lisa  
**Date:** 10/31/2014 11:56 AM  
**Subject:** RE: Status Report, Ascension Heights

Thanks Trent. How's Monday after lunch, say 1:30pm I call you?

>>> Trenton Wilson 10/31/14 8:59 AM >>>  
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**From:** James Castaneda  
**To:** Pine, Dave  
**CC:** Burruto, David; Monowitz, Steve; Aozasa, Lisa  
**Date:** 10/31/2014 4:05 PM  
**Subject:** Re: Ascension Heights update

Supervisor Pine,

I'm still out of the office today, but allow me to discuss the matter with staff, as well as our consultant who is preparing the Final EIR, on Monday morning before I can answer that question. We did not have a firm date for the Final EIR's release date, but had tentatively planned for mid/late November (at least two weeks prior to the tentative hearing date of December 10th), but that may change. Again, I need to sync up with them, which I'm schedule to do on Monday. Ill get back to you as soon as I've discussed that internally, and before providing a response to Mr. Ozanne.

JAMES

>>> Dave Pine 10/31/14 3:01 PM >>>

One further question: Do we have a firm date for when the Final EIR will be released?

>>> Dave Pine 10/31/2014 2:55 PM >>>

James,

Is it possible to move the hearing to the first meeting in January?

Let's discuss this before you respond. The best way to reach me is via my cell at 650-

Dave

>>> Gerard Ozanne 10/30/2014 11:52 PM >>>

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**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 11/18/2014 2:45 PM  
**Subject:** RE: Ascension Final EIR

Wow, I have worked on 3 different project where I sent him various requests for concurrence with project findings to be ignored as well. One was an official concurrence request of which I had to write in my document that the office didn't respond within 120 days. Let me check with Pete our Bio director and ex-director of CDFW.

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Sent: Tuesday, November 18, 2014 1:40 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Re: Ascension Final EIR

Thanks for the update Trent, Ill be ready to start diving into it.

When you get a second, can you let me know if you guys know anyone at US Fish and Wildlife contacts you work with or know. I've been trying to get someone over there to respond regarding the biological issues and I get nothing back from them. Ryan Olaf is the contact we have, and the folks over at California Fish and Game also confirmed that, but I'm getting nothing. Anyone you have that I might get a response would be great.

JAMES

>>> On 11/18/2014 at 12:27, Trenton Wilson  
<twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>> wrote:  
We are conducting some QA/QC, but I anticipated getting you an administrative draft of the Final EIR by COB tomorrow or Thursday at the latest.

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Ken Sanchez is basically the head of the environmental department at USFWS and Pete said he is your best bet:

Kenneth Sanchez e-mail: [kenneth\\_sanchez@fws.gov](mailto:kenneth_sanchez@fws.gov)<mailto:kenneth\_sanchez@fws.gov>

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916.447.3479 | Fax 447.1665  
[www.analyticalcorp.com](http://www.analyticalcorp.com)<<http://www.analyticalcorp.com/>>

From: James Castaneda [<mailto:jcastaneda@smcgov.org>]  
Sent: Tuesday, November 18, 2014 1:40 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Re: Ascension Final EIR

Thanks for the update Trent, Ill be ready to start diving into it.

When you get a second, can you let me know if you guys know anyone at US Fish and Wildlife contacts you work with or know. I've been trying to get someone over there to respond regarding the biological issues and I get nothing back from them. Ryan Olaf is the contact we have, and the folks over at California Fish and Game also confirmed that, but I'm getting nothing. Anyone you have that I might get a response would be great.

JAMES

>>> On 11/18/2014 at 12:27, Trenton Wilson  
<[twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)<<mailto:twilson@analyticalcorp.com>>> wrote:  
We are conducting some QA/QC, but I anticipated getting you an administrative draft of the Final EIR by COB tomorrow or Thursday at the latest.

TRENTON WILSON  
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Senior Project Manager | [twilson@analyticalcorp.com](mailto:twilson@analyticalcorp.com)<mailto:twilson@analyticalcorp.com>  
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**From:** James Castaneda  
**To:** Trenton Wilson  
**CC:** Lisa Aozasa  
**Date:** 11/19/2014 12:56 PM  
**Subject:** RE: Ascension Final EIR

Thanks Trent, we'll start working on reviewing and get back comments as quickly as we can.

In the meantime, the traffic report- do you have that stand alone so I can get that over to DPW? Thanks.

>>> On 11/19/2014 at 12:35, Trenton Wilson <twilson@analyticalcorp.com> wrote:

Please find a copy of Volume I of the Final EIR (the response to comments documents) on our ftp site (link below). To note, the updated traffic study wasn't heavily referenced since no comments were received which would have required such a revision. If you want us to work it into the public works responses, let me know. I also included a high-res copy of the letters in case they are hard for you to read in the complete volume.

ftp://212558:a2rz@173.166.239.180

**TRENTON WILSON**  
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**www.analyticalcorp.com**

**From:** James Castaneda [mailto:jcastaneda@smcgov.org]  
**Sent:** Tuesday, November 18, 2014 3:34 PM  
**To:** Trenton Wilson  
**Subject:** RE: Ascension Final EIR

Thanks Trent, Ill send something his way tomorrow. I just want to start the conversation on that erosion, since I know we'll be pressed on it.

>>> On 11/18/2014 at 14:55, Trenton Wilson <twilson@analyticalcorp.com> wrote:

Ken Sanchez is basically the head of the environmental department at USFWS and Pete said he is your best bet:

Kenneth Sanchez e-mail: kenneth\_sanchez@fws.gov

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**916.447.3479 | Fax 447.1665**

**www.analyticalcorp.com**

**From:** James Castaneda [mailto:jcastaneda@smcgov.org]  
**Sent:** Tuesday, November 18, 2014 1:40 PM  
**To:** Trenton Wilson  
**Cc:** Lisa Aozasa  
**Subject:** Re: Ascension Final EIR

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**www.analyticalcorp.com**

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 11/19/2014 2:01 PM  
**Subject:** RE: Ascension Final EIR  
**Attachments:** 2014 Traffic Report Main Body.pdf

Oops, thought I had, sorry. It is also large and I placed it up on the FTP. Attached is the main body without appendices.

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Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
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www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, November 19, 2014 12:57 PM  
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Kenneth Sanchez e-mail: kenneth\_sanchez@fws.gov<mailto:kenneth\_sanchez@fws.gov>

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Sent: Tuesday, November 18, 2014 1:40 PM  
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www.analyticalcorp.com<http://www.analyticalcorp.com/>

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** LAozasa@smcgov.org; JCastaneda@smcgov.org  
**Date:** 11/26/2014 2:46 PM  
**Subject:** RE: Edits so far, Ascension ADFEIR

Thanks. Hope you two have a great Turkey Day!

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
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www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, November 26, 2014 1:56 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Edits so far, Ascension ADFEIR

Good afternoon Trent,  
Lisa and I are still working on review the response, and starting to hit the homestretch. We're anticipating having our full comments/edits on Monday, but I wanted to pass along at a few minor edits/typos in the meantime:

P1-2, context correction

In the line "The applicant and the County have since engaged the community...", can we change this to say something to the effect that the County facilitated discussions between the applicant and the community in a series of workshops. I can dig up some stuff I've written from earlier reports, but I would like to maintain that the county participated as a facilitator.

In that same paragraph, mention is made about the new proposed eliminates geotechnical issues associated with the previous project. I might be wrong in recalling, but I wasn't aware of geotechnical issues, as it was more about the volume of grading involved. Just want to double check, I could be wrong.

Page 3-5, typo

"project" is missing in the line "... and implementation of the Proposed has the potential to have a substantial adverse impact..."

Page 3-5, correction

Very last line, replace "preservation" with "removal" in reference to the county tree removal ordinance.

Page 3-9, typo

Last paragraph, first sentence, remove "of the".

Page 3-23, typo/correction

Response to P1-59 and P1-61 list refereeing back to P1-46 twice. Double check that grouping to make sure they go back to where they're suppose to.

Page 3-32, typo

Last sentence in response to P1-102, "not" instead of "no".

Page 3-44, correction

In response to P-3-19, the sentence that starts "The Michelucci, 2013 was reviewed..." needs to be edited, think its missing "report" or something.

That's all for now, but Lisa and I are going to rally on Monday and compare notes before handing over more. If you have any questions, please let us know.

Hope you and your family have a great Thanksgiving, Trent! Well talk to you next week.

Regards,  
JAMES

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
[planning.smcgov.org](http://planning.smcgov.org) | [sforoundtable.org](http://sforoundtable.org)

**From:** Gerard Ozanne <  
**To:** JCastaneda@smcgov.org  
**CC:**  
**Date:** 12/2/2014 9:00 PM  
**Subject:** Ascension Heights

James,

Thank you for the information this afternoon on the status of the Ascension Heights project and that the Planning Commission meeting is tentatively scheduled for January 28th. Once the EIR consultant receives the final comments from the Planning Department, how long will it be before we receive a copy of the FEIR draft so we can begin our own reviews and neighborhood communications?

Thanks,

Jerry

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 12/3/2014 3:39 PM  
**Subject:** RE: Ascension Heights ADFEIR edits

Got them thanks. We will definitely include a high definition copy of the comments for the public document. Also, I had a thought that we might want to add to the introduction of the Final EIR to clarify that the document was prepared to comply with CEQA and the impact discussion based on the significance criteria established by the CEQA guidelines. Also that the EIR is only part of the decision making process for the Planning Commission. I don't want the public to feel all their concerns were simply dismissed by the County although we often quite have to dismiss some of their comments during the EIR process since they are often out of scope of the analysis.

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From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, December 03, 2014 1:28 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Ascension Heights ADFEIR edits

Good afternoon Trent,  
As I mentioned, here's a few more edits to look at. Nothing terrible substantial, but go ahead and start working on these. I need to sync up with Lisa tomorrow on her notes, so I may have some additional edits. Please let me know if the editing mark ups on the PDF didn't come out.

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Just a note for the final production- I think we should toss in the higher quality comments. While it'll be large document, having it to download should alleviate any issues while still maintaining a decent, readable document.

Please let me know if you have any questions.

JAMES

**From:** James Castaneda  
**To:** twilson@analyticalcorp.com  
**CC:** Aozasa, Lisa  
**Date:** 12/3/2014 3:51 PM  
**Subject:** RE: Ascension Heights ADFEIR edits

I think we're totally on the same page with that suggestion, as on our end we wanted to emphasize that as well, both with the EIR as well as our own staff report. If you can add that in, I think that would be great.

With the edits I've given you so far, and with your what suggested intro, what do you anticipate as a turn around time? I'm about to respond to the HOA folks asking when the document will be ready, and I was hoping we could get this Wednesday or Thursday of next week. Ill get from Lisa some of her edits tomorrow and have a few more, so just want to know how quickly things will move on your own so I can plan accordingly.

JAMES

>>> Trenton Wilson 12/03/14 3:39 PM >>>

Got them thanks. We will definitely include a high definition copy of the comments for the public document. Also, I had a thought that we might want to add to the introduction of the Final EIR to clarify that the document was prepared to comply with CEQA and the impact discussion based on the significance criteria established by the CEQA guidelines. Also that the EIR is only part of the decision making process for the Planning Commission. I don't want the public to feel all their concerns were simply dismissed by the County although we often quite have to dismiss some of their comments during the EIR process since they are often out of scope of the analysis.

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From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, December 03, 2014 1:28 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Ascension Heights ADFEIR edits

Good afternoon Trent,  
As I mentioned, here's a few more edits to look at. Nothing terrible substantial, but go ahead and start working on these. I need to sync up with Lisa tomorrow on her notes, so I may have some additional edits. Please let me know if the editing mark ups on the PDF didn't come out.

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Please let me know if you have any questions.

**From:** James Castaneda  
**To:** twilson@analyticalcorp.com  
**CC:** LAozasa@smcgov.org  
**Date:** 12/4/2014 4:57 PM  
**Subject:** Re: RE: Ascension Heights ADFEIR edits

Hi Trent, just a quick update: I need to be out of the office tomorrow and Monday, and Lisa will be sending her scanned edits while I'm out. In relation to the edits I provided on my PDF yesterday, they should either echo or supplement them. Feel free to follow up with her. Thanks Trent!

JAMES

>>> Trenton Wilson <twilson@analyticalcorp.com> 12/03/14 15:39 PM >>>

Got them thanks. We will definitely include a high definition copy of the comments for the public document. Also, I had a thought that we might want to add to the introduction of the Final EIR to clarify that the document was prepared to comply with CEQA and the impact discussion based on the significance criteria established by the CEQA guidelines. Also that the EIR is only part of the decision making process for the Planning Commission. I don't want the public to feel all their concerns were simply dismissed by the County although we often quite have to dismiss some of their comments during the EIR process since they are often out of scope of the analysis.

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From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, December 03, 2014 1:28 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Ascension Heights ADFEIR edits

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JAMES

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 12/10/2014 8:27 AM  
**Subject:** RE: RE: Ascension Heights ADFEIR edits  
**Attachments:** 3.0 Responses\_Admin Draft\_v2.doc

Revised responses

TRENTON WILSON  
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-----Original Message-----

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Thursday, December 04, 2014 4:57 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Re: RE: Ascension Heights ADFEIR edits

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From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, December 03, 2014 1:28 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Ascension Heights ADFEIR edits

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Please let me know if you have any questions.

JAMES

**From:** Lisa Aozasa  
**To:** Trenton Wilson  
**Date:** 12/10/2014 10:32 AM  
**Subject:** ADFEIR Late Edits  
**Attachments:** Ascension Hts Response to Comments Notes 12.9.pdf

Hi Trent --

In the mode of "better late than never", I'm sending a few comments/edits for you to consider. I'm guessing some of these have already been addressed, and some of these are questions about the project that I just don't know, because I'm not familiar with the plans, and maybe don't need attention in the environmental document. In any case, take a quick look, and let me know if you have any questions. If my timing is too far off, and you don't have time to address these before we need to release it, that's probably going to be o.k., but let us know what you think. Thanks --

Lisa

**From:** Lisa Aozasa  
**To:** Trenton Wilson  
**CC:** James Castaneda  
**Date:** 12/10/2014 10:38 AM  
**Subject:** A Second Attachment  
**Attachments:** Ascension Hts Reduced PDF ADFEIR.pdf

Crossing my fingers this one is small enough to get through our constrained system...

**From:** David Burruto  
**To:** Dave Pine; James Castaneda  
**CC:** Heather Hardy; Lisa Aozasa; Steve Monowitz  
**Date:** 12/11/2014 1:32 PM  
**Subject:** Re: Ascension Heights Final EIR

Thanks James.

David Burruto  
Chief of Staff  
Office of Supervisor Dave Pine  
San Mateo County  
District 1  
Hall of Justice & Records  
400 County Center  
Redwood City, CA 94063  
650-363-4571  
dburruto@co.sanmateo.ca.us

>>> James Castaneda 12/11/2014 12:28 PM >>>

Good afternoon Supervisor Pine,

I just wanted to give you a heads up that the Final EIR for the Ascension Heights Subdivision will go public tomorrow. The Final EIR document is a response to comments received from the Draft EIR that was released back in the spring. Typically the Final EIR is released a couple of weeks in advance of the Planning Commission's consideration at the public hearing, but as we discussed before, with the hearing occurring on January 28th, this puts us at 6 1/2 weeks.

I anticipate the community's reaction to the Final EIR to be negative, as the responses are written in accordance to CEQA Guidelines, which are limited to the environmental scope of the project, and may not answer all the comments satisfactory. In cases where comments were raised that were considered unrelated to environmental concerns per CEQA, non-substantive or statements of opinion, the document indicates that the comment was noted. We'll be explaining on the download page that while the EIR may not necessarily be the appropriate document to address those comments that are outside of the CEQA Guidelines, they are noted for the administrative record, and will be communicated to the Planning Commission. As part of the Planning Department's staff report (releasing in early January), we'll attempt to respond/explain where possible some of those issues.

If you have any questions, please don't hesitate to contact myself or Lisa Aozasa regarding the document or the project.

Regards,  
James

--

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

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Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
planning.smcgov.org | sforoundtable.org

**From:** James Castaneda  
**To:**  
**CC:** Dave Pine; David Burruto; H...  
**Date:** 12/12/2014 12:18 PM  
**Subject:** Re: Ascension Heights Final EIR

Jerry,  
The Final Environmental Impact Report is now available at the Ascension Heights page:

<http://planning.smcgov.org/ascension-heights-subdivision-project>

Please make sure to read the latest update section for points to be considerate of as the document is being reviewed. With the document now released, we're still on track for a January 28, 2014 Planning Commission hearing. We anticipate a staff report to be released shortly after the New Year. If you have any issues downloading or opening the document, please let me know.

James

>>> Gerard Ozanne 12/02/14 9:00 PM >>>

James,

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Jerry

**From:** Gerard Ozanne <  
**To:** JCastaneda@smcgov.org  
**CC:** SMonowitz@smcgov.org; LAozasa@smcgov.org; hhardy...  
**Date:** 12/12/2014 6:09 PM  
**Subject:** Re: Ascension Heights Final EIR

Thank you, James. We will be very interested in seeing the Staff Report when it is completed.

Jerry

> On Dec 12, 2014, at 12:18 PM, James Castaneda <jcastaneda@smcgov.org> wrote:

>

> Jerry,

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> Heights page:

>

> <http://planning.smcgov.org/ascension-heights-subdivision-project>

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> James

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>

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> Thank you for the information this afternoon on the status of the  
> Ascension Heights project and that the Planning Commission meeting is  
> tentatively scheduled for January 28th. Once the EIR consultant  
> receives the final comments from the Planning Department, how long will  
> it be before we receive a copy of the FEIR draft so we can begin our own  
> reviews and neighborhood communications?

>

> Thanks,

>

> Jerry

**From:** Lisa Aozasa  
**To:** Camille Leung  
**CC:** James Hinkamp  
**Date:** 12/17/2014 4:04 PM  
**Subject:** Website: Department Announcements -- Most recent/relevant

Hi Camille --

I know you may end up with a different configuration altogether for the info posted on our website, but in the meantime, can we ask Nate if there is a simple fix we can do right away to make the "Department Announcements" at the bottom of our home page show the most recent projects or news? As it is, you have to click "more" to find Ascension Heights and the Housing Element -- two brand new things, while the very old La Costanera Neg Dec is featured.

Also, I spoke to James H. and the news item called "Comprehensive Transportation Management Plan" could use some editing, to indicate that it is also called the "Connect the Coastside" project. If it makes sense to do some small improvements now ahead of the more comprehensive effort, these would be helpful to make.

Thanks!

Lisa

## 3.0 RESPONSES TO COMMENTS

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The following responses have been prepared for each bracketed comment included in **Chapter 2.0** of this Response to Comments document in accordance with Section 15132 of the CEQA Guidelines which states that the FEIR must contain responses of a lead agency to significant environmental points raised during the review and consultation process.

### **L1 James C. Porter, Director of Public Works, County of San Mateo Department of Public Works**

#### Response to Comment L1-1

Comment noted.

#### Response to Comment L1-2

Comment noted. The Revised Draft Environmental Impact Report (EIR) (included as Volume II of the Final EIR; hereby referenced as Volume II) has been updated to acknowledge that streetlights along private roadways would not be annexed into the Bel Aire Lighting District and that the project applicant, during annexation procedures with Local Agency Formation Commission (LAFCO), will include provisions to ensure all street lighting is consistent with County regulations and properly maintained in a manner similar to Bel Air Lighting District requirements.

#### Response to Comment L1-3

Comment noted. The commenter is correct that the private system will be owned and maintained by the property owners.

#### Response to Comment L1-4

Comment noted. Text was updated in **Section 2.0 of Volume II** to correctly refer to the “Crystal Springs County Sanitation District” (CSCSD).

#### Response to Comment L1-5

Comment noted. Text was updated in **Section 4.10 of Volume II** to state that CSCSD has begun construction of the eight capital improvement projects described in the Sewer Master Plan with an anticipated completion date in the fall of 2014.

#### Response to Comment L1-6

Comment noted. Text was updated in **Appendix B of Volume II** to correctly refer to the “Crystal Springs County Sanitation District.”

Response to Comment L1-7

Comment noted. Text was updated in **Appendix G of Volume II** to correctly refer to the “Crystal Springs County Sanitation District.”

Response to Comment L1-8

Comment noted. Text was updated in **Appendix G of Volume II** to state that CSCSD has begun construction of the eight capital improvement projects described in the Sewer Master Plan with an anticipated completion date in the fall of 2014.

Response to Comments L1-9 and L1-10

Senate Bill (SB) 1322 (Bergeson) titled “Supplement to AB 939 / State Programs” was enacted in union with Assembly Bill (AB) 939 to form the “California Integrated Waste Management Act of 1989.” As summarized by CalRecycle (1997), SB 1322 “Made legislative declarations regarding the high priority of implementing state programs to: change manufacturing and consumption habits; increase the procurement of recycled materials by the state; improve markets for recyclable materials; conduct research and development to improve the manufacturing processes for recycled materials; and inform and educate the public about the integrated waste management hierarchy.” SB 1322 also defined terms used throughout the Integrated Waste Management Act of 1989 and described State-level actions and programs to be developed, such as the Market Development Zone Program and the Plastic Recycling Program (CalRecycle, 1997). Therefore, the reference to SB 1322 provides an accurate background to the Integrated Waste Management Act of 1989 and required diversion rates. No revisions to the Draft EIR are required.

Response to Comments L1-11 through L1-15

The paragraph under the heading “Residential Solid Waste Generation” in Section 4.10.2 and associated text in **Section 4.10.4 of Volume II** have been revised to reflect the waste generation and diversion rates provided by the commenter and Table 4.10-7 has been removed to reduce redundancy in the analysis. However, these updated rates do not change the analysis of impacts presented in Section 4.10.4 of the Draft EIR. Operation of the Proposed Project would result in an additional approximately 0.14 tons of waste per day to be sorted at the Shoreway Environmental Center, which would increase the daily throughput by less than 0.1 percent, as stated in Section 4.10.4 of the EIR. Operation of the Proposed Project would also add approximately 0.8 tons of waste per day to be disposed at the Ox Mountain Sanitary Landfill, which would increase the daily throughput by less than 0.1 percent, as stated in Section 4.10.4 of the Draft EIR. Given the Proposed Project’s minimal contribution to daily throughput at the Shoreway Environmental Center and Ox Mountain Sanitary Landfill, there would be no cumulative significant impact. As stated in Section 4.10.4 of the Draft EIR, environmental impacts resulting from solid waste generation would be less than significant.

The diversion program for solid waste associated with construction of the Proposed Project is discussed in Section 4.10.4 of the Draft EIR. As stated therein:

Construction of the Proposed Project would adhere to the County Green Building Ordinance, which includes striving to conserve natural resources in the construction as well as reduce waste in landfills generated by construction projects. Additionally, construction of the Proposed Project would also adhere to the County Ordinance No 04099, which requires a Waste Management Plan (WMP) be developed to ensure the salvage, reuse, or recycle of 100 percent of inert solids (e.g. concrete, rock, etc.) and of at least 50 percent of the remaining construction and demolition debris generated by the project.

During operation, the Proposed Project would maintain compliance with the current diversion rate of 68.3 percent. This would be accomplished through ensuring adequate space on each residential lot to store recycling carts and containers, including those provided by Recology San Mateo County (RSMC) as mentioned in Section 4.10.2 of the EIR, as well as to store compost carts and containers.

## P1 Baywood Park Homeowners Association

### Response to Comment P1-1

Comment noted.

### Response to Comment P1-2

As noted in Sections 2.3 and 3.3 of the Draft EIR, the Proposed Project is a revised, reduced intensity design of the previous project, for which the associated applications for a Major Subdivision and Grading Permit were denied, and the San Mateo County Planning Commission declined to certify the associated Final EIR in 2009. ~~In response, the applicant and County have since engaged the facilitated workshops between the applicant and the community in a discussion of the to discuss a~~ revised project for reconsideration. In comparison to the previous project, the Proposed Project includes the same 13.25-acre project site but reduces the number of proposed residential lots (19 compared to 25 in the previous project) and increases the proposed open space and recreational area (approximately 7.8 acres compared to approximately 4.9 acres in the previous project). This reduced intensity design of the Proposed Project eliminates residential development on the southwestern portion of the project site, which eliminates several of the geotechnical issues associated with the previous project, and reduces the number of proposed residences and associated residents, thereby reducing impacts related to demands on infrastructure, public services, and public utilities.

The Draft EIR and this Final EIR (collectively, EIR) were prepared in accordance with the California Environmental Quality Act (CEQA, California Public Resources Code § 21000-21178) and the CEQA *Guidelines* (California Code of Regulations [CCR], Title 14) to provide the Lead Agency (San Mateo County) with an informational document to be used in the planning and decision-making process, as stated in Section 1.1 of the Draft EIR. In accordance with CEQA *Guidelines* Section 15082, a Notice of Preparation (NOP) was circulated to the public, local, State, and federal agencies, and other known interested parties for a 30-day public and agency review period which began on October 4, 2013 (included as Appendix A of the Draft EIR). The Lead Agency hosted a scoping meeting for the EIR on October 9, 2013. In accordance with CEQA *Guidelines* Section 15063, the Initial Study (Appendix B of

the Draft EIR), in conjunction with comments received during scoping (Appendix A of the Draft EIR), was used to focus the EIR on effects determined to be potentially significant. Environmental resources determined to have the potential to be significantly affected by the Proposed Project and were therefore addressed in detail in this Draft EIR include: Aesthetics, Air Quality and Greenhouse Gas Emissions, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, Noise and Vibration, Population and Housing, Public Services, Utilities, and Recreation, and Transportation and Circulation. The baseline environmental setting per each resource along with the relevant federal, State, and local regulatory laws, codes, ordinances, and standards are described in Section 4.0 of the Draft EIR. A detailed and complete analysis of potential direct, indirect, and cumulative impacts to each resource that could occur with implementation of the Proposed Project is presented in Section 4.0 of the Draft EIR, and mitigation measures are included where appropriate to reduce impacts to less-than-significant levels, as required by CEQA *Guidelines* Section 15126.4. Pursuant to CEQA *Guidelines* Section 15126.2, discussions regarding cumulative impacts; secondary impacts, including potential impacts resulting from growth inducement; cumulative impacts, and significant irreversible changes to the environment are included in Section 5.0 of the Draft EIR. A range of reasonable alternative projects that could feasibly attain most of the objectives of the Proposed Project and comparative merits of the alternatives are presented in Section 6.0 of the Draft EIR, pursuant to CEQA *Guidelines* Section 15126.6. A list of preparers is provided in Section 7.0 of the Draft EIR, pursuant to CEQA *Guidelines* Section 15129. The Draft EIR was published by the State Clearinghouse on April 25, 2014 (SCH# 2013102009), initiating a 45-day public comment period. This Final EIR includes comments received on the Draft EIR, responses to those comments, and appropriate revisions to the Draft EIR as a result of comments in accordance with CEQA *Guidelines* Section 15132. Collectively, the Draft EIR and Final EIR inform the Lead Agency and public of the potential, significant environmental effects of the Proposed Project and identify measures, methods, and/or practices that can be employed to avoid or significantly reduce environmental damage, pursuant to the General Concepts of CEQA *Guidelines* (Section 15002).

### Response to Comment P1-3

To warrant a detailed response in the Final EIR, comments must fulfill two minimum requirements: 1) the comments must raise a significant environmental issue, and 2) they must be related to either the decisions to be made by the Lead Agency based on the EIR or to the expected result of these decisions. Responses have not been provided to comments failing to raise significant environmental issues; however, all comments are in the administrative record for the project and will be considered by the County in making its decision.

The commenter is correct that the Proposed Project would require approximately 46,000 cubic yards of grading; however, this is not considered excessive or “massive” as stated by the commenter for such a development in this region of San Mateo County. In addition, approximately 19,970 cubic yards would be used on site as engineered fill requiring 26,510 cubic yards to be exported from the project site.

Response to Comment P1-4

The EIR was prepared in accordance with CEQA and the CEQA *Guidelines*, which define a significant impact from a project related to plants, including trees, as the following (as stated in Section 4.3.4 of the Draft EIR):

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW, or USFWS;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

For the purposes of this EIR, special-status has been defined to include those species that meet the definitions of rare or endangered plants under CEQA, including species that are:

- Listed as endangered or threatened (or formally proposed for, or candidates for, listing) under the ESA (50 CFR §17.11 and §17.12);
- Listed as endangered or threatened (or proposed for listing) under the California Endangered Species Act (CESA) (California Fish and Wildlife §2050, et seq.);
- Designated as endangered or rare, pursuant to California Fish and Wildlife Code (§1901);
- Designated as fully protected, pursuant to California Fish and Wildlife Code (§3511, §4700, or §5050); or
- Designated as species of special concern to the CDFW.

A list of regionally occurring special-status plant species for the project site was compiled using the results of scientific database queries including the California Natural Diversity Data Base (CNDDDB) query for the San Mateo USGS 7.5-minute topographic quadrangle and the five surrounding quadrangles located within a 5-mile radius; the California Native Plant Society (CNPS) database query for the San Mateo USGS 7.5-minute topographic quadrangle and the five surrounding quadrangles; and the USFWS query for the San Mateo USGS 7.5-minute topographic quadrangle (Appendix D of the Draft EIR). The habitat requirements of regionally occurring special-status species were compared to the habitat types that exist within the project site as well as the known elevation range or geographical distribution of a species to determine which special-status species have potential to occur onsite. For listed plants, all species identified by the above queries were considered, although special consideration was given for those species with CNDDDB-documented occurrences within a five-mile radius of the project site (CDFW, 2013a). A list of 11 special status plants determined to have the potential to occur on the project site was compiled (Table 4.3-2 of Section 4.3 in the Draft EIR). Consistent with CEQA and the CEQA *Guidelines*, a botanical survey of the project site was conducted on July 25, 2013, which was during the identifiable and evident blooming period of 4 of the 11 species. None of the 11 special status plant species were identified during the survey; the 4 species with a blooming period that included the survey date therefore are not present on the project site (three *Malacothamnus sp.* and *Silene verecunda ssp. verecunda*). However, the other seven special status plant species may be present on the project site (*Amsinckia lunaris*, *Collinsia multicolor*, *Dirca occidentalis*, *Eriophyllum Latilobum*, *Fritillaria liliacea*, *Pedicularis dudleyi*, and *Pentachaeta bellidiflora*), and implementation of the Proposed **Project** has the potential to have a substantial adverse impact, either directly or through habitat modifications, on those seven special

status plants, as stated in Impact 4.3-1 of Section 4.3.4 of the Draft EIR. With the implementation of Mitigation Measure 4.3-1 included in Section 4.3.4 of the Draft EIR, the impact would be less than significant.

As stated in Impact 4.3-6 of Section 4.3.4 of the Draft EIR, construction of the Proposed Project has the potential to remove trees protected within the tree ~~preservation-removal~~ ordinance specified in the San Mateo County Significant Tree Ordinance. As stated in the discussion of Impact 4.3-6 in Section 4.3.4 of the Draft EIR, construction of the Proposed Project would require the removal of approximately 43 of the 78 trees (approximately 55 percent) on site. The 78 existing trees on the project site include all trees and are not limited to only significant trees nor does the count exclude smaller trees, as indicated by the commenter. With implementation of Mitigation Measure 4.3-6 included in Section 4.3.4 of the Draft EIR, the impact to protected trees is reduced to less than significant.

As stated in Section 4.3.4 of the EIR, the Initial Study (Appendix B of the Draft EIR) concluded that the Proposed Project would not result in conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plan.

Section 4.3 of the Draft EIR accurately and appropriately assesses the significance of impacts to special status plant species; within the context of local policies or ordinances protecting biological plant resources; and within the context of provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan in compliance with CEQA. The proposed removal of the flora referenced by the commenter is not considered significant under CEQA.

The commenter does not provide explanation or detail as to “the same unanswered questions about endangered fauna... and other biotic concerns.” Potential impacts related to special status species (including wildlife, birds, insects, and plants), riparian habitat or other sensitive natural communities, federally protected wetlands, and migratory wildlife corridors and native wildlife nursery sites along with potential impacts to biological resources within the context of local policies or ordinances protecting biological resources and provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans were analyzed in Section 4.3 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. With implementation of the mitigation measures included in Section 4.3.4 of the Draft EIR, potential impacts to biological resources, including endangered fauna and other biotic concerns, would be reduced to less than significant.

Section 4.3.2 of the Draft EIR discusses informal observations by the general public of the Mission blue butterfly (*Plebejus icarioides*) on the project site and the presence of associated host plants on the project site. As stated therein:

Host plants and an informal observation of this species have been recorded by a member of the general public on the project site. Three biological surveys for the Mission blue butterfly have occurred on the project site in the spring and summer months of 2005, 2008, and 2012, during which 12 adult butterflies were

observed. The observed butterflies exhibited characteristics of both the *Plebejus icarioides pardalis* and *Plebejus icarioides missionensis* subspecies but were determined to be more closely akin to the *pardalis* subspecies. Due to the relatively small amount of habitat on the project site, it is not possible to sample more than a few butterflies in order to make a more confident determination on subspecies (Kobernus, 2014). Therefore, although the project site is outside of the documented geographic distribution and the known elevation range to which this species is suited, the Mission blue butterfly has the potential to occur on the project site.

The Mission blue butterfly was not observed during the July 25, 2013 biological surveys of the project site even though this survey was conducted during the designated identification period. Because the Mission blue butterfly often occurs within an elevation range above the project site and because the project site is south of the documented southernmost distribution of this species, the likelihood of this species occurring on the project site is relatively low. However, as stated in Section 4.3.4 of the Draft EIR, informal observation of this species was made and noted by a member of the general public, and it is therefore concluded that the Mission blue butterfly may occur on the project site and may be significantly impacted by the implementation of the Proposed Project. Hence, Mitigation Measure 4.3-2 was included in Section 4.3.4 of the Draft EIR, and implementation of this mitigation measure, included below, would reduce impacts to a less-than-significant level.

Mitigation Measure 4.3-2: To address potential impacts associated with the Mission blue butterfly, the following measures will be implemented prior to construction of the Proposed Project:

- A qualified biologist shall conduct a focused survey within the nonnative grassland on the project site for the Mission blue butterfly during the appropriate identification periods for adults (March-July) or juveniles (wet season) prior to commencement of construction activities. Should no species be observed, then no additional mitigation is required.
- Should the Mission blue butterfly be observed during the focused survey on the project site, the qualified biologist shall contact CDFW within one day following the focused botanical survey to report the findings. If feasible, a 10-foot buffer shall be established around the species' host plants using construction flagging prior to commencement of construction activities.
- Should avoidance of the Mission blue butterfly be infeasible, the qualified biologist would allow the butterfly to exit the property on its own, or will establish an alternately approved appropriate action following contact with CDFW.

Regarding migratory birds and other birds of prey, including raptors, it stated in Section 4.3.2 of the Draft EIR:

No migratory birds or other birds of prey were observed nesting during the surveys of the project site. Several birds protected under the MBTA [Migratory Bird Treaty Act] were observed foraging within the project site including: red-

tailed hawk (*Buteo jamaicensis*), turkey vulture (*Cathartes aura*), and white-tailed kite (*Elanus leucurus*). Migratory birds and other birds of prey have the potential to nest within the project site.

Accordingly, Impact 4.3-4 in Section 4.3.4 of the Draft EIR states that grading and construction activities have the potential to result in the disturbance of nesting habitat for migratory birds and other birds of prey. With implementation of Mitigation Measure 4.3-4a through 4.3-4c, included in Section 4.3.4 of the Draft EIR, impacts to migratory birds and other birds of prey, including raptors, would be less than significant.

#### Response to Comment P1-5

The project will not result in any significant aesthetic impacts in accordance with the significance criteria outlined in Appendix G of the CEQA *Guidelines* (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387) nor would the Proposed Project be in conflict with the policies contained within Chapter 4 Visual Quality of the San Mateo County General Plan (County General Plan). The final project design (i.e., residential homes and lighting plans) will comply with all applicable General Plan Policies, Subdivision Regulations and Zoning Ordinance Regulations, as well as Bel Aire Lighting District standards, and will be required to undergo County approval prior to issuance of building permits to ensure that the proposed homes, roadways, streetlights, and associated lighting plans will be designed and constructed to be compatible with the surrounding area.

#### Response to Comment P1-6

Potential impacts associated with steepness of the proposed residential lots and the soil stability on the project site and vicinity were addressed in Section 4.4 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. The existing site topography, geology, seismicity and fault zones, and soils, including a discussion of deep-seated and shallow landslide hazards, are described in Section 4.4.2 of the Draft EIR. The relevant federal, State, and local regulatory laws, codes, ordinances, and standards are described in Section 4.4.3 of the Draft EIR. As stated in Impact 4.4-3 in Section 4.4.4 of the Draft EIR, the Proposed Project could potentially result in shallow landslides due to the depth of unconsolidated colluvium on the project site but is at low risk for deep-seated landslides. As further stated in the discussion under Impact 4.4-3 in Section 4.4.4 of the Draft EIR:

The underlying sandstone bedrock of the Franciscan formation is very stable underneath the project site, meaning there is a low probability of deep-seated bedrock landslides. The unconsolidated colluvial material above the bedrock can be very deep in areas (at least 5 foot depth on average and up to a maximum of 15 feet). Deep, unconsolidated material combined with the steep slopes on the flanks of the knoll can create a shallow landslide hazard. Shallow landslides are typically caused by improper grading and placement of structural fill, loading of the top of a slope, seismic activity, and changes in pore pressure of the soil caused by increased drainage in the slope. Implementation of the mitigation measures [4.4-1a, 4.4-1b, and 4.4-2a through 4.4-2c] described above for site grading and engineered fill will reduce the risk of shallow landslides. With the

additional measures [mitigation measures 4.4-3a and 4.4-3b] described below, impacts will be less than significant.

The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately and accurately addresses impacts associated with steepness and soil stability within the context of applicable federal, State, and local laws, codes, ordinances, and standards. Concerns related to the standards and codes for houses in the vicinity of the project site are beyond the scope of this EIR.

As stated in Section 4.11.1 of the Draft EIR, criteria for determining the significance of impacts to traffic and circulation were developed based on Appendix G of the CEQA *Guidelines* and relevant agency guidelines. As stated in Impact 4.11-4 of Section 4.11.4 of the Draft EIR, implementation of the Proposed Project has the potential to substantially increase hazards due to the design of the new private street and proposed intersection with Bel Aire Drive. The discussion under Impact 4.11-4 of Section 4.11.4 of the Draft EIR goes on to state that the proposed private street and intersection would be developed in accordance with applicable County standards. Mitigation Measure 4.11-4 is included in Section 4.11.4 of the Draft EIR to ensure a safe sight distance at the proposed new intersection. With the proposed mitigation, the potential of the Proposed Project to result in a substantial increase in hazards is less than significant.

#### Response to Comment P1-7

Impacts associated with noise during construction of the Proposed Project are addressed in Section 4.8 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. The existing environmental noise setting was determined by measurement of noise levels at the project site on October 23 through October 24, 2013; the maximum ambient noise measurement was 51.7 A-weighted decibels (dBA) Day-Night Average Level (Lnd). Construction noise levels associated with the Proposed Project would be consistent with typical residential construction of which there is no precedent established in that such levels would result in acute or long-term adverse impacts to residents' health. Section 4.8.4 presents the significance criteria established using the CEQA *Guidelines* for the determination of a significant noise impact from the Proposed Project. Impacts from noise emissions attributable to the Proposed Project were presented within Section 4.8 and were evaluated based on an examination of the project site and published information regarding noise in the vicinity of the project site. These factors were then compared to the significance criteria listed in Section 4.8.4 of the Draft EIR. As stated in Impact 4.8-1 of Section 4.8.4 of the Draft EIR, construction of the Proposed Project has the potential to generate a substantial temporary or periodic noise level greater than existing ambient levels in the project vicinity and cause an exceedance of the County's land use compatibility maximum level of 60 dBA for exterior residential land uses. The loudest activities associated with construction would be 85 dBA, maximum sound level (Lmax) at 50 feet from the construction equipment which would impact both existing and future sensitive receptors (residences). Implementation of Mitigation Measure 4.8-1 included in Section 4.8.4 of the Draft EIR would ensure, among other measures, construction activities are limited to times consistent with those allowed under County Noise Ordinance 4.88.360, which exempts noise sources associated with construction of any real property from County Noise Ordinances 4.88.330 and 4.88.340 provided said activities do not take place between the hours of 6:00 P.M. and 7:00 A.M. weekdays, 5:00 P.M. and 9:00 A.M. on Saturdays or at any time on Sundays, Thanksgiving and Christmas. With mitigation, construction of the Proposed Project would result in a less-than-significant impact to the noise environment.

Construction of the ~~of the~~ Proposed Project also has the potential to expose existing sensitive noise receptors to construction traffic noise in excess of the County's noise standards, as stated in Impact 4.8-2 of Section 4.8.4 of the Draft EIR. Project-related traffic noise impacts on existing and proposed residences were evaluated by estimating the project traffic noise levels for each of the project-area roadways using project-related traffic counts, which are provided in Appendix H of the Draft EIR, and guidance provided in Caltrans's 2009 Technical Noise Supplement. The equation used to determine traffic noise in the vicinity of the Proposed Project is as follows:

**Eq4.8-1:** Increase in noise level =  $10\log_{10}(\text{existing traffic} + \text{project traffic}/\text{existing traffic})$  (Caltrans, 2009).

The results of the project-related traffic counts were compared to estimated baseline and predicted 2030 traffic noise levels. During construction of the Proposed Project, a maximum of 20 worker round trips per day would occur and an average of 156 soil and material hauling trips per day would occur during the 30-day period of grading activities on the project site. Because trucks are louder than passenger cars, a passenger car equivalence (PCE) multiplier of 8 cars per truck was used (TRB, 2000). For a worst case scenario analysis, the addition of all 20 vehicle trips and 156 truck trips (equivalent to 1,268 vehicle trips) per day were assumed to be added to the peak hour traffic volume on Bel Aire Road, as discussed in Section 4.8.4 of the Draft EIR. The resulting, increased noise level would be 55.8 dBA, Ldn, which is less than the 60 dBA, Ldn County noise significance threshold. With implementation of Mitigation Measure 4.8-1 in Section 4.8.4 of the Draft EIR, noise from the construction vehicle traffic associated with the Proposed Project would result in a less-than-significant impact.

Construction noise levels would be consistent with typical residential construction of which there is no precedent established in that such levels would result in acute or long-term adverse impacts to residents' health. Section 4.8.4 presents the significance criteria established using the CEQA *Guidelines* for the determination of a significant noise impact from the Proposed Project. Impacts from noise emissions attributable to the Proposed Project were presented within Section 4.8 and were evaluated based on an examination of the project site and published information regarding noise in the vicinity of the project site. These factors were then compared to the significance criteria listed in Section 4.8.4 of the Draft EIR.

Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. The existing environmental air quality setting is described in Section 4.2.2 of the Draft EIR, and the relevant regulatory context is presented in Section 4.2.3 of the Draft EIR. The California Emissions Estimator Model 2013.2.2 (CalEEMod) was used to estimate emissions from all construction-related sources associated with the Proposed Project. As discussed in Impact 4.2-1 in Section 4.2.4 of the Draft EIR, construction of the Proposed Project has the potential to generate emissions of reactive organic gas (ROG), nitrogen oxides (NOx), and particulate matter (PM) 2.5 and 10 microns in size (PM<sub>2.5</sub>, and PM<sub>10</sub>) and exceed the Bay Area Air Quality Management District (BAAQMD) threshold for NOx. With implementation of Mitigation Measures 4.2-1a and 4.2-1b, project related emissions during construction would be reduced below significance threshold for NOx and emissions of criteria air pollutants (CAPs) from construction are a less-than-significant impact.

Construction of the Proposed Project also has the potential to generate toxic air contaminants (TACs) from construction equipment exhaust, with diesel particulate matter (DPM) a particular concern given the close proximity of State Route (SR) 92, as discussed in Impact 4.2-2 in Section 4.2.4 of the Draft EIR. To analyze the human health risks associated with this impact, a health risk assessment was performed using a stochastic Monte Carlo analysis to determine reasonable exposure parameters for a specified set of residential receptors. Cancer risk and chronic and acute health indices (HI) were calculated by using the California Office of Environmental Health Hazard Assessment (OEHHA) risk factors associated with reasonable exposure assessment, as discussed in Section 4.2.4 of the Draft EIR. The Lakes American Meteorological Society/ Environmental Protection Agency Regulatory Model (AERMOD) View, Version 8.2.0 dispersion model was used to determine the dispersion pattern of DPM given the local meteorology (as modeled by Lakes American Meteorological Data Preprocessor for AERMOD (AERMET), Version 8.2.0). To determine cancer, chronic, and acute risk from exposure to DPM on site and near roadways where project-related vehicles would operate, the Hotspots Analysis Reporting Program (HARP) on-ramp, Version 1 model processed AERMOD output data so it can be imported into HARP, Version 1.4f risk assessment model to determine the potential impact emissions from on and off site emissions of DPM would have on sensitive receptors in the vicinity of the project site (refer to Methodology Section of Section 4.2.4 of the Draft EIR for more detailed description). Figure 4.2-1 in Section 4.2.4 of the Draft EIR shows the dispersion of DPM emitted at the project site by on-site construction equipment and by haul vehicles near the proposed haul truck route along Bel Aire Road and Ascension Drive. The maximum unit concentration of DPM is 224.96 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) and occurs west of the intersection of Bel Aire Road and Ascension Drive. The receptors showing the greatest cancer and chronic HI are located near the east boarder and center of the project site. Cancer risk and Chronic HI at these receptors do not exceed the BAAQMD TAC thresholds of 10 in 1,000,000 ( $1.0\text{E}-5$ ) cancer risk and a chronic HI of 1.0, as shown in Table 4.2-6 of Section 4.2.4 of the Draft EIR. Accordingly, the Draft EIR appropriately considered potential impact to air quality and human health and determined this to be a less-than-significant impact under CEQA as the particulate levels are not anticipated to cause adverse affects to residents in the immediate vicinity of the construction areas. Further analysis and future monitoring are not required.

Concerns related to the County ordinances related to noise and air quality are beyond the scope of this EIR and the CEQA process. However, the commenter can work with the County outside of the CEQA process to address these concerns.

#### Response to Comments P1-8 and P1-9

In accordance with CEQA and CEQA *Guidelines*, the Draft EIR appropriately describes the existing environmental setting per each resource area within Section 4.0 as it existed at the time the notice of preparation was published (October 2013) to establish the baseline physical conditions by which the Lead Agency (County) determines whether an impact is significant. Impacts associated with soil stability and shallow landslides were assessed utilizing the environmental baseline as it existed in the early fall of 2013; refer to the **Response to Comment P1-6** for further discussion. During the early fall of 2013, it had not yet been established that a third year of drought would occur in California, and the Governor of California did not declare a drought State of Emergency until January 17, 2014. Regardless, the Draft EIR considered drought conditions where applicable and appropriate for determining environmental impacts. For example, the inability of the San Francisco Public Utilities Commission (SFPUC) to meet all

the demands of its retail and wholesale customers during droughts is discussed in Section 4.10.2 of the Draft EIR as part of the environmental setting and impacts of the Proposed Project to water supplies within the context of this setting is discussed in Section 4.10.4 of the Draft EIR. Use of watering for dust mitigation purposes, as required by Mitigation Measure 4.2-1a included in Section 4.2.4 of the Draft EIR, would be a short term and not constitute a new water demand. The Proposed Project does not propose to remove nearly all existing vegetation, as stated by the commenter; as shown in Figure 3-7 in Section 3.4.2 of the Draft EIR, grading would be limited to the area including and immediately surrounding the development footprint of 5.5 acres (approximately 42 percent of the project site). As stated in Section 3.4.2 of the Draft EIR, the landscaping of the dedicated open space, 7.35 acres (approximately 55 percent of the project site), is not determined at this time but the intent is to utilize drought-tolerant native vegetation in order to restore the area to a natural habitat and minimize water needs. As part of the Proposed Project, the existing on-site drainage improvements within a 0.45-acre (approximately 3 percent of the project site) undisturbed and protected area will be removed, which would require minimal disturbance and some reestablishment of vegetation.

#### Response to Comment P1-10

As discussed in Section 3.4.2, the residences, including all stormwater drainage components, would be constructed in accordance with all County zoning guidelines and regulations, including those that relate to seismic concerns. As further discussed in Impact 4.4-2 in Section 4.4.4 of the Draft EIR, all structures and utilities would be designed to withstand seismic forces per California Building Code (CBC) requirements. Pursuant to County General Plan Policy 15.21, the applicant of the Proposed Project must submit a detailed Geotechnical Investigation to the County building department before a building permit can be issued for any structure. The recommendations of the qualified engineering geologist in the geotechnical investigation will be incorporated into the project design of the Proposed Project, as discussed in Section 4.4.4 of the Draft EIR. With implementation of Mitigation Measures 4.4-2a through 4.4-2c, the project design would reduce all potential impacts associated with seismic activity to a less-than-significant level.

#### Response to Comment P1-11

The commenter does not provide substantial details, data, or analysis in this comment to support their assertion that the Draft EIR “is incomplete and inadequate” and that “nothing material has changed over the past five years,” except to state “to summarize.” It is therefore assumed supportive substantial details, data, and/or analysis are presented by the commenter in other comments within this letter; consequently, a more substantial response is not provided here and readers are referred to **Responses to Comments P1-1 through P1-10 and P1-12 through P1-126**.

#### Response to Comment P1-12

The background of the Proposed Project as relevant to the environmental analysis presented in the EIR is discussed in Sections 2.3 and 3.3 of the Draft EIR; public opposition to the previous project is noted. Refer to the **Response to Comment P1-2** regarding the purpose of the EIR. The contents of the applicant’s application for the Proposed Project, and its perceived failure by the commenter to incorporate issues raised by the community, are beyond the scope of the EIR.

### Response to Comment P1-13

Comment noted. The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately concludes impacts of the Proposed Project would be less than significant to environmental resources; refer to **Response to Comment P1-2** for further discussion. The commenter does not provide substantial details, data, or analysis in this comment that elaborates on their “concern about the impact of the project on its [community] members and on the environment.” Accordingly, a more detailed response cannot be provided. Refer to the **Response to Comment P1-12** regarding the scope of the EIR. In accordance with CEQA *Guidelines* Section 15097, the County has established a program to report on and monitor measures adopted as part of this environmental review process to mitigate or avoid significant effects on the environment. **Section 4.0** of this Final EIR is a Mitigation Monitoring and Reporting Plan (MMRP) that is designed to ensure that the mitigation measures identified in the EIR for the Proposed Project are fully implemented, which would include requiring specific language in contractual agreements as specified by an individual mitigation measure. The MMRP, as presented **Table 4-1** in **Section 4.0**, describes the timing/frequency of mitigation implementation responsibilities and standards, and verification of compliance for the mitigation measures identified in the Proposed Project EIR. As the Lead Agency, the County will ensure mitigation measures are implemented and will serve as a point of contact for the public.

### Response to Comment P1-14

Comment noted. Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

### Response to Comment P1-15

Comment noted.

### Response to Comment P1-16

Comment noted. The Draft EIR accurately provides a background of the Proposed Project in Section 3.3 including a summary of the community engagement actions conducted by the County.

### Response to Comment P1-17

Generally, “reduced intensity” refers to anything that is comparatively less than something else in concentration, density, size, or another measurement. Since the Proposed Project considered in the EIR proposes fewer houses, fewer future residents, fewer tiers of houses, and a smaller development footprint compared to the previous project, it is a “reduced intensity” project compared to the previous project. Refer to the **Response to Comment P1-2** regarding the reduction of impacts of the Proposed Project compared to the previous proposal, including development on the hill sides. As “reduced intensity” is a qualitative term, quantitative numbers, such as percents discussed by the commenter, cannot be definitively applied.

### Response to Comment P1-18

The project applicant determines the project objectives in coordination and consultation with the Lead Agency prior to initiation of the environmental review process for a project. Public input on project objectives is not required under CEQA. CEQA *Guidelines* Section 15126.6 requires an EIR “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 comparative merits of the alternatives.” The Lead Agency determines a reasonable range of alternatives to be evaluated in an EIR and, consistent with CEQA, considers these alternatives within the context of achieving project objectives.

### Response to Comments P1-19 through P1-21

The comment is correct that portions of the designated open space on the project site are too steep for structural development. However, this area is not too steep for passive recreation and walking trails constructed with due consideration given to soil erosion and geological concerns. As stated in Section 3.4.2 of the Draft EIR, the nature trail would be a five-foot wide path with a three-foot high retaining wall on the upslope and three-foot high fence on the down slope (Figure 3-6 [Conceptual Trail Cross Section] in Section 3.4.2 of the Draft EIR). As the Proposed Project is still in the planning stages, final siting of the proposed nature trail has yet to be completed. Access to the designated open space would generally be consistent with existing access. However, the impacts of such trails are considered throughout the environmental analysis included in Section 4.0 of the Draft EIR as appropriate; for example, Mitigation Measures 4.6-2b and 4.6-2c are included to reduce potential impacts to water quality associated with stormwater runoff from urban land uses, including the proposed nature trail.

### Response to Comment P1-22

The text on page 3-10 of Section 3.4.2 of the Draft EIR is not intended to state the number of rows running northeast to southwest (referred to as “laterally” by the commenter) across the project site; it is intended to state the number of blocks of houses proposed for the project site—which is three, as clearly shown on Figure 3-4 in Section 3.4.2 of the Draft EIR. The project description included in Section 3.0 of the Draft EIR makes no mention of “tiers” of houses.

### Response to Comment P1-23

The site plan included as Figure 3-4, project component cross sections included as Figure 3-6, and grading and drainage plan included as Figure 7 in Section 3.4.2 of the Draft EIR provide to appropriate details project components, including entry from Bel Aire Road, to allow for analysis of impacts to environmental resources consistent with CEQA and CEQA *Guidelines*.

### Response to Comment P1-24

As the Proposed Project is still in the planning stages, final siting of the proposed houses has yet to be completed. Applicable County General Plan policies and zoning regulations related to slope steepness are listed in Section 4.5.3 of the Draft EIR. As discussed in Section 4.5.4 of the Draft EIR, buildings will be designed and constructed according to guidelines and/or objectives of the California Building Code,

including the CALGreen Code; the County General Plan, including County land use and zoning designations; the County LAFCO policies; and the City of San Mateo General Plan. Grading will be completed on individual lots as necessary to comply with appropriate standards and minimize potential impacts associated with steep slopes. A table providing the slope (referred to as “steepness” by the commenter) of each lot is not necessary to evaluate potential environmental impacts. State and local laws, ordinances, and codes cap the slope at which development can occur on.

#### Response to Comment P1-25

The Geotechnical Report prepared for the Proposed Project (included as Appendix E of the Draft EIR) considered the entire project site, including the northeastern slope along Parrot Drive, and appropriately proposed recommendations to reduce significant impacts associated with soils, slope, and geology of the project site. Mitigation Measure 4.4-2c included in Section 4.4.4 of the Draft EIR ensures all recommendations contained within the site-specific Geotechnical Investigation will be implemented. Specific mention of the slope along the northeastern edge of the project site along Parrot Drive is not necessary to facilitate analysis of potential impacts.

#### Response to Comment P1-26

Comment noted; text has been updated in **Section 3.4.2 of Volume II** to reflect that no parking would be allowed in the hammerhead cul-de-sac to ensure emergency vehicle access.

#### Response to Comment P1-27

Comment noted. Except for the access road, no development is planned along Bel Aire Road or Ascension Drive that would constitute a necessity to develop sidewalks along the two roadways.

#### Response to Comment P1-28

Comment noted. The appropriate information is included within the grading plan to allow an assessment by County Planning staff in determining if the development of the project site meets the appropriate regulations, codes, and associated requirements for site development.

#### Response to Comment P1-29

The applicant and Lead Agency have been working with California Water Service Company (Cal Water) since receipt of the Cal Water letter dated November 17, 2013 from Cal Water in regards to Item Number 3. Implementation of the Proposed Project would comply with all applicable rules and regulations regarding existing easements on the project site.

#### Response to Comment P1-30

Refer to **Response to Comment P1-6** regarding analysis of the safety of the proposed intersection.

### Response to Comment P1-31

Refer to **Response to Comment P1-6** regarding compliance with County roadway codes and analysis of the safety of the proposed intersection. The commenter's recommendations for other locations of the access roadway are noted. As there are no significant impacts associated with the proposed new roadway and impacts were analyzed consistent with the CEQA *Guidelines*, an alternative location for the proposed roadway was not considered.

### Response to Comment P1-32

As stated in Section 3.4.3 of the Draft EIR, the first phase of grading, utility installation, and roadway development is anticipated to occur over a nine month period. The second phase would include construction of all residential structures and is anticipated to occur over an 18 month period. Based on available information to date, the applicant is confident in the proposed timelines for construction phases and providing a range of time is not necessary. The total construction time for the Proposed Project is therefore 27 months *but may not be continuous* (emphasis added). The commenter misunderstands that the 27 months is simply the sum of 9 and 18 months; the entire span of construction of the Proposed Project is not limited to 27 months. However, the analysis of impacts from construction is conservatively limited to 27 months as increasing the length of time of construction would reduce the intensity of impacts. For example, construction of the Proposed Project would emit a finite amount of DPM. The concentration of DPM emissions per day is greater if the timeframe is limited to 27 months as compared to the concentration of DPM emissions that would occur per day if construction were spread across a longer time period. The previous project was likely planned to be developed as needed as residential lots were sold over a four to nine year period; if all residences of the previous project were developed at the same time, the timeframe would have likely been less.

As stated Impact 4.4-1 in Section 4.4.4 of the Draft EIR, earth-moving activities associated with construction of the Proposed Project have the potential to result in soil erosion or the loss of topsoil. Implementation of Mitigation Measures 4.4-1a and 4.4-1b would require construction contractors to install erosion and sediment control measures in accordance with the Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) construction general permit regulations and to implement an Erosion and Sediment Control Plan in accordance with San Mateo County Ordinance Code (Section 8600 et seq.). After implementation of these measures, potential impacts associated with soil erosion, including via stormwater and wind would be reduced to less than significant. Mitigation Measures 4.4-1a and 4.4-1b would be implemented throughout construction, including during any delays. As construction of the Proposed Project would be temporary, the potential aesthetic impacts associated with a graded and bare project site would also be temporary and not constitute a significant impact under CEQA. A penalty bond to cover stabilizing and landscaping the hill during any delays in construction is therefore not necessary.

### Response to Comment P1-33

Refer to the **Response to Comment P1-32** regarding the potential for impacts to air, soil, and aesthetics during any delays in construction.

### Response to Comment P1-34

Consistent with Mitigation Measure 4.8-1 included in Section 4.8.4 of the Draft EIR, construction activities shall be limited to occur between the hours of 7:00 A.M. to 6:00 P.M. Monday through Friday, and 9:00 A.M. to 5:00 P.M. on Saturdays. Construction activities shall not occur on Sundays, Thanksgiving, or Christmas. **Section 3.4.3 of Volume II** has been updated accordingly.

### Response to Comment P1-35

As construction of the Proposed Project would be temporary, the potential aesthetic impacts associated with construction equipment and workers on the project site would also be temporary and not constitute a significant impact under CEQA.

The commenter's recommendations regarding a landscaping plan are noted. The commenter's recommendations are consistent with Mitigation Measure 4.1-1a included in Section 4.1.4 of the Draft EIR, which requires the project applicant submit a landscape plan for review and approval by the San Mateo County Planning Department (County Planning Department). The landscape plan shall include the location, size, and species of any proposed landscaping and shall include, but not be limited to, hedges or other appropriate vegetation that will provide opaque screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive.

### Response to Comment P1-36

The EIR was prepared in accordance with CEQA and the CEQA *Guidelines*, which define a significant impact from a project related to aesthetics as the following (as stated in Section 4.1.4 of the Draft EIR):

- Result in the substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views.

To allow for an objective baseline assessment of the visual environment and subsequent visual impacts of the Proposed Project, the visual experience within each view is comprised of the following constituent elements:

1. Clarity in Line of Sight—the overall visibility of the object within the viewshed, influenced by such factors as trees, buildings, topography or any other potential visual obstruction.
2. Duration of Visibility—the amount of time the object is exposed to viewers within the viewshed. For example, a passing commuter will experience a shorter period of viewing time than a resident within the viewshed.
3. Proximity of the Viewer—the effects of foreshortening due to the distance of the viewer from the object will influence the dominance of the object in the perspective of the viewer.
4. Number of Viewers—the number of viewers anticipated to experience the visual character of the object.

As discussed in Section 4.1.4, the primary views of the project site are experienced by residents along Parrott Drive, Bel Aire Road, Ascension Drive, Los Altos Drive, Polhemus Road, and Bunker Hill Drive. In addition the site is visible from the College of San Mateo, and I-280. Figures 4.1-2a and 4.1-2b in Section 4.1.4 consist of an aerial view of the project site with representative views of the project site from the roadways and neighborhoods directly adjacent to the site and from the College of San Mateo. In addition, visual representations of the likely residential structures that would be developed for the Proposed Project were added to Figures 4.1-2a and 4.1-2b and are shown in pink and blue (refer to the **Response to Comment P1-41** regarding updates to Figures 4.1-2a and 4.1-2b). The representative residential structures were assumed to occupy the maximum building footprint shown in Figure 3-4, which assumes 40 percent of the square footage of each lot would be developed with 20-foot setbacks for the front and rear and 5-foot setbacks for the sides of structures. The height of the representative residential structures is conservatively shown as approximately 36 feet tall, does not include any adjustments for grading or fill, and assumes that all of the development footprint would be at the maximum height. Further, landscaping has not been added. This conservative approach was used to display the worst case scenario of potential impacts of the Proposed Project on aesthetic resources. The visual experience is presented in Figures 4.1-2a and 4.1-2b were compared to the visual experience presented in Figures 4.1-1a and 4.1-1b, which displayed the exact same views but without the representative residential structures of the Proposed Project; a detailed discussion of each view is included in Section 4.1.4 of the Draft EIR.

As stated in Impact 4.1-1, the Proposed Project could have a substantial adverse effect on a scenic vista; could substantially damage scenic resources, including trees; and could substantially degrade the existing visual character or quality of the site and its surroundings. While the Proposed Project would convert approximately 40 percent of an area that is currently valued as natural scenery in an urban setting to an urban development and thereby change the amount of open space and associated visual resources, the Proposed Project does not constitute a change in the visual character or quality of the area given that the surrounding area is primarily single-family residential neighborhoods and would be consistent with existing surroundings. However, some of the proposed residences are visible from portions of Parrot Drive, and reducing the vegetation located along the rear of existing residences may increase views of the proposed residences and therefore change the visual character and quality of the project site as viewed from Parrot Drive, which would constitute a significant impact. Construction of the Proposed Project would also result in the removal of approximately 43 of the 78 trees on the project site (approximately 55 percent). However, with the implementation of Mitigation Measures 4.1-1a and 4.1-1b, which require a landscaping plan to develop opaque screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive and tree replacement plan that includes maintenance of trees, the impact would be reduced to less than significant under CEQA and CEQA *Guidelines*.

Additionally, the potential impact of the Proposed Project related to light and glare were analyzed in Section 4.1.4 of the Draft EIR. As stated therein, the Proposed Project would introduce new sources of light on the property mainly through street lights, exterior lighting at residences, and cars driving along residential streets. The exterior and interior lighting associated with the residences would be designed not to infringe on adjacent properties or people traveling on roadways. These types of light sources that would be introduced as a result of the Proposed Project are frequent in the neighboring residential developments and would not constitute a significant new source of light; therefore, the impact of such lighting on these areas would be negligible. Street lighting would be limited to the proposed new

roadway; only exterior residential lighting emanating from the backyards of the proposed residences would be adjacent to the backyards of existing houses on Parrot Drive. The opaque landscape screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive required by Mitigation Measure 4.1-1a would further shield and reduce the light perceived in the backyards of residences. These light sources are considered common and necessary light sources for residential areas by the County and frequent in the neighboring residential developments and would not constitute a significant new source of light; therefore, the impact of such lighting on these areas would be negligible and not constitute a significant impact under CEQA and CEQA *Guidelines*. Views of adjoining properties and associated privacy cannot be guaranteed and is not enforceable as a code violation and, because the development would comply with all existing zoning and development requirements, therefore does not constitute a significant impact under CEQA.

Refer to the **Response to Comment P1-5** for further discussion regarding the Proposed Project's compliance with applicable aesthetic regulations and ordinances.

#### Response to Comment P1-37

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics. The photos are representative of the sightlines of the project site and not every sightline can or is required to be analyzed in the EIR. The major sightlines, such as the sightlines from Ascension Drive, Bel Aire Road, and Parrot Drive, are assessed and provide an adequate number of representative sightlines to assess impacts of the Proposed Project in accordance with the significance criteria derived from the CEQA *Guidelines*.

#### Response to Comment P1-38

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics in accordance with the CEQA *Guidelines*.

#### Response to Comment P1-39

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics in accordance with the CEQA *Guidelines*.

#### Response to Comment P1-40

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics. The use of "story poles" is not necessary.

#### Response to Comment P1-41

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics. The views included in Figures 4.1-1a, 4.1-1b, 4.1-2a, and 4.1-2b are representative of views in the area. Including a snapshot in the Draft EIR of the project site from every single individual viewpoint that the project site is visible would not help further or improve the analysis of impacts related to aesthetics and would not be consistent with the goals of CEQA.

Some confusion seems to be arising from the representative structures shown in Figures 4.1-2a and 4.1-2b in the Draft EIR, as evidenced by the commenter's emphasis that "ALL proposed houses on the hill" be shown in the photos. All proposed residences are shown in Figures 4.1-2a and 4.1-2b; however, the different blocks of proposed residences may be difficult to decipher in the representative photos. For clarity, Figures 4.1-2a and 4.1-2b were updated in **Section 4.1.4 of Volume II** to show each block of houses as a separate color.

#### Response to Comment P1-42

As discussed in Table 4.1-1 in Section 4.1.4 of the Draft EIR, the Proposed Project would be consistent with County Land Use Plan Policy 4.27 because, although the Proposed Project would be partially visible along an existing open ridgeline that is part of a public view, given the topography of the project site, no alternative building sites exist on the project site aside from the areas along the ridgeline (County Land Use Plan Policy 4.27(b)). Refer to the **Response to Comment P1-36** for the appropriateness of analysis of impacts associated with aesthetics within the context of CEQA.

#### Response to Comments P1-43 and P1-44

Refer to the **Response to Comment P1-36** for the appropriateness of analysis of impacts associated with aesthetics within the context of CEQA. Shadow affects and speculation concerning invasive growth are not required nor typically assessed in CEQA documents.

#### Response to Comment P1-45

Comment noted. The Proposed Project is consistent with the zoning of the site and therefore complies with the County General Plan which governs land use and growth within the unincorporated areas of the County. Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics.

#### Response to Comment P1-46

Impact 4.11-1 in Section 4.11.4 of the Draft EIR states that the largest volume and frequency of traffic would result from large trucks transporting excavated soil off site during the grading phase of construction. An estimated 26,510 cubic yards of soil will be removed from the project site, which equates to approximately 40,000 bulk cubic yards of soil. Assuming 30 working days for off haul and an average of 17 bulk cubic yards per truck, the number of truck trips per day to and from the project site would be 156. These truck trips would likely be on Bel Aire Road, to Ascension Drive east of Bel Aire Road to Polhemus Road. Therefore, construction of the Proposed Project would add approximately 176 vehicles per day during the soil hauling phase of construction; this represents the worst case scenario. Given the existing volume of traffic on Bel Aire Road and Ascension Drive, the addition of 176 vehicle trips to these roadways would not result in an increase of greater than 0.1 Traffic Infusion on Residential Environment (TIRE) Index rating, which is defined as a noticeable increase in traffic on the street, for either for Bel Aire Road or Ascension Drive

#### Response to Comment P1-47

Comment noted. The applicant will work with the County to obtain all appropriate and necessary approvals for large truck traffic prior to initiating construction of the Proposed Project. As discussed in Section 4.11.4 of the Draft EIR, environmental impacts associated with construction traffic would be less than significant per the criteria put forth in CEQA and CEQA *Guidelines*.

#### Response to Comment P1-48

Comment noted. As stated in Section 4.11.4 of the Draft EIR, an *estimated* 26,510 cubic yards of soil will be removed from the project site, which equates to *approximately* 40,000 bulk cubic yards of soil (emphasis added). Given the estimation and approximation of the numbers, using standard methods of rounding down from 78.43 to 78 loaded trucks is acceptable. Even if an additional two truck trips per day were added, construction traffic from the Proposed Project would not result in an increase of greater than 0.1 TIRE Index, which is defined as a noticeable increase in traffic on the street, for either for Bel Aire Road or Ascension Drive and therefore still constitutes a less-than-significant impact.

#### Response to Comment P1-49

The applicant would strive to use the most efficient and least impactful equipment as feasible and practical when constructing the Proposed Project, including the trucks used to haul excavated soil. Therefore, 20-yard trucks are preferred but 15-yard trucks may be necessary during a portion of the process to navigate the turning angles depending on the location of excavation on the project site. As both trucks may be used, a 17-yard truck was used in the calculation to give a realistic estimate of the overall impact of truck traffic associated with construction. The actual size of the haul truck is unknown at this time as the project has yet to be approved and the availability of a certain size cannot be ascertained.

#### Response to Comment P1-50

Comment noted. Recommendations regarding limiting truck travel times will be considered by the County outside of the CEQA process as the analysis presented in Section 4.11.4 of the Draft EIR that is prepared consistent with CEQA and CEQA *Guidelines* concludes the construction truck traffic impacts would be less than significant even during peak hours (refer to the **Response to Comment P1-47** for further discussion).

#### Response to Comment P1-51

Concerns are noted. Construction trucks and equipment would be selected to ensure navigation of local streets is achievable as access to the project site is critical to construction and development; animated modeling of construction equipment entry/exit from the project site is not necessary to assess the environmental impacts in accordance with CEQA guidelines. Further, construction traffic would be temporary in nature and would not constitute a long term effect. Refer to the **Response to Comment P1-47** regarding the appropriateness and adequacy of the analysis of construction traffic impacts presented in the Draft EIR.

### Response to Comment P1-52 and 53

The statement that the added truck traffic would not significantly change the TIRE Index ratings on the street segments accurately depicts the potential impact from hauling trucks. No further analysis is required. Because traffic impacts can be perceived differently from person to person, traffic engineers utilize various indexes to quantify impacts. One of those indexes is the TIRE Index, which is a way to determine the impact of a project's traffic on the surrounding street system. This index is based on the idea that increases in traffic volume have a greater impact on the residential environment on a lower volume street than along a street with a much higher level of baseline traffic. The TIRE index is a representation of the effects of traffic on safety, pedestrians, bicyclists, children playing near the street and the ability to freely maneuver into and out of driveways. A change in the TIRE index of 0.1 or more would be a noticeable increase in traffic on the street, and, therefore, an impact upon the residential environment. Based on the anticipated number of truck trips, the TIRE index indicates that haul traffic would have a less than significant impact on the study roadway network. In addition, the conclusion was substantiated by conducting the additional LOS analysis on the study roadway network as requested by San Mateo County Public Works.

### Response to Comment P1-54

The applicant will adhere to all County regulations regarding construction traffic, including as related to special traffic control if necessary. Refer to the **Response to Comment P1-47** regarding the appropriateness and adequacy of the analysis of construction traffic impacts presented in the Draft EIR.

### Response to Comment P1-55

Although unlikely, the possibility of equipment malfunction, including break failure, exists during construction of the Proposed Project consistent with the risks associated with construction of other residential projects in hilly terrain. Standard precautions will be taken, such as ensuring all construction equipment is maintained in best working order and all appropriate insurance policies are in place, to minimize such risks. Refer to the **Response to Comment P1-47** regarding the appropriateness and adequacy of the analysis of construction traffic impacts presented in the Draft EIR.

### Response to Comment P1-56

Comment noted. Physical impacts to roadways are not anticipated to occur and would be the responsibility of the County to fix. The potential for damage is not considered an impact under CEQA; however, the County may address the issue outside of the CEQA process.

### Response to Comment P1-57

The TIRE index for existing traffic on Bel Aire Road is 2.88 for 760 vehicle trips per day. The addition of 156 earth-haul truck trips would increase the daily traffic volume to 916 for the one month haul period. That will raise the TIRE Index to 2.96, a change of 0.08. According to the TIRE Index a change of 0.1 would be a noticeable change in traffic. The TIRE Index is for a 24 hour period and cannot be used for time periods of less than 24 hours.

### Response to Comment P1-58

Bel Aire Road is 32 feet curb-to-curb and parking on both sides would allow for two 9-ft. travel lanes in each direction. To improve the travel lane width, construction worker vehicles could be directed to park partially off-road as there is no sidewalk along the easterly side of that street. By doing so, the travel lanes could be increased to 10-11 feet wide, sufficient for two large vehicles to pass safely.

### Response to Comment P1-59

Refer to the **Responses to Comments P1-46-51** and **P1-46-55** regarding ~~steepness of construction vehicle access to the site construction traffic route.~~

### Response to Comment P1-60

Refer to the **Response to Comment P1-46** regarding the analysis of construction traffic impacts during peak hours.

### Response to Comment P1-61

Refer to the **Responses to Comments P1-46-06** and **P1-46** regarding ~~regarding steepness of construction traffic route proposed residential streets.~~

### Response to Comment P1-62

The project alternatives presented in Section 6.0 of the Draft EIR were developed in accordance with CEQA and CEQA *Guidelines*, Section 15126.6. The level of detail provided on the project alternatives allows for appropriate analysis of potential impacts. For example, Alternative B is described in Section 6.4.2 of the Draft EIR as consisting of the subdivision of 6 parcels into 21 lots, 10 of which would be developed as single-family residences, which is 9 less than the Proposed Project. This description allows for the conclusion that short-term construction impacts resulting from Alternative B associated with traffic, noise, and air quality would be proportionately less (a reduction of approximately 47 percent) than impacts from the Proposed Project because less construction would be required, as stated in Section 6.4.2 of the Draft EIR. Site maps are not necessary to include in the Draft EIR as the purpose of presenting project alternatives is to include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the Proposed Project. Because the alternative were selected, mainly, to reduce impacts associated with air quality and traffic (construction and operational impacts), the descriptions of each alternatives were written to provide enough detail to allow comparison of the impacts of these environmental resources to those of the Proposed Project.

### Response to Comment P1-63

Refer to the example provided in the **Response to Comment P1-62** for an example of the specific details of project alternatives provided in the Draft EIR.

#### Response to Comment P1-64

As discussed in Section 6.2 of the Draft EIR, 13 lots would be developed instead of 19 under the Minimal Grading Alternative. The number of lots selected was based on analysis of the amount of grading that would be required per each lot on the project site. It is acknowledged that the term "minimal" is subjective. As CEQA requires a project alternative to achieve the majority of the project objectives, it was determined that only the steepest lots that required the most grading would be excluded under the Minimal Grading Alternative therefore still allowing for construction of enough residences (13 residences) to be an economically viable alternative.

#### Response to Comment P1-65

Refer to the **Response to Comment P1-17** regarding the definition of "reduced intensity." The Reduced Intensity Alternatives analyzed in Section 6.4.2 of the Draft EIR includes only 10 residential lots compared to 19. Text has been updated in **Section 6.3 of Volume II** to clarify that 10 is more than half of 19.

#### Response to Comment P1-66

The Reduced Intensity Alternative (Alternative B) would result in a similar level of impact to ridgeline and skyline from surrounding views compared to the Proposed Project. As stated in Section 6.4.2 of the Draft EIR, impacts to aesthetic resources would be similar to the Proposed Project, as development of Alternative B would result in construction of new homes on a previously unimproved lot and would inherently change the viewshed.

#### Response to Comment P1-67

As discussed in Section 4.3.4 of the Draft EIR, implementation of Mitigation Measure 4.3-6 would ensure compliance with the San Mateo County Significant Tree Ordinance and reduce impacts to protected trees to less than significant as the mitigation measure requires a certified arborist or registered professional forester shall conduct an arborist survey that shall specify, at a minimum, that the project proponent shall plant replacement tree species recommended by the County at a 1:1 ratio within the project site. No trees will be removed on the project site without prior approval from the County Planning Department. This will minimize the removal of vegetative resources, ensure protection of vegetation which enhances microclimate to the extent feasible, and ensure protection of historic and scenic trees, as required by Sections 1.10, 1.24, 1.25, and 1.26 of the County General Plan.

#### Response to Comment P1-68 through P1-70

In accordance with CEQA *Guideline* Section 15004 (a) and (b), the EIR is a planning level document. The specific number of trees to be removed and/or impacted by development of the Proposed Project, including the proposed new roadway and associated off-site infrastructure (e.g. pipelines), is not known at this time. The San Mateo County Significant Tree Ordinance requires the applicant notify the County of any significant trees which may be affected (removed or impacted) by the Proposed Project and that all appropriate County permits ~~must be obtained prior to further action~~ will be considered by the Planning Commission in conjunction with the request for Subdivision by the applicant. Therefore, the tree removal application will include the number of significant trees that may be affected.

#### Response to Comment P1-71

Comment noted. Per CEQA and CEQA *Guidelines*, the replacement trees will be sized in compliance with the requirements of the San Mateo County Significant Tree Ordinance and Section 12,000 of the County Ordinance Code and as required by the County Planning Department's for the landscape plan (required by Mitigation measure 4.1-a). The County is available to discuss imposing more stringent requirements on the Proposed Project outside of the CEQA process.

#### Response to Comment P1-72

The text in **Section 4.3.4 of Volume II** has been updated to reflect that replacement significant and/or indigenous tree species shall be planted at a ratio of 3:1. Refer to the **Response to Comment P1-71** regarding the size of replacement trees.

#### Response to Comment P1-73

In accordance with CEQA *Guideline* Section 15004 (a) and (b), the EIR is a planning level document. ~~The landscaping plan is not available at this time.~~—A landscape plan is required by Mitigation Measure 4.1-1a in Section 4.1.4 of the Draft EIR and will include location, size, and species of any proposed landscaping and shall include, but not be limited to, hedges or other appropriate vegetation that will provide opaque screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive.

#### Response to Comment P1-74

Refer to the **Response to Comment P1-4** regarding the Mission blue butterfly.

#### Response to Comment P1-75

Lupine as a food source for the Mission blue butterfly is discussed in Section 4.3.2 of the Draft EIR. Plant species identified on the project site by qualified biologists ~~with over 10 years of experience identifying biological resources~~ are included as Appendix D of the Draft EIR. As no species of lupine are listed as a special status species, lupine was not further discussed in the Draft EIR in accordance with CEQA and CEQA *Guidelines*. Refer to the **Response to Comment P1-4** regarding the discussion of informal observations by the public of lupines (host plants) in the Draft EIR.

#### Response to Comment P1-76

Refer to the **Response to Comment P1-4** regarding the adequacy and completeness of the biological surveys performed on the project site.

#### Response to Comment P1-77

Refer to the **Response to Comment P1-4** regarding the adequacy and completeness of the analysis of impacts to migratory birds included in the Draft EIR.

Response to Comment P1-78

The replanting of significant and/or indigenous trees at a 3:1 ratio required by Mitigation Measure 4.3-6 in **Section 4.3.4 of Volume II** will ensure future habitat is available for migratory birds and other birds of prey.

Response to Comment P1-79

As discussed in Impact 4.3-7 of Section 4.3.4 of the Draft EIR, the primary effects of the Proposed Project, when considered with other projects in the region under a cumulative scenario, would be the cumulative direct loss of sensitive or special-status wildlife species and their habitat, loss of migratory birds, and conflicts with local plans or policies protecting biological resources. The conversion of plant and wildlife habitat on a regional level as a result of cumulative development would potentially result in a significant cumulative impact on special-status species and their habitats. Despite that the project site contains ruderal disturbed plant and wildlife habitat and is isolated from many other areas of similar habitat by urban development, the Proposed Project would contribute to a loss of regional biological resources through the conversion of habitat for special-status species to human use and thus limit the availability and accessibility of remaining natural habitats to regional wildlife. Accordingly, Mitigation Measure 4.3-7 requires that Mitigation Measures 4.3-1 through 4.3-6 are implemented to ensure the Proposed Project's contribution to regional impacts to biological resources would not be cumulatively considerable and, with mitigation, impacts of the Proposed Project would be less than significant

Response to Comment P1-80

The potential impacts to botanical species are assessed in Impact 4.3-1 of the Draft EIR. As discussed there within, impacts would be potentially significant because although a site survey was conducted and no special-status plant species were observed, seven of the plant species could not be assessed during the evident and identifiable bloom period. Accordingly, Mitigation Measure 4.3-1 requires pre-construction surveys to again survey the area for the seven plant species to finalize the significance of the project. Pre-construction surveys are commonly used as mitigation for biological resources due to the difficulty in the identification of the presence of such species and are readily accepted by the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS). Accordingly, the County has accepted pre-construction surveys (to be conducted during the evident and identifiable bloom period for the seven plant species) as appropriate mitigation to ensure impacts are minimized to the extent feasible prior to construction.

Response to Comment P1-81

A passenger car equivalence (PCE) multiplier of eight cars per truck was used in accordance with the Federal Highway Administration, Highway Capacity Manual (2000), which is acceptable under and consistent with CEQA and CEQA *Guidelines* for analysis of impacts associated with large truck traffic noise.

### Response to Comment P1-82

Comment noted. Refer to the **Response to Comment P1-7** regarding the adequacy and completeness of the analysis of impacts associated with construction noise contained in Section 4.8 of the Draft EIR. A noise contour map is beyond what is required ~~to be in accordance with~~ CEQA; ~~however, the commenter may work with the County outside of the CEQA process to create such a map.~~

### Response to Comment P1-83

Mitigation Measure 4.8-1 adequately reduces the potential impact associated with construction noise to a less-than-significant level in accordance with CEQA and CEQA *Guidelines*; refer to the **Response to Comment P1-7** for further discussion. As the potential impact is less than significant with mitigation, a noise reduction plan is not necessary under CEQA; ~~however, the commenter can work with the County outside of the CEQA process to create such a plan.~~

### Response to Comment P1-84

The analysis contained in the Draft EIR presents a worst case scenario so as to analyze the greatest impact. For example, maximum noise values used in the construction noise impact analysis in Section 4.8.4 of the Draft EIR are measured at 50 feet of distance from the source (refer to Table 4.8-6 in Section 4.8.4 of the Draft EIR). Since implementation of Mitigation Measure 4.8-1 would reduce construction noise impacts at the nearest receptor to a less-than-significant level, further analysis of impacts to receptors farther from the project site is not necessary as those impacts would also be less than significant. Emissions associated with construction activities presented in Table 4.2-5 of Section 4.2.4 of the Draft EIR are the maximum amount that would be emitted at the source and therefore depict the maximum amount of air pollutants a receptor could be exposed to due to construction of the Proposed Project. Since implementation of Mitigation Measures 4.2-1a and 4.2-1b would reduce air quality impacts at the nearest receptor to a less-than-significant level, further analysis of impacts to receptors farther from the project site is not necessary as those impacts would also be less than significant. The Proposed Project would not result in significant impacts related to noise and air quality during operation, as discussed in Section 4.8.4 and 4.2.4, respectively. Analysis of impacts associated with aesthetics during operation of the Proposed Project in Section 4.1 of the Draft EIR also took into consideration the worst case scenario. Figures 4.1-2a and 4.1-2b show several near views of the project site; two of the eight views used in the analysis are from Bel Aire Road and three of the eight views are from Parrot Drive. With implementation of Mitigation Measures 4.1-1a and 4.1-1b included in Section 4.1.4 of the Draft EIR, the impact to aesthetics would be less than significant, including for those residents along Parrot Drive and Bel Air Road. Further discussion to characterize the degree of aesthetic impact farther from the project site is not necessary. Construction of the Proposed Project would result in temporary impacts to aesthetics; as these impacts would not be long term, they are not significant.

### Response to Comment P1-85

Refer to the **Response to Comments P1-8 and P1-9** regarding use of water during construction.

### Response to Comment P1-86

As stated in Section 4.10.4 of the Draft EIR and the Analysis of Water and Sewer Utilities Technical Memorandum prepared for the Proposed Project (Appendix G of the Draft EIR), the water demand for the Proposed Project was determined from the per capita water demand for single-family residences in 2010 in the California Water Service Company (Cal Water) Bayshore District (BSD) and is estimated at 260 gallons per day (gpd) per residence and therefore approximately 4,940 gpd [0.005 million gallons per day (mgd)] for the entire Proposed Project. As discussed in Section 4.10.4 of the Draft EIR, the increase in population due to the Proposed Project is consistent with population projections contained in the 2010 Urban Water Management Plan. Water supply for the BSD is projected to be able to accommodate existing customers and population projects in normal years but to fall short of water demand in single and multiple dry years. The BSD anticipates meeting water demands in dry years by implementing its Water Shortage Contingency Plan, which is a series of procedures and outreach strategies designed to reduce customer demand. Therefore, Mitigation Measure 4.10-2a was included to ensure the Proposed Project would comply with the Water Shortage Contingency Plan, which would thereby reduce the impact of the Proposed Project to less than significant.

### Response to Comment P1-87

As construction activities are limited, at most, to between 7:00 A.M. and 6:00 P.M. per Mitigation Measure 4.8-1, it is unlikely that significant lighting at the project site would be required during construction. At most, lighting may be required during the winter season for the first one hour of construction (7:00 A.M. to 8:00 A.M.) and the last one hour of construction (5:00 P.M. to 6:00 P.M.). As the lighting would be intermittent and short term, it would not constitute a significant impact per CEQA regulations.

### Response to Comment P1-88

Refer to the **Response to Comment P1-36** regarding that analysis of lighting impacts associated with the Proposed Project.

### Response to Comment P1-89

Refer to the **Response to Comment P1-32** regarding impacts associated with stormwater runoff during construction.

As stated in Impact 4.6-3 in Section 4.6.4 of the Draft EIR, development of the Proposed Project would substantially alter the existing drainage patterns and may cause flows to exceed the capacity of existing stormwater drainage systems, result in substantial pollution on or off site, or result in flooding on or off site. Assuming the maximum allowable development footprint would be developed, the Proposed Project will create approximately 2.1 acres of impervious surfaces through construction of residences, driveways, roads, and sidewalks. As discussed in Section 4.6.4 of the Draft EIR, since the Proposed Project would exceed 10,000 square feet of impervious surface, it must comply with C.3 Provisions of the NPDES general permit. The proposed on-site detention and drainage systems as described in Section 3.4 of the Draft EIR (individual lot retention systems and bioretention treatment system) serves to meet C.3 Provisions and is designed and sized such that runoff from the Proposed Project will be released at pre-development rates. Incorporation of Mitigation Measure 4.6-2a ensures proper installation and

maintenance of the detention and drainage systems, all of which will reduce the potential impact of stormwater flows. Implementation of Mitigation Measures 4.6-2b and 4.6-2c, although designed primarily to improve the water quality of stormwater discharge leaving the site, would also serve to reduce the amount and rate stormwater runoff. Additionally, as discussed in Section 3.4.2 of the Draft EIR, the open space component of the Proposed Project will be landscaped with drought-tolerant native vegetation in order to restore the area to a natural habitat, increase infiltration rates, and decrease stormwater runoff. Accordingly, the stormwater runoff during operation of the Proposed Project would not exacerbate the existing erosion on the hillside or result in any other significant impact related to off-site drainage.

#### Response to Comment P1-90

As discussed under Impact 4.6-3, the drainage system was designed in accordance with the County's Guidelines for Drainage Review utilized the 10-year design storm as the base design criteria. In Order No. 99-059, adopted July 21, 2004, the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) amended the San Mateo Countywide Water Pollution Prevention Program (SMCWPPP) NPDES Permit to incorporate specific new development and redevelopment requirements (SFBWQCB, 2004). 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, including 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, as described in C.3 Provisions of the NPDES permit. 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. The proposed on-site detention and drainage systems as described in **Section 3.4** (individual lot retention systems and bioretention treatment system) serve to meet C.3 Provisions.

#### Response to Comment P1-91

As stated in Section 4.4.4, all new structures of the Proposed Project would be designed in compliance with the CBC, which specifies that all proposed structures on the project site should be able to: resist minor earthquakes without damage; resist moderate earthquakes without structural damage but with some nonstructural damage; and resist major earthquakes without collapse but with some structural as well as nonstructural damage. These construction standards would minimize the seismic ground shaking effects on developed structures; therefore, impacts related to ground shaking are less than significant and no mitigation is required. Additionally, a detailed Geotechnical Investigation is required to be submitted by the applicant to the County Building Department (County General Plan Policy 15.21) prior to issuance of a building permit. Mitigation Measures 4.4-2a, 4.4-2b, and 4.4-2c ensure the building designs will be consistent findings of the geotechnical investigation, the California Code of Regulations, and the CBC and the Proposed Project will comply with all recommendations contained within the site-specific Geotechnical Investigation conducted by Michelucci & Associates (2013) (Appendix E of the Draft EIR). Further, as discussed in Section 3.4.2 of the Draft EIR, each individual lot will have its own separate stormwater

retention system which ~~would~~ could be insured under the individual home owner's earthquake insurance should damage occur.

#### Response to Comment P1-92

The project description included in Section 3.0 of the Draft EIR was developed in accordance with CEQA and CEQA *Guidelines* to provide an adequate level of detail to assess the potentially significant impacts that could result to baseline conditions as a result of the implementation of the Proposed Project. The project description provides the necessary level of detail required to assess the potential environmental impacts and includes such details as a description of the project location and existing setting; the project objectives; the project components, including a description of the proposed residential development including the proposed roadway and parking, open space, water supply, sewer service and wastewater treatment, utilities, emergency services, grading and drainage, and green building; and the construction schedule, activities, and equipment. Section 3.0 of the EA also includes details regarding the ancillary development projects that would support the proposed development, such as public safety and fire protection, water and wastewater demands, circulation, grading and drainage, project construction, and best management practices (BMPs) that would be incorporated into project design to reduce the environmental impact of development. Regarding the design of the proposed stormwater detention system, adequate detail is provided to allow for analysis of potential environmental impacts related to water quality; for example, the bioretention treatment system is described as a continuous deflective separation (CDS) hydrodynamic separator runoff treatment device that contains chambers designed to remove as many pollutants as possible in Section 3.4.2 of the Draft EIR.

#### Response to Comment P1-93

The comment provides case studies from the Washington State Department of Ecology regarding storm water systems on coastal bluffs. The project site geology is different from a coastal bluff and therefore the presented case studies do not apply to the project area. As stated in Section 3.4 and 4.6, drainage features would be designed in accordance with State and County requirements and, given the long retention time of the proposed storm water retention systems per each individual lot, impacts to the existing system during peak flows will be minimized. The systems would not be installed on steep slopes as the individual systems would be installed on the graded lots thereby minimizing the potential issues raised by the commenter. Furthermore, these types of underground detention systems are promoted for use by the United States Environmental Protection Agency (USEPA) at residential sites where detention space is limited (USEPA, 2001). As discussed in the fact sheet, these systems are ideal for highly urbanized areas and ensure that there is no net increase in peak runoff and that receiving waters (which would be the existing municipal collection system) are not adversely impacted by high flows from the site.

#### Response to Comment P1-94

The Draft EIR adequately addresses the potential grading and drainage issues associated with the implementation of the Proposed Project and the mitigation presented to maintain the system adequately addresses concerns regarding development of the Proposed Project in accordance with CEQA requirements. Requiring proof of annual inspection and cleaning of each of the 19 individual lot storm drainage systems adequately addresses potential impacts from operation of the storm system and can

readily be implemented through contractual arrangements between the Home Owners Association (HOA) or equivalent entity and an inspector. Speculation in regards to the ability for the HOA or equivalent entity to maintain the drainage system is outside of the scope of CEQA.

#### Response to Comment P1-95

As discussed in Section 4.6.2 of the Draft EIR, runoff from the northeastern and eastern portion of the project site currently drains into the yard areas of the houses on Parrott Drive and CSM Drive. The Draft EIR addresses the location of the drainage while the commenter addresses the direction of the flow. The existing drainage setting described in Section 4.6.2 of the Draft EIR accurately and adequately assessing the existing conditions at enough detail to provide a pre and post-development analysis of impacts.

#### Response to Comment P1-96

As stated in the Draft EIR, due to the ~~extreme~~ slopes of the existing streets, water would choose the path of least resistance should the regional storm water systems become inundated during a severe storm exceeding that of a 10-year storm and follow the streets past the existing housing lots in into Polhemus Creek, south of the project site.

#### Response to Comment P1-97

Runoff is treated on each individual lot via swales adjacent to each inlet of each individual lot's storm water detention system. The discharge of four lots into the County drainage system would not adversely affect the County's ability to meet the permitting requirements for the County's drainage and associated storm water discharge systems. Additionally, the Proposed Project includes several BMPs to address drainage from the property during construction and long-term operation. BMPs related to storm water drainage during construction are guided by the California C.3 storm water quality program. Other BMPs, such as grassy-lined swales and smart landscaping, will address storm water drainage in the long term.

#### Response to Comment P1-98

Swales are considered standard BMPs and would be sized and positioned according to the final design of the residential lots. ~~Since the EIR is a planning level document, the exact construction methodologies, siting, dimensions, and volume and speed of flow will be determined with the final building plans has not yet been determined~~ as these project specific features are typically determined after a project is approved ~~and ready for final design~~. The Draft EIR contains an adequate level of detail to assess the potential drainage impacts associated with the Proposed Project in accordance with the significance criteria presented in Section 4.6.4 of the Draft EIR.

#### Response to Comment P1-99

The ditch was delineated by a qualified biologist ~~with over a decade of experience in assessing wetlands and water drainage features~~. The map referenced by the commenter adequately depicts the existing habitats on the project site. As presented in Section 4.6, the drainage runs along the northeast side of the project site, behind a row of houses on the south side of Parrott Drive, and flows west towards Bel Aire Road. This feature is fairly linear and may be man-made, or may have been more thoroughly

channelized to facilitate drainage from adjacent housing. The drainage plan for the project does not rely of this ditch to protect nearby residences from the runoff generated by the Proposed Project. As discussed above, storm water runoff generated by the Proposed Project would be diverted to newly installed storm water conveyance facilities that would discharge into the existing County storm water system located beneath Bel Aire Road.

#### Response to Comment P1-100

Comment noted. Seepage is not anticipated to result in adverse impacts in accordance with the significance criteria presented in Section 4.6.4 of the Draft EIR.

#### Response to Comment P1-101

Comment noted. Implementation of the Proposed Project would be required to apply for coverage under the State's General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ (CGP). As discussed under Impact 4.6-1 of the Draft EIR, compliance with the permit mandates the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Mitigation Measure 4.4-1a outlines the BMPs that shall be incorporated, at a minimum, into the SWPPP prepared in accordance with regulatory requirements. Additionally, implementation of the Proposed Project requires obtaining a San Mateo County Grading Permit, which includes the development of a site-specific Erosion and Sediment Control Plan. Mitigation Measure 4.4-1b specifies items and control measures that shall be included, at a minimum, in the Erosion and Sediment Control Plan.

#### Response to Comment P1-102

In accordance with the CEQA *Guidelines*, the Draft EIR assesses impacts to the noise environment from the Proposed Project; and in particular, if the Proposed Project would result in exposure of persons to or generation of excessive groundborne vibration. Assessment of the construction activities determined that groundborne vibration events at 25 feet (the reference distance for determination of groundborne vibration utilizing peak particle velocity [PPV]) were below the threshold for structures of 0.5 PPV; with the event with the most vibration being 34 percent of the threshold. Accordingly, structures related to the pool are approximately 17 feet from the access road. With a PPV at 25 feet being 34 percent of the threshold for damage to structures, the pool structures at 17 feet would not experience a PPV above the 0.5 PPV threshold.

#### Response to Comment P1-103

Comment noted. As discussed in the 2013 Supplemental Geotechnical Investigation, records searches and site inspections were conducted to determine if conditions had changed since the 2002 report was compiled. The results indicated that conditions have not changed since the completion of the previous report and many of the previous findings are still relevant to the Proposed Project. Also noted in the report were that the recommendations from the 2002 report were updated to reflect current geotechnical requirements for development that were not required at the time the 2002 report was compiled. New boreholes are not required as the geologic conditions of the site have not change in accordance with the site inspections conducted by the geotechnical specialist.

Response to Comment P1-104

Comment noted. The commenter presents a comment on County standards; however, the purpose of the Draft EIR is to assess compliance with current County standards. Accordingly, the Proposed Project would comply with all applicable standards concerning development on the project site.

Response to Comment P1-105

Comment noted. Refer to the **Response to Comment P1-6** regarding the analysis of shallow landslide hazards. As stated above, development of the Proposed Project would be required to comply with all County building requirements.

Response to Comment P1-106

Comment noted. Construction of the Proposed Project requires a San Mateo County Grading Permit which includes the requirement of an Erosion and Sediment Control Plan. This Erosion and Sediment Control Plan shall be prepared by a licensed civil engineer or certified professional soil erosion and sediment control specialist. The plan shall show the location of proposed vegetative erosion control measures, including landscaping and hydroseeding, and the location and details of all proposed drainage systems. The plan shall include sufficient engineering analysis to show that the proposed erosion and sediment control measures during preconstruction, construction, and post-construction are capable of controlling surface runoff and erosion, retaining sediment on the project site, and preventing pollution of site runoff in compliance with the CWA.

Response to Comment P1-107

Refer to the **Response to Comment P1-106** regarding soil stability. In addition, requirements of the SWPPP to be prepared in accordance with obtaining coverage under the CGP would further reduce impacts associated with erosion. Tree removal would occur in areas where grading, compacting, and development are required. Such development requires erosion control provisions or such development (such as streets) would itself create soil stability.

Response to Comment P1-108

As stated above, construction requires a grading permit from the County and SWPPP for coverage under the CGP. A provision of these permits is that uncovered soils must be protected from erosion. Such BMPs as hydroseeding are often used to prevent erosion for soils that would be exposed for a longer period of time. For example, Mitigation Measure 4.6-1 of the Draft EIR requires the SWPPP to revegetate any disturbed areas after the completion of construction activities. Accordingly, no revisions to the Draft EIR are required to assess impact to soils from construction.

Response to Comment P1-109

The commenter is correct: the Health Risk Assessment (HRA) in the EIR does not provide an acute health risk analysis. Due to the size of the project, number of residence being constructed (19), the

intermittent nature of construction, and lack of DPM and toxic air contaminants (TAC) sources within 1,500 feet of the project site, in accordance with the BAAQMD CEQA Guidelines, Risk and Hazard Screening Analysis Process Flow Chart, DPM and TAC concentration would not be substantial. Because the area surrounding the project site does not have any significant sources of TAC or DPM emissions (see Impact 4.2-5, Section 4.2 of the EIR), an acute health risk analysis is not warranted as outlined in the BAAQMD CEQA Guidelines, Risk and Hazard Screening Analysis Process Flow Chart.

#### Response to Comment P1-110

Sensitive receptors are defined in Section 4.2.2 of the EIR. Specific air and noise impact to the unique neighborhood is provided in Section 4.2.3 and 4.8 of the EIR, respectively. The commenter provides a description of their residence and the potential health issues due to construction and operation of the Proposed Project; this comment is noted. Section 3.2.3 of the EIR provides a health risk analysis which includes 400 receptors spread out in a one mile square grid pattern throughout the project area. The health risk analysis provides an assessment of possible injuries to sensitive receptors from the exposure to construction DPM which is defined by the California Air Resource Board as a TAC. No further analysis is warranted.

#### Response to Comment P1-111

The commenter is correct: the dispersion modeling analysis was completed for the construction phase of the Proposed Project only. As shown in Impact 3.2.5 in the EIR, the BAAQMD provides specific screening criteria for TACs and DPM. In accordance with the BAAQMD screening criteria operation of the Proposed Project is not considered a significant contributor of TACs or DPM and since the nearest significant source of TACs or DPM is greater than 500 feet from the nearest sensitive receptor no operational dispersion modeling is required. No further dispersion modeling is warranted in accordance with the BAAQMD 2010 CEQA Guidelines.

#### Response to Comment P1-112

The commenter is correct: the most appropriate and available local meteorology is required to be used in the health risk analysis. The most appropriate and available local meteorology was used to determine dispersion pattern of DPM by the Lakes AERMOD dispersion model. The meteorology used in the Lakes AERMOD dispersion model was chosen in collaboration with the BAAQMD. As noted by the BAAQMD, there is no meteorology data for the immediate area surrounding the project site. Meteorology used in the dispersion model was from the nearest climate station [approved by the BAAQMD](#) with the appropriate climate data for the model, [which is located at the San Francisco International Airport](#). No further modeling is warranted.

#### Response to Comment P1-113

The commenter is correct: the EIR states that construction emissions of DPM are temporary and intermittent and would not create long-term health risk to sensitive receptors. Refer to **Response to Comment P1-7**, which discusses the long-term health risk to sensitive receptors. As shown in Table 4.2-6 of Section 4.2 of the Draft EIR, the neighborhood is not covered by excessively high concentration of DPM, as stated by the commenter. The inhalation EPA Reference Concentration (RfC) is not a project

specific significance level and therefore, is not an appropriate significance level to compare project-related DPM concentration. The inhalation RfC considers toxic effects for both the respiratory system (portal-of-entry) and systems peripheral to the respiratory system. In general, the RfC is an estimate (with uncertainty spanning perhaps an order of magnitude) of a daily inhalation exposure of the human population (including sensitive subgroups) that is likely to be without an appreciable risk of deleterious effects during a lifetime (70 years).

#### Response to Comment P1-114

The commenter is correct: the Draft EIR states that DPM would be reduced with the implementation of Mitigation Measure 4.2-1b. Mitigation Measure 4.2-1b includes the use of DPM filters on all heavy construction equipment. DPM filters were not included in the dispersion modeling; therefore, implementation would further reduce DPM emissions. It should be noted that impacts from project-related DPM emissions were found less than significant (refer to Impact 4.2.2 of the EIR); therefore, no explanation of additional reduction measures is warranted.

#### Response to Comment P1-115

DPM emissions near sensitive receptors would not occur along truck routes when construction vehicles are not operating along those routes. Construction vehicle would only operate during construction hours; refer to **Response to Comment P1-7** for hours of operation during the construction phase. The dispersion modeling results shows the worst case scenario. As shown in Table 4.2-6 of Section 4.2 of the Draft EIR, the results did not exceed the BAAQMD cancer and chronic HI thresholds; therefore, no additional analysis is warranted.

#### Response to Comment P1-116

Comparison of dispersion modeling DPM concentrations to the State and federal PM<sub>2.5</sub> ambient air quality standards is inappropriate. State and federal PM<sub>2.5</sub> thresholds are ambient air quality standards, which are calculated for the entire region. The commenter calculated the ratio between the dispersion models highest DPM concentration and the 24-hour PM<sub>2.5</sub> ambient air quality standard. Construction DPM emissions would occur intermittently and in different areas of the construction site or along haul routes, not over the entire San Francisco Bay Area Air Basin. In accordance with the California Air Resource Board, DPM is designated as a TAC; therefore, analyzing the health risk of DPM is in conformance with the BAAQMD CEQA Guidelines. Project related PM<sub>10</sub> and PM<sub>2.5</sub> emissions are estimated in Section 4.2 of the EIR. In accordance with the BAAQMD CEQA Guidelines, if a project's PM<sub>10</sub> and/or PM<sub>2.5</sub> emissions do not exceed the BAAQMD thresholds of 82 pounds per day (lb/day) and 54 lb/day, respectively, the project would not cause and exceedance of the NAAQS or CAAQS. No further analysis is warranted.

#### Response to Comment P1-117

The Proposed Project would result in the greatest emission of criteria pollutants as well as TACs and DPM. The location of alternatives is the same as that of the Proposed Project; therefore, the meteorology, topography, and other factors would be the same as those provided in the Proposed Project. Since the Proposed Project would emit the greatest TACs and DPM concentrations when compared to the alternatives, dispersion modeling of the Proposed Project provides a worst-case

scenario. As shown in Table 4.2-6 of Section 4.2 of the Draft EIR, the cancer and chronic HI do not exceed the BAAQMD thresholds of 10 in one million and 1, respectively. Therefore, no additional alternative analysis is warranted.

#### Response to Comment P1-118

The commenter is correct: the Draft EIR only analyzes DPM. During the construction phase of the Proposed Project, DPM emissions provides the greatest health risk; therefore, DPM emissions were considered a worst-case-scenario for TACs (DPM is designated by the California Air Resource Board as a TAC). DPM emissions were found to be below the BAAQMD health risk threshold; therefore, no other TAC emitted during construction would be above the BAAQMD health risk threshold. No further analysis is warranted. In accordance with the BAAQMD CEQA Guidelines, Risk and Hazard Screening Analysis Process Flow Chart, the Proposed Project is not a significant emitter of TACs. Therefore, no operational analysis is warranted.

#### Response to Comment P1-119

The commenter is correct: Appendix G of the CEQA *Guidelines* states impacts to air quality would be significant if the Proposed Project exposed sensitive receptors to substantial pollutant concentrations. As shown in Tables 4.2-5, 4.2-6, and 4.2-7 of Section 4.2 of the Draft EIR, no substantial pollutant concentration in the area of the Proposed Project was identified; refer to **Response to Comment P1-7** for results of air quality analysis. The pollutant concentrations provided in the EIR are those required under the BAAQMD CEQA Guidelines; no further analysis is required. Given this is a California environmental document prepared in compliance with CEQA, USEPA level analysis is not warranted. It should be noted that California significance thresholds are generally more stringent than USEPA thresholds.

#### Response to Comment P1-120

As shown in Table 4.2- of the Draft EIR, the metrics required for analysis under the BAAQMD CEQA Guidelines are provided. Additional metrics are not warranted to determine if the Proposed Project would impact the area surrounding the project site. Cancer and chronic HI at sensitive receptors on Parrot Drive and CSM Drive would be less than those shown in Table 4.2-6 of the EIR due to the distance of these sensitive receptors to the project site. No additional health risk assessment is needed.

#### Response to Comment P1-121

Refer to **Response to Comment P1-7** regarding dispersion modeling results. No mitigation measures are warranted given the results of the DPM dispersion modeling were below the BAAQMD cancer and chronic HI thresholds. As shown in Table 4.2-6 of the Draft EIR, the construction phase of the Proposed Project would not produce levels of TACs in exceedance of significance criteria. No additional mitigation is warranted because project-related TAC emissions are below the BAAQMD thresholds.

#### Response to Comment P1-122

Comment noted. The commenter contends the neighborhood will be unduly hardship for two to four years. Refer to the **Response to Comment P1-32** regarding the timeline and schedule of construction of

the Proposed Project. Refer to **Response to Comment P1-7** regarding the analysis of impacts associated with noise and air quality during construction of the Proposed Project.

#### Response to Comment P1-123

Comment noted. The purpose of a Draft EIR is to present mitigation measures to the Planning Commission that are recommended for incorporation into project approvals. These measures are included in the Final EIR within the required MMRP. Refer to **Section 4.0** of Volume I of the Final EIR.

#### Response to Comment P1-124

Impacts of construction are adequately addressed throughout Section 4.0 of the Draft EIR as necessary in accordance with the significance criteria established in accordance with the CEQA *Guidelines*.

#### Response to Comment P1-125

Comment noted. There are no precedents established that residential construction within an existing residential neighborhood of this size (19 units) would result in acute impacts to sensitive receptors. Emissions associated with the construction of the Proposed Project are far less than those from the nearby freeways and from the traffic associated with the College of San Mateo. Furthermore, because the area surrounding the project site does not have any significant sources of TAC or DPM emissions (refer to Impact 4.2-5 in Section 4.2 of the Draft EIR); an acute health risk analysis is not warranted as outlined in the BAAQMD CEQA Guidelines, Risk and Hazard Screening Analysis Process Flow Chart.

#### Response to Comment P1-126

The Draft EIR assess both long-term and short-term impacts that may result from the implementation of the Proposed Project in accordance with the CEQA *Guidelines* and corresponding significance criteria presented for each resource discussion in Section 4.0 of the Draft EIR. The Draft EIR, and associated Final EIR, adequately meets County requirements as established by CEQA. No further analysis or mitigation beyond what is established by the approval of the Final EIR is required.

## **P2 John Mathon**

#### Response to Comment P2-1

Comment noted. Responses are provided below.

#### Response to Comment P2-2 through P2-5

Refer to **Response to Comment P1-93** and **P1-94** regarding drainage of the project site.

#### Response to Comment P2-6 through P2-9

Refer to **Response to Comment P1-06** regarding the slope of the project site.

Response to Comment P2-10 through 17

As stated in Section 3.4.2 of the Draft EIR street grades would range from 11 to 19 percent; any street with a slope greater than 15 percent would be constructed of concrete whereas all other streets would be asphalt. The street design is consistent with County regulations and would not require a variance. Refer to **Response to Comment P1-04** regarding tree removal. Retaining walls will be developed for Common Lot C adjacent to the access roadway and would be developed entirely on the project site and would not interfere with adjacent properties. Refer to the **Response to Comment P1-06** regarding the safety of the intersection of the private roadway with Bel Aire Drive.

Response to Comment P2-18

Impacts to water resources, including impacts to the municipal water supplies is addressed under Impact 4.10-2, which takes into account shortfalls in water supply during dry years. Mitigation Measure 4.10-2a ensures compliance with the Water Shortage Contingency Plan to reduce the impact of the Proposed Project to less than significant.

Response to Comment P2-19

Refer to Response to **Comment P1-108** regarding erosion control.

Response to Comment P2-20

Impacts to biological resources, including the mission blue butterfly and raptors, are addressed in Section 4.3 of the Draft EIR and are further addressed in **Response to Comment P1-04**.

Response to Comments P2-21 through 23

Air quality and noise impacts of the Proposed Project are assessed in Sections 4.2 and 4.8, respectively. Refer to **Responses to Comment P1-109** through **P1-222** for responses to similar comments concerning air quality and noise impacts of the Proposed Project. There are no indications based on existing information concerning the extent and duration of construction that impacts would result in adverse physical impacts to residents or cause nearby residences to be uninhabitable.

Response to Comments P2-24 through 26

Comment noted. The EIR process provides the Planning Commission with a summary of potential impacts and proposed mitigation measures to reduce identified environmental impacts of the Applicant's Proposed Project. The EIR and associated documentation provides additional information for the Planning Commission to process during the approval or denial process of the Proposed Project. The Applicant's removal of units from the southern portion of the project addresses many of the concerns presented on the previous project (25 residential lots). In addition, the 19 homes and lot arrangements are consistent with existing zoning regulations for the project site (20 foot buffers from property lines and maximum height of residences of 3 stories or 36 feet).

Response to Comments P2-27 through 34

Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with noise in the Draft EIR.

Response to Comments P2-35 through P2-41

Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with air quality in the Draft EIR.

Response to Comments P2-42 through 45

Water demands of the Proposed Project are presented in Section 4.10 under impact discussion 4.10-2. Impacts to water supplies are addressed in **Response to Comment P2-18**.

Response to Comment P2-46

Comment noted. The analyses within the Draft EIR are conservative by utilizing the nearest sensitive receptor to evaluate the potential impacts. For example, noise impacts are evaluated using a distance of 50 feet, which is the distance from construction activities to the nearest residence (industry standards indicates that noise assessments utilize the interior of a residence as the receptor and not the property lines). By utilizing the nearest sensitive receptor, impacts to other receptors are assumed to be reduced by comparison.

Response to Comments P2-47 through 53

Impacts associated with the roadway are assessed in accordance with the significance criteria established by the CEQA *Guidelines*. Refer to **Response to Comment P1-6** regarding compliance with County roadway codes and analysis of the safety of the proposed intersection. Refer to the **Response to Comment P1-31** regarding the commenter's recommendations for other locations of the access roadway.

Response to Comments P2-54 through 58

Refer to the **Response to Comment P1-6** concerning impacts related to the topography of the site. There are no anticipated adverse impacts to tax revenue or housing prices associated with the Proposed Project, and these issues are not considered environmental impacts by the CEQA *Guidelines*.

Response to Comments P2-59 through 69

Refer to the **Response to Comment P1-93** regarding the utilization of underground retention for storm water control. Refer to the **Response to Comment P1-90** regarding utilization of the 10-year storm to design the storm water system for the Proposed Project. Refer to the **Response to Comment P1-91** regarding seismic stability of the installed systems. Refer to the **Response to Comment P1-96** regarding impacts from storms with intensities greater than the 10-year design storm. Refer to the **Response to Comment P1-94** regarding the adequacy of the drainage analysis to meet CEQA requirements. All retaining walls would be built to code as required.

### Response to Comments P2-70 through 75

Impacts to biological resources and associated mitigation, including the mission blue butterfly and raptors are addressed in Section 4.3 of the Draft EIR and are further addressed in **Response to Comment P1-04**. As discussed in Section 3.4.2 of the Draft EIR, the Proposed Project would include an on-site stormwater drainage system designed and sized such that runoff from the Proposed Project will be released at pre-development rates. Each individual lot will have its own separate storm water retention system that will meter discharge from each individual lot. The new off-site storm drain lines will 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. Therefore, runoff would not increase erosion on the project site.

### Response to Comments P2-76 through 78

The residences would be constructed in accordance with all County zoning guidelines and regulations. This zoning establishes a limit of lot coverage of 40 percent and requires setbacks of 20 feet (front and back yards) and 5 feet (side yards). The maximum height limit for buildings on the project site is 3 stories or 36 feet (refer to the **Response to Comment P1-41** regarding the updated viewshed analysis). Lot sizes range from a minimum of 7,500 sf to a maximum of approximately 16,000 sf. One single-family house would be developed per each lot. House development footprints are no more than 40 percent of the square footage of each lot, leaving at least 60 percent for yard coverage. Setbacks for houses are 20 feet for front and back yards and 5 feet for side yards. Houses do not exceed 36 feet in height or 3 stories. As discussed above, all residential structures would be designed to be consistent with surrounding neighborhoods, to minimize erosion, to maximize soil stability, and to screen existing viewsheds from the new development to the extent feasible. However, maximum privacy cannot be guaranteed and is not enforceable as a code violation.

### Response to Comments P2-79 through 81

Refer to the **Response to Comment P1-05** regarding project lighting.

### Response to Comments P2-82 and 83

Comment noted. The commenter presents a comment on County standards; however, the purpose of the Draft EIR is to assess compliance with current County standards. Accordingly, the Proposed Project would comply with all applicable standards concerning development on the project site.

### Response to Comments P2-84 through 86

The commenter provides a list of the comments previously presented. Refer to the **Responses to Comments P2-1** through **P2-83**.

### Response to Comment P2-87

Comment noted. As disclosed in Section 5.3 of the Draft EIR, mitigation has been identified to reduce identified impacts to less-than-significant levels and no significant and unavoidable impacts were identified. No further mitigation is required.

### Response to Comments P2-88 through 98

Refer to **Response to Comment P2-46** regarding the analysis of impact to the nearest sensitive receptor to determine the significance of an impact. Implementation of the mitigation outlined within the EIR, especially those for air quality and noise emissions, would reduce health risks to baseline conditions associated with living within a residential neighborhood. The commenter reiterates comments previously addressed above. Refer to the responses above to each specific comment.

### Response to Comments P2-99 through 108

Comment noted. Refer to the **Responses to Comments P2-1** through **P2-98** to specific comments concerning the Proposed Project and subsequent responses addressing the EIR compliance with CEQA requirements.

## **P3 Donald Munakata**

### Response to Comment P3-1

Refer to the **Response to Comment P1-2** regarding the content and volume of material discussed in the Draft EIR.

### Response to Comment P3-2

Project objectives are discussed in Section 3.4.1 of the Draft EIR. A side-by-side qualitative comparison of the severity of environmental impacts among the Proposed Project and project alternatives is provided in Table 6-1 in Section 6.5 of the Draft EIR. Refer to the **Response to Comment P1-62** regarding the adequacy and completeness of the description and analysis of alternatives.

### Response to Comment P3-3

As stated by the commenter, one of the objectives of the Proposed Project is to "Provide sufficient housing supply *jointly with the cities* located in the County that meets San Mateo County's projected housing needs" (emphasis added). The purpose of the Proposed Project is not to provide all of the housing supply to meet the County's projected housing needs. Further, another objective of the Proposed Project is to "Provide residential development consistent with economic and social needs and environmental constraints," as stated in Section 4.1 of the Draft EIR. The size, topography, and geography of the project site as well as the County land use designations and ordinances limit the Proposed Project to 19 residences.

### Response to Comment P3-4

As stated in Section 6.1 of the Draft EIR, the purpose of the alternative analysis, according to the CEQA *Guidelines* Section 15126.6(a), is to describe a range of reasonable alternative projects that could feasibly attain most of the objectives of the Proposed Project and to evaluate the comparative merits of the alternatives. An assessment of the availability of other future housing developments within the County as well reducing the present vacancy rate in the unincorporated area of the County are both beyond the scope of this EIR.

As discussed in Section 6.3, development of the Proposed Project by the project applicant on another site is infeasible as the applicant does not own an alternate site with similar requirements (zoning, acreage, and infrastructure). Thus, alternative site locations were not selected for detailed analysis as a site could not be identified that would reasonably accomplish the stated objectives of the project while reducing the environmental effects. Analysis of the environmental impacts of developing housing on another site by a developer other than the project applicant is beyond the scope of this EIR.

### Response to Comment P3-5

Refer to the **Response to Comment P1-62** regarding the adequacy and completeness of the description and analysis of alternatives pursuant to CEQA.

### Response to Comment P3-6

As discussed in Section 6.4.3 of the Draft EIR, Alternative C (Alternative [Large Lot] Design) would accomplish some of the project objectives, however to a lesser degree than the Proposed Project. Alternative C would result in the addition of single-family homes. However, the proposed low density construction would not meet the objectives, which require sufficient housing supply to meet County projected housing needs. Maximizing the use of all zoned residential areas in the County ensures the County and City of San Mateo will be able to meet the projected housing needs as stated and required by the County General Plan Housing Element.

As discussed in Section 6.4.2 of the Draft EIR, Alternative B (Reduced Intensity) would generally accomplish the project objectives identified by the County and project applicant, however to a lesser extent than the Proposed Project. Development of Alternative B would result in lesser impacts than the Proposed Project in five issue areas, similar impacts to the Proposed Project in four issue areas, and greater impacts than the Proposed Project in two issue areas.

Refer to **Response to Comment P1-62** regarding the purpose of analysis of alternatives in a Draft EIR as required by CEQA.

### Response to Comment P3-7

Comment noted. The County Planning Commission (“decision making body”) will consider requiring the project applicant to incorporate aspects of the project alternatives analyzed in the Draft EIR consistent with County rules and regulations and as the County Planning Commission deems is necessary.

Response to Comment P3-8

Comment noted. The request that an alternatives analysis to identify what components of the alternatives presented in the Draft EIR need to be incorporated in to the final selected project is beyond the scope of the EIR. ~~The County is available to discuss including such an analysis outside of the CEQA process.~~ The “decision making body” is the County Planning Commission.

Response to Comment P3-9

Refer to the **Response to Comment P1-62** regarding the adequacy and completeness of the description and analysis of alternatives pursuant to CEQA.

Response to Comment P3-10

Comment noted. Mitigation measures will be incorporated through contractual agreements as necessary and appropriate, and the contracts will include “breach of contract” clauses as necessary and appropriate

Response to Comment P3-11

Refer to the **Response to Comment P1-13** regarding the MMRP, which is the County’s program to report on and monitor measures adopted as part of the environmental review process to mitigate or avoid significant effects on the environment. As the Lead Agency, the County will ensure mitigation measures are implemented and will serve as a point of contact for the public.

~~Comment noted. The request for an environmental compliance monitor is beyond the scope of the EIR. The County is available to discuss including such a request outside of the CEQA process.~~

Response to Comment P3-12

Refer to the **Response to Comment P1-13** regarding the MMRP, which is the County’s program to report on and monitor measures adopted as part of the environmental review process to mitigate or avoid significant effects on the environment. As the Lead Agency, the County will ensure mitigation measures are implemented and will serve as a point of contact for the public.

Response to Comment P3-13

Refer to the **Responses to Comments P3-10** through **P3-12** regarding the request for an environmental compliance monitor and point of contact for ensuring incorporation of mitigation measures.

Response to Comment P3-14

Refer to the **Response to Comment P1-32** regarding construction timelines and a discussion as to how increasing the length of time of construction would reduce the intensity of impacts, including impacts related to dust emissions.

Response to Comment P3-15

Comment noted. The County will conduct periodic site inspections to verify compliance with air quality Mitigation Measures 4.2-1a and 4.2-1b during construction, as required by the MMRP included as **Table 4-1** in **Section 4.0**. Mitigation Measures 4.2-1a and 4.2-1b are designed to reduce emissions during construction to a less-than-significant level. Accordingly, real time monitoring of air quality would not be necessary.

Response to Comment P3-16

The Proposed Project will comply with all BAAQMD regulations. As discussed in Section 4.2.4 of the Draft EIR, Mitigation Measure 4.2-1a requires the applicant ensure through the enforcement of contractual obligations that construction contractors implement a fugitive dust abatement program during construction, which shall include elements consistent with the Basic Construction Mitigation Measures recommended by the BAAQMD. ~~An Authority to Construct permit and other permits as necessary will be obtained from BAAQMD; text was updated in Section 3.5 of Volume II to reflect this. No permits from the BAAQMD are required to implement the Proposed Action.~~

Response to Comment P3-17

Refer to **Response to Comment P3-12** regarding enforcement of mitigation measures.

Response to Comment P3-18

The technical reports required by mitigation measures shall be submitted to the County per the MMRP presented in **Table 4-1** of **Section 4.0** of this Final EIR. Although not required by CEQA, the reports may be ~~released to the public at the~~requested from the County's discretion.

Response to Comment P3-19

Michelucci & Associates prepared a Supplemental Geotechnical Investigation (Michelucci, 2013) to the 2002 Geotechnical and Engineering Geologic Investigation, Proposed Ascension Heights Subdivision, San Mateo County, California report ~~(Michelucci, 2002)~~, which was included Appendix E of the Draft EIR. Results of Supplemental Geotechnical Investigation indicated that additional borings were not necessary as geotechnical site conditions had not changed since the borings were conducted in 2002. The Michelucci, 2013 was reviewed and approved by Joseph Michelucci, Geotechnical Engineer, #593; additional borings were not determined to be necessary to produce the Michelucci, 2013 report. A map of the soil borings taken during the 2002 Michelucci & Associates investigation can be found in the corresponding report, for which the full reference is provide in Section 8.0 of the Draft EIR and shown below:

Michelucci & Associates (Michelucci), 2002. Geotechnical and Engineering Geologic Investigation, Proposed Ascension Heights Subdivision, San Mateo County, California. Prepared by Michelucci & Associates, Inc. December 16, 2002

Refer to the **Response to Comment P1-6** regarding the analysis of potential erosion to residences on Parrot Drive.

Response to Comment P3-20

Refer to the **Response to Comment P1-46** regarding the proposed construction truck traffic route.

Response to Comment P3-21

Traffic counts were conducted during peak hours while the College of San Mateo was in session. Refer to the **Response to Comment P1-47** regarding the appropriateness and adequacy of the analysis of construction traffic impacts presented in the Draft EIR.

Response to Comment P3-22

Refer to the **Response to Comment P3-16** regarding BAAQMD permits. It is unclear why the Commenter believes permits are required from California Department of Transportation (Caltrans) and the California Department of Public Health for the Proposed Project; permits are not required from these State agencies for the Proposed Project.

Response to Comment P3-23

As discussed in Section 3.4.2 of the Draft EIR, the Proposed Project includes an open space component and several permanent BMPs to address drainage existing drainage issues from the property during long-term operation, both of which would protect and enhance the character of the existing single family areas. Additionally, the Proposed Project is consistent with existing single-family land uses. Development of the Proposed Project would protect the existing single-family areas from incompatible land uses which would degrade the environmental quality and economic stability of the area.

Response to Comments P3-24 and P3-25

Comments noted. Refer to the **Responses to Comments P3-1** through **P3-23** regarding historic comments submitted on the previous EIR.

## **P4 Laurel and Donald Nagle**

Response to Comment P4-1

Comment noted.

Response to Comment P4-2

Refer to the **Response to Comment P1-99** regarding the drainage feature along the northeastern edge of the project site.

Response to Comment P4-3

Refer to the **Response to Comment P1-4** regarding the adequacy and completeness of the analysis of potential impacts to biological resources.

Response to Comment P4-4 and P4-5

Refer to the **Response to Comment P1-67** regarding the potential impact to trees and proposed mitigation.

Response to Comment P4-6

Comment noted. The effects of the required vegetation along the northeastern border of the project site will be considered in the required landscaping plan; refer to the **Response to Comment P1-35** for further discussion.

Response to Comment P4-7

Refer to the **Responses to Comments P1-89** and **P1-92** regarding the proposed stormwater drainage system and level of detail provided in the Draft EIR.

Response to Comment P4-8

Mitigation Measures 4.2-1a and 4.2-1b in Section 4.2.4 of the Draft EIR would reduce the emissions of particulate matter and dust to less-than-significant level. In addition, Mitigation Measures 4.2-1a and 4.2-1b would also reduce the off-site movement of these particles, which would in turn prevent settling and adverse impacts to solar panels, swimming pools, water features, etc.

Response to Comment P4-9

As no parking would be allowed in the hammerhead cul-de-sacs (refer to the **Response to Comment P1-26** for further discussion), the only traffic in the cul-de-sacs would be temporary and intermittent. Accordingly, traffic in the cul-de-sacs would not create a new source of substantial light or glare which would adversely affect day or nighttime views, and the aesthetic impact is less-than-significant under the provisions of CEQA. ~~Additional community concerns may be considered by the Planning Commission outside of the CEQA process. However, the County is available to work with the Commenter to address concerns outside of the CEQA process.~~

Response to Comment P4-10

Comment noted. As discussed in Section 1.2.2, agencies and members of the public were invited to attend a public scoping meeting and provide input on the scope of the EIR. Comments from agencies and the public provided at the scoping meeting and in written comments submitted in response to the NOP are included within Appendix A of the Draft EIR. All comments were reviewed and considered in development of the Draft EIR. Mitigation Measures 4.4-1a and 4.4-1b in Section 4.4.4 of the Draft EIR were included to reduce the impacts related to soil and erosion to a less-than-significant level.

Response to Comment P4-11

Refer to **Response to Comment P1-6** regarding analysis of the safety as related to traffic and the transportation system.

Response to Comment P4-12

Refer to the **Response to Comment P1-6** regarding the analysis of shallow landslide hazards.

## **P5 Frederick Hansson, Commissioner, 2nd District, San Mateo County Planning and Building Department Planning Commission**

Response to Comment P5-1

Comment noted. The water supply and associated shortages are acknowledged in Section 4.10.2 of the Draft EIR. Accordingly, Mitigation Measure 4.10-2a was included in the Draft EIR to ensure the Proposed Project would comply with California Water Service Company's Water Shortage Contingency Plan and reduce the impact of the Proposed Project to less than significant

Response to Comments P5-2 through P5-4

Comment noted. Limitations established by the Raker Act are acknowledged; however, the water supply analysis includes provisions for water supply shortages and a discrete discussion of the potential reductions of water supply through Raker Act limitations is unnecessary to assess the impact of the Proposed Project on regional water supplies. Refer to **Response to Comment P5-1** regarding impacts to the water supply during years of supply shortages.

## **P6 David and Laura Ditlevsen**

Response to Comment P6-1

Comment noted. Responses to specific comments presented by the commenter are provided below.

Response to Comment P6-2

Comment noted. While completion of the project could take 10 years, construction would be intermittent as the houses would be constructed as lots are purchased. Furthermore, the air quality analysis presented in Section 4.2 of the Draft EIR adequately addresses CEQA requirements as outlined in the *CEQA Guidelines*.

Response to Comment P6-3

Noise impacts are addressed in Section 4.8. Impacts and noise levels are compared to regulatory standards and code requirements as implemented by the County. The Proposed Project is consistent with the zoning of the site and therefore implementation of the Proposed Project does not constitute loss of open space from a CEQA and planning perspective.

Response to Comment P6-4

Traffic impacts are assessed in Section 4.11 of the Draft EIR. As stated therein, implementation of the Proposed Project would adversely impact traffic operations within the neighborhood and traffic impacts are considered less than significant.

Response to Comment P6-5

Refer to the **Response to Comment P1-06** regarding stability of the slopes of the project site and impacts from the implementation of the Proposed Project.

Response to Comment P6-6

Refer to the **Response to Comment P1-36** regarding privacy.

Response to Comment P6-7

Refer to the **Response to Comment P1-05** regarding visual impacts assessed under CEQA

Response to Comment P6-8

Comment noted. The County General Plan land use designation for the project site is Medium Low Density Residential (2.4 to 6.0 dwelling units [du]/acre). The project site is zoned R-1/S-8 (single-family residential/7,500 square foot [sf] minimum lot size). This zoning establishes a limit of lot coverage of 40 percent and requires setbacks of 20 feet (front and back yards) and 5 feet (side yards). The maximum height limit for buildings on the project site is 3 stories or 36 feet. The residences would be constructed in accordance with these County zoning guidelines and regulations. Lot sizes would range from a minimum of 7,500 sf to a maximum of approximately 16,000 sf. One single-family house would be developed per lot. House development footprints would be no more than 40 percent of the square footage of each lot, leaving at least 60 percent for yard coverage. Setbacks for houses would be 20 feet for front and back yards and 5 feet for side yards. Houses would not exceed 36 feet in height or 3 stories. As discussed above, all residential structures would be designed to be consistent with surrounding neighborhoods, to minimize erosion, to maximize soil stability, and to screen existing viewsheds from the new development while still minimizing obstruction of solar access per each residence. Therefore, the Proposed Project is consistent with planning rules and regulations.

**P7 Dave Kong**

Response to Comment P7-1

Comment noted. In accordance with CEQA requirements and corresponding significance criteria, noise and air quality impacts are addressed in Sections 4.8 and 4.2, respectively. While “damage” is a general impact used by the commenter without referencing a specific resource, assessment of potential damage to environmental resources from the implementation of the Proposed Project are addressed throughout Section 4.0 of the Draft EIR.

### Response to Comment P7-2

Refer to the **Response to Comment P1-06** concerning the slopes on the project site and subsequent impacts from implementation of the Proposed Project.

## **P8 Carmen and Ted Glasgow**

### Response to Comment P8-1

Comment noted. The air quality analysis was conducted in accordance with industry standards to determine the potential to impact human health as required under CEQA. [Refer to Response to Comment P1-7 regarding the methodology utilized to assess air quality impacts.](#)

## **P9 Anee Pitkin**

### Response to Comments P9-1 and P9-2

Comment noted. Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with air quality in the Draft EIR. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*.

## **P10 – Ashleigh Evans and Dan Hager**

### Response to Comment P10-1

Comment noted. Refer to the responses to **Comment Letter P1** for a complete discussion of the Baywood HOA's comments referred to in this comment.

### Response to Comment P10-2

Refer to the **Response to Comment P1-6** regarding potential impacts associated with steepness of the proposed residential lots and the soil stability on the project site and vicinity, which were addressed in Section 4.4 of the Draft EIR.

### Response to Comment P10-3

Refer to the **Response to Comment P1-36** regarding privacy.

### Response to Comment P10-4

Comment noted. Refer to the **Response to Comment P2-35** regarding air quality and potential health issues. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. Refer to the **Response to Comment P1-7** regarding the adequacy and completeness of the analysis of impacts associated with construction noise contained in Section 4.8 of the Draft EIR. Refer to the **Response to Comment P1-47** regarding impacts associated with traffic during construction, which are addressed in Section 4.11 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*.

Response to Comment P10-5

Comment noted. The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately concludes impacts of the Proposed Project would be less than significant to environmental resources; refer to the **Response to Comment P1-2** for further discussion. Refer to the **Response to Comment P1-46** regarding the assessment of the construction truck haul routes.

**P11 Ronald and Arlene Johnson**Response to Comments P11-1 through P11-2

Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

Response to Comment P11-3

Refer to the **Response to Comment P1-6** regarding potential impacts associated with steepness of the proposed residential lots and the soil stability on the project site and vicinity, which were addressed in Section 4.4 of the Draft EIR.

Response to Comment P11-4

Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

A bond for the unlikely event that project applicant chooses not to finish the development is not a reasonably foreseeable effect and is beyond what is required to be addressed in accordance with CEQA; ~~however, the commenter may work with the County outside of the CEQA process to create such a contingency plan.~~

Response to Comment P11-5

Refer to the **Response to Comment P1-56** regarding impacts to roadways. Refer to the **Response to Comment P1-06** regarding the steep slopes on the project site.

**P12 Ray Razavi**Response to Comment P12-1

As stated in Section 4.11.1 of the Draft EIR, criteria for determining the significance of impacts to traffic and circulation were developed based on Appendix G of the CEQA *Guidelines* and relevant agency guidelines. Concerns related to existing speeding on roads in the vicinity of the project site are beyond the scope of this EIR. Additional “traffic calming” mitigation measures, as requested by the commenter, are beyond what is required to be addressed in accordance with CEQA; ~~Additional provisions to address community concerns may be considered by the Planning Commission outside of the CEQA process, however, the commenter may work with the County outside of the CEQA process to create such a mitigation plan.~~

## P13 Ruth Ciranni

### Response to Comment P13-1

Comment noted. Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR.

### Response to Comment P13-2

Refer to the **Response to Comment P1-6** regarding potential impacts associated with steepness of the proposed residential lots and the soil stability on the project site and vicinity, which were addressed in Section 4.4 of the Draft EIR. The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately and accurately addresses impacts associated with steepness and soil stability within the context of applicable federal, State, and local laws, codes, ordinances, and standards. Concerns related to the standards and codes for houses in the vicinity of the project site, as well as retaining walls and other construction methods in the vicinity, is beyond the scope of this EIR.

### Response to Comment P13-3

Comment noted. Refer to the **Response to Comment P2-35** regarding air quality and potential health issues. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. Refer to the **Response to Comment P1-7** regarding the adequacy and completeness of the analysis of impacts associated with construction noise contained in Section 4.8 of the Draft EIR.

## P14 Ines Malardino

### Response to Comment P14-1

Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

### Response to Comment P14-2

Refer to the **Response to Comment P1-36** regarding aesthetics and privacy concerns.

Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR. As discussed in Section 4.6.2 and Impact 4.6-5 of Section 4.6.4 of the Draft EIR, the hilltop project site does not have a high groundwater table. Due to the slopes and soil types, groundwater moves down-gradient and accumulates at the toe of the hill in the surrounding neighborhood. No free groundwater or underground springs were encountered onsite during test borings. The Proposed Project would be constructed in accordance with all County guidelines and regulations, as well as all CBC requirements. As such, all potential impacts associated with seismic activity and groundwater table are reduced to a less-than-significant level.

## P15 Ellen Fisher

### Response to Comment P15-1

**Comment noted.** Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

## P16 Bob and Rosemarie Thomas

### Response to Comment P16-1

Refer to the **Response to Comment P2-35** regarding air quality and potential health issues. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*.

Comment noted. Refer to the **Response to Comment P1-2** regarding the history of the project site, previously-proposed projects on the property, and how such projects relate to the current Draft EIR and CEQA process.

### Response to Comment P16-2

Refer to the **Response to Comment P1-47** regarding impacts associated with traffic during construction, which are addressed in Section 4.11 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. As discussed in Impact 4.11-1, the Draft EIR uses the following methodology to assess the number of truck trips:

Construction worker vehicles would park on the project site and/or on the east side of Bel Aire Road. It is estimated that workers would generate approximately 20 round trips per day. The largest volume and frequency of traffic would result from large trucks transporting excavated soil off site during the grading phase of construction. An estimated 26,510 cubic yards of soil will be removed from the project site, which equates to approximately 40,000 bulk cubic yards of soil. Assuming 30 working days for off haul and an average of 17 bulk cubic yards per truck, the number of truck trips per day to and from the project site would be 156. These truck trips would likely be on Bel Aire Road, to Ascension Drive east of Bel Aire Road to Polhemus Road. Therefore, construction of the Proposed Project would add approximately 176 vehicles per day during the soil hauling phase of construction; this represents the worst case scenario.

### Response to Comment P16-3

Comment noted. Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR.

Response to Comment P16-4

As discussed in Section 3.4.2 of the Draft EIR, “each roadway would have a hammerhead cul-de-sac with enough space to accommodate turnaround of emergency vehicles and single unit delivery trucks (20 feet wide by 85 feet long).” This exceeds the San Mateo County Fire Marshal's Office requirements of 20 foot wide roadways for adequate emergency access and turnaround. Refer to the **Response to Comment P1-36** regarding impacts to aesthetics and the adequacy of the EIR analysis of visual impacts.

Response to Comment P16-5

Refer to the **Response to Comment P1-6** regarding potential impacts associated with steepness of the proposed residential lots and the soil stability on the project site and vicinity, which were addressed in Section 4.4 of the Draft EIR. The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately and accurately addresses impacts associated with steepness and soil stability within the context of applicable federal, State, and local laws, codes, ordinances, and standards. Concerns related to the standards and codes for houses in the vicinity of the project site, as well as retaining walls built in other areas in the vicinity, is beyond the scope of this EIR. Similar to the bond requested in **Comment P11-4**, a contingency plan for the unlikely event that project applicant chooses not to finish the development is not a reasonably foreseeable effect and is beyond what is required to be addressed in accordance with CEQA. ~~However, the commenter may work with the County outside of the CEQA process to create such a contingency plan.~~

**P17 Mary Wales Loomis**Response to Comment P17-1

Comment noted. Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR. Refer to the **Response to Comment P1-24** regarding the applicability of City, County, and State laws and ordinances. As discussed in Section 4.5.4 of the Draft EIR, buildings will be designed and constructed according to guidelines and/or objectives of the CBC, including the CALGreen Code; the County General Plan, including County land use and zoning designations; the County LAFCO policies; and the City of San Mateo General Plan.

**P18 Joe and Niki Manske**Response to Comment P18-1

Comment noted. Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR. Refer to the **Response to Comment 16-4** regarding emergency vehicle access and fire safety.

Response to Comment P18-2

The applicant's financial considerations for the Proposed Project, and ~~its-the~~ perceived failure by the ~~commenter-applicant~~ to account for low profit margins, are beyond the scope of the EIR.

## P19 Craig Nishizaki

### Response to Comment P19-1

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics. The use of "story poles" is not necessary.

### Response to Comment P19-2

Refer to the **Response to Comment P2-35** regarding air quality and potential health issues. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*.

### Response to Comment P19-3

Refer to the **Responses to Comments P1-46** and **P1-47** regarding impacts associated with traffic during construction of the Proposed Project.

### Response to Comment P19-4

Comment noted. All comments are in the administrative record for the project and will be considered by the County in making its decision.

## P20 Carl and Lois Pileri

### Response to Comment P20-1

Comment noted.

### Response to Comment P20-2

Comment noted. Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR. Refer to the **Response to Comment P14-2** regarding underground springs

### Response to Comment P20-3

Refer to the **Response to Comment P1-6** regarding potential impacts associated with steepness of the proposed residential lots and the soil stability on the project site and vicinity, which were addressed in Section 4.4 of the Draft EIR. The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately and accurately addresses impacts associated with steepness and soil stability within the context of applicable federal, State, and local laws, codes, ordinances, and standards. Concerns related to the standards and codes for houses in the vicinity of the project site, as well as retaining walls built in other areas in the vicinity, are beyond the scope of this EIR.

Responses to Comment P20-4 and P20-5

Comments noted.

**P21 Ian Withrow**Response to Comment P21-1

Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with air quality in the Draft EIR. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*.

Impacts associated with traffic during construction of the Proposed Project are addressed in Section 4.11 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. Additional mitigation for large trucks due to safety concerns for small children is beyond what is required to be in accordance with CEQA; ~~however, the commenter may work with the County outside of the CEQA process to create such a mitigation plan.~~

Response to Comment P21-2

Refer to the **Response to Comment P1-2** regarding the history of the project site, previously-proposed projects on the property, and how those projects relate to the current Draft EIR and CEQA process.

**P22 Marilyn Haithcox**Response to Comment P22-1

Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

The commenter does not provide explanation or detail as to how the Draft EIR is “inadequate, incorrect in many ways, and lacking in its approach.” The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately and accurately addresses environmental impacts throughout Section 4.0. A more detailed response cannot be provided.

**P23 Suzanne Kennedy**Response to Comments P23-1 and P23-2

Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with air quality and potential health issues in the Draft EIR. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*.

Response to Comments P23-3 and P23-4

Comment noted. Refer to the **Response to Comment P1-7** regarding air quality and potential health issues. Impacts associated with air quality during construction of the Proposed Project are addressed in

Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. Refer to the **Responses to Comments P1-8** and **P1-9** regarding the short-term use of water for construction dust mitigation.

## **P24 Andrew Quon, MD and Shelia Shea, PhD**

### Response to Comment P24-1

Comment noted.

### Response to Comment P24-2

Comment noted. Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR.

### Response to Comment P24-3

Comment noted. Refer to the **Response to Comment P1-47** regarding traffic impacts and **Responses to Comments P1-7** and **P1-84** regarding pollution.

## **T1 Meeting Transcript from May 14, 2014 Planning Commission Meeting**

### Response to Commissioner Hansson

Comments regarding the mission blue butterfly are noted.

The water demand defined in Section 4.10.4 of the Draft EIR is referring to the amount of water that would be required to service the Proposed Project. Refer to the **Response to Comment P1-86** regarding the amount of the water demand and how this fits within the BSD's projected future service demands including in dry years. This demand is not yet approved by the BSD as the Proposed Project is not yet approved. ~~Water-A water~~ supply analysis for the County and City of San Mateo are beyond the scope of this EIR.

### Response to Comment T1-1

Comment noted. Impacts of the Proposed Project associated with erosion are discussed in Section 4.4 of the Draft EIR.

### Response to Comments T1-2 through T1-4

Comments noted.

### Response to Comment T1-5

Refer to the **Response to Comment P1-7** regarding the analysis of air quality impacts during construction presented in the Draft EIR.

Response to Comment T1-6

Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

Response to Comments T1-7 through T1-14

Refer to the **Response to Comment P1-36** regarding the analysis of impacts to aesthetic resources included within the Draft EIR.

Response to Comment2 T1-15 and T1-16

Refer to the **Response to Comment P1-36** regarding the maintenance of trees required by the landscaping plan within Mitigation Measure 4.1-1b of the Draft EIR. Refer to the **Response to Comment P1-4** regarding the analysis of impacts to biological resources included within the Draft EIR. Refer to the **Response to Comment P1-67** regarding the tree replacement ratio.

Response to Comment T1-17 through T1-21

Refer to the **Response to Comment P1-06** regarding shallow landslide hazards analyzed within the Draft EIR and potential impacts associated with steepness of the proposed residential lots and the soil stability. Refer to the **Response to Comment P1-32** regarding impacts associated with erosion analyzed within the Draft EIR.

Response to Comment T1-22

Refer to **Response to Comment P1-96** regarding impacts from storms with intensities greater than the 10-year design storm.

Response to Comment T1-23

Refer to the **Response to Comment P1-32** regarding impacts associated with stormwater runoff during construction. Swales included as BMPs will be designed so as to prevent standing water.

Response to Comment T1-24

Refer to the **Response to Comment P1-99** regarding the drainage ditch along the northeastern boundary of the project site. Refer to the **Response to Comment P1-4** regarding the date of biological surveys on site. Refer to the **Response to Comment P1-7** regarding the date of noise level measurements on site. Both surveys included general site reconnaissance (e.g. aesthetic resources assessment).

Response to Comment T1-25

Refer to the **Response to Comment P1-89** regarding the analysis of stormwater drainage from the project site during operation in the Draft EIR.

Response to Comment T1-26

Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project.

Response to Comment T1-27

Refer to the **Response to Comment P1-06** regarding the steepness of the proposed residential lots.

Response to Comment T1-28

Refer to the **Response to Comment P1-46** regarding the proposed construction truck traffic route and volume of construction truck traffic. Refer to the **Response to Comment P1-47** regarding steepness of construction traffic route.

Response to Comments T1-29 through T1-33

Refer to the **Response to Comment P1-7** regarding impacts associated with noise analyzed within the Draft EIR. Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project.

Response to Comments T1-34 and T1-35

Refer to the **Response to Comment P1-36** regarding loss of privacy concerns.

Response to Comment T1-36

Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with air quality included within the Draft EIR.

Response to Comment T1-37

Refer to the **Response to Comment P1-36** regarding the analysis of impacts associated with lighting included within the Draft EIR.

Response to Comment T1-38

Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with air quality included within the Draft EIR. Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project.

Response to Comments T1-39 through T1-41

Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project. Impacts associated with geotechnical issues and erosion were analyzed within Section 4.4 of the Draft EIR. Refer to the **Response to Comment P1-06** regarding shallow landslide hazards analyzed within the Draft EIR.

Response to Comment T1-42

Refer to the **Response to Comment P1-06** regarding shallow landslide hazards analyzed within the Draft EIR.

Response to Comment T1-43

Refer to the **Response to Comment P1-4** regarding the analysis of impacts to biological resources included within the Draft EIR.

Response to Comment T1-44

Refer to the **Response to Comment P1-67** regarding impacts to trees analyzed within the Draft EIR.

Response to Comment T1-45

Refer to the **Response to Comment P4-8** regarding analysis of potential impacts to solar panels and pools. **Response to Comment P4-9** regarding the hammerhead cul-de-sacs.

Response to Comment T1-46

Refer to the **Response to Comment P1-4** regarding the analysis of impacts to biological resources included within the Draft EIR.

Response to Comment T1-47

Refer to the **Response to Comment P1-99** regarding the drainage ditch along the northeastern boundary of the project site.

Response to Comment T1-48

Impacts associated with geotechnical issues and erosion were analyzed within Section 4.4 of the Draft EIR. Refer to the **Response to Comment P1-06** regarding shallow landslide hazards analyzed within the Draft EIR.

Response to Comment T1-49

Comment noted.

Response to Comments T1-50 and T1-51

Impacts associated with geotechnical issues and erosion were analyzed within Section 4.4 of the Draft EIR; refer to the **Response to Comment P1-06** for further discussion regarding deep-seated landslides.

### Response to Comments T1-52 and T1-53

Impacts associated with traffic during operation of the Proposed Project were analyzed in Section 4.11 of the Draft EIR. As stated therein, impacts to the existing transportation network would be considered significant if the Proposed Project would:

- Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.
- Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways;

In addition, a change in the TIRE index of 0.1 or more would be a noticeable increase in traffic on the street and would therefore result in a significant impact upon the residential environment.

As stated in Impact 4.11-2, operation of the Proposed Project would not increase traffic on roadway segments in the vicinity of the project site beyond acceptable capacities and therefore would not conflict with any applicable plan, ordinance, or policy establishing measures of effectiveness and would not conflict with an applicable congestion management program. The background traffic conditions are those that would occur immediately prior to the completion and occupancy of the Proposed Project; the background traffic conditions are based on existing traffic conditions and include an assumed 1.5 percent per year increase in traffic until Proposed Project completion in 2017. With the addition of traffic from operation of the Proposed Project, no roadway segment would experience an increase in the TIRE Index greater than 0.1, as shown in Table 4.11-5 of Section 4.11.4 of the Draft EIR. The impact of traffic during operation of the Proposed Project would be less than significant. Refer to the **Response to Comment P1-6** regarding analysis related to traffic safety in the Draft EIR.

### Response to Comment T1-54

Comment noted.

### Response to Comments T1-55 through T1-59

Refer to the **Response to Comment P1-7** regarding the analysis of air quality and noise impacts during construction presented in the Draft EIR. Refer to the **Response to Comment P1-46** regarding traffic during construction of the Proposed Project, and refer to the **Response to Comments T1-52 and T1-53** regarding traffic during operation of the Proposed Project. Impacts associated with geotechnical issues and erosion were analyzed within Section 4.4 of the Draft EIR; refer to the **Response to Comment P1-06** for further discussion regarding landslides and soil stability.

### Response to Comment T1-60

Comment noted. The safety concerns associated with accidental downhill movement of debris from the Proposed Project is noted but is very unlikely and does not constitute a significant impact within the

provisions of CEQA. ~~Additional concerns from the community may be considered by the Planning Commission outside of the CEQA process. However, the County is available to work with the Commenter to address concerns outside of the CEQA process.~~

Response to Comment T1-61

Comment noted.

Response to Comments T1-62 and T1-63

Refer to the **Response to Comment P1-36** regarding the analysis of impacts to aesthetic resources included within the Draft EIR.

Response to Comment T1-64

Refer to the **Response to Comments P1-43 and P1-44** regarding shading and shadow effects.

Response to Comment T1-65

Refer to the **Response to Comment P1-46** regarding the proposed construction truck traffic route.

Response to Comment T1-66

Refer to the **Response to Comment P1-4** regarding the analysis of impacts to biological resources included within the Draft EIR.

Response to Comment T1-67

Refer to the **Response to Comment P1-06** regarding shallow landslide hazards analyzed within the Draft EIR.

Response to Comment T1-68

Refer to the **Response to Comments P1-19 through P1-21** regarding plans for the designated open space discussed in the Draft EIR.

Response to Comments T1-69 through T1-72

Impacts associated with geotechnical issues and erosion were analyzed within Section 4.4 of the Draft EIR; refer to the **Response to Comment P1-06** for further discussion regarding deep-seated landslides. Refer to the **Response to Comment P1-89** regarding impacts associated with stormwater drainage from the project site during operation.

Response to Comment T1-73

Refer to the **Response to Comment P1-7** regarding the analysis of air quality impacts during construction presented in the Draft EIR. Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project.

Response to Comment T1-74

Refer to **Response to Comment P1-51**, **Response to Comments P1-52** and **P1-53**, and **Response to Comment P1-54** regarding concerns related to construction truck traffic safety.

Response to Comment T1-75

Comment noted.

Response to Comment T1-76

Potential impacts of the Proposed Project to public utilities, including public sewer, were analyzed in Section 4.10 of the Draft EIR. With incorporation of Mitigation Measure 4.10-3 included in Section 4.10.4 of the Draft EIR, which requires applicant shall offset the increase in sewer flow generated by the Proposed Project by reducing the amount of existing I&I into the CSCSD sewer system, the impact of the Proposed Project to the sewer system would be less than significant.

Response to Comments T1-77 and T1-78

Comment noted.

Response to Comment T1-79

Refer to **Response to Comment P1-6** regarding analysis of the safety of the proposed intersection. The potential for a northwest-bound vehicle on the proposed private roadway to lose control and crash into residences located along the western edge of Bel Aire Road is very low and does not constitute a significant impact under CEQA. ~~However, the County is available to address this issue outside of the CEQA process.~~

Response to Comment T1-80

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics, including lighting.

Response to Comment T1-81

Refer to the **Response to Comment T1-79** regarding safety concerns of the vehicles on the proposed private roadway.

Response to Comment T1-82

Comment noted.

Response to Comments T1-83 and T1-84

Refer to the **Response to Comment P1-7** regarding the analysis of air quality impacts during construction presented in the Draft EIR. Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project. Refer to the **Response to Comment P1-06** regarding landslide hazards analyzed within the Draft EIR.

Response to Comment T1-85

Comment noted. Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project.

Response to Comment T1-86

Refer to the **Response to Comment P1-10** regarding the analysis of impacts related to seismicity included in the Draft EIR. Refer to the **Response to Comment P1-06** regarding erosion and soil stability concerns during construction of the Proposed Project, and refer to the **Response to Comment P1-89** regarding erosion concerns during the operation of the Proposed Project. Refer to the **Response to Comment P1-2** regarding the open space to be preserved as part of the Proposed Project.

Response to Comment T1-87

Refer to the **Response to Commissioner Hansson P5** regarding water concerns.

Response to Comment T1-88

Refer to the **Response to Comment P1-46** regarding the analysis of construction traffic impacts related to the volume of construction traffic, including construction worker vehicles.

## References

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**Civil and Transportation Engineering**

D R A F T

**TRAFFIC IMPACT ANALYSIS**

**ASCENSION HEIGHTS SUBDIVISION  
UNINCORPORATED SAN MATEO COUNTY, CALIFORNIA**

**December 10, 2013  
Revised October 24, 2014**

Prepared for -

Analytical Environmental Services  
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# **INTRODUCTION**

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## **SECTION 1.**

### **STUDY PURPOSE**

The purpose of this study is to quantify and analyze the traffic impacts of a proposed subdivision for 19 single family residential units on a 13.32 acre parcel off of Bel Aire Road in unincorporated San Mateo County adjacent to the City of San Mateo. See Figure 1, Location Map, page 2.

### **ANALYSIS METHODOLOGIES**

Six street segments have been designated for analysis in this study. They are –

- 1) Polhemus Road south of Ascension Drive
- 2) Ascension Drive, Polhemus Road to Bel Aire Road
- 3) Bel Aire Road, Ascension Drive to Laurie Lane
- 4) Laurie Lane
- 5) Parrott Drive, Laurie Lane to CSM Drive
- 6) CSM Drive east of Parrott Drive

The six designated street segments have been analyzed according to the T.I.R.E. Index. The TRAFFIX program<sup>1</sup> has been used to generate and distribute the traffic on the street network. The TIRE Index is a way to determine the impact of a project's traffic on the surrounding street system is by use of the TIRE (Traffic Infusion on Residential Environment) index.<sup>2</sup> This index is based on the idea that increases in traffic volume have a greater impact on the residential environment on a lower volume street than along a street with a much higher level of baseline traffic. The TIRE index is a representation of the effects of traffic on safety, pedestrians, bicyclists, children playing near the street and the ability to freely maneuver into and out of driveways. A change in the TIRE index of 0.1 or more would be a noticeable increase in traffic on the street, and, therefore, an impact upon the residential environment. The five levels of the TIRE index are shown in Table A on page 3.

Four intersections are included in the analysis. They are –

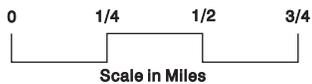
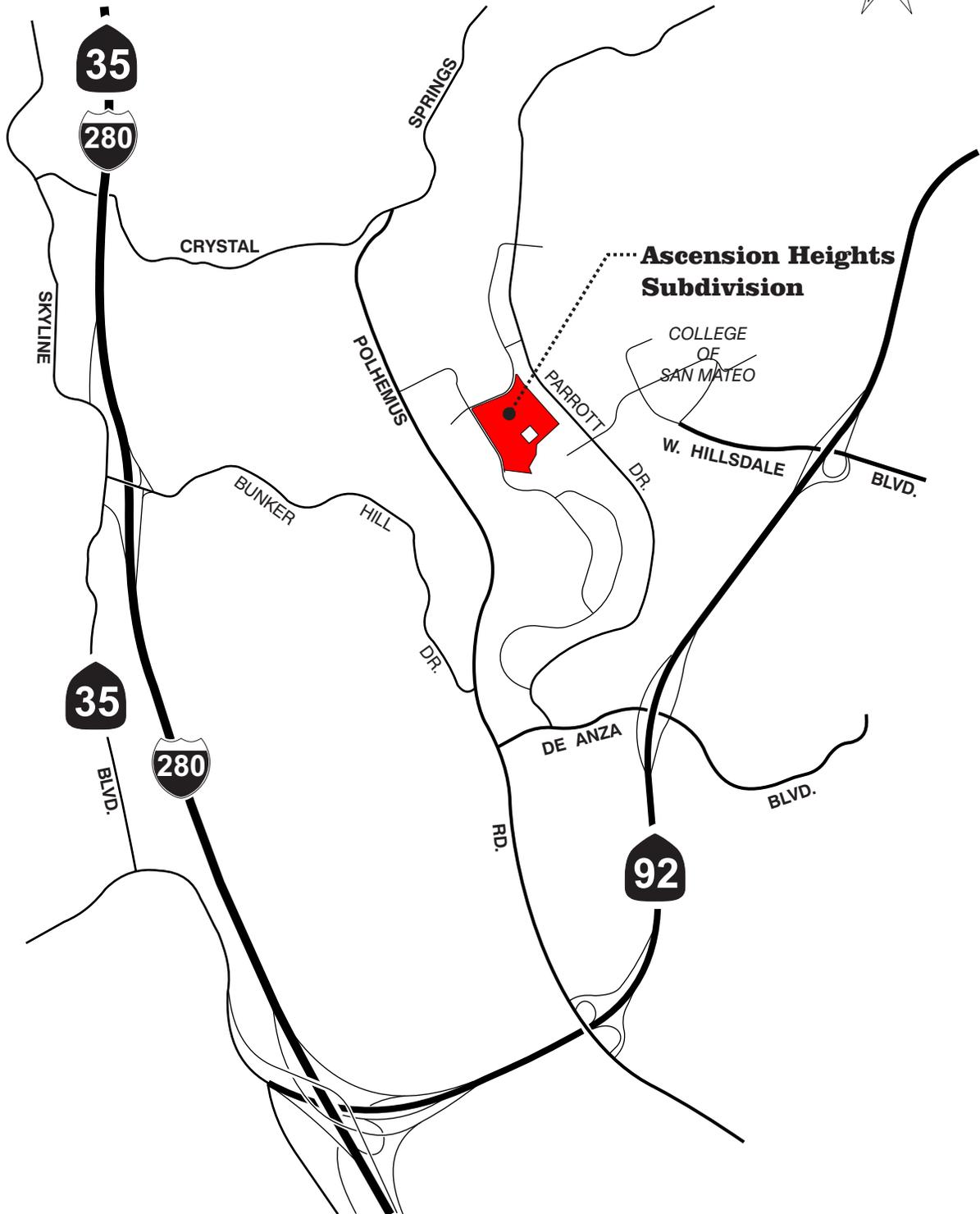
- 1) Polhemus Road & Ascension Drive
- 2) Ascension Drive & Bel Aire Road
- 3) Laurie Lane & Parrott Drive
- 4) Parrott Drive & CSM Drive

These four STOP controlled intersections have been analyzed according to the procedures contained in the 2000 Highway Capacity Manual.

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<sup>1</sup> Dowling Associates, TRAFFIX 8.0.0715, ©2008

<sup>2</sup> Goodrich, D.K. and Donald Appleyard, University of California, Berkeley



**LOCATION MAP  
FIGURE 1**

## ANALYSIS SCENARIOS

Four scenarios have been developed and analyzed in this study.

1. **Existing Conditions.** Current (2013 and 2014) traffic volumes within the study area.
2. **Background Conditions (Existing + Approved Projects).** Background traffic is that traffic expected to be present at the time the project is ready for occupancy. It consists of existing traffic plus traffic expected to be generated by those developments that are approved but were not built and occupied at the time the traffic counts were taken.
3. **Project Conditions. (Existing + Approved + Project)** Project trips are estimated based on the proposed land use and are then added to Background Conditions traffic in order to obtain the Project Conditions traffic scenario. An Existing+Project scenario is also analyzed in order to comply with a recent Supreme Court ruling.
4. **Year 2030 Cumulative Conditions. (Existing + Approved + Project + Future Development)** Cumulative traffic is that traffic expected to be present within the next five years. It consists of existing traffic plus trips from Approved Projects plus trips from the project plus trips from future development projects within the study area.

Table A: TIRE Index Levels		
TIRE INDEX	DAILY TRAFFIC VOLUME	RESIDENTIAL ENVIRONMENT
0	1	
		A cul-de-sac street with one home.
1	10	
		A cul-de-sac street with 2-15 homes.
2	100	
		A 2-lane minor street.
3	1000	
		A 2-lane collector or arterial street.
4	10000	
		A 2 to 6-lane arterial street.
5	100000	

<b>TABLE A1: Levels of Service Definitions for 2-Way and All-Way STOP Controlled Intersections</b>	
Level of Service	Traffic Conditions
A	Very low delay, less than or equal to 10.0 seconds of average control delay per vehicle.
B	Average control delay in the range of 10.1 to 15.0 seconds per vehicle
C	Average control delay in the range of 15.1 to 25.0 seconds per vehicle
D	Average control delay in the range of 25.1 to 35.0 seconds per vehicle
E	Average control delay in the range of 35.1 to 50.0 seconds per vehicle
F	Average control delay in excess of 50 seconds per vehicle.

Reference: *Highway Capacity Manual*, Chapter 17, HCM2000.

### **LEVELS OF SERVICE STANDARDS**

The LOS standards are described in the County's General Plan (§II.A.1.d.(2), pg. 12.8-12.10). There is no clearly defined LOS standard for the area in which the project is located, but the County has set a LOS standard of C in other planning areas. For purposes of this analysis a LOS standard of C will be used.

# **EXISTING CONDITIONS**

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## **SECTION 2.**

### **ROADWAY NETWORK**

**Polhemus Road.** This 2-lane road is classified as an arterial highway in the County's General Plan and connects Ralston Avenue to Crystal Springs Road.

**Ascension Drive, Bel Aire Road, and Laurie Lane.** These 2-lane residential streets serve Ascension Heights residential neighborhood. Parking is generally allowed on either side of the street.

**Parrott Drive.** This street is an extension of Parrott Drive in the City of San Mateo and connects to De Anza Boulevard in the City of San Mateo. It is a 2-lane street with parking generally allowed on both sides of the street.

**CSM Drive.** This 2-lane street connects Parrott Drive on the west to W. Hillsdale Boulevard on the east in the College of San Mateo.

### **EXISTING TRAFFIC VOLUMES**

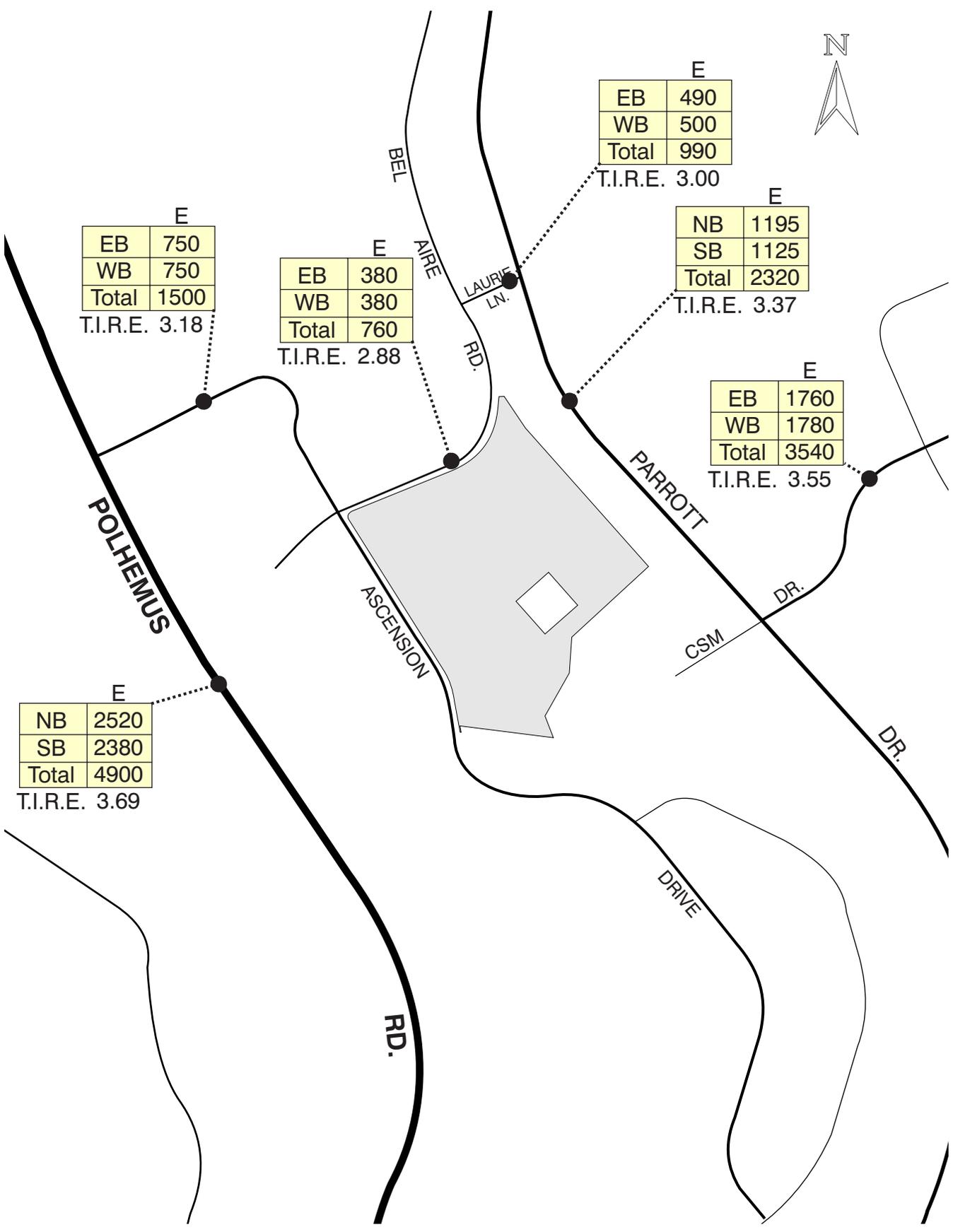
Existing 2013 daily traffic volumes on the study area streets are shown on Figure 2, Existing Daily Traffic Volumes, page 6. The traffic counts were obtained during the month of May, 2013 prior to the close of the spring semester at the College of San Mateo. Turning movement counts at the four study area intersections were collected in September, 2014. See Appendix A for the traffic count data.

Figure 2 also shows the associated TIRE Index for the total daily traffic volumes on the six street segments. With the exception of Bel Aire Road, all of the other street segments are functioning as collector streets. In the case of Polhemus Road it is acting as a minor arterial street.

Figure 2A, Existing Intersection Peak Hour Volumes, page 7, shows the volume of traffic during the highest 60 minute period in both the 7-9 a.m. and 4-6 p.m. peak traffic periods.

### **EXISTING INTERSECTION LEVELS OF SERVICE**

Levels of Service have been calculated for the existing conditions scenario using the analysis methods contained in the *2000 Highway Capacity Manual* using the Synchro 6 program. The results of the LOS calculations are summarized in Table B on page 8. The calculation worksheets are provided in Appendix B. The LOS calculations reflect traffic conditions existing in 2014.



E	
EB	750
WB	750
Total	1500

T.I.R.E. 3.18

E	
EB	380
WB	380
Total	760

T.I.R.E. 2.88

E	
EB	490
WB	500
Total	990

T.I.R.E. 3.00

E	
NB	1195
SB	1125
Total	2320

T.I.R.E. 3.37

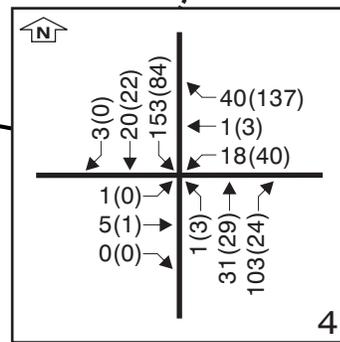
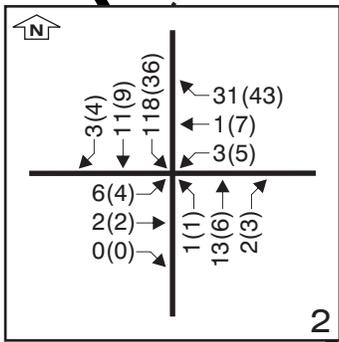
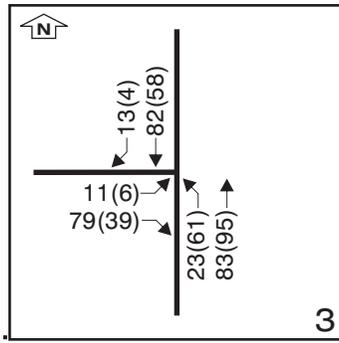
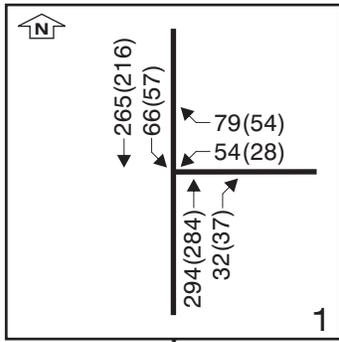
E	
EB	1760
WB	1780
Total	3540

T.I.R.E. 3.55

E	
NB	2520
SB	2380
Total	4900

T.I.R.E. 3.69

**EXISTING DAILY TRAFFIC VOLUMES**  
**FIGURE 2**



NOTE: Intersections are oriented according to their placement in the TRAFFIX/SYNCHRO traffic network models. North orientation in the models is North on this diagram.

KEY:  
 000(000) = AM(PM) Peak Hour Traffic Volumes  
 AM Peak Hour Between 7 and 9 AM  
 PM Peak Hour Between 4 and 6 PM

**EXISTING INTERSECTION  
 PEAK HOUR VOLUMES  
 FIGURE 2A**



<b>TABLE B: Intersection Levels of Service Existing Conditions</b>				
<b>STOP Controlled Intersections</b>	<b>Controlled Approach</b>	<b>Peak Hour</b>	<b>Delay</b>	<b>LOS</b>
1 - Polhemus Road & Ascension Drive	Ascension Dr.	AM	15.2	C
		PM	12.7	B
2 - Ascension Drive & Bel Aire Road	4-way STOP	AM	7.8	A
		PM	7.1	A
3 - Parrott Drive & Laurie Lane	3-way STOP	AM	7.7	A
		PM	7.9	A
4 - Parrott Drive & CSM Drive	4-way STOP	AM	8.1	A
		PM	8.0	A

Delay is average control delay in seconds per vehicle.  
LOS is Level of Service. See TableA1 for definitions.



# **BACKGROUND CONDITIONS**

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## **SECTION 3.**

Background Conditions are those traffic conditions which are expected to occur immediately prior to the completion and occupancy of the proposed subdivision. Traffic from developments that are approved and/or ones that are expected to be completed and occupied prior to the proposed project is added to existing traffic volumes to create this traffic analysis scenario.

### **APPROVED PROJECTS**

There are no approved projects in the study area that will be completed by the time the subdivision is expected to be completed and occupied (2017).

### **BACKGROUND TRAFFIC GROWTH**

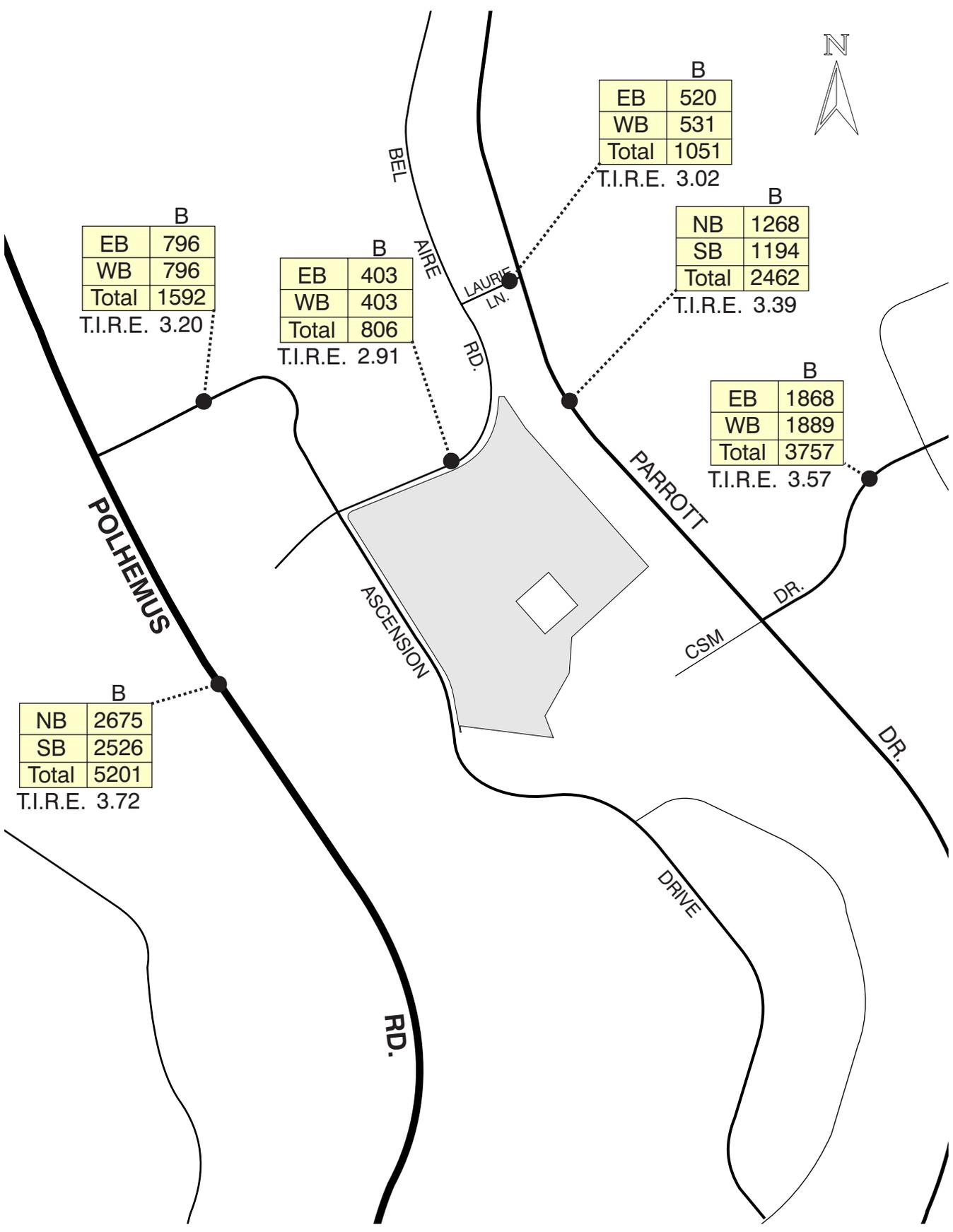
Traffic volumes taken on the same street segments as in this study some years ago have been analyzed to determine the growth in traffic due to general development of the area. An analysis of the growth is provided in Appendix C. For purposes of this study a background growth factor of 1.5% per year is used for all street segments to project traffic to the year 2017.

### **BACKGROUND CONDITIONS TRAFFIC VOLUMES**

Background Conditions Daily Traffic Volumes are shown in Figure 3, page 10. As can be seen, the TIRE Indices increased slightly from that of Existing Conditions. Background Conditions Peak Hour Traffic Volumes, Figure 3A, are shown on page 11.

### **BACKGROUND CONDITIONS INTERSECTION LEVELS OF SERVICE**

Levels of Service have been calculated for the background conditions scenario using the analysis methods contained in the *2000 Highway Capacity Manual* using the Synchro 6 program. The results of the LOS calculations are summarized in Table C on page 12. The calculation worksheets are provided in Appendix B.



B	
EB	796
WB	796
Total	1592

T.I.R.E. 3.20

B	
EB	403
WB	403
Total	806

T.I.R.E. 2.91

B	
EB	520
WB	531
Total	1051

T.I.R.E. 3.02

B	
NB	1268
SB	1194
Total	2462

T.I.R.E. 3.39

B	
EB	1868
WB	1889
Total	3757

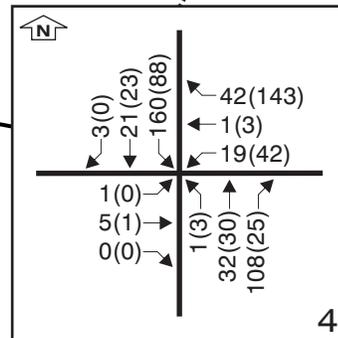
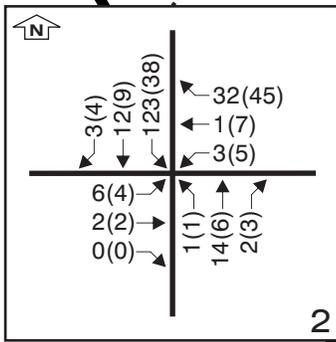
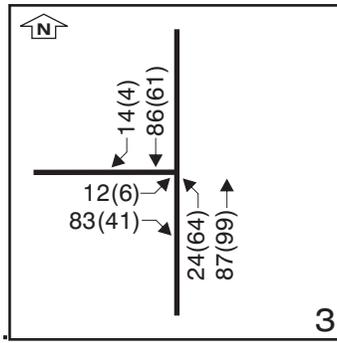
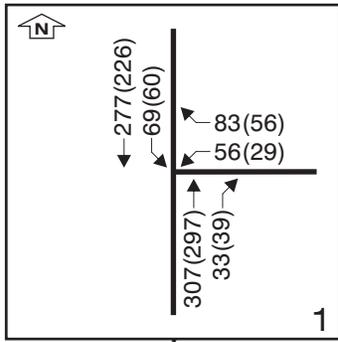
T.I.R.E. 3.57

B	
NB	2675
SB	2526
Total	5201

T.I.R.E. 3.72

**BACKGROUND CONDITIONS DAILY TRAFFIC VOLUMES**  
**FIGURE 3**





NOTE: Intersections are oriented according to their placement in the TRAFFIX/SYNCHRO traffic network models. North orientation in the models is North on this diagram.

KEY:  
 000(000) = AM(PM) Peak Hour Traffic Volumes  
 AM Peak Hour Between 7 and 9 AM  
 PM Peak Hour Between 4 and 6 PM

**BACKGROUND CONDITIONS  
 PEAK HOUR VOLUMES  
 FIGURE 3A**



**TABLE C: Intersection Levels of Service  
Background Conditions**

			Existing Conditions		Background Conditions	
STOP Controlled Intersections	Controlled Approach	Peak Hour	Delay	LOS	Delay	LOS
1 - Polhemus Road & Ascension Drive	Ascension Dr.	AM	15.2	C	15.9	C
		PM	12.7	B	13.1	B
2 - Ascension Drive & Bel Aire Road	4-way STOP	AM	7.8	A	7.8	A
		PM	7.1	A	7.1	A
3 - Parrott Drive & Laurie Lane	3-way STOP	AM	7.7	A	7.8	A
		PM	7.9	A	7.9	A
4 - Parrott Drive & CSM Drive	4-way STOP	AM	8.1	A	8.2	A
		PM	8.0	A	8.1	A

Delay is average control delay in seconds per vehicle.  
LOS is Level of Service. See TableA1 for definitions.

# PROJECT CONDITIONS

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## SECTION 4.

### PROJECT DESCRIPTION

The project will construct 19 single family residential units served off of Bel Aire Road by private streets.

### PROJECT VEHICLE TRIP GENERATION

The estimate of vehicle trips to be generated by the project is shown in Table D below. The estimate is based on data contained in *Trip Generation*.<sup>3</sup> The AM Street Peak Hour is generally between 7 a.m. and 9 a.m. and the PM Street Peak Hour is generally between 4 p.m. and 6 p.m. A detailed trip generation table can be found in Appendix C.

Table D: Project Vehicle Trip Generation									
Land Use	Size	Units	AM Street Peak Hour			PM Street Peak Hour			AWDT
			In	Out	Total	In	Out	Total	
Single-Family Detached Housing	19	DU	16	7	23	15	9	24	228

AWDT is Average Weekday Traffic (24-hr. volume)

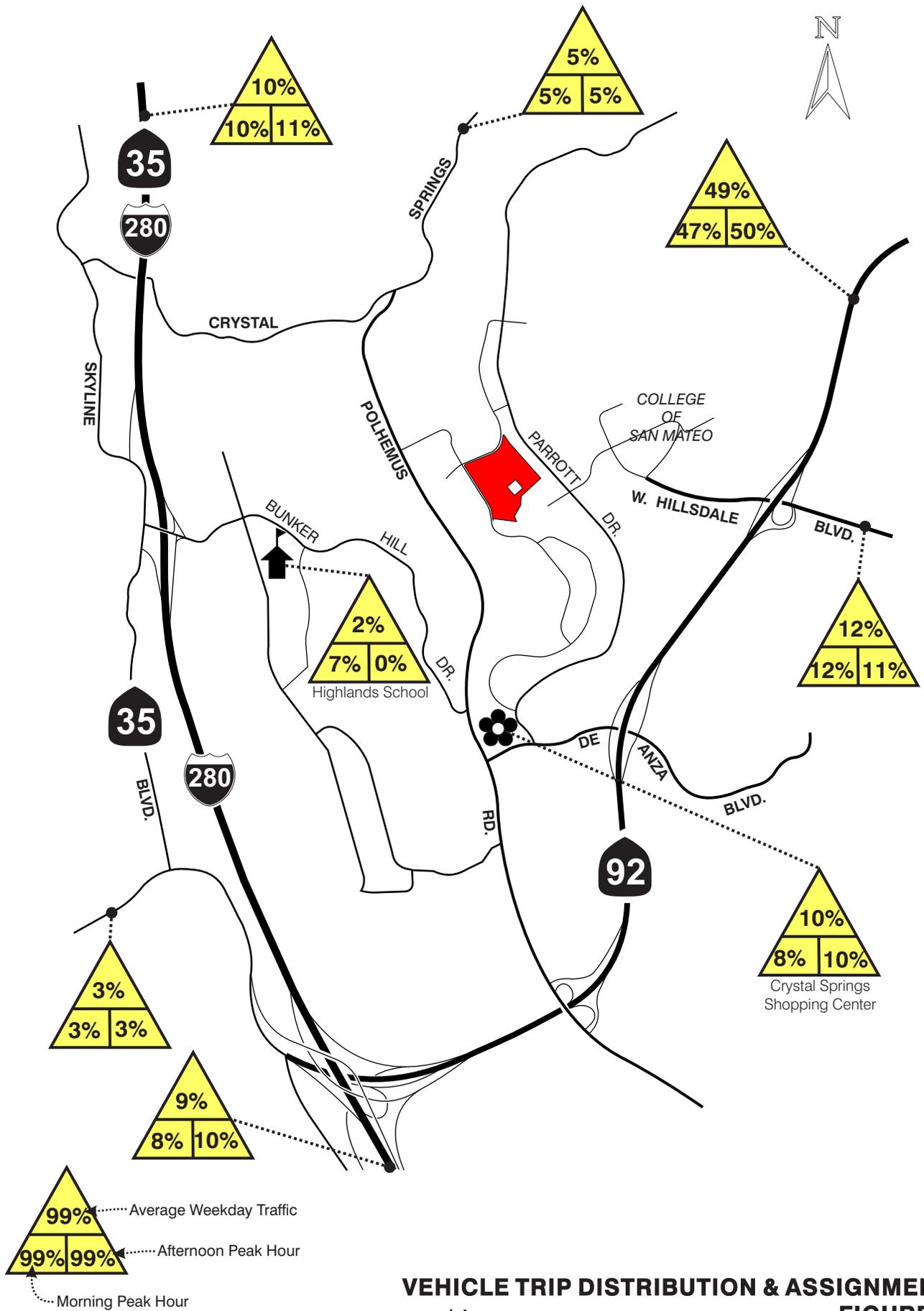
### PROJECT VEHICLE TRIP DISTRIBUTION

Project generated vehicle trips have been distributed on the basis of trip purpose as shown on Table 5 of the 2009 National Household Travel Survey<sup>4</sup> using Google Maps © to determine travel time routes to the trip purpose destinations. The assumed vehicle trip distributions are shown on Figure 4, Vehicle Trip Distribution & Assignment, page 14.

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<sup>3</sup> Institute of Transportation Engineers, 9<sup>th</sup> Edition, © 2012.

<sup>4</sup> U.S. Department of Transportation, Federal Highway Administration, Publication FHWA-PL-11-022, June 2011



**VEHICLE TRIP DISTRIBUTION & ASSIGNMENT**  
14  
**FIGURE 4**

## PROJECT CONDITIONS TRAFFIC VOLUMES

The Project Conditions (Existing + Approved + Project) daily traffic volumes on the six study area street segments are shown on Figure 5, Project Conditions Daily Traffic Volumes, page 16. Figure 5 shows the Background Conditions daily traffic volumes in comparison with Project Conditions daily traffic and the associated TIRE Indices. The change in TIRE Index on the six street segments as a result of project traffic being added is less than 0.10 on all of the street segments, and, therefore, the addition of project traffic results in a less than significant impact. Project conditions intersection peak hour traffic volumes are shown on Figure 5A, page 17.

## EXISTING PLUS PROJECT TRAFFIC VOLUMES

Because of a California State Supreme Court ruling, an Existing + Project Scenario must be evaluated. Figure 6, Existing + Project Conditions Daily Traffic Volumes, page 18, shows the changes in volumes and their associated TIRE Indices from Existing to Existing + Project Conditions. The change in TIRE Index on all of the street segments is less than 0.10. Figure 6A, page 19, shows the intersection peak hour volumes for the Existing + Project scenario.

## PROJECT CONDITIONS INTERSECTION LEVELS OF SERVICE

Levels of Service have been calculated for the project conditions scenario using the analysis methods contained in the *2000 Highway Capacity Manual* using the Synchro 6 program. The results of the LOS calculations are summarized in Table E below. The calculation worksheets are provided in Appendix B.

<b>TABLE E: Intersection Levels of Service Project Conditions</b>						
			Project Conditions		Ex. + Project Conditions	
STOP Controlled Intersections	Controlled Approach	Peak Hour	Delay	LOS	Delay	LOS
1 - Polhemus Road & Ascension Drive	Ascension Dr.	AM	16.3	C	15.5	C
		PM	13.3	B	12.9	B
2 - Ascension Drive & Bel Aire Road	4-way STOP	AM	7.8	A	7.8	A
		PM	7.2	A	7.1	A
3 - Parrott Drive & Laurie Lane	3-way STOP	AM	7.8	A	7.8	A
		PM	8.0	A	7.9	A
4 - Parrott Drive & CSM Drive	4-way STOP	AM	8.3	A	8.2	A
		PM	8.2	A	8.1	A

Delay is average control delay in seconds per vehicle.

LOS is Level of Service. See Table A1 for definitions.



	B	P
EB	796	835
WB	796	835
Total	1592	1670
T.I.R.E.	3.20	3.22

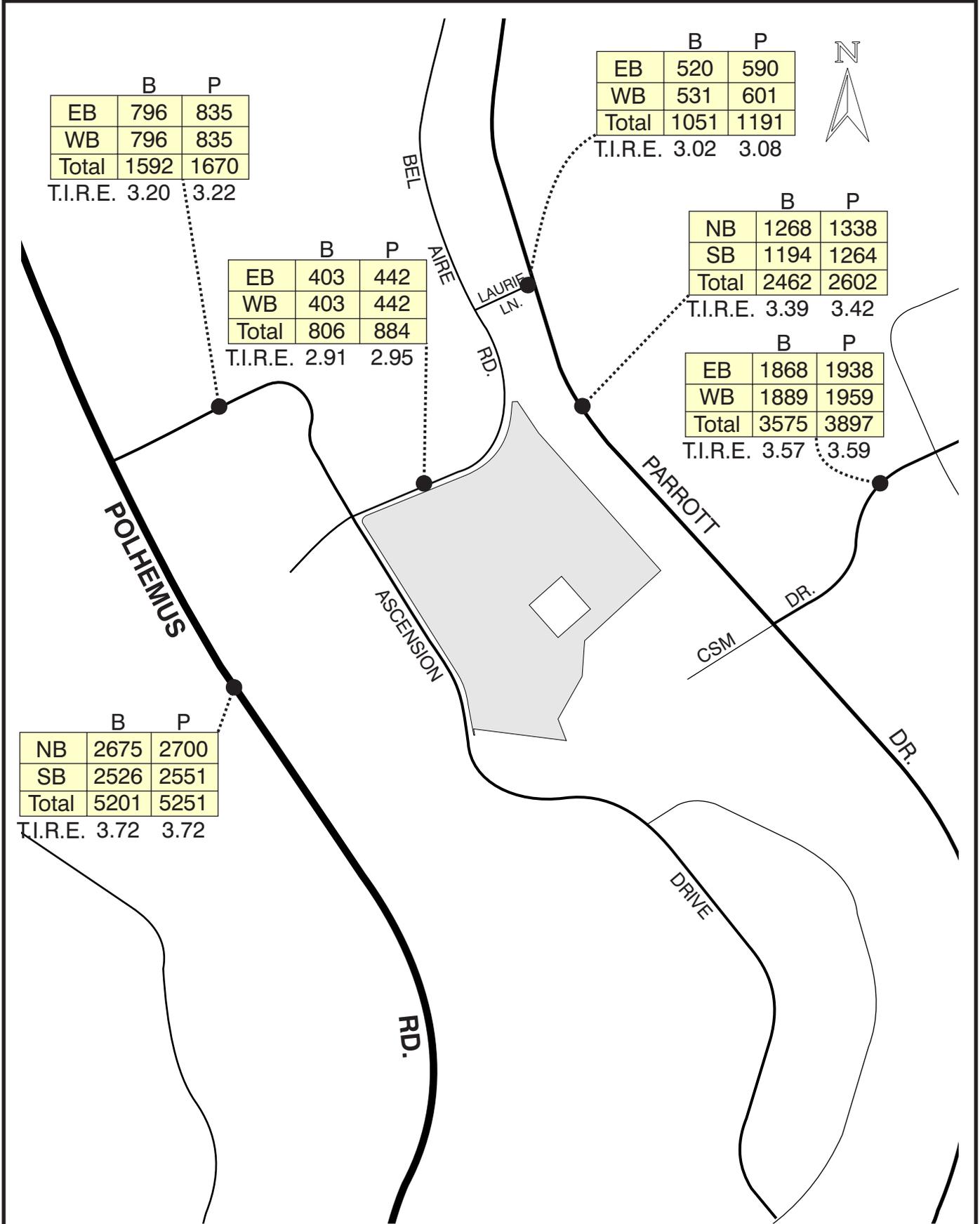
	B	P
EB	520	590
WB	531	601
Total	1051	1191
T.I.R.E.	3.02	3.08

	B	P
EB	403	442
WB	403	442
Total	806	884
T.I.R.E.	2.91	2.95

	B	P
NB	1268	1338
SB	1194	1264
Total	2462	2602
T.I.R.E.	3.39	3.42

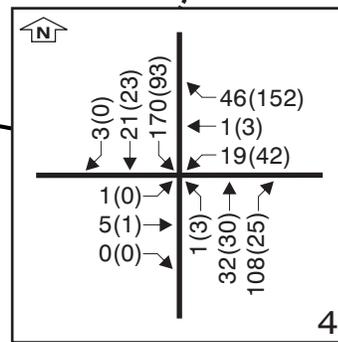
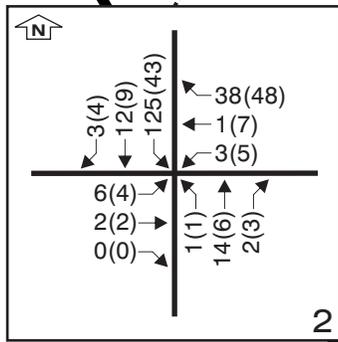
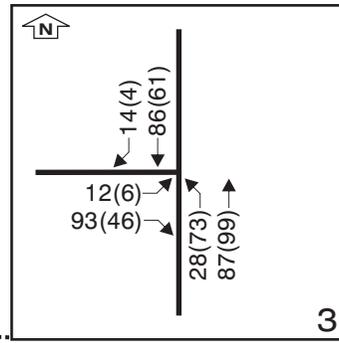
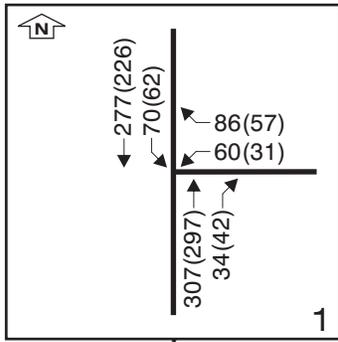
	B	P
EB	1868	1938
WB	1889	1959
Total	3575	3897
T.I.R.E.	3.57	3.59

	B	P
NB	2675	2700
SB	2526	2551
Total	5201	5251
T.I.R.E.	3.72	3.72



**PROJECT CONDITIONS DAILY TRAFFIC VOLUMES**  
**FIGURE 5**





NOTE: Intersections are oriented according to their placement in the TRAFFIX/SYNCHRO traffic network models. North orientation in the models is North on this diagram.

KEY:  
 000(000) = AM(PM) Peak Hour Traffic Volumes  
 AM Peak Hour Between 7 and 9 AM  
 PM Peak Hour Between 4 and 6 PM

**PROJECT CONDITIONS  
 PEAK HOUR VOLUMES  
 FIGURE 5A**





	E	E+P
EB	750	792
WB	750	792
Total	1500	1584
T.I.R.E.	3.18	3.20

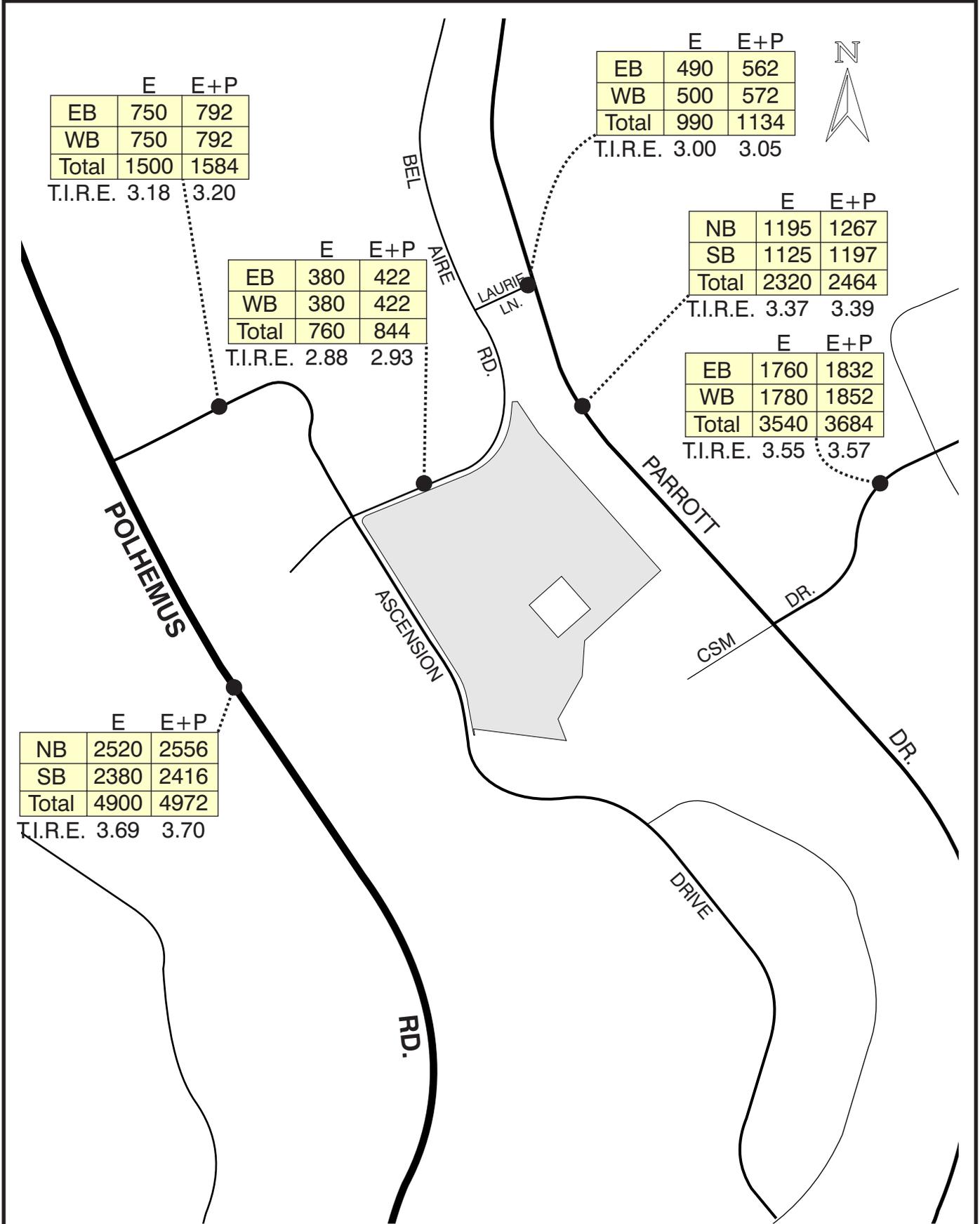
	E	E+P
EB	490	562
WB	500	572
Total	990	1134
T.I.R.E.	3.00	3.05

	E	E+P
EB	380	422
WB	380	422
Total	760	844
T.I.R.E.	2.88	2.93

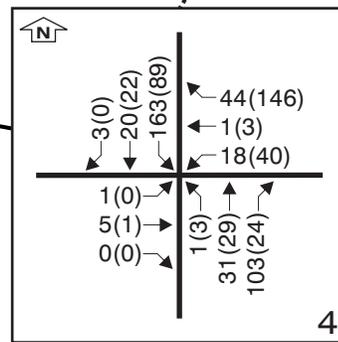
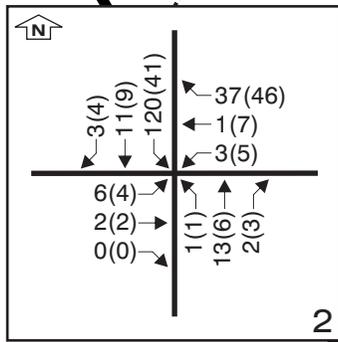
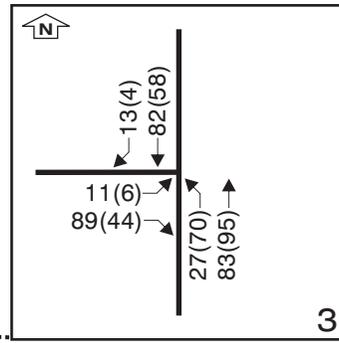
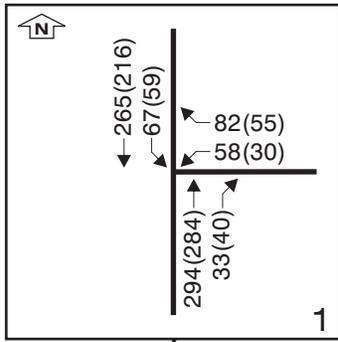
	E	E+P
NB	1195	1267
SB	1125	1197
Total	2320	2464
T.I.R.E.	3.37	3.39

	E	E+P
EB	1760	1832
WB	1780	1852
Total	3540	3684
T.I.R.E.	3.55	3.57

	E	E+P
NB	2520	2556
SB	2380	2416
Total	4900	4972
T.I.R.E.	3.69	3.70



**EXISTING + PROJECT CONDITIONS  
DAILY TRAFFIC VOLUMES  
FIGURE 6**



NOTE: Intersections are oriented according to their placement in the TRAFFIX/SYNCHRO traffic network models. North orientation in the models is North on this diagram.

KEY:  
 000(000) = AM(PM) Peak Hour Traffic Volumes  
 AM Peak Hour Between 7 and 9 AM  
 PM Peak Hour Between 4 and 6 PM

**EXISTING + PROJECT  
 PEAK HOUR VOLUMES  
 FIGURE 6A**



# **YEAR 2030 CUMULATIVE CONDITIONS**

---

## **SECTION 5.**

### **CUMULATIVE CONDITIONS SCENARIO**

The Cumulative Conditions scenario for purposes of this study are those that are expected by the year 2030. There are no identified future developments that could affect traffic volumes in the project study area. A background growth factor of 1.5% per year has been applied to the existing traffic volumes to extrapolate them to the year 2030.

### **CUMULATIVE CONDITIONS TRAFFIC VOLUMES**

The 2030 cumulative traffic volumes are shown on Figure 7, Cumulative Conditions Daily Traffic Volumes, page 21. Figure 7 also shows and compares the Cumulative + Project daily traffic volumes with the Cumulative Conditions volumes. The associated TIRE Indices show a less than 0.10 change in the index on all street segments, and, therefore, the addition of project generated traffic will not create a significant impact on the surrounding street system. Figure 7A, page 22, shows the intersection peak hour volumes for the cumulative scenario and Figure 7B, page 23, shows the intersection peak hour volumes for the cumulative + project scenario.

### **CUMULATIVE CONDITIONS INTERSECTION LEVELS OF SERVICE**

Levels of Service have been calculated for the cumulative conditions and the cumulative + project scenarios using the analysis methods contained in the *2000 Highway Capacity Manual* using the Synchro 6 program. The results of the LOS calculations are summarized in Table F on page 24. The calculation worksheets are provided in Appendix B.



	C	C+P
EB	966	1005
WB	966	1005
Total	1932	2010
T.I.R.E.	3.29	3.30

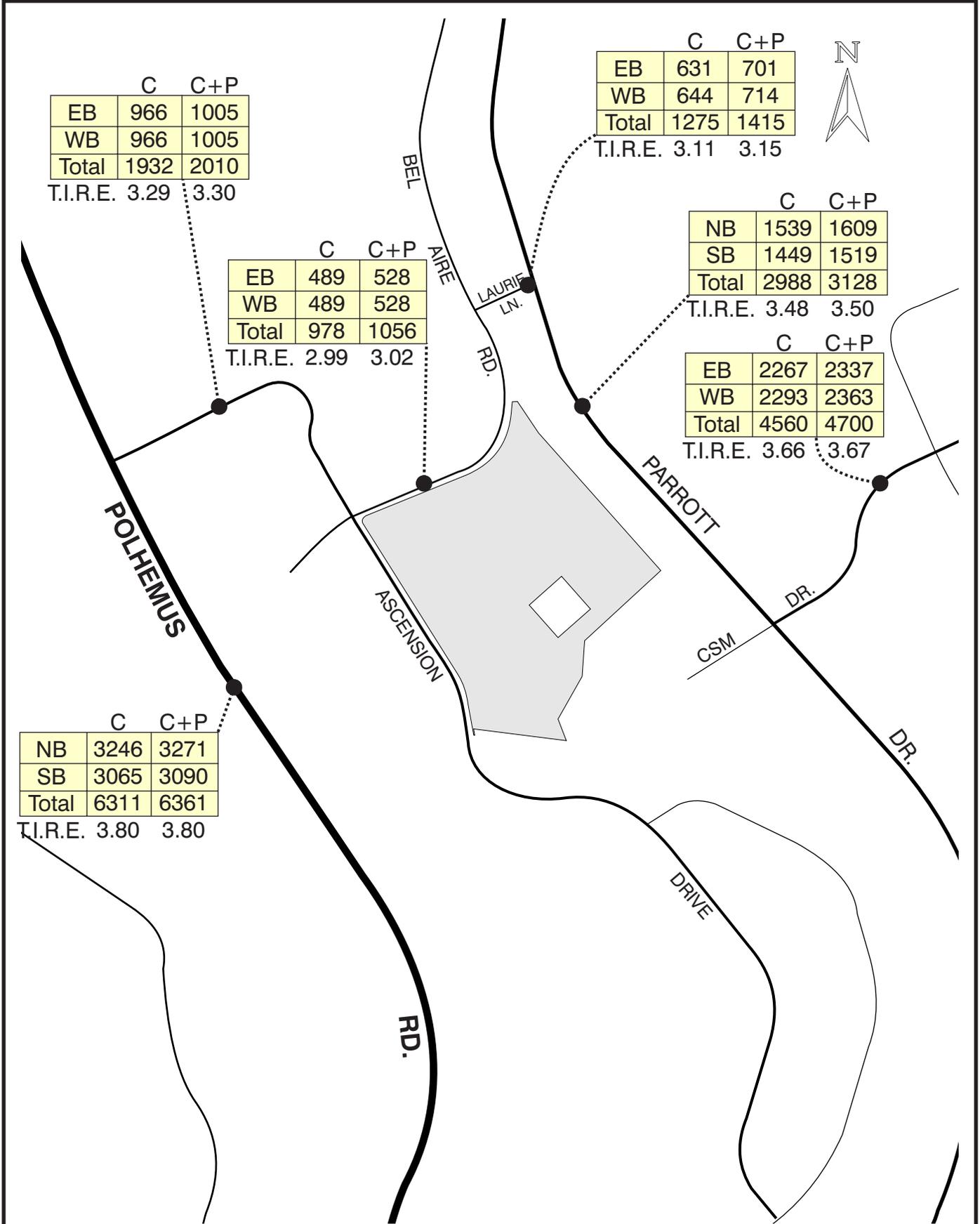
	C	C+P
EB	631	701
WB	644	714
Total	1275	1415
T.I.R.E.	3.11	3.15

	C	C+P
EB	489	528
WB	489	528
Total	978	1056
T.I.R.E.	2.99	3.02

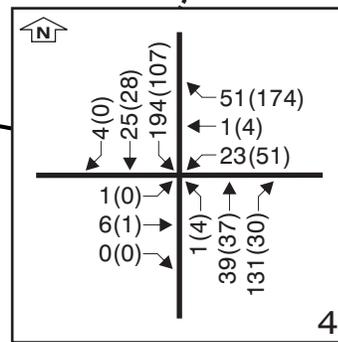
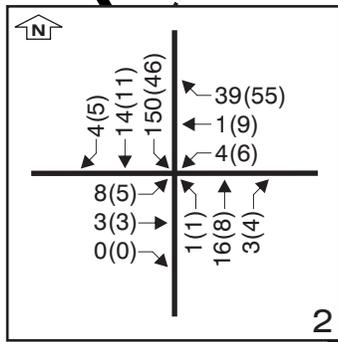
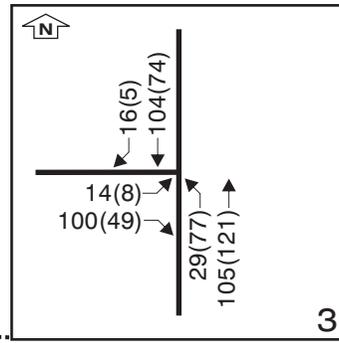
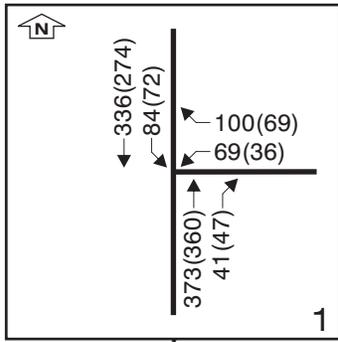
	C	C+P
NB	1539	1609
SB	1449	1519
Total	2988	3128
T.I.R.E.	3.48	3.50

	C	C+P
EB	2267	2337
WB	2293	2363
Total	4560	4700
T.I.R.E.	3.66	3.67

	C	C+P
NB	3246	3271
SB	3065	3090
Total	6311	6361
T.I.R.E.	3.80	3.80



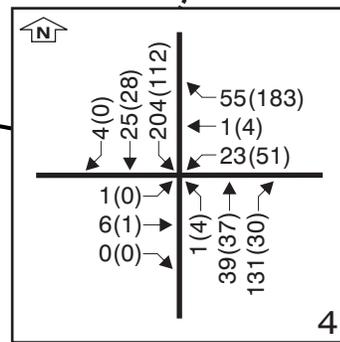
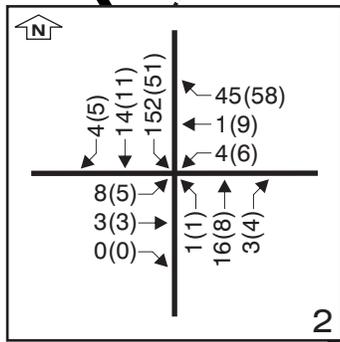
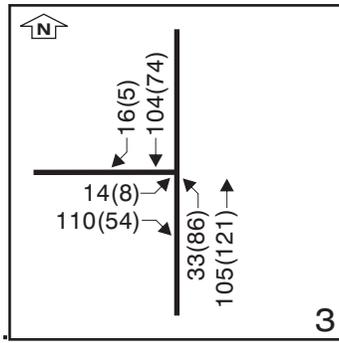
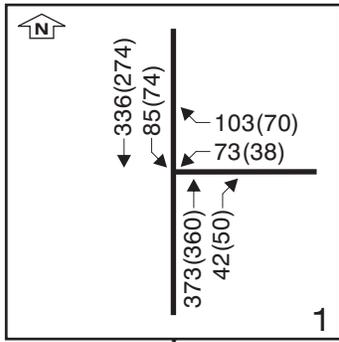
**CUMULATIVE CONDITIONS  
DAILY TRAFFIC VOLUMES  
FIGURE 7**



NOTE: Intersections are oriented according to their placement in the TRAFFIX/SYNCHRO traffic network models. North orientation in the models is North on this diagram.

KEY:  
 000(000) = AM(PM) Peak Hour Traffic Volumes  
 AM Peak Hour Between 7 and 9 AM  
 PM Peak Hour Between 4 and 6 PM

**CUMULATIVE CONDITIONS  
 PEAK HOUR VOLUMES  
 FIGURE 7A**



NOTE: Intersections are oriented according to their placement in the TRAFFIX/SYNCHRO traffic network models. North orientation in the models is North on this diagram.

KEY:  
 000(000) = AM(PM) Peak Hour Traffic Volumes  
 AM Peak Hour Between 7 and 9 AM  
 PM Peak Hour Between 4 and 6 PM

**CUMULATIVE + PROJECT CONDITIONS  
 PEAK HOUR VOLUMES  
 FIGURE 7B**



**TABLE F: Intersection Levels of Service  
Cumulative Conditions**

			Cumulative Conditions		C + Project Conditions	
STOP Controlled Intersections	Controlled Approach	Peak Hour	Delay	LOS	Delay	LOS
1 - Polhemus Road & Ascension Drive	Ascension Dr.	AM	21.9	C	22.8	C
		PM	15.4	C	15.7	C
2 - Ascension Drive & Bel Aire Road	4-way STOP	AM	8.0	A	8.1	A
		PM	7.2	A	7.3	A
3 - Parrott Drive & Laurie Lane	3-way STOP	AM	8.1	A	8.1	A
		PM	8.2	A	8.3	A
4 - Parrott Drive & CSM Drive	4-way STOP	AM	8.7	A	8.8	A
		PM	8.6	A	8.7	A

Delay is average control delay in seconds per vehicle.  
LOS is Level of Service. See TableA1 for definitions.

# **SITE ACCESS, CIRCULATION AND PARKING**

---

## **SECTION 6.**

### **SITE PLAN**

The subdivision plan is shown on Figure 8, Site Plan, page 26. The 19 lots will be served by private residential streets with one intersection on Bel Aire Road.

### **SITE ACCESS AND CIRCULATION**

Access to the site will be from Bel Aire Road via a single private street. Vehicles exiting the site should have adequate corner sight distance when entering Bel Aire Road. Corner sight distance is based on the stopping sight distance for vehicles traveling at 30 miles per hour, 5 mile per hour above the prima facie speed limit of 25 miles per hour. The area within the sight triangles should be unobstructed by landscape shrubbery, trees, large signs, or parked vehicles. See Figure 9, Corner Sight Distance, page 27.

The private streets are 36 feet wide, curb-to-curb, within a 50-ft. wide right of way. A 36-ft. wide street allows for two parking lanes each eight feet wide and two travel lanes each 10 feet wide. At the end of each of the two private streets there is a hammerhead cul-de-sac, 20 feet wide by 85 feet long. This end treatment is adequate for autos and single unit delivery trucks. Parking should not be allowed in the cul-de-sac areas.

The maximum grade on the private streets is around 19%. This is higher than typically allowed on residential streets (15-17% for mountainous conditions)<sup>5</sup> but the length of the grades is relatively short, under 500 feet.

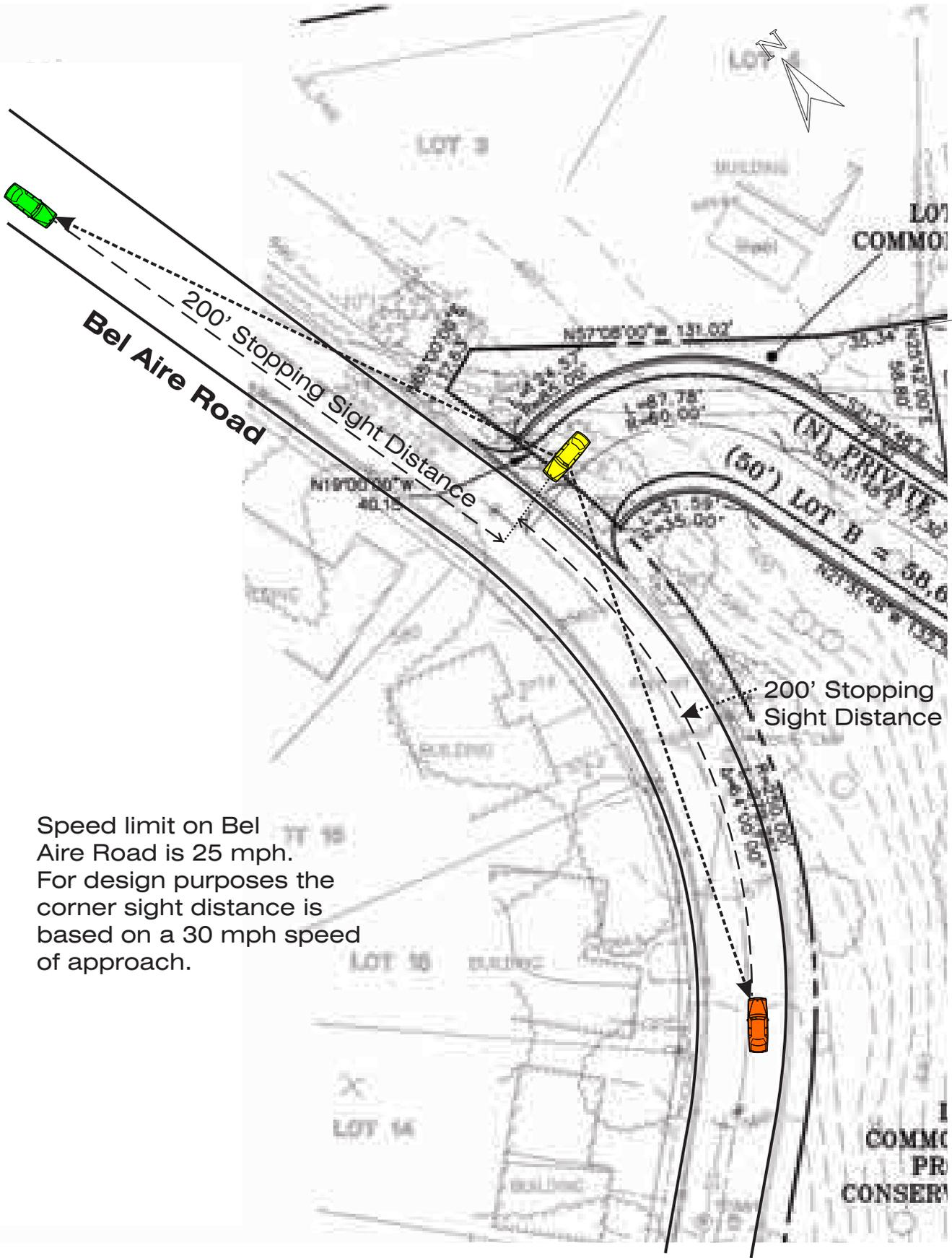
### **PARKING**

The private streets, like public streets of comparable size allow for parking on both sides of the street. For single family detached housing each unit is typically required to have two garage spaces and, depending on the lot configuration, space on the driveway for two additional vehicles. Street parking will depend on the location and proximity of one driveway to the next. Typically a single family detached house will be able to accommodate up to five vehicles on the site and immediately fronting the lot. Guests should be able to park on the driveways and immediately in front of each house without difficulty.

---

<sup>5</sup> AASHTO, A Policy on Geometric Design of Highways and Streets, 6<sup>th</sup> Edition, © 2011





Speed limit on Bel Aire Road is 25 mph.  
 For design purposes the corner sight distance is based on a 30 mph speed of approach.



**CORNER SIGHT DISTANCE  
 FIGURE 9**

## **PEDESTRIAN AND BICYCLE CIRCULATION**

The private streets are to have 5-ft. wide sidewalks on each side of the street. Bel Aire Road has a sidewalk only on the west side of the street and not on the east side where the subdivision is to be constructed. Pedestrians desiring to walk beyond the limits of the developed subdivision will have to cross Bel Aire Road and use the existing sidewalk there to access areas beyond the subdivision. Cyclists will have easy access to the surrounding street system, although there are no designated bike lanes on the surrounding residential streets.

The streets should be illuminated for the safety of pedestrians and cyclists. For a residential street with low pedestrian conflict areas such as on these streets the minimum maintained average illuminance should be 0.4 fc (foot candles) with an average to minimum uniformity ratio of 6.0.<sup>6</sup>

## **TRANSPORTATION DEMAND MANAGEMENT PLAN**

This project does not trigger the need for a Transportation Demand Management (TDM) Plan as mandated by the City-County Association of Governments (C/CAG) Congestion Management Program because it generates less than 100 net new peak hour trips on the CMP network.

## **CONSTRUCTION TRAFFIC**

Construction traffic will most likely access the site via Polhemus Road, Ascension Drive, and Bel Aire Road. Construction worker vehicles could park on the site and should also be able to park on the east side of Bel Aire Road without interfering with adjacent residential parking. An estimated 46,480 cubic yards of earth are to be excavated on the site and 19,970 cubic yards are to be remain on the site as fill. The remaining 26,510 cubic yards are to be off hauled. The off haul equates to about 40,000 bulk cubic yards. An 18 wheel end-dump truck can carry 15 bulk cubic yards, a single or double bottom dump semi-truck can carry 20-23 bulk cubic yards, and a 10 wheel dump truck can carry 10-13 bulk cubic yards. Assuming 30 working days for off haul and an average of 17 bulk cubic yards per truck, the number of truck trips per day into and out of the site will be on the order of 156. These truck trips will likely be on Bel Aire Road and Ascension Drive to Polhemus Road. This added construction traffic will, however, not result in a significant change to the TIRE Index for these two street segments.

---

<sup>6</sup> Illuminating Engineering Society of North America, American National Standard Practice for Roadway Lighting, Publication RP-8-00, 6/27/2000

# **CONCLUSIONS AND RECOMMENDATIONS**

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## **SECTION 7.**

### **CONCLUSIONS**

The Ascension Heights subdivision is estimated to generate 228 new vehicle trips during a typical weekday, 23 trips during the morning peak hour and 24 trips during the afternoon peak hour. Based on the TIRE Index analysis, none of the street segments in this study will experience a noticeable increase in traffic. The all-way STOP controlled intersections operate at LOS A for all scenarios analyzed. The controlled approach of Ascension Drive at Polhemus Road operates at LOS C or better under all scenario conditions. Thus, the project will not create a significant impact.

### **RECOMMENDATIONS**

#### **Off-site:**

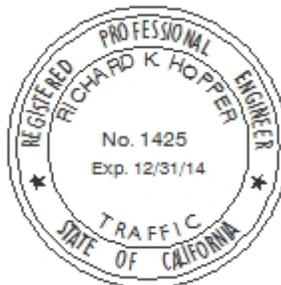
None.

#### **On-site:**

- 1) Within the corner sight triangles at the new street intersection there should be no walls, fencing, or signs that would obstruct visibility. Trees should be planted so as to not create a “wall” effect when viewed at a shallow angle. The type of shrubbery planted within the triangles should such that it will grow no higher than three feet above the adjacent roadway surface. Trees planted within the sight triangle areas should be large enough that the lowest limbs are at least seven feet above the surface of the adjacent roadway. Street parking should be prohibited within the bounds of the sight triangle.
- 2) Provide street lighting on the private streets to a level of 0.4 minimum maintained average foot-candles with a uniformity ratio of 6:1, average to minimum.

*Richard K Hopper*

Richard K. Hopper, P.E., PTOE  
Principal



**From:** Camille Leung  
**To:** Lisa Aozasa  
**CC:** James Hinkamp; Nathan Grover;  
**Date:** 12/17/2014 4:07 PM  
**Subject:** Re: Website: Department Announcements -- Most recent/relevant

Hi Lisa,

Nate has made the first change on a parallel site (some layout changes mostly) that will be launching tomorrow.

Should news item be re-titled "Comprehensive Transportation Management Plan (also referred to as "Connect the Coastside")? Just send us the title you like and Nate can change it :)

Thanks

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
Phone: (650) 363-1826  
Fax: (650) 363-4849

Please help us to serve you better and take a moment to complete our survey, just click on the link below:  
<http://planning.smcgov.org/webforms/san-mateo-county-planning-and-building-engagement-survey>

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>>> Lisa Aozasa 12/17/2014 4:04 PM >>>  
Hi Camille --

I know you may end up with a different configuration altogether for the info posted on our website, but in the meantime, can we ask Nate if there is a simple fix we can do right away to make the "Department Announcements" at the bottom of our home page show the most recent projects or news? As it is, you have to click "more" to find Ascension Heights and the Housing Element -- two brand new things, while the very old La Costanera Neg Dec is featured.

Also, I spoke to James H. and the news item called "Comprehensive Transportation Management Plan" could use some editing, to indicate that it is also called the "Connect the Coastside" project. If it makes sense to do some small improvements now ahead of the more comprehensive effort, these would be helpful to make.

Thanks!

Lisa

**From:** James Hinkamp  
**To:** Camille Leung  
**CC:** Lisa Aozasa; Nathan Grover;  
**Date:** 12/17/2014 4:10 PM  
**Subject:** Re: Website: Department Announcements -- Most recent/relevant

Hi Camille,

Just jumping in here - "Connect the Coastsides" would be preferred as that is the most recognizable title for the public. However, it would also be helpful to have "Comprehensive Transportation Management Plan" follow in parentheses.

Thanks,

James

**James A. Hinkamp**  
Planner/Ombudsperson  
San Mateo County Planning & Building  
(650) 599-1560  
jhinkamp@smcgov.org  
>>> Camille Leung 12/17/2014 4:07 PM >>>  
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Thanks!

Lisa

**From:** James Castaneda  
**To:** Gerard Ozanne  
**CC:** Dave Pine; David Burruto; Haithcox Marilyn (Lyn); Heather Hardy; Joh...  
**Date:** 1/5/2015 11:10 AM  
**Subject:** Re: Jan 28 meeting  
**Attachments:** FIG 3-4 Site Plan\_122013.pdf

Jerry, attached is the graphic you asked for.

>>> On 1/5/2015 at 10:27, Gerard Ozanne < > wrote:

Hi James,  
We already have missed the deadline for the January issue of the Highlands Lowdown, which is our most extensive notification means. It is critical for us to know the date, time and location just as soon as you can.

Are you planning on using the Hillsdale Little Theater? If so, we understand it holds just 249 people which will be inadequate since we had over 400 neighbors in 2009 and expect more this time.

Also, a critical figure (3-4) is missing from the DEIR. This figure is referred to repeatedly and offers the only, very limited detail of the "water drainage system". Can you provide this figure to us since no meaningful description or analysis is included in either the DEIR Hydrology section or Appendix G, Analysis of Water and Sewer Utilities? We have a preliminary version of Figure 3-4 but it contains a completely inadequate description of such a critical component of the project.

Please hurry with the meeting details since our ability to inform our neighbors has already been compromised!

Thank you,

Jerry

On Jan 5, 2015, at 8:15 AM, James Castaneda <jcastaneda@smcgov.org> wrote:

Good morning Laurel,

I'm hoping we'll have confirmation by the end of the week. Unfortunately the school district took a little longer than expected to approve our request for their venue, and now we need to sort out things on our end we couldn't do earlier. I apologize if I can't provide any more specifics on my end, and I'll have Heather update you regarding the specifics as soon as she works through those.

JAMES

>>> On 1/3/2015 at 10:15, Laurel Nagle < > wrote:

James,

Thanks for the information. I appreciate that the holidays make it difficult to get everyone's input to finish a task. However, we are on a tight timeline. We need to get materials to a printer by Jan 9. If I understand your email, it appears you may not have confirmation by then, is that so?

Laurel

Sent from my iPad

On Jan 2, 2015, at 4:09 PM, "James Castaneda" <jcastaneda@smcgov.org> wrote:

> Linda,

> We still working on the exactly location, but we're still on track for January 28th. Unfortunately, the theater at the CSM is closed for renovations through April, however Heather has been working diligently with the Hillsdale High School in using their facility. While we just received preliminary approval earlier this week for their theater, there's a few details we need to work out before we're fully set for that location. Heather needs to be out of the office for part of next week, and management will be back on Monday, so please bare with us as we work on the final location. Ill have Heather provide the venue specifics as soon as we have them.

>

>

> JAMES

>

>>>> Linda Ozanne 01/02/15 1:06 PM >>>

> Hi James

>

> Happy New Year to you.

>

> We are putting up signs to announce the meeting. We need to confirm the date, time and location ASAP in order to print and place the signs.

>

> Thanks

> Linda

>

**From:** James Castaneda  
**To:** michelle@smdailyjournal.com  
**Date:** 1/9/2015 6:51 AM  
**Subject:** Re: Media inquiry re: Ascension Heights development

Good morning Michelle, I'd be happy to answer what questions I can, however I'm unavailable today. Might sometime Monday morning after 10am work? Please let me know.

The applicant's information we have in the file is as follows:

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402  
(650) 578-0330

James

>>> Michelle Durand <michelle@smdailyjournal.com> 01/08/15 15:34 PM >>>

Hi James,

I'm putting together an article about the upcoming Planning Commission meeting on the Ascension Heights development and hoped to chat a little about the details. I'm working my way through the EIR and know some of the proposal's history but would like to ensure I've got my facts straight. Also, if you have any contact information for the developer, I'd appreciate it.

If you have any free time, I am available Friday before noon and after roughly 2:30 p.m.

Thank you,  
Michelle

Michelle Durand  
Senior Reporter / Columnist  
San Mateo Daily Journal  
800 S. Claremont St. #210  
San Mateo, CA 94402  
650-344-5200 ext. 102  
michelle@smdailyjournal.com  
Twitter: @michellemdurand  
www.smdailyjournal.com

**From:** Lisa Aozasa  
**To:** Diana Shu  
**Date:** 1/9/2015 3:46 PM  
**Subject:** Fwd: Is there more engineering information available  
**Attachments:** Is there more engineering information available

Hi Diana --

Please see attached e-mail sent to James by one of the Ascension Heights neighbors. I was hoping to get your help in responding -- is it appropriate to tell him that DPW has reviewed and approved preliminary drainage plans and that additional, more detailed plans are not required at this point? Is it appropriate to say that we do not need to call in some other engineering firm to review the plans, since we have a whole department of engineers that work for the County (aka DPW) and adopted standards for drainage systems, including for drainage systems in hillside areas? :-) O.k., I'm not really going to say that, but isn't that really the truth of it? What I'd like to do is send him a response that basically explains our standard process and outline who is responsible for what in terms of drainage. And/or, sometimes, Richard will meet with folks at the counter and sit down with them to explain the plans, which I think is very helpful; most walk away with a much better understanding of what's being proposed. Your thoughts? Thanks!

Lisa

**From:** John Mathon <  
**To:** James Castaneda <jcastaneda@smcgov.org>, Gerard Ozanne  
**Date:** 1/8/2015 4:29 PM  
**Subject:** Is there more engineering information available  
**Attachments:** 20130702\_PLN2002-517-Plans.pdf.zip

James,

I was talking to several engineering organizations today and I realize as far as environmental concerns of the project the FEIR is the "bottom line" but there must be more that has to do with specifically "how" the developer plans to do this project? The document Jerry sent me that was the missing artifacts showing the containment vessels on the hill as a case.

Is there a way we can make such documents available to us or to an engineering firm we bring in? Our concerns go beyond environmental concerns but also concern the engineering of the project.

The document that showed the containment vessels we got in 2013 (i attach it) is seriously in error as well as it seems to show only 19 not 20 vessels as the FEIR discusses, most significantly it misses the large central containment vessel. The existing drawings show the 19 storage vessels connected in series. This means any flow stoppage downstream will cause failure for all the other containment vessels upstream. The locations of some of the vessels (the ones along the steepest part of the hill for instance) implies putting water containment vessels on a steep hillside. I have now talked to 5 civil engineers (including 3 who the county has used in the past) and all of them have said. "That is a problem." One said: "The first thing they teach us in engineering is don't put water on a hillside." another said: "The developer has to propose an alternate plan. This is not feasible."

Can you explain what the counties due diligence will be with respect to the storage system proposed? Do you plan to hire an engineering firm to stipulate to the developer how to build such a system? I am very concerned if left to himself he would come up with a very dangerous plan. For instance how big do the vessels need to be to forestall additional runoff into the system? How do they need to be braced on the hill to prevent slippage? How will leaks and breaks be maintained? The FEIR says maintenance consists of examining for leaves once a year. This seems dangerously simplistic. Will they be required to do leak detection? How will the system be timed with respect to other releases from the rest of the neighborhood? Will it be an automated system? Will somebody manually decide when to release water? There are so many concerns with this aspect of the project alone.

I want to point out that burying the water underground is potentially far more dangerous than having it on the surface. A leak under the containment vessel unobserved could be undermining soil around it for a large distance or even contributing to a massive failure (landslide).

I believe the county needs to bring in some independent engineering resources, people familiar with storing water on hills, like dam construction companies. Is there any plan to demand such independent review of the hillside water storage system? It just seems for your own benefit (the counties) that we are all sure this system does not pose untoward danger.

Do you have any additional material related to engineering?

rgds, John follow me: [image: Wordpress]  
<<http://johnmathon.wordpress.com/>>[image: Twitter]  
<[https://twitter.com/john\\_mathon](https://twitter.com/john_mathon)>

**From:** Diana Shu  
**To:** Lisa Aozasa  
**Date:** 1/9/2015 5:55 PM  
**Subject:** Re: Fwd: Is there more engineering information available

This is a subdivision application not a building permit application.  
I'll be happy to go over it with them if they want to meet.  
My schedule is in groupwise.  
Diana

Diana Shu  
dshu@smcgov.org  
650-599-1414  
Please provide us with your feedback at:  
<https://www.surveymonkey.com/s/DPWTraffic>

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**From:** Diana Shu  
**To:** Jay Mazzetta  
**CC:** James Castaneda; Lisa Aozasa  
**Date:** 1/9/2015 6:48 PM  
**Subject:** Fwd: Is there more engineering information available  
**Attachments:** Is there more engineering information available

Jay

Do you have a soils report for Ascension Heights that examined the stormwater facilities on this project?

Thanks

Diana

Diana Shu  
dshu@smcgov.org  
650-599-1414

Please provide us with your feedback at:  
<https://www.surveymonkey.com/s/DPWTraffic>

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rgds, John follow me: [image: Wordpress]  
<<http://johnmathon.wordpress.com/>>[image: Twitter]  
<[https://twitter.com/john\\_mathon](https://twitter.com/john_mathon)>

**From:** Camille Leung  
**To:** Diana Shu; James Castaneda  
**CC:** Heather Hardy; Lisa Aozasa  
**Date:** 1/13/2015 9:37 AM  
**Subject:** Re: C3C6 Form for Ascension Heights

Hi James,

I will circle the C3 C6 conditions for you from the Planner Templates handout from the "PLN NPDES Guidance" PDF.

Just spoke with Diana and she does not have the C3C6 form. It is not a Doc in Accela. This form is needed before it goes to hearing. Diana also need a resubmittal and has not signed off for DPW.

Thank you

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
Phone: (650) 363-1826  
Fax: (650) 363-4849

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>>> Camille Leung 12/4/2014 10:35 AM >>>  
Hi James,

I dont think I have the C3C6 form for Ascension Heights. Diana, do you have it? We will need a completed C3C6 form for Ascension Heights prior to the PC hearing. Last I heard the hearing is January 28th.

Thanks

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
Phone: (650) 363-1826  
Fax: (650) 363-4849

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**From:** James Castaneda  
**To:** twilson@analyticalcorp.com  
**CC:** Aozasa, Lisa  
**Date:** 1/14/2015 2:18 PM  
**Subject:** RE: Additional EIR Documents (followup)  
**Attachments:** PLN2002-00517\_PC2009-12-09 Stf Rpt (dragged).pdf

Thanks Trent, this is very helpful. One last thing: I need to do also do a Resolution exhibit for the Mitigation Monitoring plan (see attached for what we did last time). So if you can help us out by recreating the intro part, and then maybe just copying and pasting in the mitigation table, we should be set. Draft of the report is out for review right now, so hoping to get the attachments done by Friday morning so I can have the director look over it this weekend. Thanks for your help Trent.

JAMES

>>> Trenton Wilson 01/13/15 2:55 PM >>>  
<!--/\* Font Definitions \*/@font-face{font-family:"Cambria Math";panose-1:2 4 5 3 5 4 6 3 2 4;}@font-face{font-family:Calibri;panose-1:2 15 5 2 2 4 3 2 4;}@font-face{font-family:Tahoma;panose-1:2 11 6 4 3 5 4 4 2 4;}@font-face{font-family:"Arial Narrow";panose-1:2 11 6 6 2 2 3 2 4;}@font-face{font-family:"Palatino Linotype";panose-1:2 4 5 2 5 5 3 3 4;}/\* Style Definitions \*/p.MsoNormal, li.MsoNormal, div.MsoNormal{mso-margin-top-alt:auto;margin-right:0in;mso-margin-bottom-alt:auto;margin-left:0in;font-size:12.0pt;font-family:"Times New Roman", "serif";mso-believe-normal-left:yes;}a:link, span.MsoHyperlink{mso-style-priority:99;color:blue;text-decoration:underline;}a:visited, span.MsoHyperlinkFollowed{mso-style-priority:99;color:purple;text-decoration:underline;}span.EmailStyle17{mso-style-type:personal;font-family:"Calibri", "sans-serif";color:#1F497D;}span.EmailStyle18{mso-style-type:personal;font-family:"Calibri", "sans-serif";color:#1F497D;}span.EmailStyle20{mso-style-type:personal-reply;font-family:"Calibri", "sans-serif";color:#1F497D;} .MsoChpDefault{mso-style-type:export-only;font-size:10.0pt;}@page WordSection1{size:8.5in 11.0in;margin:1.0in 1.0in 1.0in 1.0in;}div.WordSection1{page:WordSection1;}-->p.MsoNormal{margin-left:3.0pt;}Here you are.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Tuesday, January 13, 2015 7:49 AM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: RE: Additional EIR Documents (followup)

That sounds perfect! Just want to make sure I carve out time and put a place holder in our attachments for the staff report. Thanks for heads up Trent. Keep me posted.

>>> On 1/13/2015 at 07:49, Trenton Wilson <twilson@analyticalcorp.com> wrote:  
I will take the first run at it and send you a draft to finalize, how does that sound?

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES

Senior Project Manager | twilson@analyticalcorp.com  
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916.447.3479 | Fax 447.1665  
www.analyticalcorp.com

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Tuesday, January 13, 2015 7:37 AM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: RE: Additional EIR Documents (followup)

Trent, as soon as you can, I really need a quick follow up on this item so I can allocate time to this as we're getting down to our publication deadlines. I'm sorry I didn't ask this earlier.

JAMES

Hi Trent, sorry to be bugging you as we're on the homestretch here. I wanted to follow-up on the statement of findings and facts, and seeing who's on the hook to write that. Let me know when you get a chance so I can plan accordingly.

JAMES

So, I have the mitigation monitoring and reporting plan (section 4 of the FEIR), but do I have (or will get) the statement of findings and facts? Just wanting to make sure I understand it. If its easier to explain in a phone call, ill be at my desk all afternoon through 4 today.

>>> On 1/9/2015 at 12:13, Trenton Wilson <twilson@analyticalcorp.com> wrote:

Correct! All are needed.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com  
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916.447.3479 | Fax 447.1665  
www.analyticalcorp.com

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Friday, January 09, 2015 12:06 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Additional EIR Documents

Good afternoon Trent,

I'm listing out the attachments on our staff report, and wanted to see what we need to included that's EIR related. As far as the EIR is concerned, the Planning Commission will need to consider 1) certify the FEIR, 2) adopt the mitigation monitoring and reporting plan and 3) statement of findings and facts (at least what we did last time). And we dont have any significant and avoidable impacts, so we don't need a statement of overriding considerations, correct? Just check if I'm correct in these, because a resolution for each of those will need to be drafted for those.

JAMES

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
[planning.smcgov.org](http://planning.smcgov.org) | [sforoundtable.org](http://sforoundtable.org)

**From:** Jim Toby <jtoby@leabraze.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 1/14/2015 5:41 PM  
**Subject:** RE: C3/C6 Form/Revision, Ascension

Thanks James, we are definitely working on it right now. I am hoping to have the revised tentative map back to you tomorrow afternoon, then followed by the C3/C6 sheets and finally the updated hydrology that Diana has requested.

I will keep you in the loop of our progress and send you over any of the individual items once they are done so you can have them as soon as we can get them to you.

Thanks, Jim

Jim Toby, P.E., P.L.S, Leed AP  
Principal/Civil Engineering  
Qualified SWPPP Developer (QSD)  
Lea & Braze Engineering, Inc  
Civil Engineers | Land Surveyors  
San Francisco Bay Area Region  
2495 Industrial Parkway West  
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Phone: 510-887-4086 x.105 Email: JToby@leabraze.com<mailto:JToby@leabraze.com>  
Roseville/Sacramento Region  
3017 Douglas Blvd., Suite 300  
Roseville, CA 95661  
Phone: 916-966-1338  
www.leabraze.com<http://www.leabraze.com/>

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, January 14, 2015 4:59 PM  
To: Jim Toby  
Cc: Lisa Aozasa  
Subject: Re: C3/C6 Form/Revision, Ascension

Hi Jim, just checking the status. Hate to bug, but we're running down to the wire here and need to package the report and its attachments. Let me know when we can expect those so I can plan on my end.

>>> Jim Toby 01/13/15 9:55 AM >>>

Thanks James, I have been working on this now will get it done as soon as I possibly can. Thanks Jim

Sent from my iPhone

On Jan 13, 2015, at 9:41 AM, James Castaneda  
<jcastaneda@smcgov.org<mailto:jcastaneda@smcgov.org>> wrote:  
Jim,

As soon as you have a second, I need to get a C3/C6 form over to Diana and Camille. I thought we had this already, but we dont. If you have that already, we need that as soon as you get a chance. Also, I need those revisions ASAP. I need them for graphics and Diana wants to take a look at them. Thanks.

JAMES

**From:** Heather Hardy  
**To:** 2014 P/C  
**CC:** Diana Shu; James Castaneda; Lisa Aozasa; Steve Monowitz; Tim Fox  
**Date:** 1/15/2015 11:17 AM  
**Subject:** Ascension Heights Final Environmental Impact Report / Site Visit  
**Attachments:** AscensionHeightsSiteVisit.pdf

Dear Commissioners,

The Final Impact Report - Vol I: Responses to Comments (FEIR) for the Ascension Heights project is located at this link ( [https://planning.smcgov.org/sites/planning.smcgov.org/files/PLN2002-00517\\_FEIR-Vol1\\_RTC.pdf](https://planning.smcgov.org/sites/planning.smcgov.org/files/PLN2002-00517_FEIR-Vol1_RTC.pdf) ). If you would like a hard copy of the FEIR, please respond to this email. Project Planner James Castaneda (cc'd here) can provide one for you. The project's website is located here ( <https://planning.smcgov.org/ascension-heights-subdivision-project> ). I anticipate that the staff report will publish approximately next Wednesday, January 21. As a reminder, our Ascension Heights meeting is scheduled as follows:

Wednesday, January 28  
7:00 PM  
Hillsdale High School Main Theater

Finally, I've attached the request from the Baywood Park HOA that I arrange site visits for Commissioners Hansson, Kersteen-Tucker, Ramirez, and Dworetzky. Please let me know if you are willing and available to participate. Ms. Nagle was in our office just a few minutes ago to visit me, and she stressed that her schedule is flexible and she will make herself available to meet at your convenience.

Thank you,  
Heather

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

Planning and Building Department  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
(650) 363-1859 T  
(650) 363-4849 F  
[www.planning.smcgov.org](http://www.planning.smcgov.org) ( [about:www.planning.smcgov.org](http://about:www.planning.smcgov.org) )

**From:** Jim Toby <jtoby@leabraze.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 1/16/2015 6:13 PM  
**Subject:** RE: C3/C6 Form/Revision, Ascension  
**Attachments:** 2010135 tnt Ascension Heights 1-16-15.pdf

James, here is the updated Tentative map as we talked about.

Please let me know if you have any questions. I will also have the C3/C6 sheets to you on Monday.

Thanks, Jim

Jim Toby, P.E., P.L.S, Leed AP  
Principal/Civil Engineering  
Qualified SWPPP Developer (QSD)  
Lea & Braze Engineering, Inc  
Civil Engineers | Land Surveyors  
San Francisco Bay Area Region  
2495 Industrial Parkway West  
Hayward, CA 94545  
Phone: 510-887-4086 x.105 Email: JToby@leabraze.com<mailto:JToby@leabraze.com>  
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www.leabraze.com<http://www.leabraze.com/>

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, January 14, 2015 4:59 PM  
To: Jim Toby  
Cc: Lisa Aozasa  
Subject: Re: C3/C6 Form/Revision, Ascension

Hi Jim, just checking the status. Hate to bug, but we're running down to the wire here and need to package the report and its attachments. Let me know when we can expect those so I can plan on my end.

>>> Jim Toby 01/13/15 9:55 AM >>>

Thanks James, I have been working on this now will get it done as soon as I possibly can. Thanks Jim

Sent from my iPhone

On Jan 13, 2015, at 9:41 AM, James Castaneda  
<jcastaneda@smcgov.org<mailto:jcastaneda@smcgov.org>> wrote:  
Jim,

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JAMES

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department

**From:** James Castaneda  
**To:** Jay Mazzetta  
**CC:** Lisa Aozasa  
**Date:** 1/20/2015 7:15 AM  
**Subject:** Hillside Development, Ascension Heights

Good morning Jay,

If you can do us a big favor and sync up with Jean regarding the Ascension Heights. The letters are starting to come in and we're going to get really pushed on the stability of the hill and given the landslide failures that have occurred in vicinity, there's concerns this specific spot will encounter the same. Based on what I know about the geological/soils aspects from the pervious project, the site is different of a different soil that's more stable than the area around it, so I want to make sure when we're asked by the Planning Commission that we're articulate with our response. Thanks Jay.

JAMES

**From:** James Castaneda  
**To:** Bryan Keller  
**CC:** Heather Hardy; Lisa Aozasa  
**Date:** 1/20/2015 7:19 AM  
**Subject:** Re: Ascension Heights development

Thank you for your email and concerns Mr. Keller. Ill make sure that the Planning Commission receives your letter, as they will be the decision makers for this subdivision and take the community's feedback, as well as staff's findings and environmental review, under consideration in their decision.

Regards,  
James

>>> On 1/19/2015 at 21:26, Bryan Keller < > wrote:

Dear Mr. Castaneda and the Planning Department,

I am concerned about the Ascension Heights development currently being reviewed by the County. Below are some of my concerns.

1. The hill does not appear to be suitable place to build housing. Even a layperson can look at the hill and see the massive signs of erosion and instability on the very steep slope. I live on Starlite Dr., a few houses away from where the Polhemus landslide of the late 1990 destroyed and seriously damaged homes. You probably know that the County was sued and forced to spend millions of dollars to stabilize the hill.

However, even after taxpayers shelled out millions, the hill is STILL NOT STABLE. One house that was destroyed in the landslide and was entirely rebuilt is again sliding down the hill and has suffered catastrophic foundation damage. The house was recently sold for less than half the market price as a result. This negatively affects the value of all houses in the area. That, in turn, affects neighborhood property owners and the County's property tax revenue.

The County could potentially be sued if this new development is green-lighted and the houses suffer catastrophic damage in the future. Taxpayers will again be the loser.

2. The area needs open space. Building on steep slopes is a serious fire hazard. This can be seen with the Oakland Hills fire in the early 1990s, where the fire spread quickly and relentlessly from one house to the next, ultimately destroying thousands of homes. Open space can act as a firewall to prevent fires from spreading across the entire neighborhood, which is especially important in a very hilly area like Baywood Park.

Also, Baywood Park has no public parks (ironic given the name). Even heavily urban areas like San Francisco have public parks for residents to enjoy. It is one of the most important factors in giving residents a high quality of life. Much of the undeveloped land in the area is owned by the City of San Francisco to protect its water supply and is not open or accessible to the public.

I feel the County should consider purchasing this land and make it a public park, both for fire safety reasons and quality of life reasons.

3. The aesthetics of the area will be seriously impacted by this development. These tall, looming houses will in no way fit in with the established 50's, single story, ranch style houses that make up the majority of the neighborhood. They will clash with existing homes, and they will destroy the dramatic natural beauty of the area. Not only will these houses tower over those on Parrott Dr., destroying residents' privacy, but they will also be visible from several vantage points, including from the College of San Mateo campus, where now all you can see are trees on a hill.

Maintaining aesthetics is important in attracting the best and brightest to an area, which is good for the local economy and culture. Cities such as San Francisco and Berkeley have stringent requirements around aesthetics, and I don't feel San Mateo County should be any different. We should protect the beauty we still have available to us rather than destroy it.

4. I share other concerns as well, such as the multi-year long construction time, the air pollution problems, and the terrible and dangerous configuration of the street leading into the development. These points have been well articulated by others so I won't repeat them.

Thank you for reading. I look forward to attending your meeting on the 28th.

Sincerely,  
Bryan Keller  
172 Starlite Dr.

**From:** James Castaneda  
**To:** Talila Baron  
**CC:** Dave Pine; Heather Hardy; Lisa Aozasa;  
**Date:** 1/20/2015 7:21 AM  
**Subject:** Re: NO on the Ascension Heights Development

Thank you for your email and concerns Ms Baron and Mr Rosenberg. Ill make sure that the Planning Commission receives your letter, as they will be the decision makers for this subdivision and take the community's feedback under consideration in their decision.

Regards,  
James

>>> On 1/18/2015 at 15:38, Talila Baron < > wrote:

Hello,

As long-time residents of the Enchanted Hills area, we are **deeply opposed** to the initiative to build the Ascension Heights Development. The construction would dangerously impact the hillside, creating the possibility of landslides, massive property damage, and even loss of human life.

Moreover, the 27 months+ of construction would create significant noise and air pollution, as well as a constant problem with traffic, degrading quality of life for renters and homeowners in the area.

Development must happen responsibly -- or not at all, and with a view to the long term.

Thank you,

Talila Baron & Greg Rosenberg  
179 Starlite Drive  
San Mateo, CA 94402  
650-358-9397

**From:** James Castaneda  
**To:** John Draper  
**CC:** Heather Hardy; Lisa Aozasa  
**Date:** 1/20/2015 7:21 AM  
**Subject:** Re: Please reject Water Tank Hill development...

Thank you for your email and concerns Mr. Draper. Ill make sure that the Planning Commission receives your letter, as they will be the decision makers for this subdivision and take the community's feedback, as well as staff's findings and environmental review, under consideration in their decision.

Regards,  
James

>>> On 1/18/2015 at 13:31, John Draper < > wrote:

Dear Mr. Castaneda,

I live at 1836 Los Altos Dr. quite near the proposed 19 home development, and my wife and I are in strong opposition to the proposed development for a number of sound reasons:

**Unstable geologic conditions** which I have seen over the past 30 years. Our HOA had to spend thousands of dollars to support the sliding east side of Los Altos Dr. a few years ago. And just take a look at the Water Tank hill's erosion at the cross of Bel Aire and Ascension and imagine construction on a 40% grade!

**Noise, dirt, poor air quality and traffic congestion** with 156 earth moving trucks a day!

Removal of trees that are important wind blocks for residents.

**Draught related water issues** for containing dust and for the residential use of 19 potential new homes.

**Arrogant developer** who did not apparently follow the guidelines of 2014 FEIR.

All in all this is a poorly conceived project on a questionable site of potentially very unstable land, and I hope you will vote against the development.

Thank you very much,

John Draper  
1836 Los Altos Drive  
San Mateo, CA 94402

**From:** Jay Mazzetta  
**To:** James Castaneda  
**CC:** Jean Demouthe; Jean Demouthe; Lisa Aozasa  
**Date:** 1/20/2015 7:26 AM  
**Subject:** Re: Hillside Development, Ascension Heights

I will pass this along to Jean, she is the one familiar with this project.

>>> James Castaneda 1/20/2015 7:15 AM >>>

Good morning Jay,

If you can do us a big favor and sync up with Jean regarding the Ascension Heights. The letters are starting to come in and we're going to get really pushed on the stability of the hill and given the landslide failures that have occurred in vicinity, there's concerns this specific spot will encounter the same. Based on what I know about the geological/soils aspects from the pervious project, the site is different of a different soil that's more stable than the area around it, so I want to make sure when we're asked by the Planning Commission that we're articulate with our response. Thanks Jay.

JAMES

**From:** "Demouthe, Jean" <  
**To:** JCastaneda@smcgov.org; JMazzetta@smcgov.org  
**CC:** LAozasa@smcgov.org; JDemouthe@smcgov.org  
**Date:** 1/20/2015 8:35 AM  
**Subject:** RE: Hillside Development, Ascension Heights

I'll be in tomorrow morning (Wednesday) and will deal with this, if somebody will make sure the paperwork is on my desk.

Jean

From: Jay Mazzetta [mailto:jmazzetta@smcgov.org]  
Sent: Tuesday, January 20, 2015 7:26 AM  
To: James Castaneda  
Cc: Demouthe, Jean; Jean Demouthe; Lisa Aozasa  
Subject: Re: Hillside Development, Ascension Heights

I will pass this along to Jean, she is the one familiar with this project.

>>> James Castaneda 1/20/2015 7:15 AM >>>

Good morning Jay,

If you can do us a big favor and sync up with Jean regarding the Ascension Heights. The letters are starting to come in and we're going to get really pushed on the stability of the hill and given the landslide failures that have occurred in vicinity, there's concerns this specific spot will encounter the same. Based on what I know about the geological/soils aspects from the pervious project, the site is different of a different soil that's more stable than the area around it, so I want to make sure when we're asked by the Planning Commission that we're articulate with our response. Thanks Jay.

JAMES

**From:** James Castaneda  
**To:** Jim Toby  
**CC:** Lisa Aozasa  
**Date:** 1/20/2015 12:12 PM  
**Subject:** RE: C3/C6 Form/Revision, Ascension  
**Attachments:** 2015\_01\_20\_12\_09\_12.pdf

Thanks Jim. I'm going to incorporate these for staff report, but I did find some errors with the setbacks for lots 7 and 12. See attached for details. If possible, I'd like to have this edited by tomorrow morning, but if it isn't, we'll go with Friday's copy since we're out of time. We'll just make sure it's reflected corrected at the final map stage.

>>> On 1/16/2015 at 18:12, Jim Toby <jtoby@leabraze.com> wrote:

James, here is the updated Tentative map as we talked about.

Please let me know if you have any questions. I will also have the C3/C6 sheets to you on Monday.

Thanks, Jim

**Jim Toby, P.E., P.L.S, Leed AP**  
**Principal/Civil Engineering**  
**Qualified SWPPP Developer (QSD)**  
**Lea & Braze Engineering, Inc**  
**Civil Engineers | Land Surveyors**  
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2495 Industrial Parkway West  
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Phone: 916-966-1338  
[www.leabraze.com](http://www.leabraze.com)

**From:** James Castaneda [mailto:jcastaneda@smcgov.org]  
**Sent:** Wednesday, January 14, 2015 4:59 PM  
**To:** Jim Toby  
**Cc:** Lisa Aozasa  
**Subject:** Re: C3/C6 Form/Revision, Ascension

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>>> Jim Toby 01/13/15 9:55 AM >>>

Thanks James, I have been working on this now will get it done as soon as I possibly can. Thanks Jim

Sent from my iPhone

On Jan 13, 2015, at 9:41 AM, James Castaneda <jcastaneda@smcgov.org> wrote:

Jim,

As soon as you have a second, I need to get a C3/C6 form over to Diana and Camille. I thought we had this already, but we dont. If you have that already, we need that as soon as you get a chance. Also, I need those revisions ASAP. I need them for graphics and Diana wants to take a look at them. Thanks.

JAMES

**James A. Castañeda, AICP**

Planner III - San Mateo County Planning & Building Department  
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T 650.363.1853 | F 650.363.4819  
planning.smcgov.org | sforoundtable.org

**From:** Lisa Aozasa  
**To:** Gary West  
**Date:** 1/20/2015 1:56 PM  
**Subject:** Re: Fwd: Invitation - Bay Area Disaster Recovery Permit and Regulation Adjustment Toolkit Review Workshop - January 28, 2015, 1:00 - 4:00pm - Sobrato Center, Redwood Shores, CA

Hey Gary --

Is this something we are required to attend? I wasn't planning on it, and really can't since the Ascension Heights PC meeting is that evening. Are you going? Should we see if someone else on staff is interested? Or is this another one of those "would be nice if we had the time" events? Just let me know -- thanks!

Lisa

>>> Gary West 1/20/2015 11:16 AM >>>  
FYI

>>> Jim Turner <jturner@caresiliency.org> 1/19/2015 12:37 PM >>>

Friends and partners:

You and your colleagues are cordially invited to the Bay Area Disaster Recovery Permit and Regulation Adjustment Toolkit Review Workshop **on January 28, 2015, 1:00 – 4:00pm.**

Register for free at <http://bayarearecoverypermitreviewworkshop.eventbrite.com>.

The workshop agenda is attached for your review. This three-hour workshop will introduce the toolkit that is under development for review and comment. We will conduct a brief discussion-based tabletop exercise to practice and vet the proposed disaster recovery permit and regulation adjustment process.

#### **Workshop Information**

Wednesday, January 28, 2015, 1:00 - 4:00pm

Sobrato Center - Shoreway Conference Room, 350 Twin Dolphin Drive, Redwood Shores, CA.

Doors, registration, and networking will open at 12:00pm

*We invite you to bring a brown bag lunch or to purchase lunch at the café next door. Coffee and water will be provided.*

**Questions / Inquiries:** Please contact Zack Adinoff, Emergency Management Projects Coordinator, 415.830.4230 x3, [zadinoff@caresiliency.org](mailto:zadinoff@caresiliency.org)

While in-person attendance and participation is preferred and likely most valuable for you, a call-in number for the workshop has been provided at the top of the attached agenda.

**IMPORTANT: If you plan to participate over the phone, please send an email to [zadinoff@caresiliency.org](mailto:zadinoff@caresiliency.org) to let us know that you would prefer to participate via conference call.** We will conduct a virtual version of the planned tabletop exercise with those on the phone.

We look forward to seeing you on January 28<sup>th</sup>! Please let us know if you have any questions or would like further information.

Yours,

Jim Turner  
Executive Director  
California Resiliency Alliance

**From:** James Castaneda  
**To:** Steve Monowitz  
**CC:** Heather Hardy; Lisa Aozasa  
**Date:** 1/20/2015 2:43 PM  
**Subject:** Electronic Report, Ascension Heights  
**Attachments:** JAC (D 1-20-15) PLN202-00517\_PCC20150128\_ES-PC\_Jacz0060\_wfu.docx; JAC (D 1-20-15) PLN202-00517\_PCC20150128\_SR-PC\_Jacz0061\_wfu.docx

Good afternoon Steve,

As proposed, here at the electronic copies of the Executive Summary and the Staff Report given to you Friday for review. Track changes are on, and let me know if you have any questions.

JAMES

**COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT**

**DATE:** January 28, 2015

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** EXECUTIVE SUMMARY: Consideration of a Major Subdivision, a Grading Permit, and certification of a Final Environmental Impact Report (FEIR), pursuant to the California Environmental Quality Act (CEQA), for the proposed Ascension Heights Subdivision located in the unincorporated San Mateo Highlands area of San Mateo County. The project includes the subdivision of the 13.32-acre subject site (Water Tank Hill) into 21 legal parcels for development of 19 single-family dwellings with the remaining two lots as conservation (Lot A) and common space (Lot C) areas, which includes a main private access road. The project site is accessed from Bel Aire Road north of Ascension Drive.

County File Number: PLN 2002-00517 (O'Rourke/San Mateo Real  
Estate and Construction)

**PROPOSAL**

The proposed project is to subdivide six parcels (totaling 13.32 acres) into 21 lots for development of 19 single-family residences and a new access roadway, with a development footprint of approximately 5.5 acres. The proposed new parcels' average size is 9,122 sq. ft. and would be orientated along a new private main access road in a "U" configuration. The remaining two lots (approximately 7.8 acres) would be maintained as an open space conservation area and would include an undisturbed and protected area as well as common areas with a trail proposed to go along the southern

perimeter of the water tank parcel to a lookout on the southeast side. All development and structures would be designed to be consistent with the R-1/S-8 Zoning District, as well as with surrounding neighborhoods. Landscaping would be designed to be consistent with surrounding neighborhoods and to minimize erosion, maximize soil stability, and screen existing view sheds from the new development while still minimizing obstruction of solar access for each residence. A total of 43 trees will be removed as part of the project, of which nine are considered significant trees.

## **RECOMMENDATION**

Staff recommends that the Planning Commission:

1. Adopt a resolution certifying the Final Environmental Impact Report (FEIR) as complete, correct and adequate and prepared in accordance with CEQA.
2. Adopt a resolution adopting the Mitigation Monitoring Report and the Statement of Findings and Facts in Support of Findings.
3. Approve the vesting tentative map for a major subdivision, the grading permit, and the removal of nine significant trees by making the findings and adopting the conditions of approval as set forth in Attachment A.

## **SUMMARY**

In 2002, the applicant, San Mateo Real Estate and Construction, applied to subdivide the collection of six parcels on the subject site. The proposed subdivision would have created 25 parcels capable of being developed with single-family residences. Given the nature of the project's scope, an Environmental Impact Report (EIR) was prepared in accordance with the California Environmental Quality Act. In December 2009, the Planning Commission denied the proposal, and the EIR was not certified. The applicant appealed the decision to the Board of Supervisors to allow consideration of an

alternative design. In June 2010, the Board of Supervisors remanded the project to the Planning Commission to consider an alternative design to the project, subject to all processing requirements and necessary review.

The applicant has proposed a revised subdivision for the Planning Commission's consideration that reduces the number of developable parcels to 19. Staff has reviewed the project for conformance to the County General Plan, Zoning Regulations, Grading Ordinance, and Significant Tree Ordinance. The proposed tentative map is consistent with the County General Plan, in which the 19 proposed parcels for development will conform to the use and density stipulated by the Medium Low Density Residential land use designation. The site is physically suitable for residential development as the proposed parcels are of sufficient size and shape to support single-family residences, as allowed and regulated by the current R-1/S-8 Zoning District. The average slope of the proposed parcels is 35%, similar to the other areas in the vicinity. Staff has reviewed the proposal against the required findings for a grading permit and concluded that, as conditioned, the project conforms to the criteria for review contained in the Grading Ordinance.

An environmental review of the project is required in accordance with the California Environmental Quality Act. Based on the nature of the project, it was determined that the proposed project would necessitate an Environmental Impact Report (EIR) to analyze the potential impacts of the project. A Draft EIR has been circulated for public review. The required public comment period commenced on April 25, 2014 and ended on June 9, 2014. Following the close of the public review period, the County's environmental consultant, Analytical Environmental Services, in consultation with Planning Department staff, has reviewed and prepared responses to comments received during the public comment period, as well as those presented at the May 14, 2014 Planning Commission meeting. Comments and responses were included in a Final EIR document released on December 12, 2014.

The EIR identified several areas of environmental concern specific to the project site and vicinity, of which the topics of air quality, visual impacts, and biological impacts received more focus from the community. The air quality concerns raised are primarily associated with grading activities and the equipment used, of which will be mitigated by requiring newer equipment per guidelines and requirements of the Bay Area Air Quality Management District. Privacy and impacts to existing visual resources have been raised, and requirements of replanting and establishing a landscaping plan will help mitigate those concerns. The impact of the potential existence of the Mission blue butterfly, a federal special-status insect, has also been of significant concern. As discussed in the EIR, while determination of the exact species was unable to be reached of the butterflies witnessed during three biological surveys of the site, and that the site is outside of the documented elevation habitat range, mitigation measures have been proposed acknowledging that the site could have the potential to be a habitat. The EIR document concludes that all significant impacts can be reduced to less than significant through proposed mitigation measures, which are included within the conditions of approval in Attachment A.

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**COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT**

**DATE:** January 28, 2015

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** Consideration of a Major Subdivision, pursuant to Section 7010 of the County Subdivision Ordinance, a Grading Permit, pursuant to Section 8600 of the San Mateo County Ordinance Code, and certification of a Final Environmental Impact Report (FEIR), pursuant to the California Environmental Quality Act (CEQA), for the proposed Ascension Heights Subdivision located in the unincorporated San Mateo Highlands area of San Mateo County. The project includes the subdivision of the 13.32-acre subject site (Water Tank Hill) into 21 legal parcels for development of 19 single-family dwellings with the remaining two lots as conservation (Lot A) and common space (Lot C) areas, which includes a main private access road. The project site is accessed from Bel Aire Road north of Ascension Drive.

County File Number: PLN 2002-00517 (O'Rourke/San Mateo Real  
Estate and Construction)

**PROPOSAL**

The proposed project entails the subdivision of six parcels (totaling 13.32 acres) into 21 lots for development of 19 single-family residences and a new access roadway, with a development footprint of approximately 5.5 acres. The proposed new parcels' average size is 9,122 sq. ft. and would be orientated along a new private main access road in a "U" configuration. The remaining two lots (approximately 7.8 acres) would be

maintained as an open space conservation area and would include an undisturbed and protected area as well as common areas with a trail proposed to go along the southern perimeter of the water tank parcel to a lookout on the southeast side. All development and structures would be designed to be consistent with the R-1/S-8 Zoning District, as well as with surrounding neighborhoods. Landscaping would be designed to be consistent with surrounding neighborhoods and to minimize erosion, maximize soil stability, and screen existing view sheds from the new development while still minimizing obstruction of solar access for each residence.

The project is a revised version of a previously denied project that proposed 25 parcels for development and required an Emergency Vehicle Access (EVA) road due to the proposed length of the private roadway. The revised subdivision reduced the number of parcels to 19, and the proposed "U" roadway configuration does not necessitate a secondary emergency access. Grading for the required roadway and general site preparation will require the removal of 43 trees, of which nine are considered significant size trees per the County Tree Removal Ordinance.

The specific applications, which require Planning Commission action, include:

1. Certification of the Final Environmental Impact Report as complete, correct, and adequate in accordance with the California Environmental Quality Act (CEQA).
2. Approval of the subdivision of the six parcels that make up the subject site to create 19 new residential parcels, and two non-development parcels, in accordance with the proposed tentative subdivision map contained in Attachment C.
3. Issuance of a grading permit for the new private street and site preparation in anticipation of the issuance of building permits for development of the 19 residential lots.

## **RECOMMENDATION**

In accordance with reviewing the project against all County applicable regulations and the California Environmental Quality Act (CEQA), staff recommends that the Planning Commission:

1. Adopt a resolution certifying the Final Environmental Impact Report (FEIR) as complete, correct and adequate and prepared in accordance with CEQA.
2. Adopt a resolution adopting the Mitigation Monitoring Report and the Statement of Findings and Facts in Support of Findings.
3. Approve the vesting tentative map for a major subdivision, the grading permit, and the removal of nine significant trees by making the findings and adopting the conditions of approval as set forth in Attachment A.

## **BACKGROUND**

Report Prepared By: James A. Castañeda, AICP, Telephone 650/363-1853

Applicant: San Mateo Real Estate and Construction

Owner: John O'Rourke

Location: Six contiguous parcels of property (APNs 041-111-130, 041-111-160, 041-111-270, 041-111-280, 041-111-320, and 041-111-360), consisting of a total of approximately 13.32 acres (gross), located in the unincorporated area of San Mateo County known as the San Mateo Highlands. The subject site is bordered to the west by Bel Aire Road, Ascension Drive to the south, and existing single-family development to the north and west.

Parcel Sizes: 041-111-130: 16,117 sq. ft.  
041-111-160: 10,890 sq. ft.  
041-111-270: 70,567 sq. ft.  
041-111-280: 61,855 sq. ft.  
041-111-320: 194,278 sq. ft.  
041-111-360: 229,997 sq. ft.

Existing Zoning: R-1/S-8 (Single-Family Residential/7,500 sq. ft. minimum lot size)

General Plan Designation: Medium Low Density Residential (2.4 to 6.0 dwelling units/acre)

Existing Land Use: The property is undeveloped.

Water Supply: Domestic water service would be provided to the project site by the California Water Service Company (Cal Water). The existing on-site water lines to the existing water tank will be relocated and a utility easement be imposed on the proposed parcels where the lines traverse through. Upon approval of the project, the applicant would be responsible for the installation of the required infrastructure providing water service to each parcel, as well as securing permits with Cal Water to perform installation.

Sewage Disposal: Sanitary sewer service would be provided to the subject site by the Crystal Springs County Sanitation District (CSCSD), with sewage flowing through lines owned by the Town of Hillsborough and City of San Mateo before being treated at the Wastewater Treatment Plant owned and operated by the City of San Mateo. The proposed on-site sewer system would consist of the development of underground sanitary sewer pipelines, gravity lines, risers, clean-outs and manholes. All sewer lines leaving the site would be gravity fed, while the on-site lines would consist of a pressure system. There are two off-site sewer line extensions proposed and both would connect into the existing CSCSD system.

Flood Zone: Zone X (Areas determined to be outside of the 0.2 percent annual change of floodplain); Community Panel No. 06081C0165E, effective date October 16, 2012.

Environmental Evaluation: Draft Environmental Impact Report (DEIR) published April 25, 2014; the public review period ended on June 9, 2014. The Final Environmental Impact Report (FEIR) was published on December 12, 2014.

Setting: 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 1/4 mile northeast of the subject site via Parrott Drive. At the center of the subject site is an existing potable water tank owned and operated by the California Water Service Company located on a separate 22,500 sq. ft. parcel. The water tank is also used for mounting cellular communication facilities by various operators. This separate parcel is not part of the proposed project. The site was graded over 40 years ago, which consisted of excavating the sides of the hill for the construction of Ascension Drive and Bel Aire Road during the grading for the Enchanted Hills subdivision. Eight-foot wide benches at 30-foot intervals were created along Ascension Drive as a result. Surface runoff from these benches has eroded the slope over the years, most significantly in the southwest corner adjacent to the intersection of Ascension Drive and Bel Aire Road. The site is predominately characterized by grassland, small brush and trees such as oak, pine and eucalyptus.

Chronology:

<u>Date</u>	<u>Action</u>
February 2002	- Pre-application workshop.
August 28, 2002	- Application submitted.
December 4, 2003	- Public Environmental Impact Report (EIR) Scoping Session held.
March 14, 2005	- County Fire required the applicant to propose a secondary fire access road.
July 16, 2007	- Revised site plans and updated materials provided reflecting a proposed Emergency Vehicle Access (EVA) route.
June 22, 2009	- Draft Environmental Impact Report (DEIR) published. CEQA-mandated public comment period ended August 5, 2009.
September 9, 2009	- Public hearing held to discuss DEIR and take public comments.
November 20, 2009	- Final Environmental Impact Review (FEIR) published and released.
December 9, 2009	- Planning Commission denied the proposed project and failed to certify the FEIR.
December 22, 2009	- Applicant filed an appeal of the Planning Commission's decision to the Board of Supervisors.

- June 29, 2010

  - The Board of Supervisors considered the appeal of the project which requested consideration of a revised project. The Board of Supervisors remanded the project to the Planning Commission for its consideration pending environmental and staff review of the revised project.
  
- November 2010 to September 2011

  - Staff facilitated ten small, working group meetings between the applicant and members of the community to discuss community concerns for design consideration, and to discuss in more detail specific review topics and County procedures.
  
- May 7, 2013

  - The Board of Supervisors approved a contract with Analytical Environmental Services to conduct the environmental review for the project and to produce an Environmental Impact Report.
  
- October 9, 2013

  - Public EIR Scoping Session held for revised project.
  
- April 25, 2014

  - DEIR for revised project released, with a 45-day commenting period ending on June 9, 2014.
  
- May 14, 2014

  - Planning Commission hearing to take public comments on the DEIR.
  
- December 12, 2014

  - FEIR for revised project released.
  
- January 28, 2015

  - Planning Commission's consideration of the revised subdivision project and certification of FEIR.

## **DISCUSSION**

### **A. BACKGROUND**

The current project is a revised version of a project that was denied by the Planning Commission on December 9, 2009. The previous version proposed 25 parcels for development with a roadway access in a loop configuration around the existing water tank. Per fire regulations, the proposed subdivision required a secondary access due to the total length of the roadway proposed for the subdivision. An Emergency Vehicle Access road, for use only by emergency vehicles, was proposed along the southern slope adjacent and intersecting with Ascension Drive south of the intersection of Bel Aire Road. In total, the proposed previous project required approximately 96,000 cubic yards of grading (61,100 cubic yards to be taken off-site, and 34,900 cubic yards to remain and be used on the site).

During the December 9, 2009 Planning Commission public hearing, opposition to the project was provided by numerous members of the community, expressing various concerns ranging from construction impacts, health concerns, visual impacts, development on steep slopes, and inadequacy of the Environmental Impact Report. The Planning Commission considered the testimony presented as part of its deliberation of the project and the Commission determined that it was unable to make the necessary findings to approve the subdivision and certify the environmental document, and therefore denied the project. The Commissioners expressed concerns that included non-conformance to specific General Plan policies (specifically 15.20.b), geotechnical and drainage/erosion impacts, and visual impacts. The Planning Commission also directed the applicant to meet with the community to seek a design that does not build on the steep south-facing slope of the site and directed staff to assist as appropriate. The Commission further provided guidance to the applicant to aid any efforts to modify the proposal by encouraging more moderate sized housing, addressing the concerns about

avoiding building on the steep south facing slope, and developing a new design that could minimize negative impacts.

On December 23, 2009, the applicant filed an appeal of the Commission's actions and submitted a revised alternative for consideration which attempted to address issues raised at the December 9, 2009 Planning Commission hearing. Staff facilitated two meetings between the applicant and members of the community in the spring of 2010 to discuss preliminary plans and provide direction to the applicant. On June 29, 2010, the Board of Supervisors remanded the project to the Planning Commission to consider the alternative design to the project, subject to all formal County processing and review requirements and environmental analysis.

An update was provided to the Planning Commission on July 17, 2010 regarding the remanded project, which would be coming to them at a future hearing for reconsideration. At that hearing, members of the public expressed preference of smaller, roundtable style meetings with the applicant as the means for community outreach. As a result, the San Mateo County Planning staff facilitated small, working group meetings between the applicant and members of the community from November 2010 through September 2011, with the intent of providing an informal opportunity for the community and applicant to discuss individual areas of concern in greater detail. A total of ten meetings were held, covering a range of topics from zoning, traffic, geotechnical/soil stability, drainage/hydrology, housing designs, bonding, and air quality.

Throughout the series of meetings, a common concern that was raised was the total number of proposed lots. The community on numerous occasions advocated for fewer lots, and raised issues regarding their placement due to visual concerns. On November 18, 2011, the applicant officially submitted the revised plan to begin the County review and environmental analysis through a revised and recirculated Environmental Impact Report.

B. COMPLIANCE WITH COUNTY GENERAL PLAN

Since 1986, the County General Plan designates the project site as Medium Low Density Residential, which allows for development of 2.4 to 6.0 dwelling units per acre. The proposed land division has a density of 1.58 dwelling units per acre, which is below the intended density of the area.

The proposal is consistent with the relevant policies set forth by the General Plan, including in particular the following elements:

Chapter 1 - Vegetative, Water, Fish and Wildlife Resources. The project is consistent with the policies within this chapter, particularly Policies 1.20 (*Importance of Sensitive Habitats*), 1.22 (*Regulate Development to Protect Vegetative, Water, Fish, and Wildlife Resources*), 1.23 (*Regulate Location, Density and Design of Development to Protect Vegetative, Water, Fish and Wildlife Resources*), and 1.24 (*Protect Vegetative Resources*). The site has the potential to support 11 special-status plant species, three special-status birds, and one special status insect (special-status species as defined within the California Natural Diversity Database (CNDDDB)). As part of the environmental review, a biological and botanical survey was conducted at the project site in the summer of 2013, which did not observe evidence of the existence of these special-status resources, was outside of the blooming/mating period, and/or concluded that given the site location and specific characteristics, it was unlikely that supporting habitat would be found on the project site. Due to reported sightings by members of the community and the existence of a host plant (Lupine), special attention was given in the investigation of the existence of the Mission blue butterfly, listed in the CNDDDB as endangered by United States Fish and Wildlife Service. A formal on-site biological survey was conducted in the spring and summer months in 2005, 2008, and 2012 (in addition to the 2013 biological survey). While 12 adult butterflies were observed as part of those surveys, the results were inconclusive

in determining the specific Mission blue butterfly subspecies. Further, the elevation of the subject site was determined to be lower than the typical elevation range of the butterfly habitat.

Taking into consideration the conducted survey and the existing conditions of the project site, it can be considered that a low possibility exists that the site would support any of the special-status species indicated in the CNDDDB. Regardless, the project will be conditioned to protect special-status species, including the Mission blue butterfly. Mitigation measures (Conditions No. 8.f and 8.g) have been proposed to ensure that the project would not result in any significant impact to sensitive habitats or biological resources.

The proposed project would result in the removal of 43 trees, of which none have been identified as heritage status and only nine are significant size, per the County tree removal ordinances.

Chapter 2 - Soil Resources. With regard to Policies 2.17 (*Regulate Development to Minimize Soil Erosion and Sedimentation*), 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Actives Against Accelerated Soil Erosion*), 2.25 (*Regulate Topsoil Removal Operations Against Accelerated Soil Erosion*), and 2.29 (*Promote and Support Soil Erosion Stabilization and Repair Efforts*), the project is consistent with these policies as mitigated. The proposed project will incorporate design measures, such as controlled drainage flow devices, to improve soil erosion control over existing site conditions. Per County standards, no grading shall be allowed during the winter season to avoid potential soil erosion unless approved, in writing, by the Community Development Director. The project site currently has extensive soil erosion on portions of the site, specifically in the southwest corner adjacent to the intersection of Bel Aire Road and Ascension Drive. The applicant will be required to correct surface erosions on the project site that are not within the developed parcels, and will be required to conduct all necessary precautions as specified in the conditions of approval

regarding impacts to sensitive species (Conditions No. 8.e through 8.j). Overall, the proposed storm drainage infrastructure will improve site drainage conditions relative to current conditions, as proposed and reviewed by the County Department of Public Works.

Chapter 4 - Visual Quality. The project will result in a negligible aesthetic impact that would not be in conflict with the policies contained within this chapter. The final project, once fully built out with residential homes, would comply with all applicable General Plan Policies, Subdivision Regulations and Zoning Ordinance Regulations. All utilities associated with the proposed project will be placed underground. While post-project conditions would be noticeable from County-designated scenic roadways (e.g., Polhemus Road), as well as other community view points and streets, the currently undeveloped hillside would be replaced with single-family homes similar to the surrounding area, as identified by the County General Plan for the area. Conditions have been included in Attachment A to reduce, to the extent possible, noticeable effects over the long-term, including, but not limited to, Tree Mitigation and Monitoring Plan and Tree Replacement Program.

Chapter 8 - Urban Land Use. The proposal is consistent with the surrounding residential land uses, per Policies 8.14 (*Land Use Compatibility*) and 8.35 (*Uses*), respectively. The proposed project also complies with Policy 8.29 (*Infilling*), which encourages the infilling of urban areas where infrastructure and services are available.

Chapter 14 - Housing. The proposal is consistent with the County's Housing Element, a State-mandated document to address the housing needs of the entire unincorporated County. The Housing Element is updated regularly, with the last revision occurring in 2012, and draft revision is in progress pending the Board of Supervisors' approval. Within the Housing Element, one of the required elements is the demonstration of how the community plans to meet the existing and

projected housing needs of people at all income levels. The State-required process to identify what each jurisdiction is required to provide is called the Regional Housing Needs Allocation (RHNA) and covers an eight-year period. In July 2013, the Association of Bay Area Governments (ABAG) adopted the Final Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022, which identified that unincorporated San Mateo County would need to provide 913 housing units over all income levels. The proposed project will help the County achieve its housing goals, including the provision of housing at all income levels to meet identified housing needs.

Chapter 15 - Natural Hazards. The proposal is consistent with Geotechnical Hazards Policies, specifically with Policy 15.18 (*Determination of Existence of a Geotechnical Hazard*), as the site is not located on the San Mateo County Natural Hazards Map, within in the Alquist-Priolo Hazard Zone. Therefore, Policy 15.19 (*Appropriate Land Uses and Densities in Geotechnical Hazard Areas*) is not applicable, although the housing density of 1.5 dwelling units per acre is of lower density than what the General Plan has established for the area (Medium Low, 2.0 to 6.0 dwelling units per acre). The slopes of the proposed 19 parcels range from 12 percent to 48 percent, with the average being approximately 35 percent. The slope of the terrain is typical of other hillside developments within the County unincorporated areas. Based on the submitted geotechnical reports included within the EIR, no potential hazards were identified with developing the site as proposed. The development regulations contained in Policies 15.20.a through 15.20.d (*Review Criteria for Locating Development in Geotechnical Hazard Areas*), which discourage development on steeply sloping areas (generally above 30 percent), is also not applicable due to the project site's location outside of the established Geotechnical Hazard Area (Alquist-Priolo Hazard Zone). This was incorrectly cited in the December 2009 Planning Commission hearing as being a non-conforming situation.

C. COMPLIANCE WITH COUNTY ZONING REGULATIONS

Since 1958, the subject property is currently zoned R-1/S-8 (Single-Family Residential), which allows for single-family residential development with a minimum lot size of 7,500 sq. ft. The R-1/S-8 Zoning District requirements are listed below:

<b>Development Standard</b>	<b>Required</b>
Minimum Lot Size (sq. ft.)	7,500
Minimum Lot Width (ft.)	50
Maximum Lot Coverage	40%
Height Limit	3 stories/36 ft.
Setbacks (ft.)	
Front	20
Sides	5
Rear	20

All development on the proposed parcels will be required to adhere to the aforementioned regulations at the time of development. The vesting tentative map complies with the minimum parcel size and width indicated above and demonstrates that the proposed parcels are capable of development under the current zoning development standards.

**D. COMPLIANCE WITH COUNTY SUBDIVISION REGULATIONS**

The proposed subdivision would result in the creation of 21 parcels. Of those, 19 parcels are designed and proposed for development of single-family dwellings. The remaining two parcels, noted as “Lot A” and “Lot C,” will be utilized for non-residential uses. Lot A will become a common area and conservation easement, and Lot C will be considered a common area as well.

1. Compliance with Regional Housing Needs

Section 7004 of the County Subdivision Regulations discusses the consideration of housing needs of the region and balances these needs against the public service needs of residences. As previously mentioned in the General Plan discussion pertaining to housing, the proposed project will help the County achieve its housing goals to meet the need for housing in unincorporated San Mateo County for all income levels. As reviewed and conditioned by referred County agencies, the project is capable of providing housing while balancing service needs. As mitigated, the project allows housing to be created while maintaining public services to existing dwellings and efficiently extending them to new development while minimizing potential environmental impacts.

2. Compliance with General Subdivision Design and Parcel Design Requirements

Section 7020 of the County Subdivision Regulations establishes subdivision design parameters and parcel design requirements. Based on the information provided by the applicant, the EIR, and comments from other County agencies, staff has determined that the proposed subdivision complies with all of these requirements. The proposed single-family residential lots will be a minimum of 7,500 sq. ft. in size, 50 feet in width and 100 feet in depth.

3. Compliance with Design Requirements for Special Areas

Section 7021 of the Subdivision Regulations contains design requirements for special areas, including areas with open or forested ridgelines and skylines. The proposed project would result in an impact to the existing

open ridgeline, particularly during grading and construction of the private streets, which will involve substantial grading and removal of trees and vegetation. Conditions have been proposed to mitigate the visual impacts through seeding and tree replanting. Given the topography and amount of earth-work required to develop the site, no other alternatives exist to locate the parcels on the subject site that would lessen the visual impacts on the open ridgeline in the same manner (per Section 7021.1.a). Staff, therefore, concludes that, as conditioned, the proposed project would adhere to the design requirements for special areas to the extent reasonably possible.

4. Compliance with Street Design and Improvement Requirements

Sections 7022 and 7023 of the Subdivision Regulations set forth standard requirements for subdivision street design and improvements. The proposed project includes approximately 66,696 sq. ft. of on-site private roadways. On-site circulation along this private street would consist of a “U” shaped configuration, with two hammerhead fire truck turnarounds at the end of each. Through the eastern hammerhead will be the private street access to Lots 7 and 12, and through the southern hammerhead will be private street access to the water tank. The 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 36-foot wide paved street surface with curbs and gutters where appropriate; 5.5-foot sidewalks along each side of the street; and curbside parking available. No street parking would be allowed in the hammerhead fire truck turnaround areas. The street grades within the system would range from 5.6 to 20 percent with cross slopes of approximately 2 percent. The proposed street design is appropriate for the proposed development and consistent with street standards. The proposed street system is compliant with the requirements listed in Sections 7022 and 7023 of the County Subdivision Regulations.

5. Compliance with Park Dedication Requirements

Section 7055 of the County Subdivision Regulations requires the dedication of parkland or the payment of an in-lieu fee, as a condition of subdivision approval. When the proposed subdivision contains 50 parcels or less, an in-lieu fee only may be required of the subdivider. Based on the current assessed value of the property, the in-lieu fee owed prior to recordation of the final map is \$8,626.10.

6. Findings for Subdivision Approval

Section 7013.3.b of the County Subdivision Regulations specifies the findings for subdivision map approval. All of these findings can be made as described further below:

- a. **That the proposed map, along with the provisions for its design and improvements, is consistent with the San Mateo County General Plan.**

The Department of Public Works and Current Planning Section staff have reviewed the tentative map and found that it complies, as conditioned in Attachment A of this report, with State and County land division regulations. The project is consistent with the County General Plan as discussed in Section B of this report.

The applicant shall provide for the extension and necessary upgrades of existing sewer, water, gas, electric, and cable television lines to service the new parcels. All utilities will be run underground to each of the lots. Water will be provided to the parcels by the California Water Service Company, sewer services by the Crystal Springs County

Sanitation District (CSCSD), storm drainage services by the County of San Mateo, fire protection services by Cal-Fire, telephone services by AT&T, and gas and electric services by Pacific Gas and Electric. All agencies have reviewed the project to confirm their ability to serve the proposed development.

**b. That the site is physically suitable for residential development.**

As conditioned, the proposed parcels indicated for development are physically suited for single-family residential development for the following reasons: (1) the proposed parcels conform to the minimum building site and lot width requirements of the R-1/S-8 Zoning District, (2) existing water, sanitary services, and all other utilities will be available to serve the newly created parcels, and (3) each parcel can be accessed with the proposed subdivision configuration. The slopes of the proposed 19 parcels range from 12 percent to 48 percent, with the average being approximately 35 percent. The slope of the terrain is typical of other hillside developments within the County unincorporated areas. Based on the submitted geotechnical reports included within the EIR, no potential hazards were identified with developing the site as proposed.

**c. That the site is physically suitable for the proposed density of development.**

The parcels will range in their slopes from a minimal of 12 percent to a maximum of 48 percent. The site is not located within a geotechnical hazard area, and meeting all necessary County building code and grading requirements at the time the individual parcels are developed, development on slopes within this range is feasible. The proposed parcels are capable of being served by water, sewer and other

necessary utilities. The subdivision would allow for a maximum density of 1.58 dwelling units per acre, which is lower than the intended density for the area, which is 2.0 to 6.0 dwelling units per acre maximum stipulated by the Medium Low Density Residential General Plan land use designation.

- d. That the design of the subdivision or the proposed improvements are not likely to cause serious public health problems, substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat.**

Based on investigation, review, and analysis conducted by staff, reviewing County agencies, and the environmental consultant who prepared the EIR, it is concluded that the project will not result in a serious public health problem or cause substantial environmental damage as conditioned. Section B of this report responded to the General Plan Vegetative, Water, Fish and Wildlife Resources Chapter and concluded that the design of the subdivision and the proposed improvements will not substantially impact wildlife, as conditioned. The EIR identified potential impacts to biological resources (Section 4.3 of the DEIR), and concluded that, as mitigated, impacts would be considered less than significant. Mitigation measures proposed included requiring an additional biological survey to be conducted prior to grading, as well as direction if special-status species, previously unidentified, are discovered (see Conditions No. 8.e, 8.f, 8.g). Staff has also required that the project minimize the transport and discharge of pollutants from the project site into local storm drain systems and water bodies by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program and General Construction and Site Supervision Guidelines (Conditions No. 9 through No. 12).

- e. **That the design of the subdivision or type of improvements will not cause serious public health problems.**

The project will present negligible impacts to public health as conditioned. The EIR thoroughly examines potential impacts (specifically within Section 4.2, *Air Quality and Greenhouse Gas Emissions*) and proposes mitigation measures to reduce any possible impact as a result to the grading and construction activities to a less-than-significant level. These mitigation measures are consistent with the Basic **Contraction** Measures recommended by the Bay Area Air Quality District, which specify type of heavy-duty equipment, off-haul practices, and other best practices to be required during grading activities (see Conditions No. 8.c and 8.d).

- f. **That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

There are no existing easements on the subject properties other than a private access road to the existing water tank. This road provides access for both the water tank as well as to the existing wireless facilities located at the tank site. The proposed subdivision configuration will continue to provide authorized access via the lower/southern fork of the private streets with ingress located at the end of the fire hammerhead turnaround. The existing water tank lines will be relocated, and identified on the preliminary utility composite plan.

- g. **That the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation**

**of existing requirements prescribed by a State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code.**

The project was reviewed by the Crystal Springs County Sanitation District (CSCSD) and has incorporated mitigation measures that will present a zero-net increase in order to avoid contributing to any potential occurrence of a violation that the existing sewer system may experience.

- h. That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (the Williamson Act).**

The subject property is not under a Williamson Act contract.

**E. COMPLIANCE WITH COUNTY GRADING REGULATIONS**

Grading activities include cut and fill of earth, creation of engineered slopes, and installation of retaining walls. Approximately 66,450 cubic yards of material would be graded for the proposed project on slopes averaging 35 percent. Specifically, the grading phase of the proposed project would require approximately 46,480 cubic yards of cut material and 19,970 cubic yards of that cut material will remain on-site as compacted engineered fill material. The remaining 26,510 cubic yards of earth is to be exported from the site to an off-site location.

The site preparation and grading activities will occur in a single phase in two parts. The first, which will cause the most noticeable impacts of the entire project, is the grading of 66,450 cubic yards of earth, requiring 26,510 cubic yards of earth to be taken off-site. The second part will involve construction of the new private street

and utility stub-outs, which would occur after the grading activities are completed. This phase is anticipated to occur over a nine-month period.

As discussed within the DEIR, it is estimated that approximately 4,680 total off-haul trucks trips will be required to export 26,510 cubic yards (approximately 40,000 bulk cubic yards) of earth. Assuming 30 working days for off-haul utilizing 17 bulk cubic yards per truck, an estimated 156 truck trips would occur per days. The route most likely to be used would be Bel Aire Road to Ascension, then east to Polhemus Road. According to the traffic reports conducted for the project, the additional vehicle trips (while noticeable) do not result in an increase of greater than 0.1 on the TIRE Index, and are considered to be a less-than-significant impact. Truck operations will be required to adhere to the San Mateo County Ordinance Code listed in Condition No. 19.

The second phase is the construction of the individual residential dwellings, which will require less equipment than the first part, and is therefore considered less impactful than the first phase. It is anticipated that construction of the individual dwellings will occur over an 18-month period. If construction were to commence immediately after the first phase, the total construction time for the proposed project would be 27 months; however, construction may not be continuous. Approval of the proposed project under consideration by the Planning Commission is limited to only the subdivision of the site, as construction of the individual dwellings will require separate building permits that are not proposed at this time and subject to approval by the Planning and Building Department.

By comparison to the previous proposal denied in 2009, the overall amount of grading activity has been reduced by half. The previous project required 131,480 cubic yards of grading activity, mostly associated with the necessary emergency vehicle access route.

Staff has reviewed the proposal against the required findings for a grading permit and concluded that, as conditioned, the project conforms to the criteria for review contained in the Grading Ordinance (Section 8605). Specifically, the project must comply with the standards for erosion and sediment controls (Section 8605.1), and submittal of a geotechnical report (Section 8605.3). Geotechnical reports and supporting documents have been provided as part of the County and environmental review (located within the DEIR appendices). As listed in the conditions of approval, the applicant will be required to implement an erosion and sediment control plan that has been reviewed and approved by both the Current Planning Section and the Department of Public Works, in accordance with County standards. In order to approve this project, the Planning Commission must make the required findings contained in the grading regulations. The findings and supporting evidence are outlined below:

**1. That the project will not have a significant adverse effect on the environment.**

The project will have a less-than-significant impact on the environment with the implementation of the mitigation measures proposed by the FEIR on elements identified as having a potential significant impact.

**2. That the project conforms to the criteria of the San Mateo County Grading Ordinance and is consistent with the General Plan.**

The project, as conditioned, conforms to the criteria for review contained in the Grading Ordinance, which include implementation of an erosion and sediment control plan, submitted geotechnical reports, and dust control plans, grading time restrictions, and fire safety. Conditions relevant to the required criteria listed are included as Conditions No. 9 through No. 17. As outlined and discussed in Section B of this report, the project conforms to the relevant General Plan elements.

## F. ENVIRONMENTAL REVIEW

An environmental review of the project is required in accordance with the California Environmental Quality Act (CEQA). Based on the nature of the project and the results of the Initial Study (identifying potential significant impacts), the proposed project necessitates an Environmental Impact Report to analyze the potential impacts of the project. A Draft Environmental Impact Report (DEIR), specifically written for the revised project, was circulated for public comment from April 25, 2014 through June 9, 2014. Following the close of the public review period, Analytical Environmental Services, in consultation with Planning staff, reviewed and prepared responses to comments received during the public commenting period, as well as those presented at the May 14, 2014 Planning Commission meeting. Those comments and responses are included in the Final Environmental Impact Report (FEIR) document, which was published December 12, 2014.

### DRAFT EIR OVERVIEW

The DEIR discusses a number of topics and potential impacts generated by the proposed project for the purposes of informing the decision maker (Planning Commission) during consideration. Topics include aesthetics, air quality and greenhouse gas emissions, biological resources, geology and soils, overall land uses, hydrology and water quality, hazards and hazardous materials, noise and vibration, local and regional population and housing impacts, public services, utilities, recreation, and transportation and circulation.

As part of the DEIR, mitigation measures have been recommended to address the potentially significant environmental impacts in order to reduce them to a less-than-significant level. These impacts and potential issues were identified during the public scoping session held October 10, 2013, and during a public outreach

effort online the weeks leading up to the scoping session. Various agencies have reviewed the project to determine the project's feasibility. Recommendations and conditions were provided by these agencies to contribute to the proposed mitigation measures included in the environmental document.

The DEIR is prepared with a sufficient degree of analysis in these topics to be considered as part of the decision making process; the analysis does not always need to be exhaustive per CEQA Guidelines. Further, CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or requested from those who comment on the document.

As previously mentioned, the Draft EIR (DEIR) discusses a number of potential impacts generated by the proposed project. A total of 30 individual significant impacts have been identified in the following areas: aesthetics, air quality and greenhouse gas emissions, biology, resources, geology and soils, hydrology and water quality, hazards and hazardous materials, noise and vibration, public services, utilities and recreation, and transportation and circulation. A summary of those impacts, along with corresponding proposed mitigations measures, is listed within the Executive Summary (Chapter 2) of the DEIR, and discussed in detail within the main discussion in Chapter 4.

The DEIR, per CEQA Guidelines, identifies and provides a brief evaluation of alternatives which are designed to reduce impacts while attempting to reasonably meet the applicant's general project objectives in providing housing. Three alternatives were evaluated within the DEIR, which examine changes to numbers and/or size of the proposed parcels, impervious surface area, and quantity of cut and fill for grading.

The first alternative is "No Project/No Build" (Alternative "A"), which would yield no impacts leaving the subject site as existing. The second alternative (Alternative

“B”) examined creating 21 lots but only allowing ten to be developed, with the rest being retained as open space. Lots would range from 7,549 sq. ft. to 9,054 sq. ft., which would be consistent with the R-1/S-8 Zoning District. Conceptually, this alternative would lessen the construction impacts in areas of traffic, noise, and air quality. Aesthetics impacts would remain the same, as the proposed project, due to the exposed nature of the project site. Hydrological impacts would have the potential to be greater than the proposed due to the remaining undeveloped lots lacking drainage improvements. The third alternative (Alternative “C”) would favor larger lots/lower density, which would result in six lots ranging from approximately 14,000 sq. ft. to 21,000 sq. ft. Homes would avoid the top of the hill and southern slopes which would reduce the aesthetics impacts over the proposed project and second alternative. As much of the housing has been eliminated and avoids the steeper slopes, the grading under this alternative is significantly reduced and proportionally reduces associated impacts. However, the project site’s existing drainage and erosion issues would not be improved under this alternative. In accordance with CEQA Guidelines, this would be considered the most environmentally superior alternative in that it reduces environmental impacts associated with the construction of the homes while achieving the project objectives of providing parcels to develop.

## FINAL EIR OVERVIEW

During the public commenting period between April 25, 2014 and June 9, 2014, staff received a total of 24 comment letters. Responses to the comments were made as thorough as possible, but in instances where a commenter made the same or similar comment that was raised by another commenter, the response was a reference to an earlier response on the same item. The responses are written in accordance with CEQA Guidelines, which are limited to the environmental scope of the document. In cases where comments were raised that were considered unrelated to environmental concerns per CEQA, non-substantive or statements of opinion, the Final Environmental Impact Report (FEIR) indicated

that the comment was noted for the administrative record. Minor corrections and additions to the DEIR are identified within the FEIR, and shall be included as part of the FEIR for the Planning Commission to consider for certification.

The Final EIR (FEIR) was released on December 12, 2014. The FEIR responds to 24 comments made during the DEIR's public commenting period. Written comments contained concerns and opinions relevant to the adequacy of the environmental review and thoroughness of the specific review topics. Some comments and questions were raised regarding specific review details and assurances of construction and grading practices that were out of the environmental scope. Other comments and opinions were made regarding the project's merits and discouraged development such as the proposed project.

Those comments received that were relevant to a general or specific environmental impact covered within the DEIR were provided a response with an answer that either clarified the issue in question, pointed to specific discussions contained within the DEIR, and/or pointed to a response already made to an earlier, relevant comment. This is common with an FEIR when repeated concerns are made by multiple commenters. As a result of the comments received, no new significant impacts were identified, and only minor corrections were made to the DEIR. As part of the FEIR, a Mitigation Monitoring and Reporting Plan is included, and must be considered and adopted by the Planning Commission (see Attachment H-1, *Resolution Exhibit A - Mitigation Monitoring and Reporting Plan*).

## **REFERRED AGENCIES AND ORGANIZATIONS**

Bay Area Air Quality Management District

Bay Area Open Space Council

Baywood Park Homeowners Association

California Department of Conservation

California Department of Fish and Game

California Department of Forestry and Fire Protection  
California Regional Water Quality Control Board  
California Water Service Company  
City of San Mateo  
Committee for Green Foothills  
Crystal Springs County Sanitation District  
Highlands Recreation District  
Hillsborough Planning Division  
Local Agency Formation Commission (LAFCo)  
Pacific Gas and Electric Company  
SamTrans  
San Mateo County Building Inspection Section  
San Mateo County Department of Parks  
San Mateo County Department of Public Works  
San Mateo County Environmental Health Division  
San Mateo County Department of Housing  
San Mateo County Fire/Cal-Fire  
San Mateo County Sheriff's Office  
San Mateo Public Library  
San Mateo-Foster City School District  
San Mateo Union High School District  
Town of Hillsborough

## **ATTACHMENTS**

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map for Ascension Heights Subdivision
- C. Proposed Vesting Tentative Map
- D. Aerial Photograph of the Subject Site
- E. Planning Commission Decision of Denial, December 9, 2009
- F. In-Lieu Park Fee Worksheet

- G. Resolution Certifying the Final Environmental Impact Report
- H. Resolution Adopting (1) Mitigation Monitoring and Reporting, and (2) Adopting Statement of Findings and Facts in Support of Findings
  - H-1. Resolution Exhibit A (Mitigation Monitoring and Reporting Plan)
  - H-2. Resolution Exhibit B (Findings and Facts in Support of Findings)

The Draft and Final EIR are available for review at the San Mateo County Planning and Building Department, or online at: <https://planning.smcgov.org/ascension-heights-subdivision-project>

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County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2002-00517      Hearing Date: January 28, 2015

Prepared By: James A. Castañeda, AICP      For Adoption By: Planning Commission

**RECOMMENDED FINDINGS**

Regarding the Environmental Review, Find:

1. That the Final Environmental Impact Report (FEIR) is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act (CEQA) and applicable State and County Guidelines in accordance with California Public Resources Code Section 21081.1(c).
2. That the FEIR reflects the independent judgment of the County.
3. That the mitigation measures identified in the FEIR, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

Regarding the Major Subdivision, Find:

4. That the proposed map is consistent with the applicable County general and specific plans. The subdivision will create 21 parcels, of which 19 will be developed, consistent with the use and density stipulated by the Medium Low Density Residential General Plan land use designation. The proposed density of

1.58 dwelling units per acre conforms to the maximum allowed within the Medium Low Density Residential General Plan land use designation.

5. That the site is physically suitable for residential development. The 19 parcels proposed for development are of sufficient size and shape to support single-family residences (the principally permitted use in the R-1/S-8 Zoning District) as prepared by the proposed grading. Upon completion of the proposed grading plan for the subdivision, all proposed residential parcels will be capable of supporting a single-family residence.
6. That the design of the subdivision or the proposed improvements are not likely to cause serious public health problems, substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat as none are located within 100 feet of a creek or stream. The project will present negligible impacts to public health, as conditioned. The EIR identified potential impacts to biological resources, and concluded that, as mitigated, impacts would be considered less than significant. Mitigation measures proposed included requiring an additional biological survey to be conducted prior to grading, as well as direction if special-status species, previously unidentified, are discovered. The project will be required to adhere to the San Mateo Countywide Stormwater Pollution Prevention Program and General Construction and Site Supervision Guidelines (Conditions No. 9 through No. 12).
7. That the design of the subdivision and type of improvements will not cause serious public health problems. As conditioned, the project will present negligible impacts to public health. The EIR thoroughly examines potential impacts and proposes mitigation measures to reduce any possible impact as a result to the grading and construction activities to a less-than-significant level. These mitigation measures are consistent with the Basic **Contraction** Measures recommended by the Bay Area Air Quality District, which specify type of heavy-

duty equipment, off-haul practices, and other best practices to be required during grading activities.

8. That the design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. There are no existing easements on the subject properties other than a private access road to the existing water tank, which will be reconfigured in order to continue providing authorized access to this area, as well as existing water lines, which will be relocated.
9. That the discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by a State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code. The project was referred to the Crystal Springs County Sanitation District (CSCSD) and has proposed mitigation measures for the project that will result in a zero-net increase in sanitary discharge **though** improvements to existing infrastructure in the vicinity by the applicant.
10. That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (the Williamson Act). The property is not subject to any Williamson Act contracts.

Regarding the Grading Permit, Find:

11. That this project, as conditioned, will not have a significant adverse effect on the environment. The project has been reviewed by Planning staff and the Department of Public Works that find the project can be completed without significant harm to the environment as conditioned. The project must comply with the standards for erosion and sediment controls (Section 8605.1), and submittal of a geotechnical report (Section 8605.3). Geotechnical reports and supporting

documents have been provided as part of the County and environmental review (located within the DEIR appendices). The applicant will be required to implement an erosion and sediment control plan that has been reviewed and approved by both the Current Planning Section and the Department of Public Works, in accordance with County standards.

12. That this project, as conditioned, conforms to the criteria of the San Mateo County Grading Ordinance and is consistent with the General Plan. Planning staff and the Department of Public Works have reviewed the project and have determined its conformance to the criteria of Chapter 8, Division VII, San Mateo County Ordinance Code, including the standards referenced in Section 8605 and the San Mateo County General Plan.

## **RECOMMENDED CONDITIONS OF APPROVAL**

### General Project Conditions

1. The approval applies only to the proposal, documents and plans as described in this report and materials approved by the Planning Commission on January 28, 2015. The Community Development Director may approve minor revisions or modifications to the project if they are consistent with the intent of and in substantial conformance with this approval. If revisions or modifications are deemed a major or significant change from the Planning Commission's approval, said modifications must return to the Planning Commission for consideration and approval.
2. This subdivision approval is valid for two years, during which time a final map shall be filed and recorded. An extension to this time period in accordance with Section 7013.5.c of the Subdivision Regulations may be issued by the Planning Department upon written request and payment of any applicable extension fees if required.

3. The map shall be recorded pursuant to the plans approved by the Planning Commission; any deviation from the approved plans shall be reviewed and approved by the Community Development Director or Planning Commission, as deemed necessary.

#### Current Planning Section Conditions

4. Prior to recordation of the final map, the applicant shall pay In-Lieu Park Fees to the San Mateo County Planning and Building Department pursuant to Section 7055.3 of the Subdivision Regulations. The current amount is \$8,626.10, but shall be calculated at time of recordation using the most recent assessed value of the parcel as required by Section 7055.3 of the Subdivision Regulations.
5. All utilities serving the subdivision shall be installed underground.
6. The applicant must incorporate the use of pervious materials in the designs of driveways, patio areas, walkways, etc., for all future construction on the 19 parcels indicated for development. Pervious materials include, but are not limited to, pervious pavers on sand, turf block, pervious pavement, porous asphalt or gravel.
7. The applicant shall enter into a contract with the San Mateo County Planning and Building Department for all mitigation monitoring for this project. The fee shall be staff's cost, plus 10 percent required in the current Planning Service Fee Scheduled. Planning staff may, at their discretion, contract these services to an independent contractor at cost, plus an additional 10 percent for contract administration.
8. **The applicant shall comply with all mitigation measures listed below (which are derived from the Final Environmental Impact Report made available to the public on December 12, 2014):**

8.a. **Mitigation Measure 4.1-1a:** Prior to recordation of the final map, the project applicant shall submit a landscape plan for review and approval by the San Mateo County Planning Department (County Planning Department). The landscape plan shall include the location, size, and species of any proposed landscaping and shall include, but not be limited to, hedges or other appropriate vegetation that will provide opaque screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive. In addition, all proposed landscaping shall be of native, non-invasive species. Areas used for the storage of landscape maintenance or other equipment, supplies, or debris shall be shielded from view by fencing, landscaping or other means. Prior to final approval of the final map, a site inspection shall be required by the County Planning Department to verify that all approved landscaping has been implemented or bonds posted for performance; a maintenance bond shall be required. All perimeter landscaping shall serve to screen and/or enhance views of the project site from surrounding roadways and neighborhoods (see also Conditions No. 8.b and 8.l).

8.b. **Mitigation Measure 4.1-1b:** Prior to the issuance of a grading permit “hard card,” the applicant is required to submit a tree replacement plan that shall not exceed the following specifications:

- For each loss of a significant indigenous tree, there shall be a replacement with three or more trees, as determined by the Community Development Director, of the same species using at least 5-gallon size stock.
- For each loss of a significant exotic tree, there shall be a replacement with three or more trees, as determined by the

Community Development Director that the substitute tree can survive and flourish in the regional climatic conditions.

- Replacement trees shall require a surety deposit for both performance (installation of tree, staking, and providing an irrigation system) and maintenance. Maintenance shall be required for no less than two and no more than five years as determined by the Community Development Director.

8.c. **Mitigation Measure 4.2-1a:** The applicant shall ensure through the enforcement of contractual obligations that construction contractors implement a fugitive dust abatement program during construction, which shall include the following elements consistent with the Basic Construction Mitigation Measures recommended by the Bay Area Air Quality Management District (BAAQMD):

- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
- Cover all exposed stockpiles.
- Water all exposed roadway and construction areas two times a day.
- Sweep paved streets three times daily (with water sweepers) if visible soil material is carried onto adjacent streets.
- Limit traffic speeds on unpaved roads to 15 miles per hour (mph).
- After grading is complete, construction of paved surfaces (e.g., roadways, driveways, sidewalks, building pads) should be

completed as soon as possible unless protected by seeding, soil binders, or other similar measures.

- Limit idling time to a maximum of five minutes and turn off equipment when not in use; clear signage indicating this shall be displayed at the project site access point.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall be checked by a certified visible emissions evaluator.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- Any burning of cleared vegetation shall be conducted according to the rules and regulations of the BAAQMD's Regulation 5 (BAAQMD, 2008). Prior notification to BAAQMD shall be made by submitting an Open Burning Prior Notification Form to BAAQMD's office in San Francisco.
- A publicly visible sign shall be posted with the telephone number and person to contact at the County regarding dust complaints. A response and corrective action shall occur within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

8.d. **Mitigation Measure 4.2-1b:** The applicant shall ensure through contractual obligations (to be contained within the Subdivision Improvement Agreement with the Department of Public Works per Condition No. 21) with construction contractors that the following Best

Management Practices (BMPs) shall be implemented during all stages of construction:

- All heavy-duty construction equipment shall be equipped with diesel particulate matter filters.
- Only low Reactive Organic Gas (ROG) coatings shall be utilized.
- The applicant shall use only Tier 2 or better heavy-duty construction equipment.

8.e. **Mitigation Measure 4.3-1\***: To address potential impacts associated with special status plant species, the following measures shall be implemented prior to issuance of a grading permit “hard card”:

- A qualified biologist/botanist shall conduct a focused botanical survey during the month of May, which corresponds to the overlapping evident and identifiable bloom periods for the remaining seven species, and prior to commencement of construction. Should no special status plant species be observed, then no additional mitigation is required.
- Should one or more of these special status plants be found during the focused botanical survey on the project site, the qualified biologist/botanist shall contact the California Department of Fish and Wildlife (CDFW) within one day following the focused botanical survey to report the findings. A 10-foot buffer shall be established around the species using construction flagging prior to commencement of construction activities.

- Should avoidance of special status plant species be infeasible, the qualified botanist would salvage and relocate the individuals in an area comprised of suitable habitat in the vicinity of the project site that would not be impacted by the proposed project. Prior to the attempted relocation, seeds shall be gathered from the identified plants for use in the area identified for relocation.

8.f. **Mitigation Measure 4.3-2:** To address potential impacts associated with the Mission blue butterfly, the following shall be implemented prior to issuance of a grading permit “hard card”:

- A qualified biologist shall conduct a focused survey within the non-native grassland on the project site for the Mission blue butterfly during the appropriate identification periods for adults (March-July) or juveniles (wet season) prior to commencement of construction activities. Should no species be observed, then no additional mitigation is required.
- Should the Mission blue butterfly be observed during the focused survey on the project site, the qualified biologist shall contact CDFW within one day following the focused botanical survey to report the findings. If feasible, a 10-foot buffer shall be established around the species’ host plants using construction flagging prior to commencement of construction activities.
- Should avoidance of the Mission blue butterfly be infeasible, the qualified biologist would allow the butterfly to exit the property on its own, or would establish an alternately appropriate action approved by CDFW.

8.g. **Mitigation Measure 4.3-3a:** Prior to issuance of a grading permit “hard card,” a qualified biologist shall conduct a minimum of two protocol level pre-construction surveys for listed bird species during the recommended survey periods for the nesting season that coincides with the commencement of construction activities:

- Northern harrier: Present year-round, breeds March through August;
- Burrowing owl: Present year-round, breeds primarily March through August, but can be February through December; and
- White-tailed kite: Present year-round, breeding occurs in autumn. Nesting season begins in February and ends in August.

These surveys will occur in accordance with the United States Fish and Wildlife Service (USFWS) Division of Migratory Bird Management Guidelines for Raptor Conservation in the United States (2008). The qualified biologist shall conduct surveys within 14 days of commencement for northern harrier, burrowing owl, and white-tailed kite in the project site and within 0.25 miles of construction activities where legally permitted. The biologist will use binoculars to visually determine whether nests occur beyond the 0.25-mile survey area if access is denied on adjacent properties. If no active nests are identified on or within 0.25 miles of construction activities within the recommended survey periods, a report summarizing the survey results shall be submitted to the County and the CDFW within 30 days following the survey, and no further mitigation for nesting habitat is required. Evidence, in the form of a letter documenting the results of the survey, shall be submitted to the Current Planning Section prior to the issuance of grading permit “hard card.”

- 8.h. **Mitigation Measure 4.3-3b:** If active listed bird nests are found within 0.25 miles of construction activities, the biologist shall contact the Current Planning Section and CDFW within one day following the pre-construction survey to report the findings. For purposes of this mitigation requirement, construction activities are defined to include heavy equipment operation associated with construction (use of cranes or draglines, new rock crushing activities) or other project-related activities that could cause nest abandonment or forced fledging within 0.25 miles of a nest site during the identified nesting period. Should an active nest be present within 0.25 miles of construction areas, then CDFW shall be consulted to establish an appropriate noise buffer, develop take avoidance measures, and implement a monitoring and reporting program prior to any construction activities occurring within 0.25 miles of the nest/burrow. The monitoring program would require that a qualified biologist shall monitor all activities that occur within the established buffer zone to ensure that disruption of the nest/burrow or forced fledging does not occur. Should the biologist determine that the construction activities are disturbing the nest/burrow, the biologist shall halt construction activities until CDFW is consulted. The construction activities shall not commence until the CDFW determines that construction activities would not result in abandonment of the nest/burrow site. If the CDFW determines that take may occur, the applicant would be required to obtain a California Endangered Species Act (CESA) take permit. Should the biologist determine that the nest/burrow has not been disturbed during construction activities within the buffer zone, then a report summarizing the survey results will be submitted to the Current Planning Section and CDFW and no further mitigation for nesting habitat is required.
- 8.i. **Mitigation Measure 4.3-4a:** A qualified biologist shall conduct a pre-construction bird survey for nesting within 14 days prior to commencement of construction activities and prior to the issuance of a grading permit

“hard card” if anticipated to commence during the appropriate nesting season (between February 1 and August 31). The qualified biologist shall document and submit the results of the pre-construction survey in a letter to CDFW and the County within 30 days following the survey. The letter shall include: a description of the methodology including dates of field visits, the names of survey personnel, a list of references cited and persons contacted, and a map showing the location(s) of any bird nests observed on the project site. If no active nests are identified during the pre-construction survey, then no further mitigation is required. Evidence, in the form of a report documenting the results of the survey, shall be submitted to the Current Planning Section prior to the issuance of any grading or building permits within the project site.

- 8.j. **Mitigation Measure 4.3-4b:** If any active nests are identified during the pre-construction survey within the project site, a buffer zone will be established around the nests. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist will delimit the buffer zone with construction tape or pin flags within 250 feet of the active nest and maintain the buffer zone until the end of the breeding season or until the young have fledged. Guidance from CDFW will be requested if establishing a 250-foot buffer zone is impractical. Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed.
- 8.k. **Mitigation Measure 4.3-4c:** Trees anticipated for removal should be removed outside of the nesting season (February 1 and August 31). If trees are anticipated to be removed during the nesting season, a pre-construction survey shall be conducted by a qualified biologist prior to the issuance of a grading “hard card.” If the survey shows that there is no evidence of active nests, then the tree shall be removed within ten days following the survey. If active nests are located within trees identified for

removal, a 250-foot buffer shall be installed around the tree. Guidance from CDFW will be requested if the 250-foot buffer is infeasible.

8.l. **Mitigation Measure 4.3-6:** Prior to the issuance of a grading permit “hard card” and removal of any trees, a certified arborist or registered professional forester shall conduct an arborist survey documenting all trees with trunk circumferences of 38 inches or greater and their location, as well as any Tree Communities or Indigenous Trees regardless of size. The report shall be submitted to the Current Planning Section. The applicant shall not remove any trees without prior approval from the Community Development Director. All recommendations of the arborist report shall be implemented prior to the issuance of building permits for development on the project site. The arborist report shall specify measures including, but not limited to the following:

- To the extent feasible, trees anticipated for removal shall be removed outside of the nesting season for birds. Taking into account the nesting season for the white tailed kite, the nesting season shall be defined as February 1 to August 31.
- The project proponent shall plant replacement significant and/or indigenous tree species recommended by the County at a 3:1 ratio within the project site. See also Conditions No. 8.a and No. 8.b.

8.m. **Mitigation Measure 4.4-1a:** Implementation of Condition No. 8.t (Mitigation Measure 4.6-1 from Section 4.6; Hydrology and Water Quality) to identify and implement erosion control BMPs within the Stormwater Pollution Prevention Plans (SWPPP) (as specified in Condition No. 9) prepared for construction activities in accordance with the State’s Clean Water Act National Pollutant Discharge Elimination System (NPDES) general permit for construction activities. Implementation of these BMPs

would ensure that temporary and short-term construction-related erosion impacts under the proposed project would be reduced to a less-than-significant level.

- 8.n. **Mitigation Measure 4.4-1b:** The applicant shall submit an Erosion and Sediment Control Plan prior to the issuance of a grading permit “hard card” as required in Condition No. 9. This Erosion and Sediment Control Plan shall be prepared by a licensed civil engineer or certified professional soil erosion and sediment control specialist. The plan shall show the location of proposed vegetative erosion control measures, including landscaping and hydroseeding, and the location and details of all proposed drainage systems. The plan shall include sufficient engineering analysis to show that the proposed erosion and sediment control measures during pre-construction, construction, and post-construction are capable of controlling surface runoff and erosion, retaining sediment on the project site, and preventing pollution of runoff in compliance with the Clean Water Act.
  
- 8.o. **Mitigation Measure 4.4-2a:** Grading and building designs, including foundation requirements, shall be consistent with the findings of the geotechnical investigation, the California Code of Regulations, and the California Building Code.
  
- 8.p. **Mitigation Measure 4.4-2b:** The applicant shall comply with all recommendations contained within the site-specific geotechnical investigation conducted by Michelucci and Associates (2013) (FEIR; Appendix E).
  
- 8.q. **Mitigation Measure 4.4-2c:** The applicant shall retain a qualified engineering geologist to ensure all grading and installation of fill is performed under the observation of the qualified engineering geologist.

- 8.r. **Mitigation Measure 4.4-3a:** Implement Condition No. 8.u (Mitigation Measure 4.6-2 from Section 4.6; Hydrology and Water Quality) to ensure that the site stormwater drainage system (including individual systems for each residence) shall not allow discharge of uncontrolled runoff onto the site slopes. Concentrated runoff shall not be allowed to flow over graded slopes or areas of thick soil, colluviums, or fill. See Condition No. 12 for additional requirements.
- 8.s. **Mitigation Measure 4.4-3b:** Implement Condition No. 8.q (Mitigation Measure 4.4-2c) to ensure the recommendations of the geotechnical investigation regarding sub-drains and surface drainage are included in the project design.
- 8.t. **Mitigation Measure 4.6-1:** The applicant shall comply with the State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Stormwater Runoff Associated with Construction Activity (General Permit). The SWRCB requires that all construction sites have adequate control measures to reduce the discharge of sediment and other pollutants to streams to ensure compliance with Section 303 of the Clean Water Act. To comply with the NPDES permit, the applicant will file a Notice of Intent with the SWRCB and prepare a SWPPP prior to construction, which includes a detailed, site-specific listing of the potential sources of stormwater pollution; pollution prevention measures (erosion and sediment control measures and measures to control non-stormwater discharges and hazardous spills) to include a description of the type and location of erosion and sediment control BMPs to be implemented at the project site; and a BMPs monitoring and maintenance schedule to determine the amount of pollutants leaving the proposed project site. A copy of the SWPPP must be current and remain on the project site.

Control measures are required prior to and throughout the rainy season. Water quality BMPs identified in the SWPPP shall include, but are not limited to, the following:

- Temporary erosion control measures (such as silt fences, staked straw bales, and temporary revegetation) shall be employed for disturbed areas. No disturbed surfaces will be left without erosion control measures in place during the winter and spring months.
- Sediment shall be retained on-site by detention basins, on-site sediment traps, or other appropriate measures.
- A spill prevention and countermeasure plan shall be developed which would identify proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used on-site. The plan shall also require the proper storage, handling, use, and disposal of petroleum products.
- Construction activities shall be scheduled to minimize land disturbance during peak runoff periods and to the immediate area required for construction. Soil conservation practices shall be completed during the fall or late winter to reduce erosion during spring runoff. Existing vegetation will be retained where possible. To the extent feasible, grading activities shall be limited to the immediate area required for construction.
- Surface water runoff shall be controlled by directing flowing water away from critical areas and by reducing runoff velocity. Diversion structures such as terraces, dikes, and ditches shall collect and direct runoff water around vulnerable areas to prepared drainage

outlets. Surface roughening, berms, check dams, hay bales, or similar devices shall be used to reduce runoff velocity and erosion.

- Sediment shall be contained when conditions are too extreme for treatment by surface protection. Temporary sediment traps, filter fabric fences, inlet protectors, vegetative filters and buffers, or settling basins shall be used to detain runoff water long enough for sediment particles to settle out.
- Construction materials, including topsoil and chemicals, shall be stored, covered, and isolated to prevent runoff losses and contamination of groundwater.
- Topsoil removed during construction shall be carefully stored and treated as an important resource. Berms shall be placed around topsoil stockpiles to prevent runoff during storm events.
- Establish fuel and vehicle maintenance areas away from all drainage courses and design these areas to control runoff.
- Disturbed areas shall be revegetated after completion of construction activities.
- All necessary permits and approvals shall be obtained.
- Provide sanitary facilities for construction workers.

8.u. **Mitigation Measure 4.6-2a:** Prior to the recordation of the final subdivision map, a maintenance agreement shall be developed between the County and the Homeowners Association (HOA) or equivalent entity requiring the HOA or equivalent entity to complete the following tasks and

provide the following information on a routine basis. These requirements apply only to the bioretention treatment system area of the project site and are as follows:

- Maintenance of soils and plantings, including routine pruning, mowing, irrigation, replenishment of mulch, weeding, and fertilizing with a slow-release fertilizer with trace elements.
- Removal of obstructions and trash from bioretention areas.
- Use of only pesticides and fertilizers that are accepted within the integrated pest management approach for use in the bioretention areas.
- Repair of erosion at inflow points.
- Monthly review and inspection of bioretention areas for the following:
  - Obstruction of trash,
  - If ponded water is observed, the surface soils shall be removed and replaced and sub-drain systems inspected, and
  - Condition of grasses.
- Distribution of the following:
  - A copy of the stormwater management plans shall be made available to personnel in charge of facility maintenance and shall be distributed to the subcontractor

representative engaged in the maintenance or installation of the bioretention system, and

- Material presented in the integrated pest management program will be made available to personnel in charge of facility maintenance and shall be distributed to the subcontractor representative engaged in the maintenance or installation of the bioretention system.

8.v. **Mitigation Measure 4.6-2b:** Prior to recordation of the final subdivision map, a maintenance agreement shall be developed between the County and the HOA or equivalent entity requiring the HOA or equivalent entity to complete the following tasks and provide the following information on a routine basis. These requirements apply to all common areas of the project site and are as follows:

- Drainage inlets shall be inspected monthly and kept clean of any trash that may have accumulated. It is the responsibility of the property manager/owner to have those inspections performed, documented, and any repairs made.
- Landscape areas shall be covered with plants or some type of ground cover to minimize erosion. No areas are to be left as bare dirt that could erode. Mounding slopes shall not exceed two horizontal to one vertical.
- Pesticides and fertilizers shall be stored as hazardous materials and in appropriate packaging; over spraying onto paved areas shall be avoided when applying fertilizers and pesticides. Pesticides and fertilizers shall be prohibited from being stored outside.

- Landscape areas shall be inspected and all trash picked up and obstruction to the drainage flow removed on a monthly basis minimum. The project site shall be designed with efficient irrigation and drainage to reduce pesticide use. Plants shall be selected based on size and situation to reduce maintenance and routine pruning.
- Integrated pest management information shall be provided to the building management.

8.w. **Mitigation Measure 4.6-2c:** Infiltration systems shall be designed in accordance with the following procedures outlined in the California Stormwater Best Management Practice Handbooks to reduce runoff and restore natural flows to groundwater:

- Biofilters and/or vegetative swale drainage systems will be installed at roof downspouts for all buildings on the project site, allowing sediments and particulates to filter and degrade biologically.
- Structural source controls, such as covers, impermeable surfaces, secondary containment facilities, runoff diversion berms, sediment, and grease traps in parking areas will be installed.
- Designated trash storage areas will be covered to protect bins from rainfall.

8.x. **Mitigation Measure 4.6-3a:** Prior to the recordation of the final subdivision map, a maintenance agreement shall be developed between the County and the HOA or equivalent entity requiring the HOA or equivalent entity to complete and provide the documentation of annual inspection and cleaning of each of the 19 individual lot storm drainage

systems. The inspection shall be performed during the dry season and shall include removal of all trash and obstructions from area drains, cleanouts, and catch basins.

- 8.y. **Mitigation Measure 4.6-3b:** The 15-inch diameter stormwater drain pipe flowing at 2 percent that crosses Ascension Drive at Enchanted Way shall be replaced with a 21-inch diameter pipe. The 30-inch diameter stormwater drain pipe flowing at 1.3 percent shall be replaced with a 36-inch diameter pipe sloped at 2 percent. Stormwater drain pipe infrastructure improvements shall adhere to all applicable regulations and ordinances.
- 8.z. **Mitigation Measure 4.7-1:** The project applicant shall ensure through the enforcement of contractual obligations that all contractors transport, store, and handle construction-required hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by the San Mateo County Planning and Building Department, Office of Environmental Health Services Division, and Office of Emergency Services. Recommendations may include, but are not limited to, transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using approved protocols.
- 8.a.a. **Mitigation Measure 4.7-3a:** The applicant shall ensure through the enforcement of contractual obligations to be contained within the Subdivision Improvement Agreement (Condition No. 21) that the following measures are implemented by contractors during project construction:
- Staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible,

the contractor shall keep these areas clear of combustible materials in order to maintain a firebreak.

- Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.

8.a.b. **Mitigation Measure 4.7-3b:** The building plans of the proposed project shall be reviewed by a representative from County Fire/Cal-Fire to ensure that regulations in the County's Fire Ordinance are met and the project complies with County Fire/Cal-Fire requirements. The development of the proposed project shall be in compliance with Chapter 15 of the County General Plan with respect to residential uses adjacent to open space areas where wildfire is a threat, as well as Cal-Fire requirements (Condition No. 49).

8.a.c. **Mitigation Measure 4.8-1:** The project applicant shall ensure through contractual agreements to be contained within the Subdivision Improvement Agreement (Condition No. 21) that the following measures are implemented during construction:

- Construction activities shall be limited to occur between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and 9:00 a.m. and 5:00 p.m. on Saturdays. Construction activities shall not occur on Sundays, Thanksgiving, or Christmas. The intent of this measure is to prevent construction activities during the more sensitive time period and minimize the potential for effects.
- Stationary equipment and staging areas shall be located as far as practical from noise-sensitive receptors.

- All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and acoustical shields or shrouds, in accordance with manufacturers' recommendations.
- Construction activities shall conform to the following standards:
  - (a) there shall be no start-up of machines or equipment, no delivery of materials or equipment, no cleaning of machines or equipment and no servicing of equipment except during the permitted hours of construction;
  - (b) radios played at high volume, loud talking and other forms of communication constituting a nuisance shall not be permitted.
- The general contractors for all construction activities shall provide a contact number for citizen complaints and a methodology for dealing with such complaints such as designating a noise disturbance coordinator. This noise disturbance coordinator shall receive all public complaints about construction-related noise and vibration, shall be responsible for determining the cause of the complaint, and shall implement any feasible measures to be taken to alleviate the problem. All complaints and resolution of complaints shall be reported to the County weekly.

8.a.d. **Mitigation Measure 4.10-2a:** Residents of the proposed project shall comply with all requirements of Cal Water's Water Shortage Contingency Plan as mandated by Cal Water and BSD. These requirements may include, but are not limited to the following that shall be contained within an HOA agreement:

- Voluntarily reduce water consumption at single-family residences;

- Adhere to the minimum allocation given to single-family residential customers or pay penalty rate applied to service bill for use that is in excess of customer's allocation; and/or
  - Comply with orders prohibiting the use of water for specific activities, such as a prohibition of potable water use for landscape irrigation.
- a.e. **Mitigation Measure 4.10-2b:** Pumping facilities shall be installed at the existing water tank owned by Cal Water to provide adequate water pressure for residential and fire protection uses. Cal Water shall be contacted to review pumping facilities design and ensure compliance with applicable standards. The project applicant shall be responsible for covering the cost of the development of these facilities prior to the recordation of the final subdivision map.
- 8.a.f. **Mitigation Measure 4.10-2c:** Two existing water mains shall be relocated such that they are within the right-of-way of the proposed private street or at the property boundary so as to allow ease of maintenance of the water mains. Prior to the issuance of a grading permit "hard card," a new Cal Water easement shall be established that meets with the approval of Cal Water to the project site to replace the existing Cal Water easements. The two water mains include an 8-inch diameter water main connecting the water tank to the water main located on Parrot Drive and a 10-inch diameter water main connecting the water tank to the water main located on Bel Aire Drive.
- 8.a.g. **Mitigation Measure 4.10-3:** The applicant shall offset the increase in sewer flow generated by the proposed project by reducing the amount of existing Inflow and Infiltration (I&I) into the CSCSD sewer system. The offset amount shall achieve a zero net increase in flow during wet weather

events with implementation of the proposed project. This shall be achieved through the construction of improvements to impacted areas of the sewer system, with construction plans subject to CSCSD approval and required to be in compliance with applicable regulatory requirements. Construction of improvements, as approved by the CSCSD, shall be completed prior to the recordation of the final subdivision map.

- 8.a.h. **Mitigation Measure 4.10-5:** The applicant shall ensure that fire sprinklers with appropriate flow rates are installed for all structures that would be developed as a part of the proposed project, per County Fire/Cal-Fire's alternate materials and methods request.
  
- 8.a.i. **Mitigation Measure 4.11-3:** Either provide street lighting on the private streets to a level of 0.4 minimum maintained average foot-candles with a uniformity ratio of 6:1, average to minimum or ensure street lighting is consistent with safety standards of the County-governed Bel Aire Lighting District.
  
- 8.a.j. **Mitigation Measure 4.11-4:** Within the corner sight triangles at the new street intersection, there should be no walls, fencing, or signs that would obstruct visibility. Trees should be planted so as to not create a "wall" effect when viewed at a shallow angle. The type of shrubbery planted within the triangles should be such that it will grow no higher than 3 feet above the adjacent roadway surface. Trees planted within the sight triangle areas should be large enough that the lowest limbs are at least 7 feet above the surface of the adjacent roadway. Street parking should be prohibited within the bounds of the sight triangle, as well as within the fire hammerhead turnarounds.

#### Grading Permit Conditions

9. The applicant is required to comply with the County's Drainage Policy and the approved Erosion and Sediment Control Plan. A final Erosion and Sediment Control Plan is required at the building permit stage and should contain all measures of the approved Erosion and Sediment Control Plan and measures required by project mitigation measures.
10. No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion, unless approved, in writing, by the Community Development Director. The property owner(s) shall submit a letter to the Current Planning Section, at least two weeks prior to commencement of grading, stating the date when grading will begin, and its anticipated duration.
11. The property owner(s) shall file a Notice of Intent (NOI) with the State Water Resources Board to obtain coverage under the State General Construction Activity NPDES Permit. A copy of the project's NOI and Stormwater Pollution Prevention Plan (SWPPP) shall be submitted to the Current Planning Section, prior to the issuance of any grading permit "hard card."
12. Prior to the issuance of the grading permit "hard card," the property owner(s) shall schedule an erosion control inspection by Current Planning Section staff to demonstrate that the approved erosion control plan has been implemented. The property owner(s) is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water bodies by adhering to the San Mateo Countywide Water Pollution Prevention Program's (SMCWPPP) "General Construction and Site Supervision Guidelines," including:
  - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of fiber rolls or coir netting, and passive measures, such as minimizing vegetation removal and revegetating

disturbed areas with vegetation that is compatible with the surrounding environment.

- b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
- c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
- d. Using sediment controls or filtration to remove sediment when dewatering the site and obtaining all necessary permits.
- e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
- f. Delineating with field markers clearing limits, setbacks, and drainage courses. Prior to issuance of a grading permit "hard card" for either property, the property owner(s) shall install accurate and visible markers (at a minimum height of 4 feet), to the satisfaction of the County Department of Parks, delineating all sides of the shared property line between the subject parcels and County property.
- g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
- h. Performing clearing and earth-moving activities only during dry weather.

- i. Limiting construction access routes and stabilizing designated access points.
  - j. Avoid tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
  - k. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
  - l. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving the site shall be clear and running slowly at all times.
  - m. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
13. While the property owner(s) must adhere to the final approved Erosion and Sediment Control Plan (per Condition No. 9) during grading and construction, it is the responsibility of the civil engineer and/or construction manager to implement the Best Management Practices (BMPs) that are best suited for each project site. If site conditions require additional measures in order to comply with the SMCWPPP and prevent erosion and sediment discharges, said measures shall be installed immediately under the direction of the project engineer. If additional measures are necessary in the reasonable judgment of the San Mateo County Community Development Director and the Director of Public Works, the erosion and sediment control plan shall be updated to reflect those changes and shall be resubmitted to the Planning and Building Department for review. The County reserves the right to require additional (and/or different) erosion and sediment

control measures during grading and/or construction if the approved plan proves to be inadequate for the unique characteristics of each job site.

14. Prior to the issuance of a grading permit “hard card,” the property owner(s) shall submit a schedule of grading operations, subject to review and approval by the Department of Public Works and the Current Planning Section. The submitted schedule shall include a schedule for, and details of, the off-site haul operations, including, but not limited to: gravel import site(s), size of trucks, haul route(s), time and frequency of haul trips, and dust and debris control measures. The submitted schedule shall represent the work in detail and project grading operations through to the completion of grading activities and stabilization of all disturbed areas of the site(s). As part of the review of the submitted schedule, the County may place such restrictions on the hauling operation, as it deems necessary. During periods of active grading, the property owner(s) shall submit monthly updates of the schedule to the Department of Public Works and the Current Planning Section.
  
15. The provision of the San Mateo County Grading Regulations shall govern all grading on and adjacent to the project sites. Per San Mateo County Ordinance Code Section 8605.5, all equipment used in the grading operations shall meet spark arrester and firefighting tool requirements, as specified in the California Public Resources Code.
  
16. Upon the start of grading activities and through to the completion of the project, the property owner(s) shall be responsible for ensuring that the following dust control guidelines are implemented:
  - a. All graded surfaces and materials, whether filled, excavated, transported or stockpiled, shall be wetted, protected or contained in such a manner as to prevent any significant nuisance from dust, or spillage upon adjoining water body, property, or streets. Equipment and materials on the site shall be

used in such a manner as to avoid excessive dust. A dust control plan may be required at any time during the course of the project.

- b. A dust palliative shall be applied to the site when required by the County. The type and rate of application shall be recommended by the soils engineer and approved by the Department of Public Works, the Planning and Building Department's Geotechnical Section, and the Regional Water Quality Control Board.
17. Final approval of all grading permits is required. For final approval of the grading permits, the property owner(s) shall ensure the performance of the following activities within thirty (30) days of the completion of grading at the project sites:
- a. The engineer shall submit written certification that all grading has been completed in conformance with the approved plans, conditions of approval/mitigation measures, and the Grading Regulations, to the Department of Public Works and the Planning and Building Department's Geotechnical Section.
  - b. The geotechnical consultant shall observe and approve all applicable work during construction and sign Section II of the Geotechnical Consultant Approval form, for submittal to the Planning and Building Department's Geotechnical Engineer and Current Planning Section.

### Cultural Resources

18. The property owner(s) and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified

immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains which the property owner(s) shall comply with.

### Noise

19. The property owner(s) shall comply with the County's Noise Ordinance limiting construction and grading activities during the hours between 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 5:00 p.m. on Saturdays, and prohibiting construction on Sundays, Thanksgiving and Christmas.

### Department of Public Works

20. Prior to recordation of the final map, the applicant will be required to submit to the Department of Public Works a complete set of improvement plans including all provisions for roadways, driveway, utilities, storm drainage, and stormwater treatment, all in accordance with the County Subdivision Regulations, County Standard Details, County Drainage Policy and NPDES permit. Improvement plans must be accompanied by a plan review deposit in the amount of \$1,000.00 made payable to the County of San Mateo Department of Public Works.
21. Upon the Department of Public Works' approval of the improvement plans, the applicant will be required to execute a Subdivision Improvement Agreement and post securities with the Department of Public Works as follows:
  - a. Faithful Performance – 100 percent on the estimated cost of constructing the improvements.

- b. Labor and Materials – 50 percent of the estimated cost of constructing the improvements.
- 
- 22. The applicant shall prepare a plan indicating the proposed method of sewerage for these properties. This plan should be included on the improvement plans and submitted to the Department of Public Works for review. Upon completion of this review, the applicant or his engineer shall have these approved plans signed by the Crystal Springs County Sanitary District.
  - 23. Any potable water system work required by the appropriate district within the County right-of-way shall not be commenced until County requirements for the issuance of an encroachment permit have been met. Plans for such work shall be reviewed by the Department of Public Works prior to the issuance of the permit.
  - 24. The applicant shall submit a driveway “plan and profile” to the Department of Public Works, showing the driveway access to each parcel (garage slab) complying with County standards for driveway slopes (not to exceed 20 percent) and to County standards for driveways (at property line) being the same elevation as the center of the access roadway. When appropriate, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
  - 25. The applicant shall have designed (by a registered civil engineer) and the applicant shall construct an on-site private street to serve the proposed lots of this subdivision. This street shall be designed and constructed to no less than the standards for an “Urban Private Street.” The street shall be posted for no parking and it shall terminate in a turnaround meeting the requirements of the applicable fire jurisdiction and the San Mateo County Department of Public Works.

26. The applicant shall have prepared (by a registered civil engineer) a drainage analysis of the proposed subdivision and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property being subdivided shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the street improvement plans and submitted to the Department of Public Works for review and approval.

Any upgrades to the existing stormwater system, as required by this project, shall be completed by the owner prior to the recordation of the subdivision map.

27. The applicant shall submit a permanent stormwater management plan in compliance with the County's Drainage Policy and NPDES requirements for review and approval by the Department of Public Works.

28. The applicant shall record documents which address future maintenance responsibilities of any private drainage and/or roadway facilities which may be constructed. Prior to recording these documents, they shall be submitted to the Department of Public Works for review.

29. The property owner shall dedicate sanitary sewer easements for any portion of the sewer main which lies outside of existing public sanitary sewer easements, if applicable.

30. The applicant shall submit to the project planner (for recordation) legal descriptions of the reconfigured parcels. The project planner will review these descriptions and forward them to Public Works for approval.

31. Prior to recordation, the applicant shall submit written certification from the appropriate energy and communication utilities, sewer district, and water district to the Department of Public Works and the Planning Department stating that they will provide services to the proposed parcels of this subdivision.
32. The applicant shall submit a subdivision map to the Department of Public Works – County Surveyor for review and recordation.
33. The provisions of the San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. At the completion of work, the engineer who prepared the approved grading plan shall certify, in writing, that all grading, lot drainage, and drainage facilities have been completed in conformance with the approved plans, as conditioned, and the Grading Ordinance.
34. Prior to the issuance of the grading permit, the applicant shall submit, to the Department of Public Works for review and approval, a plan for any off-site hauling operations. This plan shall include, but not be limited to, the following information: size of trucks, haul route, disposal site, dust and debris control measures, and time and frequency of haul trips. As part of the review of the submitted plan, the County may place such restrictions on the hauling operation, as it deems necessary.
35. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued.
36. Prior to the issuance of future building permits, the applicant will be required to provide payment of “roadway mitigation fees” based on the square footage (assessable space) of the proposed buildings per Ordinance No. 3277.

37. "As-Built" plans of all construction required by these conditions shall be prepared and signed by the subdivider's engineer upon completion of all work. The "As-Built" plans shall be accompanied by a written certification from the engineer that all private facilities have been completed in conformance with the approved plans.
38. It shall be the responsibility of the applicant's engineer to regularly inspect the erosion control measures and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected.

#### Building Inspection Section

39. Building permits shall be applied for and obtained from the Building Inspection Section for any future construction on any of the 19 created parcels indicated for development after filing the final subdivision map.

#### Cal-Fire

40. An Alternate Methods or Materials Request has been approved by the Fire Marshal for this project. A modified 13D system will be required as follows: three-head calculations for the three most hydraulically demanding heads without regard to partitions; bathrooms, closets and pantries will have fire sprinkler coverage; all attic access shall have on-head coverage; a remote inspector's test; an exterior alarm bell and an interior alarm. This condition shall be met at the building permit phase of the project.
41. No combustibles shall be on-site prior to the required fire protection water supply and fire department access provided.
42. The following fire flow will be required depending upon the total floor space square footage of the largest structure: Up to 3,600 sq. ft., 1,000 gpm; 3,601 to 4,800 sq.

ft., 1,750 gpm; 4,801 to 6,200 sq. ft., 2,000 gpm. This fire flow shall be available for a minimum of 2 hours and at 20-psi residual operating pressure.

43. The required fire flow shall be available from a County Standard 6-inch Wet Barrel Fire Hydrant; the configuration of the hydrant shall have a minimum of one each 4 1/2-inch outlet and one each 2 1/2-inch outlet located not more than 200 feet from the building, measured by way of approved drivable access to the project site.
44. When receiving water service for fire protection (hydrants, fire sprinkler systems) from a public or municipal water purveyor, written certification from the water company that hydrants will be installed or that the existing water system is capable of meeting the project conditions is required to be presented to the San Mateo County Fire Department for verification to show that the required upgrades to the system will be installed and that existing fire flows will meet the project requirements.
45. Fire Department access shall be to within 150 feet of all exterior portions of the facility and all portions of the exterior walls of the first story of the buildings as measured by an approved access route around the exterior of the building or facility. Access shall be 20 feet wide, all weather surface, and able to support a fire apparatus weighing 75,000 lbs. Where a fire hydrant is located in the access, a minimum of 26 feet is required for a minimum of 20 feet on each side of the hydrant. This access shall be provided from a publicly maintained road to the property. Grades over 16 percent shall be approved by the Fire Marshal. Gravel road access shall be certified by an engineer as to the compaction and weight it will support.
46. All roof assemblies in Very High Fire Hazard Severity Zones shall have a minimum CLASS-A fire resistive rating and be installed in accordance with the manufacturer's specifications and current California Building and Fire Codes.

47. All dead-end roadways shall be terminated by a turnaround bulb of not less than 96 feet in diameter. Alternates such as a hammerhead T may be approved by the Fire Marshal.
48. All new public water systems, extensions from a public water system or replacement of any main or line of an existing public water system shall have a minimum diameter of 6 inches. If the pipes are not linked in grid or if individual legs are over 600 feet in length, then the minimum diameter shall be 8 inches.
49. This project is located in a wildland urban interface area. Roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors, and underfloor protection shall meet CRC R327 or CBC Chapter 7A requirements. You can visit the Office of the State Marshal's website at [http://www.fire.ca.gov/fire\\_prevention/fire\\_prevention\\_wildland.php](http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland.php) and click the new products link to view the "WUI Products Handbook." This condition to be met at the building permit phase of the project.

JAC:fc – JACZ0061\_WFU.DOCX

**From:** James Castaneda  
**To:** Jim Toby  
**CC:** Clarissa Dusciuc; Lisa Aozasa; Roxana Corona  
**Date:** 1/21/2015 9:51 AM  
**Subject:** RE: C3/C6 Form/Revision, Ascension

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**Lea & Braze Engineering, Inc**  
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>>> Jim Toby 01/13/15 9:55 AM >>>

Thanks James, I have been working on this now will get it done as soon as I possibly can. Thanks Jim

Sent from my iPhone

On Jan 13, 2015, at 9:41 AM, James Castaneda <jcastaneda@smcgov.org> wrote:

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JAMES

**James A. Castañeda, AICP**

Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

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T 650.363.1853 | F 650.363.4819  
[planning.smcgov.org](http://planning.smcgov.org) | [sforoundtable.org](http://sforoundtable.org)

**From:** James Castaneda  
**To:** Bryan ALBINI  
**CC:** Heather Hardy; Lisa Aozasa  
**Date:** 1/21/2015 10:40 AM  
**Subject:** Ascension Heights staff report

Good morning Bryan, just a heads up, we're finishing up the final edits to the Ascension Heights staff report, and will need a quick turnaround time to get it posted. I'm hoping to have it completely compiled by 3pm, and will need to go live as soon as we're able to. I'm currently draft up the "Latest" text that will replace what's there. Sorry for the short notice, and appreciate getting this up when we're ready to publish.

JAMES

**From:** Heather Hardy  
**To:** James Castaneda  
**CC:** Lisa Aozasa  
**Date:** 1/21/2015 10:44 AM  
**Subject:** Re: Ascension Heights staff report

Hi James,

I intend to post this on the Planning Commission event page ( <https://planning.smcgov.org/events/planning-commission-hearing-128> ) as soon as it's done. Just in case you don't hear back from Bryan, I think I now have "page edit" access in Drupal, and could probably edit the project site if needed. Also, Nate Glover is in the office today (I'm meeting with him at 1 to train him on something), if you wanted to go that route.

Thanks,  
Heather

>>> James Castaneda 1/21/2015 10:40 AM >>>

Good morning Bryan, just a heads up, we're finishing up the final edits to the Ascension Heights staff report, and will need a quick turnaround time to get it posted. I'm hoping to have it completely compiled by 3pm, and will need to go live as soon as we're able to. I'm currently draft up the "Latest" text that will replace what's there. Sorry for the short notice, and appreciate getting this up when we're ready to publish.

JAMES

**From:** Bryan ALBINI  
**To:** Castaneda, James  
**CC:** Aozasa, Lisa; Hardy, Heather  
**Date:** 1/21/2015 10:52 AM  
**Subject:** Re: Ascension Heights staff report

I can have all the documents posted as soon as you're ready. Please send me the file path and web text when you can.

Bryan Albini  
Planner  
balbini@smcgov.org

**County of San Mateo**  
Planning and Building Department  
455 County Center, 2nd Floor  
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**From:** Roxana Corona <rcorona@leabraze.com>  
**To:** jtoby@leabraze.com; JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org; cdusciuc@leabraze.com  
**Date:** 1/21/2015 12:29 PM  
**Subject:** RE: C3/C6 Form/Revision, Ascension  
**Attachments:** 2010135 tnt Ascension Heights 1-21-15.pdf

I apologize for the delay. Attached is the revised PDF set with the latest setbacks and sheet C-3 includes the lookout trail.

Regards,  
Roxana Corona, E.I.T., Project Manager  
Lea & Braze Engineering, Inc  
Civil Engineers | Land Surveyors  
San Francisco Bay Area Region  
2495 Industrial Parkway West  
Hayward, CA 94545  
Phone: 510-887-4086 x.119 Email: RCorona@leabraze.com<mailto:RCorona@leabraze.com>

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**From:** James Castaneda  
**To:** Jim Toby; Roxana Corona  
**CC:** Clarissa Dusciuc; Lisa Aozasa  
**Date:** 1/21/2015 12:31 PM  
**Subject:** RE: C3/C6 Form/Revision, Ascension

Great. Ill start incorporating them. Have a tiny bit of time waiting for some other edits. Thanks for your efforts.

>>> On 1/21/2015 at 12:27, Roxana Corona <[rcorona@leabraze.com](mailto:rcorona@leabraze.com)> wrote:

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**From:** James Castaneda  
**To:** Bryan ALBINI  
**CC:** Heather Hardy; Lisa Aozasa  
**Date:** 1/21/2015 3:12 PM  
**Subject:** Re: Ascension Heights staff report  
**Attachments:** PLN2002-00517\_PCC20150128\_SRT.pdf; 20150121 Website Update-TEXT.txt

Ok, we're ready to go. The TXT file is to replace the "Latest Update" text section (make sure to hyperlink the planning commission's email), and the PDF is the report. I the text for the link should read:

Planning Commission Staff Report, 1/28/2015

And the size is 3.2 MB

Thanks Bryan, send me an email when it goes live.

>>> On 1/21/2015 at 10:52, Bryan ALBINI <balbini@smcgov.org> wrote:

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Planner  
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Latest Update (1/21/2015)

That staff report for the upcoming Planning Commission hearing on January 28, 2015 is now available below. The purpose of this staff report is to inform the Planning Commission and the public of the project's ability to adhere to the adopted General Plan, Zoning Regulations, Grading Ordinance, Subdivision regulations and other County regulations specific to the scope of the project and project site area. Detailed discussion is provided in those areas to help clarify areas of concern and provide the Planning Commission technical staff analysis to aid in their decision making process.

As a note, the plans included in this report differ slightly from those distributed within the EIR publication. The plans included in this report reflect adherence with required subdivision regulations regarding lot depth, and does not change the adequacy of the EIR's analysis.

Next Step: We encourage members of the community to provide the Planning Commission with any comments and concerns you may have with the project to consider. Those can be emailed to the Planning Commissioners at [Planning-Commission@smcgov.org](mailto:Planning-Commission@smcgov.org) in advance of the hearing. You are also invited to participate in the January 28, 2015 public hearing to be held at the Hillsdale High School Main Theater, 3115 Del Monte Street in San Mateo. The hearing starts at 7:00 p.m.

**From:** Jean Demouthe  
**To:** James Castaneda  
**Date:** 1/21/2015 4:18 PM  
**Subject:** ascension heights eir

Dear James:

I went through the draft EIR and noted comments along the way. let me know if you need more.

The EIR is in your mailbox, along with a printed copy of this message.

this was a hard thing to review. but I think your main message should be that development of this site will make it safer, not unstable.

Jean

\*\*\*\*\*

### **Review of geologic portions of the Ascension Heights Subdivision Project Draft EIR, dated April 2014**

#### **4.4 Geology & Soils**

pages 4.4-1 to 4.4-16

the descriptions of the geology and past human activities on this site and its immediate vicinity combine to provide a clear picture of past slope failures and soil erosion. Past grading in various parts of the site over a period of at least 30 years has removed, reconfigured, and destabilized much of the near-surface materials. some past evidence of these disturbances has been removed by subsequent grading.

no evidence was found for the presence of existing or incipient deep-seated or large landslides on this site. There are many factors that contribute to the instability of a slope, and geologists have an array of tools available that allow them to identify these features. Investigations on this site have involved field mapping, subsurface excavations, analysis of aerial photographs, and historical review of past human activities. These methods are modern standards of practice.

development of this area will undoubtedly improve the surface drainage, and curtail the development of erosional features such as are evident on the site now (gullies, depressions, etc.).

There are a number of regulatory agencies that have jurisdiction in San Mateo County, all of whom have been cited and their concerns and rules considered in this document.

The proposed mitigation measures appear to be thorough and will address the geologic hazards identified earlier in the document. There are geologic, engineering and architectural tools and practices that can be used to create a safe and stable site. Geologic hazards cannot always be eliminated, but they can be identified and mitigated. Events such as earthquakes and associated phenomena can be anticipated and taken into account in development plans.

#### **Supplemental Geotechnical Investigation, Proposed Ascension Heights Subdivision by Michelucci & Associates, Inc. 12/5/2013**

this study was undertaken by Joseph Michelucci, who is a highly experienced and well-regarded geotechnical engineer. It is a supplement to their first geotechnical study of this site, which was dated 12/16/2002. The procedures described in both of these reports are appropriate for the questions and problems that will arise as this project matures.

The conclusions and recommendations in the reports are based on data obtained from original research on the

site and study of work by others in this area.

It is highly unlikely that the subsurface conditions at this site have changed within historic time. The near-surface materials have changed due to water-related erosion, shallow slope failures, and grading.

*submitted 1/21/2015*

*J.F. DeMouthe*

*Acting San Mateo County Geologist*

**From:** James Castaneda  
**To:** JDemouthe@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 1/21/2015 4:30 PM  
**Subject:** Re: ascension heights eir

Thank you Jean. I appreciate your time on this effort.

James

>>> Jean Demouthe 01/21/15 16:18 PM >>>  
Dear James:

I went through the draft EIR and noted comments along the way. let me know if you need more.

The EIR is in your mailbox, along with a printed copy of this message.

this was a hard thing to review. but I think your main message should be that development of this site will make it safer, not unstable.

Jean

\*\*\*\*\*

Review of geologic portions of the Ascension Heights Subdivision Project Draft EIR, dated April 2014

#### 4.4 Geology & Soils

pages 4.4-1 to 4.4-16

the descriptions of the geology and past human activities on this site and its immediate vicinity combine to provide a clear picture of past slope failures and soil erosion. Past grading in various parts of the site over a period of at least 30 years has removed, reconfigured, and destabilized much of the near-surface materials. some past evidence of these disturbances has been removed by subsequent grading.

no evidence was found for the presence of existing or incipient deep-seated or large landslides on this site. There are many factors that contribute to the instability of a slope, and geologists have an array of tools available that allow them to identify these features. Investigations on this site have involved field mapping, subsurface excavations, analysis of aerial photographs, and historical review of past human activities. These methods are modern standards of practice.

development of this area will undoubtedly improve the surface drainage, and curtail the development of erosional features such as are evident on the site now (gullies, depressions, etc.).

There are a number of regulatory agencies that have jurisdiction in San Mateo County, all of whom have been cited and their concerns and rules considered in this document.

The proposed mitigation measures appear to be thorough and will address the geologic hazards identified earlier in the document. There are geologic, engineering and architectural tools and practices that can be used to create a safe and stable site. Geologic hazards cannot always be eliminated, but they can be identified and mitigated. Events such as earthquakes and associated phenomena can be anticipated and taken into account in development plans.

Supplemental Geotechnical Investigation, Proposed Ascension Heights Subdivision  
by Michelucci & Associates, Inc. 12/5/2013

this study was undertaken by Joseph Michelucci, who is a highly experienced and well-regarded geotechnical engineer. It is a supplement to their first geotechnical study of this site, which was dated 12/16/2002. The procedures described in both of these reports are appropriate for the questions and problems that will arise as this project matures.

The conclusions and recommendations in the reports are based on data obtained from original research on the site and study of work by others in this area.

It is highly unlikely that the subsurface conditions at this site have changed within historic time. The near-surface materials have changed due to water-related erosion, shallow slope failures, and grading.

submitted 1/21/2015

J.F. DeMouthe

Acting San Mateo County Geologist

**From:** Lisa Aozasa  
**To:** Planning-Planning  
**CC:** Frances Contreras; Heather Hardy  
**Date:** 1/23/2015 1:03 PM  
**Subject:** Planning Commission Workflow Deadlines  
**Attachments:** 2015 PlanningCommission Planner Schedule\_1.pdf

Hi Gang --

I'm sending this again, to make sure everyone has a copy. We were a little bit late getting this schedule out to everyone, so we have not really been sticking to it for the January PC meetings -- which were Big Wave and Ascension Heights, so not the typical case anyway. However, we all must pay more attention to the deadlines for all the steps in the process for meetings in February and beyond. If you are planning to take an item to a meeting in February, you should already have agenda requests submitted and be nearly finished with your staff report(s). If not, please make your life and everyone else's less stressful, and plan now to make a March meeting instead. Your draft agenda request, staff report and graphics are due to your senior planner next week on 1/28 for the 3/11 PC meeting. Please let me or Heather know if you have any questions. Thanks!

Lisa

**From:** Lisa Aozasa  
**To:** Planning-Planning  
**CC:** Frances Contreras; Heather Hardy  
**Date:** 1/23/2015 1:03 PM  
**Subject:** Planning Commission Workflow Deadlines  
**Attachments:** 2015 PlanningCommission Planner Schedule\_1.pdf

Hi Gang --

I'm sending this again, to make sure everyone has a copy. We were a little bit late getting this schedule out to everyone, so we have not really been sticking to it for the January PC meetings -- which were Big Wave and Ascension Heights, so not the typical case anyway. However, we all must pay more attention to the deadlines for all the steps in the process for meetings in February and beyond. If you are planning to take an item to a meeting in February, you should already have agenda requests submitted and be nearly finished with your staff report(s). If not, please make your life and everyone else's less stressful, and plan now to make a March meeting instead. Your draft agenda request, staff report and graphics are due to your senior planner next week on 1/28 for the 3/11 PC meeting. Please let me or Heather know if you have any questions. Thanks!

Lisa

**From:** Jay Mazzetta  
**To:** James Castaneda; Jean Demouthe; Jean Demouthe; Lisa Aozasa  
**Date:** 1/26/2015 1:30 PM  
**Subject:** Ascension Heights

John Maphon (sp?) left a message on my voice mail regarding Ascension Heights. Since I'm not involved with this one, shall I refer him back to James or directly to Jean?

Thanks,  
Jay

**From:** James Castaneda  
**To:** Pat & Doris McGuire  
**CC:** Heather Hardy; Lisa Aozasa  
**Date:** 1/26/2015 1:55 PM  
**Subject:** Re: Water Tank Hill Development

Good afternoon Mr and Ms McGuire. Ill make sure that the Planning Commission receives this email, as we're collecting all emails and letters of concerns and objection for their review. They'll be the decision makers for this subdivision and take the community's feedback, as well as staff's findings and environmental review, under consideration in their decision.

Regards,  
James

>>> On 1/26/2015 at 13:43, Pat & Doris McGuire < > wrote:

Honorable Commissioners,  
We are very concerned about the proposed development on Water Tank Hill. Approval of a similar proposal on this site had been denied. Nothing of significance has occurred since the previous denial to mitigate ours or others concerns. The developer appears to be reluctant to discuss and/or compromise on the homeowners issues.

Our concerns are as follows:

1. Major traffic congestion during development.
2. Air pollution at 470% above the National 24hr. standard resulting in a near doubling of the neighborhood projected death rate during the construction period.
3. Stability of the hillside. Has anyone assessed the previous slides- Los Altos Drive, Rainbow Drive and Polhemus Road to see how the the repairs there are holding up. It is my understanding that there may still be potential problems at the Rainbow Drive and Polhemus Road sites.
4. The excessive number of slopes (40degrees or more) and the use of an unproven storm drain system in an area that has a long history and loss of property.
5. The areas surrounding the proposed development have many elderly and multi-generational families living there and health (COPD, compromised immune systems, asthma ) and air quality pose a significant concern.
6. What is being done to protect the habitat of the Blue-Butterfly (known to be in the area) during development ?

Finally, there is severe erosion of the hillside opposite the homes at 1500-1548 Ascension Drive as well as a broken and crumbling drainage ditch at at the intersection of Ascension Drive and Bel Aire. I have been told that this does not fall within the scope of this application. Why Not?

We would appreciate your considering all of the above when reaching your decision on whether to approve or deny the development application.

Doris McGuire  
Ascension Drive  
Mateo, CA 94402-3615

Sincerely,  
Pat and  
1610  
San

**From:** James Castaneda  
**To:** Aozasa, Lisa; Holbrook, Dave  
**Date:** 1/27/2015 6:27 PM  
**Subject:** Fwd: Re: Application Status of Case No.: PLN2014-00311  
**Attachments:** Re: Application Status of Case No.: PLN2014-00311 (OUT OF THE OFFICE)

Lisa, Dave,

Just a heads up- I think we're going to need to reassign this case to get to a hearing. I've put this applicant off but he's going to be pushing really soon to get on an agenda. This is the one Tiare took in and the applicant gave her some trouble when he was told his request might not be supported to legalizing the conversion of an already un-permitted structure. Ideally, it was envisioned that we would get him to a hearing in 4-6 months per our typical estimates, but that brings us to next month.

Looking ahead at Ascension post-PC hearing tomorrow, I'm planning on it getting appealed. And while I was able to get away with doing the bare minimum with Roundtable in the two month, my work load is going to ramp up after our 2/4 meeting both playing catch up, and starting two new subcommittee initiatives that are set to be approved. Its going to be a bit difficult to take on this applicant's project and be attentive with it given his persistntness.

Just at heads up as I'm certain he'll be check in very soon.

JAMES

**From:** Greg Denari <  
**To:** "JCastaneda@smcgov.org" <JCastaneda@smcgov.org>  
**Date:** 1/14/2015 12:46 PM  
**Subject:** Re: Application Status of Case No.: PLN2014-00311 (OUT OF THE OFFICE)

Hi James,

When we last talked you thought in early January we may have a tentative date for the planning hearing on our application. Do we have one yet?  
Thanks.

Greg

Sent from my iPad

> On Oct 27, 2014, at 11:17 AM, James Castaneda <JCastaneda@smcgov.org> wrote:

>

> I'm out of the office from Thursday, October 23, 2014 through Friday, October 31, 2014. Ill respond to emails on Monday, November 3, 2014 when I'm back in the office. For general questions, please contact the counter planner at 650/363-1825.

>>>> Greg Denari < >>>> 10/27/14 11:17 >>>>

>

> Hi James,

>

> Could you let me know if our application is complete or not when you have time?

>

> Thanks.

>

> Greg

>

> Sent from my iPad

>

>> On Oct 21, 2014, at 2:52 PM, James Castaneda <jcastaneda@smcgov.org> wrote:

>>

>> Greg,

>> I have a meeting with staff tomorrow afternoon to discuss your project and the completeness status now that we have receive the revised comments from Woodside fire. Your patients is appreciated as we review your project while processing other projects in our current workload.

>>

>> Regards,

>> JAMES

>>

>>>>> On 10/21/2014 at 14:28, Greg Denari < >>>>> wrote:

>> Is our application now complete or do you need something more?

>>

>> Thanks.

>>

>> Greg Denari

>>

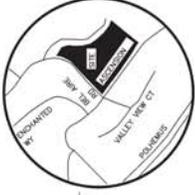
>> Sent from my iPad

>

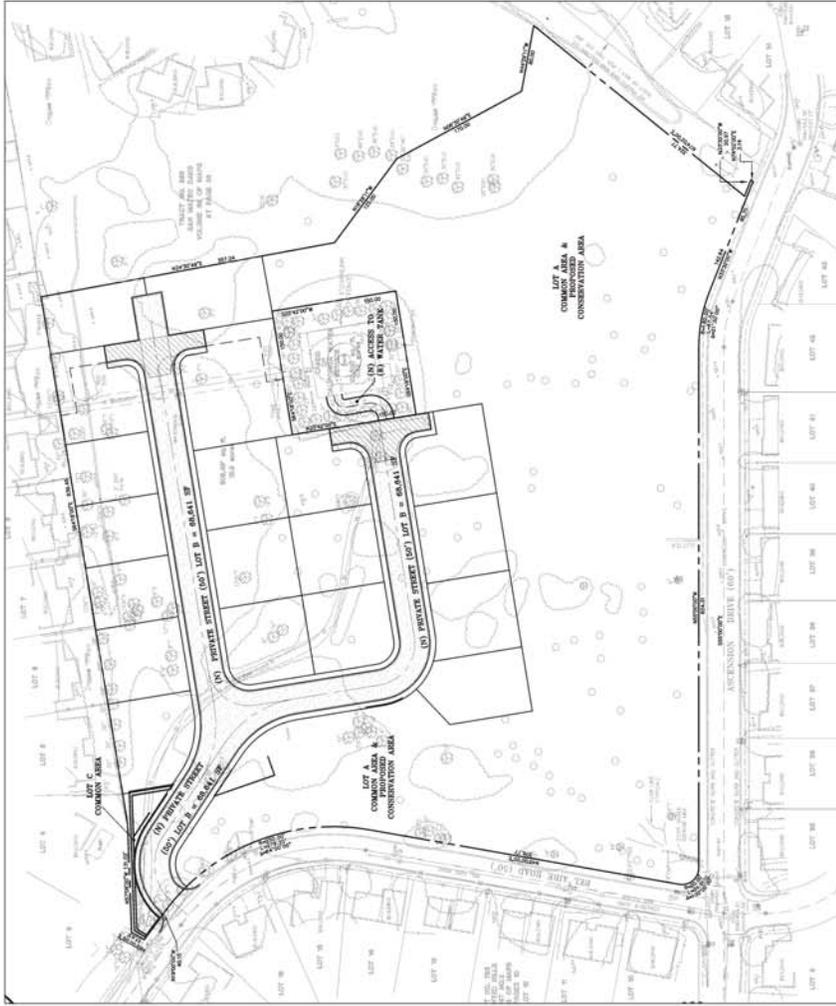
# VESTING TENTATIVE SUBDIVISION MAP ASCENSION HEIGHTS SUBDIVISION SAN MATEO, CALIFORNIA (UNINCORPORATED)



LEA & BRAZE ENGINEERING, INC.  
2400 RUSTICAL PARKWAY WEST  
EMERYVILLE, CALIFORNIA 94608  
PH: (916) 887-2010  
FAX: (916) 887-2019  
WWW.LEA-BRAZE.COM



VICINITY MAP  
NO SCALE



KEY MAP  
SCALE: 1" = 60'

EXISTING	PROPOSED	DESCRIPTION
---	---	BOUNDARY
---	---	PROPERTY LINE
---	---	STORM DRAIN LINE
---	---	SANITARY SEWER LINE
---	---	WATER LINE
---	---	SET BACK LINE
---	---	FLOW DIRECTION
---	---	RETAINING WALL
---	---	CONCRETE VALLEY GUTTER
---	---	CONTOURS
---	---	SANITARY SEWER MANHOLE
---	---	STORM DRAIN MANHOLE
---	---	OVERHEAD UTILITY LINE
---	---	STORM WATER TREATMENT UNIT
---	---	SANITARY SEWER UNDERGROUND LINE
---	---	STORM DRAIN UNDERGROUND LINE
---	---	TREE (UNLESS NOTED OTHERWISE)
---	---	MISC. UTILITIES
---	---	FIRE HYDRANT
---	---	ELECTRIC POLE
---	---	JOINT POLE
---	---	CATCH BASIN
---	---	CURB INLET
---	---	JUNCTION BOX
---	---	ELECTROLER
---	---	SMALL SIGN
---	---	LIGHT ON POLE
---	---	GUY ANCHOR
---	---	POST
---	---	FENCE
---	---	TREE
---	---	DENSE TREE LINE
---	---	SPOT ELEVATION
---	---	HORIZONTAL AND VERTICAL CONTROL
---	---	PALM TREE
---	---	CITY MONUMENT
---	---	PACIFIC BELL VAULT
---	---	POLE VAULT
---	---	GUY ANCHOR
---	---	AREA DRAIN
---	---	TREE TO BE REMOVED

**BENCHMARK**  
IRON PIPE MARKING SYSTEM  
ENCHANTED HILL UNIT NO. 2  
VOLUME 10  
ELEVATION=383.81'  
ASSUMED

### PROJECT INFORMATION

**OWNER:** JOHN T. JAMES  
**AREA:** 13.228 ACRES  
**ASSESSOR'S PARCEL NOS.:**  
1. 041-111-000  
2. 041-111-100  
3. 041-111-200  
4. 041-111-270  
5. 041-111-300  
6. 041-111-300  
7. 041-111-300

**CONSULTANTS:**  
LEA & BRAZE ENGINEERING, INC.  
2400 RUSTICAL PARKWAY WEST  
EMERYVILLE, CALIFORNIA 94608  
PH: (916) 887-2010  
FAX: (916) 887-2019  
CONTACT: JIM TERRY

**SUBDIVIDER:** SAN MATEO REAL ESTATE & CONSTRUCTION  
2000 RUSTICAL PARKWAY WEST  
EMERYVILLE, CALIFORNIA 94608  
PH: (916) 887-2010  
CONTACT: DONNIE THOMAS

**SUPERVISOR NAME:** ASSENSION HEIGHTS SUBDIVISION  
**COUNTY/CITY/DISTRICT APPROVALS:**  
**ZONING:** R-1/2-S-8  
**LOT LODGEAGE:**

**NO. OF TOTAL BEFORE:**  
178,845 S.F. 12%  
16,841 S.F. 12%  
332,608 S.F. 57%

**TREES ON SITE:** 45  
**TREES TO BE REMOVED:** 9  
EXISTING TREES REMOVED WILL BE REPLANTED WITH NEW NATIVE TREES AT 1:1 RATIO.

**UTILITY SERVICES:** SAN MATEO COUNTY  
**STORM DRAIN:** OPTIMAL SPRINGS SANITARY DISTRICT  
**WATER:** CALIFORNIA WATER  
**FIRE:** CALIFORNIA DEPARTMENT OF FORESTRY  
**CABLE:** COMCAST  
**GAS & ELECTRICAL:** PG&E  
**TELEPHONE:** AT&T

**EXISTING USE:** VACANT LOT  
**PROPOSED USE:** SINGLE FAMILY RESIDENTIAL HOUSING WITH PUBLIC STREETS -OPEN SPACE WITH TRAILS

### SHEET INDEX

SHEET NO.	DESCRIPTION
C-1	TITLE SHEET
C-2	LOT LAYOUT PLAN
C-3	PRELIMINARY GRADING AND DRAINAGE PLAN
C-4	PRELIMINARY UTILITY COMPOSITE PLAN
C-5	CONCEPTUAL DETAILS
C-6	STORMWATER CONTROL PLAN
C-7	STORMWATER CONTROL PLAN





LEA & BRAZE ENGINEERING, INC.  
 2400 INDUSTRIAL PARKWAY #203  
 HAYWARD, CALIFORNIA 94545  
 (415) 522-1100 FAX (415) 522-1018  
 WWW.LEABRAZE.COM

ASCENSION HEIGHTS  
 SUBDIVISION  
 SAN MATEO, CALIFORNIA  
 (UNINCORPORATED) SAN MATEO COUNTY

VESTING TENTATIVE  
 PRELIMINARY GRADING  
 AND DRAINAGE PLAN

DATE:	11-1-12
SCALE:	1" = 40'
DESIGN BY:	JT
CHECKED BY:	JB
SHEET NO.	C-3

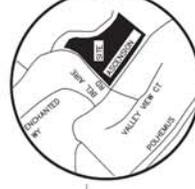
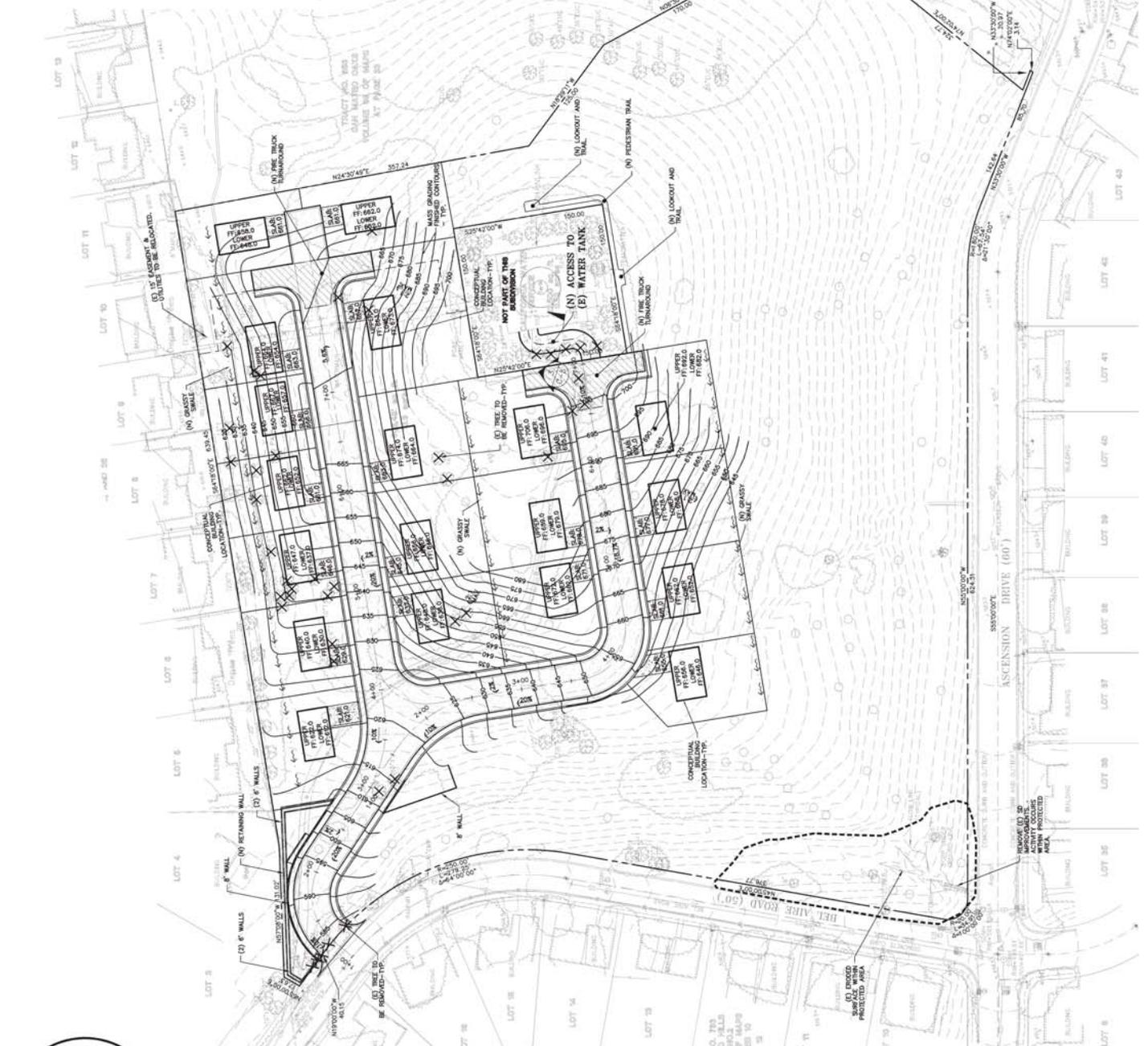
3 OF 7 SHEETS

**GRADING LEGEND**

PROPOSED	DESCRIPTION
	FLOW DIRECTION
	GRADE BREAK
	RETAINING WALL
	GRASSY SWALE
	SWALE FLOW DIRECTION
	CONTOURS
	APPROXIMATE WALL HEIGHT

**ESTIMATED EARTHWORK QUANTITIES**  
 CUT 44,440 C.Y.  
 FILL 19,970 C.Y.  
 EXPORT 26,510 C.Y.  
 CONTRACTOR TO VERIFY QUANTITIES

**NOTE:**  
 BUILDINGS SHOWN ARE CONCEPTUAL  
 CONSTRUCTION AS SHOWN. THEY  
 CONTAIN NO DIMENSIONS AND ARE FOR  
 PURPOSES ONLY. CONSULT THE  
 ARCHITECT FOR MORE INFORMATION.



**VICINITY MAP**  
 NO SCALE



0 20 40 80  
**SCALE: 1" = 40'**

CONTRACTOR TO VERIFY  
 DIMENSIONS AND LOCATIONS  
 OF ALL UTILITIES  
 AND TO VERIFY  
 EXISTING AND PROPOSED  
 ELEVATIONS



L&A & B RAZE ENGINEERING, INC.  
 2425 INDUSTRIAL PARKWAY WEST  
 HAYWARD, CALIFORNIA 94545  
 PHONE: (415) 222-2222  
 FAX: (415) 222-2018  
 WWW.L&ABRAZE.COM

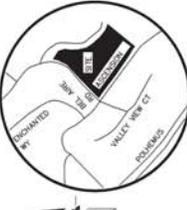
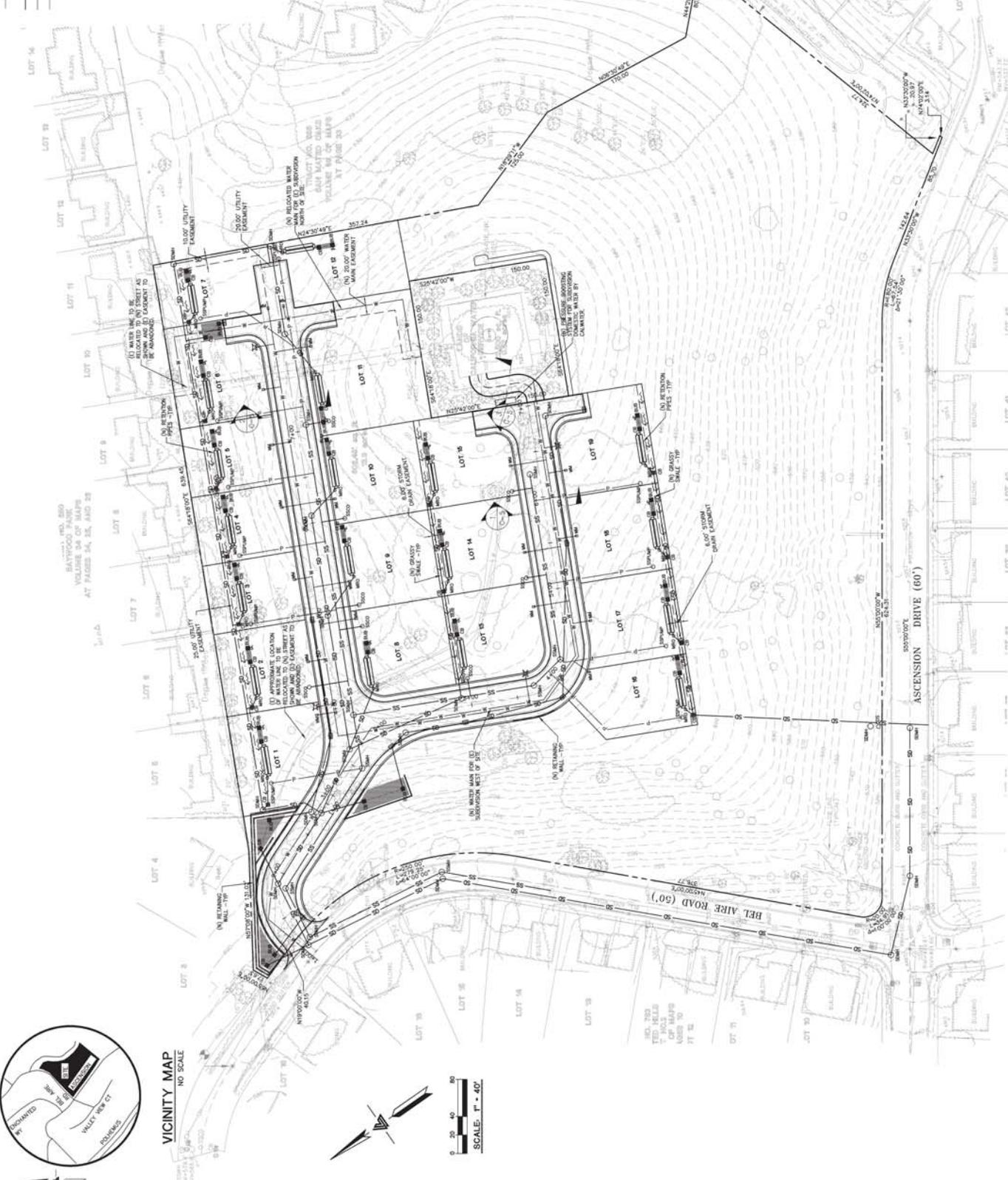
ASCENSION HEIGHTS  
 SAN MATEO, CALIFORNIA  
 (UNINCORPORATED) SAN MATEO COUNTY

VESTING TENTATIVE  
 SUBDIVISION MAP  
 PRELIMINARY UTILITY  
 COMPOSITE PLAN

NO. OF SHEETS	17
NO. OF SHEETS USED	17
DATE	11-1-13
SCALE	1" = 40'
SECTION	BT
DRAWN BY	JT
CHECKED BY	BT
DATE	11-1-13
SHEET NO.	C-4

UTILITY LEGEND

PROPOSED	DESCRIPTION
—○—	STORM DRAIN LINE
—S—	SANITARY SEWER LINE
—W—	WATER LINE
—○—	SANITARY SEWER MANHOLE
—○—	SANITARY SEWER CLEAN OUT
—○—	STORM DRAIN MANHOLE
—○—	FIRE HYDRANT
—○—	CATCH BASIN
—○—	CURB INLET
—○—	JUNCTION BOX







LEA & BRAZE ENGINEERING, INC.  
 2405 INDUSTRIAL PARKWAY WEST  
 FARMERS, CALIFORNIA 94545  
 (925) 708-1000  
 WWW.LEAANDBRAZE.COM

ASCENSION HEIGHTS  
 SUBDIVISION  
 SAN MATEO, CALIFORNIA  
 (UNAPPROVED) SAN MATEO COUNTY

VESTING TENTATIVE MAP  
 SUBDIVISION MAP  
 STORMWATER CONTROL PLAN

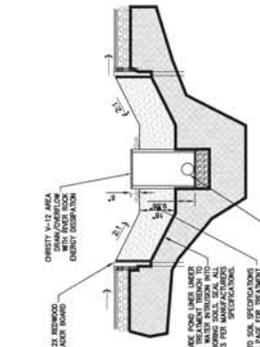
DATE:	11-11-12
SCALE:	1" = 40'
DESIGN BY:	JT
DRAWN BY:	BS
SHEET NO.	18

C-6  
 8 OF 7 SHEETS



**C. BIORETENTION AREAS**  
 BIORETENTION AREAS SHALL BE DESIGNED AND MAINTAINED MONTHLY TO MAINTAIN THE FUNCTIONALITY OF THE DESIGN CONCEPT. A MAINTENANCE AGREEMENT WILL BE DEVELOPED REQUIRING THE PROPERTY MANAGER/OWNER TO PERFORM THE FOLLOWING MAINTENANCE REQUIREMENTS APPLY ONLY TO THE PORTION OF THE BIORETENTION AREAS THAT ARE UNDER THEIR CONTROL:

- MAINTENANCE THROUGHOUT
- REMOVE OBSTRUCTIONS AND TRASH FROM BIORETENTION AREAS
- PROPRIO, MOWING, WEEDING, TRIMMING, AND FERTILIZING WITH A SLOW-RELEASE FERTILIZER WITH TRACE ELEMENTS
- REMOVE OBSTRUCTIONS AND TRASH FROM BIORETENTION AREAS
- INTEGRATED PEST MANAGEMENT APPROACH FOR USE IN BIORETENTION AREAS SHALL BE USED.
- POSSION AT INFLUX POINTS MUST BE REPAIRED.
- BIORETENTION AREAS SHALL BE INSPECTED AND MAINTAINED MONTHLY TO MAINTAIN THE FUNCTIONALITY OF THE DESIGN CONCEPT.
- IF PONDING WATER IS OBSERVED, THE SURFACE SOILS SHALL BE REMOVED AND REPLACED AND SUBIRRIAN SYSTEM INSPECTED.
- NO TONING OF GRASSES.
- D. TRAINING PROGRAM
- A COPY OF THE STORM WATER MANAGEMENT PLAN (SWMP) WILL BE PROVIDED TO THE PROPERTY MANAGER/OWNER AND WILL BE DISTRIBUTED TO THE SUBCONTRACTOR ENGAGED IN THE MAINTENANCE OR INSTALLATION OF THE TCM'S.
- MATERIAL PRESENTED IN THE INTEGRATED PEST MANAGEMENT PROGRAM SHALL BE DISTRIBUTED TO THE SUBCONTRACTOR ENGAGED IN THE MAINTENANCE OR INSTALLATION OF THE TCM'S.
- AN INDICATIVE ENGAGED IN THE MAINTENANCE OR INSTALLATION OF THE TCM'S.
- A COPY OF THE YEARLY INSPECTION REPORTS SHALL BE MANAGED BY THE PROPERTY MANAGER/OWNER.



**BIORETENTION AREA**  
 NTS



**POST CONSTRUCTION TCM MAINTENANCE AND/OR SOURCE CONTROL:**  
 ALL EXISTING AND NEW TCM'S SHALL BE MAINTAINED MONTHLY TO MAINTAIN THE FUNCTIONALITY OF THE DESIGN CONCEPT. A MAINTENANCE AGREEMENT WILL BE DEVELOPED REQUIRING THE PROPERTY MANAGER/OWNER TO PERFORM THE FOLLOWING MAINTENANCE REQUIREMENTS APPLY ONLY TO THE PORTION OF THE BIORETENTION AREAS THAT ARE UNDER THEIR CONTROL:

- MAINTENANCE THROUGHOUT
- REMOVE OBSTRUCTIONS AND TRASH FROM BIORETENTION AREAS
- PROPRIO, MOWING, WEEDING, TRIMMING, AND FERTILIZING WITH A SLOW-RELEASE FERTILIZER WITH TRACE ELEMENTS
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- AN INDICATIVE ENGAGED IN THE MAINTENANCE OR INSTALLATION OF THE TCM'S.
- A COPY OF THE YEARLY INSPECTION REPORTS SHALL BE MANAGED BY THE PROPERTY MANAGER/OWNER.

**DESCRIPTION OF FACILITY ACTIVITY:**  
 THE PROJECT WILL BE THE CITY'S EXISTING STORM DRAIN SYSTEM.

**DESCRIPTION OF WATER BODIES:**  
 THE PROJECT WILL BE THE CITY'S EXISTING STORM DRAIN SYSTEM.

**IDENTIFICATION OF POTENTIAL POLLUTANTS:**  
 THE PROJECT WILL BE THE CITY'S EXISTING STORM DRAIN SYSTEM.

**BMP DESCRIPTION:**  
 THE TOTAL SITE AREA IS APPROXIMATELY 579,891 SF. THE DEVELOPMENT SURFACE AREA IS APPROXIMATELY 474,600 SF. THE DEVELOPMENT SURFACE AREA IS APPROXIMATELY 474,600 SF. THE DEVELOPMENT SURFACE AREA IS APPROXIMATELY 474,600 SF.

**LANDSCAPE MAINTENANCE:**  
 LANDSCAPE AREAS SHALL BE COVERED WITH PLANTS OR SOME TYPE OF MULCH TO PREVENT SOIL EROSION AND TO MAINTAIN THE FUNCTIONALITY OF THE DESIGN CONCEPT.

**STORM DRAINAGE SYSTEM:**  
 THE STORM DRAINAGE SYSTEM SHALL BE DESIGNED TO MAINTAIN THE FUNCTIONALITY OF THE DESIGN CONCEPT.

**STORM DRAINAGE SYSTEM:**  
 THE STORM DRAINAGE SYSTEM SHALL BE DESIGNED TO MAINTAIN THE FUNCTIONALITY OF THE DESIGN CONCEPT.

AREA DESCRIPTION (DMA)	TREATMENT MEASURE	IMPERVIOUS AREA (sq ft)	IMPERVIOUS AREA WITH 2% SAFETY FACTOR	BIOPROCESSING	REQUIRED TREATMENT (sq ft)	PROPOSED TREATMENT (sq ft)
DMA 1	TCM 1	2147	2084	4%	107	110
DMA 2	TCM 2	1900	2175	4%	95	100
DMA 3	TCM 3	1900	2175	4%	95	100
DMA 4	TCM 4	1900	2175	4%	95	100
DMA 5	TCM 5	1900	2175	4%	95	100
DMA 6	TCM 6	1900	2175	4%	95	100
DMA 7	TCM 7	1900	2175	4%	95	100
DMA 8	TCM 8	1900	2175	4%	95	100
DMA 9	TCM 9	1900	2175	4%	95	100
DMA 10	TCM 10	1900	2175	4%	95	100
DMA 11	TCM 11	1900	2175	4%	95	100
DMA 12	TCM 12	1900	2175	4%	95	100
DMA 13	TCM 13	1900	2175	4%	95	100
DMA 14	TCM 14	1900	2175	4%	95	100
DMA 15	TCM 15	1900	2175	4%	95	100
DMA 16	TCM 16	1900	2175	4%	95	100
DMA 17	TCM 17	1900	2175	4%	95	100
DMA 18	TCM 18	1900	2175	4%	95	100
DMA 19	TCM 19	2100	2623	4%	105	110
DMA 20	TCM 20	1900	2175	4%	95	100
DMA 21	TCM 21	2623	2558	4%	127	132
DMA 22	TCM 22	2623	2558	4%	127	132
DMA 23	TCM 23	12738	12738	4%	510	518



**From:** Laurel Nagle <  
**To:** SMonowitz@smcgov.org; JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 1/27/2015 10:07 PM  
**Subject:** Cal water

Dear Lisa, James, and Steve,

It was so nice to have you visit yesterday. I hope the tour gave you a clearer understanding of our issues.

I realize that I already asked this but can you clarify the status of the Cal Water easement redesign? Cal Water has been adamant in the past that the pipe could not be moved. However, the Ascension Heights plans call for retrenching and several 90 degree turns. This runs next to our home, so we would like to know what Cal Water has decided.

I know it is busy, but this is very important to us.

Thanks,  
Laurel

Sent from my iPad

**COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT**

**DATE:** January 28, 2015

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** EXECUTIVE SUMMARY: Consideration of a Major Subdivision, a Grading Permit, and certification of a Final Environmental Impact Report (FEIR), pursuant to the California Environmental Quality Act (CEQA), for the proposed Ascension Heights Subdivision located in the unincorporated San Mateo Highlands area of San Mateo County. The project includes the subdivision of the 13.32-acre subject site (Water Tank Hill) into 21 legal parcels for development of 19 single-family dwellings with the remaining two lots as conservation (Lot A) and common space (Lot C) areas, which includes a main private access road. The project site is accessed from Bel Aire Road north of Ascension Drive.

County File Number: PLN 2002-00517 (O'Rourke/San Mateo Real Estate and Construction)

**PROPOSAL**

The proposed project is to subdivide six parcels (totaling 13.32 acres) into 21 lots for development of 19 single-family residences and a new access roadway, with a development footprint of approximately 5.5 acres. The proposed new parcels' average size is 9,122 sq. ft. and would be orientated along a new private main access road in a "U" configuration. The remaining two lots (approximately 7.8 acres) would be maintained as an open space conservation area and would include an undisturbed and protected area as well as common areas with a trail proposed to go along the southern perimeter of the water tank parcel to a lookout on the southeast side. All development and structures would be designed to be consistent with the R-1/S-8 Zoning District, as well as with surrounding neighborhoods. Landscaping would be designed to be consistent with surrounding neighborhoods and to minimize erosion, maximize soil stability, and screen existing view sheds from the new development while still minimizing obstruction of solar access for each residence. A total of 43 trees will be removed as part of the project, of which nine are considered significant trees.

**RECOMMENDATION**

Staff recommends that the Planning Commission:

1. Adopt a resolution certifying the Final Environmental Impact Report (FEIR) as complete, correct and adequate and prepared in accordance with CEQA.

2. Adopt a resolution adopting the Mitigation Monitoring Report and the Statement of Findings and Facts in Support of Findings.
3. Approve the vesting tentative map for a major subdivision, the grading permit, and the removal of nine significant trees by making the findings and adopting the conditions of approval as set forth in Attachment A.

## **SUMMARY**

In 2002, the applicant, San Mateo Real Estate and Construction, applied to subdivide the collection of six parcels on the subject site. The proposed subdivision would have created 25 parcels capable of being developed with single-family residences. Given the nature of the project's scope, an Environmental Impact Report (EIR) was prepared in accordance with the California Environmental Quality Act. In December 2009, the Planning Commission denied the proposal, and the EIR was not certified. The applicant appealed the decision to the Board of Supervisors to allow consideration of an alternative design. In June 2010, the Board of Supervisors remanded the project to the Planning Commission to consider an alternative design to the project, subject to all processing requirements and necessary review.

The applicant has proposed a revised subdivision for the Planning Commission's consideration that reduces the number of developable parcels to 19. Staff has reviewed the project for conformance to the County General Plan, Zoning Regulations, Grading Ordinance, and Significant Tree Ordinance. The proposed tentative map is consistent with the County General Plan, in which the 19 proposed parcels for development will conform to the use and density stipulated by the Medium Low Density Residential land use designation. The site is physically suitable for residential development as the proposed parcels are of sufficient size and shape to support single-family residences, as allowed and regulated by the current R-1/S-8 Zoning District. The average slope of the proposed parcels is 35%, similar to the other areas in the vicinity. Staff has reviewed the proposal against the required findings for a grading permit and concluded that, as conditioned, the project conforms to the criteria for review contained in the Grading Ordinance.

An environmental review of the project is required in accordance with the California Environmental Quality Act. Based on the nature of the project, it was determined that the proposed project would necessitate an Environmental Impact Report (EIR) to analyze the potential impacts of the project. A Draft EIR has been circulated for public review. The required public comment period commenced on April 25, 2014 and ended on June 9, 2014. Following the close of the public review period, the County's environmental consultant, Analytical Environmental Services, in consultation with Planning Department staff, has reviewed and prepared responses to comments received during the public comment period, as well as those presented at the May 14, 2014 Planning Commission meeting. Comments and responses were included in a Final EIR document released on December 12, 2014.

The EIR identified several areas of environmental concern specific to the project site and vicinity, of which the topics of air quality, visual impacts, and biological impacts received more focus from the community. The air quality concerns raised are primarily associated with grading activities and the equipment used, which will be mitigated by requiring newer equipment per guidelines and requirements of the Bay Area Air Quality Management District. Privacy and impacts to existing visual resources have been raised, and requirements of replanting and establishing a landscaping plan will help mitigate those concerns. The impact of the potential existence of the Mission blue butterfly, a federal special-status insect, has also been of significant concern. As discussed in the EIR, while determination of the exact species was unable to be reached of the butterflies witnessed during three biological surveys of the site, and that the site is outside of the documented elevation habitat range, mitigation measures have been proposed acknowledging that the site could have the potential to be a habitat. The EIR document concludes that all significant impacts can be reduced to less than significant through proposed mitigation measures, which are included within the conditions of approval in Attachment A.

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**COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT**

**DATE:** January 28, 2015

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** Consideration of a Major Subdivision, pursuant to Section 7010 of the County Subdivision Ordinance, a Grading Permit, pursuant to Section 8600 of the San Mateo County Ordinance Code, and certification of a Final Environmental Impact Report (FEIR), pursuant to the California Environmental Quality Act (CEQA), for the proposed Ascension Heights Subdivision located in the unincorporated San Mateo Highlands area of San Mateo County. The project includes the subdivision of the 13.32-acre subject site (Water Tank Hill) into 21 legal parcels for development of 19 single-family dwellings with the remaining two lots as conservation (Lot A) and common space (Lot C) areas, which includes a main private access road. The project site is accessed from Bel Aire Road north of Ascension Drive.

County File Number: PLN 2002-00517 (O'Rourke/San Mateo Real Estate and Construction)

**PROPOSAL**

The proposed project entails the subdivision of six parcels (totaling 13.32 acres) into 21 lots for development of 19 single-family residences and a new access roadway, with a development footprint of approximately 5.5 acres. The proposed new parcels' average size is 9,122 sq. ft. and would be orientated along a new private main access road in a "U" configuration. The remaining two lots (approximately 7.8 acres) would be maintained as an open space conservation area and would include an undisturbed and protected area as well as common areas with a trail proposed to go along the southern perimeter of the water tank parcel to a lookout on the southeast side. All development and structures would be designed to be consistent with the R-1/S-8 Zoning District, as well as with surrounding neighborhoods. Landscaping would be designed to be consistent with surrounding neighborhoods and to minimize erosion, maximize soil stability, and screen existing view sheds from the new development while still minimizing obstruction of solar access for each residence.

The project is a revised version of a previously denied project that proposed 25 parcels for development and required an Emergency Vehicle Access (EVA) road due to the proposed length of the private roadway. The revised subdivision reduced the number of

parcels to 19, and the proposed “U” roadway configuration does not necessitate a secondary emergency access. Grading for the required roadway and general site preparation will require the removal of 43 trees, of which nine are considered significant size trees per the County Tree Removal Ordinance.

The specific applications, which require Planning Commission action, include:

1. Certification of the Final Environmental Impact Report as complete, correct, and adequate in accordance with the California Environmental Quality Act (CEQA).
2. Approval of the subdivision of the six parcels that make up the subject site to create 19 new residential parcels, and two non-development parcels, in accordance with the proposed tentative subdivision map contained in Attachment C.
3. Issuance of a grading permit for the new private street and site preparation in anticipation of the issuance of building permits for development of the 19 residential lots.

### **RECOMMENDATION**

In accordance with reviewing the project against all County applicable regulations and the California Environmental Quality Act (CEQA), staff recommends that the Planning Commission:

1. Adopt a resolution certifying the Final Environmental Impact Report (FEIR) as complete, correct and adequate and prepared in accordance with CEQA.
2. Adopt a resolution adopting the Mitigation Monitoring Report and the Statement of Findings and Facts in Support of Findings.
3. Approve the vesting tentative map for a major subdivision, the grading permit, and the removal of nine significant trees by making the findings and adopting the conditions of approval as set forth in Attachment A.

### **BACKGROUND**

Report Prepared By: James A. Castañeda, AICP, Telephone 650/363-1853

Applicant: San Mateo Real Estate and Construction

Owner: John O’Rourke

Location: Six contiguous parcels of property (APNs 041-111-130, 041-111-160, 041-111-270, 041-111-280, 041-111-320, and 041-111-360), consisting of a total of approximately 13.32 acres (gross), located in the unincorporated area of San Mateo

County known as the San Mateo Highlands. The subject site is bordered to the west by Bel Aire Road, Ascension Drive to the south, and existing single-family development to the north and west.

Parcel Sizes: 041-111-130: 16,117 sq. ft.  
041-111-160: 10,890 sq. ft.  
041-111-270: 70,567 sq. ft.  
041-111-280: 61,855 sq. ft.  
041-111-320: 194,278 sq. ft.  
041-111-360: 229,997 sq. ft.

Existing Zoning: R-1/S-8 (Single-Family Residential/7,500 sq. ft. minimum lot size)

General Plan Designation: Medium Low Density Residential (2.4 to 6.0 dwelling units/acre)

Existing Land Use: The property is undeveloped.

Water Supply: Domestic water service would be provided to the project site by the California Water Service Company (Cal Water). The existing on-site water lines to the existing water tank will be relocated and a utility easement be imposed on the proposed parcels where the lines traverse through. Upon approval of the project, the applicant would be responsible for the installation of the required infrastructure providing water service to each parcel, as well as securing permits with Cal Water to perform installation.

Sewage Disposal: Sanitary sewer service would be provided to the subject site by the Crystal Springs County Sanitation District (CSCSD), with sewage flowing through lines owned by the Town of Hillsborough and City of San Mateo before being treated at the Wastewater Treatment Plant owned and operated by the City of San Mateo. The proposed on-site sewer system would consist of the development of underground sanitary sewer pipelines, gravity lines, risers, clean-outs and manholes. All sewer lines leaving the site would be gravity fed, while the on-site lines would consist of a pressure system. There are two off-site sewer line extensions proposed and both would connect into the existing CSCSD system.

Flood Zone: Zone X (Areas determined to be outside of the 0.2 percent annual change of floodplain); Community Panel No. 06081C0165E, effective date October 16, 2012.

Environmental Evaluation: Draft Environmental Impact Report (DEIR) published April 25, 2014; the public review period ended on June 9, 2014. The Final Environmental Impact Report (FEIR) was published on December 12, 2014.

Setting: 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 1/4 mile northeast of the subject site via Parrott Drive. At the center of the subject site is an existing potable water tank owned and operated by the California Water Service Company located on a separate 22,500 sq. ft. parcel. The water tank is also used for mounting cellular communication facilities by various operators. This separate parcel is not part of the proposed project. The site was graded over 40 years ago, which consisted of excavating the sides of the hill for the construction of Ascension Drive and Bel Aire Road during the grading for the Enchanted Hills subdivision. Eight-foot wide benches at 30-foot intervals were created along Ascension Drive as a result. Surface runoff from these benches has eroded the slope over the years, most significantly in the southwest corner adjacent to the intersection of Ascension Drive and Bel Aire Road. The site is predominately characterized by grassland, small brush and trees such as oak, pine and eucalyptus.

Chronology:

<u>Date</u>	<u>Action</u>
February 2002	- Pre-application workshop.
August 28, 2002	- Application submitted.
December 4, 2003	- Public Environmental Impact Report (EIR) Scoping Session held.
March 14, 2005	- County Fire required the applicant to propose a secondary fire access road.
July 16, 2007	- Revised site plans and updated materials provided reflecting a proposed Emergency Vehicle Access (EVA) route.
June 22, 2009	- Draft Environmental Impact Report (DEIR) published. CEQA-mandated public comment period ended August 5, 2009.
September 9, 2009	- Public hearing held to discuss DEIR and take public comments.
November 20, 2009	- Final Environmental Impact Review (FEIR) published and released.
December 9, 2009	- Planning Commission denied the proposed project and failed to certify the FEIR.
December 22, 2009	- Applicant filed an appeal of the Planning Commission's decision to the Board of Supervisors.

- June 29, 2010 - The Board of Supervisors considered the appeal of the project which requested consideration of a revised project. The Board of Supervisors remanded the project to the Planning Commission for its consideration pending environmental and staff review of the revised project.
- November 2010 to September 2011 - Staff facilitated ten small, working group meetings between the applicant and members of the community to discuss community concerns for design consideration, and to discuss in more detail specific review topics and County procedures.
- May 7, 2013 - The Board of Supervisors approved a contract with Analytical Environmental Services to conduct the environmental review for the project and to produce an Environmental Impact Report.
- October 9, 2013 - Public EIR Scoping Session held for revised project.
- April 25, 2014 - DEIR for revised project released, with a 45-day commenting period ending on June 9, 2014.
- May 14, 2014 - Planning Commission hearing to take public comments on the DEIR.
- December 12, 2014 - FEIR for revised project released.
- January 28, 2015 - Planning Commission's consideration of the revised subdivision project and certification of FEIR.

## **DISCUSSION**

### **A. BACKGROUND**

The current project is a revised version of a project that was denied by the Planning Commission on December 9, 2009. The previous version proposed 25 parcels for development with a roadway access in a loop configuration around the existing water tank. Per fire regulations, the proposed subdivision required a secondary access due to the total length of the roadway proposed for the subdivision. An Emergency Vehicle Access road, for use only by emergency vehicles, was proposed along the southern slope adjacent and intersecting with Ascension Drive south of the intersection of Bel Aire Road. In total, the proposed previous project required approximately 96,000 cubic yards of grading (61,100 cubic yards to be taken off-site, and 34,900 cubic yards to remain and be used on the site).

During the December 9, 2009 Planning Commission public hearing, opposition to the project was provided by numerous members of the community, expressing various concerns ranging from construction impacts, health concerns, visual impacts, development on steep slopes, and inadequacy of the Environmental Impact Report. The Planning Commission considered the testimony presented as part of its deliberation of the project and the Commission determined that it was unable to make the necessary findings to approve the subdivision and certify the environmental document, and therefore denied the project. The Commissioners expressed concerns that included non-conformance to specific General Plan policies (specifically 15.20.b), geotechnical and drainage/erosion impacts, and visual impacts. The Planning Commission also directed the applicant to meet with the community to seek a design that does not build on the steep south-facing slope of the site and directed staff to assist as appropriate. The Commission further provided guidance to the applicant to aid any efforts to modify the proposal by encouraging more moderate sized housing, addressing the concerns about avoiding building on the steep south facing slope, and developing a new design that could minimize negative impacts.

On December 23, 2009, the applicant filed an appeal of the Commission's actions and submitted a revised alternative for consideration which attempted to address issues raised at the December 9, 2009 Planning Commission hearing. Staff facilitated two meetings between the applicant and members of the community in the spring of 2010 to discuss preliminary plans and provide direction to the applicant. On June 29, 2010, the Board of Supervisors remanded the project to the Planning Commission to consider the alternative design to the project, subject to all formal County processing and review requirements and environmental analysis.

An update was provided to the Planning Commission on July 17, 2010 regarding the remanded project, which would be coming to them at a future hearing for reconsideration. At that hearing, members of the public expressed preference of smaller, roundtable style meetings with the applicant as the means for community outreach. As a result, the San Mateo County Planning staff facilitated small, working group meetings between the applicant and members of the community from November 2010 through September 2011, with the intent of providing an informal opportunity for the community and applicant to discuss individual areas of concern in greater detail. A total of ten meetings were held, covering a range of topics from zoning, traffic, geotechnical/soil stability, drainage/hydrology, housing designs, bonding, and air quality.

Throughout the series of meetings, a common concern that was raised was the total number of proposed lots. The community on numerous occasions advocated for fewer lots, and raised issues regarding their placement due to visual concerns. On November 18, 2011, the applicant officially submitted the revised plan to begin the County review and environmental analysis through a revised and recirculated Environmental Impact Report.

## B. COMPLIANCE WITH COUNTY GENERAL PLAN

Since 1986, the County General Plan designates the project site as Medium Low Density Residential, which allows for development of 2.4 to 6.0 dwelling units per acre. The proposed land division has a density of 1.58 dwelling units per acre, which is below the intended density of the area.

The proposal is consistent with the relevant policies set forth by the General Plan, including in particular the following elements:

Chapter 1 - Vegetative, Water, Fish and Wildlife Resources. The project is consistent with the policies within this chapter, particularly Policies 1.20 (*Importance of Sensitive Habitats*), 1.22 (*Regulate Development to Protect Vegetative, Water, Fish, and Wildlife Resources*), 1.23 (*Regulate Location, Density and Design of Development to Protect Vegetative, Water, Fish and Wildlife Resources*), and 1.24 (*Protect Vegetative Resources*). The site has the potential to support 11 special-status plant species, three special-status birds, and one special status insect (special-status species as defined within the California Natural Diversity Database (CNDDDB)). As part of the environmental review, a biological and botanical survey was conducted at the project site in the summer of 2013, which did not observe evidence of the existence of these special-status resources, was outside of the blooming/mating period, and/or concluded that given the site location and specific characteristics, it was unlikely that supporting habitat would be found on the project site. Due to reported sightings by members of the community and the existence of a host plant (Lupine), special attention was given in the investigation of the existence of the Mission blue butterfly, listed in the CNDDDB as endangered by United States Fish and Wildlife Service. A formal on-site biological survey was conducted in the spring and summer months in 2005, 2008, and 2012 (in addition to the 2013 biological survey). While 12 adult butterflies were observed as part of those surveys, the results were inconclusive in determining the specific Mission blue butterfly subspecies. Further, the elevation of the subject site was determined to be lower than the typical elevation range of the butterfly habitat.

Taking into consideration the conducted survey and the existing conditions of the project site, it can be considered that a low possibility exists that the site would support any of the special-status species indicated in the CNDDDB. Regardless, the project will be conditioned to protect special-status species, including the Mission blue butterfly. Mitigation measures (Conditions No. 8.f and 8.g) have been proposed to ensure that the project would not result in any significant impact to sensitive habitats or biological resources.

The proposed project would result in the removal of 43 trees, of which none have been identified as heritage status and only nine are significant size, per the County tree removal ordinances.

Chapter 2 - Soil Resources. With regard to Policies 2.17 (*Regulate Development to Minimize Soil Erosion and Sedimentation*), 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion*), 2.25 (*Regulate Topsoil Removal Operations Against Accelerated Soil Erosion*), and 2.29 (*Promote and Support Soil Erosion Stabilization and Repair Efforts*), the project is consistent with these policies as mitigated. The proposed project will incorporate design measures, such as controlled drainage flow devices, to improve soil erosion control over existing site conditions. Per County standards, no grading shall be allowed during the winter season to avoid potential soil erosion unless approved, in writing, by the Community Development Director. The project site currently has extensive soil erosion on portions of the site, specifically in the southwest corner adjacent to the intersection of Bel Aire Road and Ascension Drive. The applicant will be required to correct surface erosions on the project site that are not within the developed parcels, and will be required to conduct all necessary precautions as specified in the conditions of approval regarding impacts to sensitive species (Conditions No. 8.e through 8.j). Overall, the proposed storm drainage infrastructure will improve site drainage conditions relative to current conditions, as proposed and reviewed by the County Department of Public Works.

Chapter 4 - Visual Quality. The project will result in a negligible aesthetic impact that would not be in conflict with the policies contained within this chapter. The final project, once fully built out with residential homes, would comply with all applicable General Plan Policies, Subdivision Regulations and Zoning Ordinance Regulations. All utilities associated with the proposed project will be placed underground. While post-project conditions would be noticeable from County-designated scenic roadways (e.g., Polhemus Road), as well as other community view points and streets, the currently undeveloped hillside would be replaced with single-family homes similar to the surrounding area, as identified by the County General Plan for the area. Conditions have been included in Attachment A to reduce, to the extent possible, noticeable effects over the long-term, including, but not limited to, Tree Mitigation and Monitoring Plan and Tree Replacement Program.

Chapter 8 - Urban Land Use. The proposal is consistent with the surrounding residential land uses, per Policies 8.14 (*Land Use Compatibility*) and 8.35 (*Uses*), respectively. The proposed project also complies with Policy 8.29 (*Infilling*), which encourages the infilling of urban areas where infrastructure and services are available.

Chapter 14 - Housing. The proposal is consistent with the County's Housing Element, a State-mandated document to address the housing needs of the entire unincorporated County. The Housing Element is updated regularly, with the last revision occurring in 2012, and draft revision is in progress pending the Board of Supervisors' approval. Within the Housing Element, one of the required elements is the demonstration of how the community plans to meet the existing and

projected housing needs of people at all income levels. The State-required process to identify what each jurisdiction is required to provide is called the Regional Housing Needs Allocation (RHNA) and covers an eight-year period. In July 2013, the Association of Bay Area Governments (ABAG) adopted the Final Regional Housing Need Plan for the San Francisco Bay Area: 2014-2022, which identified that unincorporated San Mateo County would need to provide 913 housing units over all income levels. The proposed project will help the County achieve its housing goals, including the provision of housing at all income levels to meet identified housing needs.

Chapter 15 - Natural Hazards. The proposal is consistent with Geotechnical Hazards Policies, specifically with Policy 15.18 (*Determination of Existence of a Geotechnical Hazard*), as the site is not located on the San Mateo County Natural Hazards Map, within in the Alquist-Priolo Hazard Zone. Therefore, Policy 15.19 (*Appropriate Land Uses and Densities in Geotechnical Hazard Areas*) is not applicable, although the housing density of 1.5 dwelling units per acre is of lower density than what the General Plan has established for the area (Medium Low, 2.0 to 6.0 dwelling units per acre). The slopes of the proposed 19 parcels range from 12 percent to 48 percent, with the average being approximately 35 percent. The slope of the terrain is typical of other hillside developments within the County unincorporated areas. Based on the submitted geotechnical reports included within the EIR, no potential hazards were identified with developing the site as proposed. The development regulations contained in Policies 15.20.a through 15.20.d (*Review Criteria for Locating Development in Geotechnical Hazard Areas*), which discourage development on steeply sloping areas (generally above 30 percent), is also not applicable due to the project site's location outside of the established Geotechnical Hazard Area (Alquist-Priolo Hazard Zone). This was incorrectly cited in the December 2009 Planning Commission hearing as being a non-conforming situation.

C. COMPLIANCE WITH COUNTY ZONING REGULATIONS

Since 1958, the subject property is currently zoned R-1/S-8 (Single-Family Residential), which allows for single-family residential development with a minimum lot size of 7,500 sq. ft. The R-1/S-8 Zoning District requirements are listed below:

<b>Development Standard</b>	<b>Required</b>
Minimum Lot Size (sq. ft.)	7,500
Minimum Lot Width (ft.)	50
Maximum Lot Coverage	40%
Height Limit	3 stories/36 ft.
Setbacks (ft.)	
Front	20
Sides	5
Rear	20

All development on the proposed parcels will be required to adhere to the aforementioned regulations at the time of development. The vesting tentative map complies with the minimum parcel size and width indicated above and demonstrates that the proposed parcels are capable of development under the current zoning development standards.

D. COMPLIANCE WITH COUNTY SUBDIVISION REGULATIONS

The proposed subdivision would result in the creation of 21 parcels. Of those, 19 parcels are designed and proposed for development of single-family dwellings. The remaining two parcels, noted as “Lot A” and “Lot C,” will be utilized for non-residential uses. Lot A will become a common area and conservation easement, and Lot C will be considered a common area as well.

1. Compliance with Regional Housing Needs

Section 7004 of the County Subdivision Regulations discusses the consideration of housing needs of the region and balances these needs against the public service needs of residences. As previously mentioned in the General Plan discussion pertaining to housing, the proposed project will help the County achieve its housing goals to meet the need for housing in unincorporated San Mateo County for all income levels. As reviewed and conditioned by referred County agencies, the project is capable of providing housing while balancing service needs. As mitigated, the project allows housing to be created while maintaining public services to existing dwellings and efficiently extending them to new development while minimizing potential environmental impacts.

2. Compliance with General Subdivision Design and Parcel Design Requirements

Section 7020 of the County Subdivision Regulations establishes subdivision design parameters and parcel design requirements. Based on the information provided by the applicant, the EIR, and comments from other County agencies, staff has determined that the proposed subdivision complies with all of these requirements. The proposed single-family residential lots will be a minimum of 7,500 sq. ft. in size, 50 feet in width and 100 feet in depth.

3. Compliance with Design Requirements for Special Areas

Section 7021 of the Subdivision Regulations contains design requirements for special areas, including areas with open or forested ridgelines and skylines. The proposed project would result in an impact to the existing open ridgeline, particularly during grading and construction of the private streets, which will involve substantial grading and removal of trees and

vegetation. Conditions have been proposed to mitigate the visual impacts through seeding and tree replanting. Given the topography and amount of earth-work required to develop the site, no other alternatives exist to locate the parcels on the subject site that would lessen the visual impacts on the open ridgeline in the same manner (per Section 7021.1.a). Staff, therefore, concludes that, as conditioned, the proposed project would adhere to the design requirements for special areas to the extent reasonably possible.

4. Compliance with Street Design and Improvement Requirements

Sections 7022 and 7023 of the Subdivision Regulations set forth standard requirements for subdivision street design and improvements. The proposed project includes approximately 66,696 sq. ft. of on-site private roadways. On-site circulation along this private street would consist of a “U” shaped configuration, with two hammerhead fire truck turnarounds at the end of each. Through the eastern hammerhead will be the private street access to Lots 7 and 12, and through the southern hammerhead will be private street access to the water tank. The 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 36-foot wide paved street surface with curbs and gutters where appropriate; 5.5-foot sidewalks along each side of the street; and curbside parking available. No street parking would be allowed in the hammerhead fire truck turnaround areas. The street grades within the system would range from 5.6 to 20 percent with cross slopes of approximately 2 percent. The proposed street design is appropriate for the proposed development and consistent with street standards. The proposed street system is compliant with the requirements listed in Sections 7022 and 7023 of the County Subdivision Regulations.

5. Compliance with Park Dedication Requirements

Section 7055 of the County Subdivision Regulations requires the dedication of parkland or the payment of an in-lieu fee, as a condition of subdivision approval. When the proposed subdivision contains 50 parcels or less, an in-lieu fee only may be required of the subdivider. Based on the current assessed value of the property, the in-lieu fee owed prior to recordation of the final map is \$8,626.10.

6. Findings for Subdivision Approval

Section 7013.3.b of the County Subdivision Regulations specifies the findings for subdivision map approval. All of these findings can be made as described further below:

- a. **That the proposed map, along with the provisions for its design and improvements, is consistent with the San Mateo County General Plan.**

The Department of Public Works and Current Planning Section staff have reviewed the tentative map and found that it complies, as conditioned in Attachment A of this report, with State and County land division regulations. The project is consistent with the County General Plan as discussed in Section B of this report.

The applicant shall provide for the extension and necessary upgrades of existing sewer, water, gas, electric, and cable television lines to service the new parcels. All utilities will be run underground to each of the lots. Water will be provided to the parcels by the California Water Service Company, sewer services by the Crystal Springs County Sanitation District (CSCSD), storm drainage services by the County of San Mateo, fire protection services by Cal-Fire, telephone services by AT&T, and gas and electric services by Pacific Gas and Electric. All agencies have reviewed the project to confirm their ability to serve the proposed development.

- b. **That the site is physically suitable for residential development.**

As conditioned, the proposed parcels indicated for development are physically suited for single-family residential development for the following reasons: (1) the proposed parcels conform to the minimum building site and lot width requirements of the R-1/S-8 Zoning District, (2) existing water, sanitary services, and all other utilities will be available to serve the newly created parcels, and (3) each parcel can be accessed with the proposed subdivision configuration. The slopes of the proposed 19 parcels range from 12 percent to 48 percent, with the average being approximately 35 percent. The slope of the terrain is typical of other hillside developments within the County unincorporated areas. Based on the submitted geotechnical reports included within the EIR, no potential hazards were identified with developing the site as proposed.

- c. **That the site is physically suitable for the proposed density of development.**

The parcels will range in their slopes from a minimal of 12 percent to a maximum of 48 percent. The site is not located within a geotechnical hazard area, and meeting all necessary County building code and grading requirements at the time the individual parcels are developed, development on slopes within this range is feasible. The proposed parcels are capable of being served by water, sewer and other

necessary utilities. The subdivision would allow for a maximum density of 1.58 dwelling units per acre, which is lower than the intended density for the area, which is 2.0 to 6.0 dwelling units per acre maximum stipulated by the Medium Low Density Residential General Plan land use designation.

- d. **That the design of the subdivision or the proposed improvements are not likely to cause serious public health problems, substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat.**

Based on investigation, review, and analysis conducted by staff, reviewing County agencies, and the environmental consultant who prepared the EIR, it is concluded that the project will not result in a serious public health problem or cause substantial environmental damage as conditioned. Section B of this report responded to the General Plan Vegetative, Water, Fish and Wildlife Resources Chapter and concluded that the design of the subdivision and the proposed improvements will not substantially impact wildlife, as conditioned. The EIR identified potential impacts to biological resources (Section 4.3 of the DEIR), and concluded that, as mitigated, impacts would be considered less than significant. Mitigation measures proposed included requiring an additional biological survey to be conducted prior to grading, as well as direction if special-status species, previously unidentified, are discovered (see Conditions No. 8.e, 8.f, 8.g). Staff has also required that the project minimize the transport and discharge of pollutants from the project site into local storm drain systems and water bodies by adhering to the San Mateo Countywide Stormwater Pollution Prevention Program and General Construction and Site Supervision Guidelines (Conditions No. 9 through No. 12).

- e. **That the design of the subdivision or type of improvements will not cause serious public health problems.**

The project will present negligible impacts to public health as conditioned. The EIR thoroughly examines potential impacts (specifically within Section 4.2, *Air Quality and Greenhouse Gas Emissions*) and proposes mitigation measures to reduce any possible impact as a result of the grading and construction activities to a less-than-significant level. These mitigation measures are consistent with the Basic Construction Measures recommended by the Bay Area Air Quality District, which specify type of heavy-duty equipment, off-haul practices, and other best practices to be required during grading activities (see Conditions No. 8.c and 8.d).

- f. **That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

There are no existing easements on the subject properties other than a private access road to the existing water tank. This road provides access for both the water tank as well as to the existing wireless facilities located at the tank site. The proposed subdivision configuration will continue to provide authorized access via the lower/southern fork of the private streets with ingress located at the end of the fire hammerhead turnaround. The existing water tank lines will be relocated, and identified on the preliminary utility composite plan.

- g. **That the discharge of waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by a State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code.**

The project was reviewed by the Crystal Springs County Sanitation District (CSCSD) and has incorporated mitigation measures that will present a zero-net increase in order to avoid contributing to any potential occurrence of a violation that the existing sewer system may experience.

- h. **That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (the Williamson Act).**

The subject property is not under a Williamson Act contract.

#### E. COMPLIANCE WITH COUNTY GRADING REGULATIONS

Grading activities include cut and fill of earth, creation of engineered slopes, and installation of retaining walls. Approximately 66,450 cubic yards of material would be graded for the proposed project on slopes averaging 35 percent. Specifically, the grading phase of the proposed project would require approximately 46,480 cubic yards of cut material and 19,970 cubic yards of that cut material will remain on-site as compacted engineered fill material. The remaining 26,510 cubic yards of earth is to be exported from the site to an off-site location.

The site preparation and grading activities will occur in a single phase in two parts. The first, which will cause the most noticeable impacts of the entire project, is the grading of 66,450 cubic yards of earth, requiring 26,510 cubic yards of earth to be

taken off-site. The second part will involve construction of the new private street and utility stub-outs, which would occur after the grading activities are completed. This phase is anticipated to occur over a nine-month period.

As discussed within the DEIR, it is estimated that approximately 4,680 total off-haul trucks trips will be required to export 26,510 cubic yards (approximately 40,000 bulk cubic yards) of earth. Assuming 30 working days for off-haul utilizing 17 bulk cubic yards per truck, an estimated 156 truck trips would occur per days. The route most likely to be used would be Bel Aire Road to Ascension, then east to Polhemus Road. According to the traffic reports conducted for the project, the additional vehicle trips (while noticeable) do not result in an increase of greater than 0.1 on the TIRE Index, and are considered to be a less-than-significant impact. Truck operations will be required to adhere to the San Mateo County Ordinance Code listed in Condition No. 19.

The second phase is the construction of the individual residential dwellings, which will require less equipment than the first part, and is therefore considered less impactful than the first phase. It is anticipated that construction of the individual dwellings will occur over an 18-month period. If construction were to commence immediately after the first phase, the total construction time for the proposed project would be 27 months; however, construction may not be continuous. Approval of the proposed project under consideration by the Planning Commission is limited to only the subdivision of the site, as construction of the individual dwellings will require separate building permits that are not proposed at this time and subject to approval by the Planning and Building Department.

By comparison to the previous proposal denied in 2009, the overall amount of grading activity has been reduced by half. The previous project required 131,480 cubic yards of grading activity, mostly associated with the necessary emergency vehicle access route.

Staff has reviewed the proposal against the required findings for a grading permit and concluded that, as conditioned, the project conforms to the criteria for review contained in the Grading Ordinance (Section 8605). Specifically, the project must comply with the standards for erosion and sediment controls (Section 8605.1), and submittal of a geotechnical report (Section 8605.3). Geotechnical reports and supporting documents have been provided as part of the County and environmental review (located within the DEIR appendices). As listed in the conditions of approval, the applicant will be required to implement an erosion and sediment control plan that has been reviewed and approved by both the Current Planning Section and the Department of Public Works, in accordance with County standards. In order to approve this project, the Planning Commission must make the required findings contained in the grading regulations. The findings and supporting evidence are outlined below:

**1. That the project will not have a significant adverse effect on the environment.**

The project will have a less-than-significant impact on the environment with the implementation of the mitigation measures proposed by the FEIR on elements identified as having a potential significant impact.

**2. That the project conforms to the criteria of the San Mateo County Grading Ordinance and is consistent with the General Plan.**

The project, as conditioned, conforms to the criteria for review contained in the Grading Ordinance, which include implementation of an erosion and sediment control plan, submitted geotechnical reports, and dust control plans, grading time restrictions, and fire safety. Conditions relevant to the required criteria listed are included as Conditions No. 9 through No. 17. As outlined and discussed in Section B of this report, the project conforms to the relevant General Plan elements.

**F. ENVIRONMENTAL REVIEW**

An environmental review of the project is required in accordance with the California Environmental Quality Act (CEQA). Based on the nature of the project and the results of the Initial Study (identifying potential significant impacts), the proposed project necessitates an Environmental Impact Report to analyze the potential impacts of the project. A Draft Environmental Impact Report (DEIR), specifically written for the revised project, was circulated for public comment from April 25, 2014 through June 9, 2014. Following the close of the public review period, Analytical Environmental Services, in consultation with Planning staff, reviewed and prepared responses to comments received during the public commenting period, as well as those presented at the May 14, 2014 Planning Commission meeting. Those comments and responses are included in the Final Environmental Impact Report (FEIR) document, which was published December 12, 2014.

**DRAFT EIR OVERVIEW**

The DEIR discusses a number of topics and potential impacts generated by the proposed project for the purposes of informing the decision maker (Planning Commission) during consideration. Topics include aesthetics, air quality and greenhouse gas emissions, biological resources, geology and soils, overall land uses, hydrology and water quality, hazards and hazardous materials, noise and vibration, local and regional population and housing impacts, public services, utilities, recreation, and transportation and circulation.

As part of the DEIR, mitigation measures have been recommended to address the potentially significant environmental impacts in order to reduce them to a less-

than-significant level. These impacts and potential issues were identified during the public scoping session held October 10, 2013, and during a public outreach effort online the weeks leading up to the scoping session. Various agencies have reviewed the project to determine the project's feasibility. Recommendations and conditions were provided by these agencies to contribute to the proposed mitigation measures included in the environmental document.

The DEIR is prepared with a sufficient degree of analysis in these topics to be considered as part of the decision making process; the analysis does not always need to be exhaustive per CEQA Guidelines. Further, CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or requested from those who comment on the document.

As previously mentioned, the Draft EIR (DEIR) discusses a number of potential impacts generated by the proposed project. A total of 30 individual significant impacts have been identified in the following areas: aesthetics, air quality and greenhouse gas emissions, biology, resources, geology and soils, hydrology and water quality, hazards and hazardous materials, noise and vibration, public services, utilities and recreation, and transportation and circulation. A summary of those impacts, along with corresponding proposed mitigations measures, is listed within the Executive Summary (Chapter 2) of the DEIR, and discussed in detail within the main discussion in Chapter 4.

The DEIR, per CEQA Guidelines, identifies and provides a brief evaluation of alternatives which are designed to reduce impacts while attempting to reasonably meet the applicant's general project objectives in providing housing. Three alternatives were evaluated within the DEIR, which examine changes to numbers and/or size of the proposed parcels, impervious surface area, and quantity of cut and fill for grading.

The first alternative is "No Project/No Build" (Alternative "A"), which would yield no impacts leaving the subject site as existing. The second alternative (Alternative "B") examined creating 21 lots but only allowing ten to be developed, with the rest being retained as open space. Lots would range from 7,549 sq. ft. to 9,054 sq. ft., which would be consistent with the R-1/S-8 Zoning District. Conceptually, this alternative would lessen the construction impacts in areas of traffic, noise, and air quality. Aesthetics impacts would remain the same, as the proposed project, due to the exposed nature of the project site. Hydrological impacts would have the potential to be greater than the proposed due to the remaining undeveloped lots lacking drainage improvements. The third alternative (Alternative "C") would favor larger lots/lower density, which would result in six lots ranging from approximately 14,000 sq. ft. to 21,000 sq. ft. Homes would avoid the top of the hill and southern slopes which would reduce the aesthetics impacts over the proposed project and second alternative. As much of the housing has been eliminated and avoids the steeper slopes, the grading under this alternative is significantly reduced and

proportionally reduces associated impacts. However, the project site's existing drainage and erosion issues would not be improved under this alternative. In accordance with CEQA Guidelines, this would be considered the most environmentally superior alternative in that it reduces environmental impacts associated with the construction of the homes while achieving the project objectives of providing parcels to develop.

## FINAL EIR OVERVIEW

During the public commenting period between April 25, 2014 and June 9, 2014, staff received a total of 24 comment letters. Responses to the comments were made as thorough as possible, but in instances where a commenter made the same or similar comment that was raised by another commenter, the response was a reference to an earlier response on the same item. The responses are written in accordance with CEQA Guidelines, which are limited to the environmental scope of the document. In cases where comments were raised that were considered unrelated to environmental concerns per CEQA, non-substantive or statements of opinion, the Final Environmental Impact Report (FEIR) indicated that the comment was noted for the administrative record. Minor corrections and additions to the DEIR are identified within the FEIR, and shall be included as part of the FEIR for the Planning Commission to consider for certification.

The Final EIR (FEIR) was released on December 12, 2014. The FEIR responds to 24 comments made during the DEIR's public commenting period. Written comments contained concerns and opinions relevant to the adequacy of the environmental review and thoroughness of the specific review topics. Some comments and questions were raised regarding specific review details and assurances of construction and grading practices that were out of the environmental scope. Other comments and opinions were made regarding the project's merits and discouraged development such as the proposed project.

Those comments received that were relevant to a general or specific environmental impact covered within the DEIR were provided a response with an answer that either clarified the issue in question, pointed to specific discussions contained within the DEIR, and/or pointed to a response already made to an earlier, relevant comment. This is common with an FEIR when repeated concerns are made by multiple commenters. As a result of the comments received, no new significant impacts were identified, and only minor corrections were made to the DEIR. As part of the FEIR, a Mitigation Monitoring and Reporting Plan is included, and must be considered and adopted by the Planning Commission (see Attachment H-1, *Resolution Exhibit A - Mitigation Monitoring and Reporting Plan*).

## **REFERRED AGENCIES AND ORGANIZATIONS**

Bay Area Air Quality Management District  
Bay Area Open Space Council  
Baywood Park Homeowners Association  
California Department of Conservation  
California Department of Fish and Game  
California Department of Forestry and Fire Protection  
California Regional Water Quality Control Board  
California Water Service Company  
City of San Mateo  
Committee for Green Foothills  
Crystal Springs County Sanitation District  
Highlands Recreation District  
Hillsborough Planning Division  
Local Agency Formation Commission (LAFCo)  
Pacific Gas and Electric Company  
SamTrans  
San Mateo County Building Inspection Section  
San Mateo County Department of Parks  
San Mateo County Department of Public Works  
San Mateo County Environmental Health Division  
San Mateo County Department of Housing  
San Mateo County Fire/Cal-Fire  
San Mateo County Sheriff's Office  
San Mateo Public Library  
San Mateo-Foster City School District  
San Mateo Union High School District  
Town of Hillsborough

## **ATTACHMENTS**

- A. Recommended Findings and Conditions of Approval
- B. Vicinity Map for Ascension Heights Subdivision
- C-1. Proposed Vesting Tentative Map
- C-2. Preliminary Grading Plan
- C-3. Preliminary Utility Composite Plan
- C-4. Preliminary Utility Composite Plan, Western Site Detail
- C-5. Preliminary Utility Composite Plan, Eastern Site Detail
- C-6. Retention/Dissipator and Metered Release Outlet Details
- D. Aerial Photograph of the Subject Site
- E. Planning Commission Decision of Denial, December 9, 2009
- F. In-Lieu Park Fee Worksheet
- G. Resolution Certifying the Final Environmental Impact Report

- H. Resolution Adopting (1) Mitigation Monitoring and Reporting, and (2) Adopting Statement of Findings and Facts in Support of Findings
- H-1. Resolution Exhibit A (Mitigation Monitoring and Reporting Plan)
- H-2. Resolution Exhibit B (Findings and Facts in Support of Findings)

The Draft and Final EIR are available for review at the San Mateo County Planning and Building Department, or online at: <https://planning.smcgov.org/ascension-heights-subdivision-project>

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County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2002-00517      Hearing Date: January 28, 2015

Prepared By: James A. Castañeda, AICP      For Adoption By: Planning Commission

**RECOMMENDED FINDINGS**

Regarding the Environmental Review, Find:

1. That the Final Environmental Impact Report (FEIR) is complete, correct and adequate and prepared in accordance with the California Environmental Quality Act (CEQA) and applicable State and County Guidelines in accordance with California Public Resources Code Section 21081.1(c).
2. That the FEIR reflects the independent judgment of the County.
3. That the mitigation measures identified in the FEIR, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

Regarding the Major Subdivision, Find:

4. That the proposed map is consistent with the applicable County general and specific plans. The subdivision will create 21 parcels, of which 19 will be developed, consistent with the use and density stipulated by the Medium Low Density Residential General Plan land use designation. The proposed density of 1.58 dwelling units per acre conforms to the maximum allowed within the Medium Low Density Residential General Plan land use designation.
5. That the site is physically suitable for residential development. The 19 parcels proposed for development are of sufficient size and shape to support single-family residences (the principally permitted use in the R-1/S-8 Zoning District) as prepared by the proposed grading. Upon completion of the proposed grading plan for the subdivision, all proposed residential parcels will be capable of supporting a single-family residence.

6. That the design of the subdivision or the proposed improvements are not likely to cause serious public health problems, substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat as none are located within 100 feet of a creek or stream. The project will present negligible impacts to public health, as conditioned. The EIR identified potential impacts to biological resources, and concluded that, as mitigated, impacts would be considered less than significant. Mitigation measures proposed included requiring an additional biological survey to be conducted prior to grading, as well as direction if special-status species, previously unidentified, are discovered. The project will be required to adhere to the San Mateo Countywide Stormwater Pollution Prevention Program and General Construction and Site Supervision Guidelines (Conditions No. 9 through No. 12).
7. That the design of the subdivision and type of improvements will not cause serious public health problems. As conditioned, the project will present negligible impacts to public health. The EIR thoroughly examines potential impacts and proposes mitigation measures to reduce any possible impact as a result of the grading and construction activities to a less-than-significant level. These mitigation measures are consistent with the Basic Construction Measures recommended by the Bay Area Air Quality District, which specify type of heavy-duty equipment, off-haul practices, and other best practices to be required during grading activities.
8. That the design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. There are no existing easements on the subject properties other than a private access road to the existing water tank, which will be reconfigured in order to continue providing authorized access to this area, as well as existing water lines, which will be relocated.
9. That the discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by a State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the State Water Code. The project was referred to the Crystal Springs County Sanitation District (CSCSD) and has proposed mitigation measures for the project that will result in a zero-net increase in sanitary discharge through improvements to existing infrastructure in the vicinity by the applicant.
10. That the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (the Williamson Act). The property is not subject to any Williamson Act contracts.

Regarding the Grading Permit, Find:

11. That this project, as conditioned, will not have a significant adverse effect on the environment. The project has been reviewed by Planning staff and the Department of Public Works that find the project can be completed without significant harm to the environment as conditioned. The project must comply with the standards for erosion and sediment controls (Section 8605.1), and submittal of a geotechnical report (Section 8605.3). Geotechnical reports and supporting documents have been provided as part of the County and environmental review (located within the DEIR appendices). The applicant will be required to implement an erosion and sediment control plan that has been reviewed and approved by both the Current Planning Section and the Department of Public Works, in accordance with County standards.
12. That this project, as conditioned, conforms to the criteria of the San Mateo County Grading Ordinance and is consistent with the General Plan. Planning staff and the Department of Public Works have reviewed the project and have determined its conformance to the criteria of Chapter 8, Division VII, San Mateo County Ordinance Code, including the standards referenced in Section 8605 and the San Mateo County General Plan.

**RECOMMENDED CONDITIONS OF APPROVAL**

General Project Conditions

1. The approval applies only to the proposal, documents and plans as described in this report and materials approved by the Planning Commission on January 28, 2015. The Community Development Director may approve minor revisions or modifications to the project if they are consistent with the intent of and in substantial conformance with this approval. If revisions or modifications are deemed a major or significant change from the Planning Commission's approval, said modifications must return to the Planning Commission for consideration and approval.
2. This subdivision approval is valid for two years, during which time a final map shall be filed and recorded. An extension to this time period in accordance with Section 7013.5.c of the Subdivision Regulations may be issued by the Planning Department upon written request and payment of any applicable extension fees if required.
3. The map shall be recorded pursuant to the plans approved by the Planning Commission; any deviation from the approved plans shall be reviewed and approved by the Community Development Director or Planning Commission, as deemed necessary.

## Current Planning Section Conditions

4. Prior to recordation of the final map, the applicant shall pay In-Lieu Park Fees to the San Mateo County Planning and Building Department pursuant to Section 7055.3 of the Subdivision Regulations. The current amount is \$8,626.10, but shall be calculated at time of recordation using the most recent assessed value of the parcel as required by Section 7055.3 of the Subdivision Regulations.
5. All utilities serving the subdivision shall be installed underground.
6. The applicant must incorporate the use of pervious materials in the designs of driveways, patio areas, walkways, etc., for all future construction on the 19 parcels indicated for development. Pervious materials include, but are not limited to, pervious pavers on sand, turf block, pervious pavement, porous asphalt or gravel.
7. The applicant shall enter into a contract with the San Mateo County Planning and Building Department for all mitigation monitoring for this project. The fee shall be staff's cost, plus 10 percent required in the current Planning Service Fee Scheduled. Planning staff may, at their discretion, contract these services to an independent contractor at cost, plus an additional 10 percent for contract administration.
8. **The applicant shall comply with all mitigation measures listed below (which are derived from the Final Environmental Impact Report made available to the public on December 12, 2014):**
  - 8.a. **Mitigation Measure 4.1-1a:** Prior to recordation of the final map, the project applicant shall submit a landscape plan for review and approval by the San Mateo County Planning Department (County Planning Department). The landscape plan shall include the location, size, and species of any proposed landscaping and shall include, but not be limited to, hedges or other appropriate vegetation that will provide opaque screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive. In addition, all proposed landscaping shall be of native, non-invasive species. Areas used for the storage of landscape maintenance or other equipment, supplies, or debris shall be shielded from view by fencing, landscaping or other means. Prior to final approval of the final map, a site inspection shall be required by the County Planning Department to verify that all approved landscaping has been implemented or bonds posted for performance; a maintenance bond shall be required. All perimeter landscaping shall serve to screen and/or enhance views of the project site from surrounding roadways and neighborhoods (see also Conditions No. 8.b and 8.l).

8.b. **Mitigation Measure 4.1-1b:** Prior to the issuance of a grading permit “hard card,” the applicant is required to submit a tree replacement plan that shall not exceed the following specifications:

- For each loss of a significant indigenous tree, there shall be a replacement with three or more trees, as determined by the Community Development Director, of the same species using at least 5-gallon size stock.
- For each loss of a significant exotic tree, there shall be a replacement with three or more trees, as determined by the Community Development Director that the substitute tree can survive and flourish in the regional climatic conditions.
- Replacement trees shall require a surety deposit for both performance (installation of tree, staking, and providing an irrigation system) and maintenance. Maintenance shall be required for no less than two and no more than five years as determined by the Community Development Director.

8.c. **Mitigation Measure 4.2-1a:** The applicant shall ensure through the enforcement of contractual obligations that construction contractors implement a fugitive dust abatement program during construction, which shall include the following elements consistent with the Basic Construction Mitigation Measures recommended by the Bay Area Air Quality Management District (BAAQMD):

- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
- Cover all exposed stockpiles.
- Water all exposed roadway and construction areas two times a day.
- Sweep paved streets three times daily (with water sweepers) if visible soil material is carried onto adjacent streets.
- Limit traffic speeds on unpaved roads to 15 miles per hour (mph).
- After grading is complete, construction of paved surfaces (e.g., roadways, driveways, sidewalks, building pads) should be completed as soon as possible unless protected by seeding, soil binders, or other similar measures.

- Limit idling time to a maximum of five minutes and turn off equipment when not in use; clear signage indicating this shall be displayed at the project site access point.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall be checked by a certified visible emissions evaluator.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- Any burning of cleared vegetation shall be conducted according to the rules and regulations of the BAAQMD's Regulation 5 (BAAQMD, 2008). Prior notification to BAAQMD shall be made by submitting an Open Burning Prior Notification Form to BAAQMD's office in San Francisco.
- A publicly visible sign shall be posted with the telephone number and person to contact at the County regarding dust complaints. A response and corrective action shall occur within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

8.d. **Mitigation Measure 4.2-1b:** The applicant shall ensure through contractual obligations (to be contained within the Subdivision Improvement Agreement with the Department of Public Works per Condition No. 21) with construction contractors that the following Best Management Practices (BMPs) shall be implemented during all stages of construction:

- All heavy-duty construction equipment shall be equipped with diesel particulate matter filters.
- Only low Reactive Organic Gas (ROG) coatings shall be utilized.
- The applicant shall use only Tier 2 or better heavy-duty construction equipment.

8.e. **Mitigation Measure 4.3-1\*:** To address potential impacts associated with special status plant species, the following measures shall be implemented prior to issuance of a grading permit "hard card":

- A qualified biologist/botanist shall conduct a focused botanical survey during the month of May, which corresponds to the overlapping evident and identifiable bloom periods for the remaining seven species, and prior to commencement of construction. Should

no special status plant species be observed, then no additional mitigation is required.

- Should one or more of these special status plants be found during the focused botanical survey on the project site, the qualified biologist/botanist shall contact the California Department of Fish and Wildlife (CDFW) within one day following the focused botanical survey to report the findings. A 10-foot buffer shall be established around the species using construction flagging prior to commencement of construction activities.
- Should avoidance of special status plant species be infeasible, the qualified botanist would salvage and relocate the individuals in an area comprised of suitable habitat in the vicinity of the project site that would not be impacted by the proposed project. Prior to the attempted relocation, seeds shall be gathered from the identified plants for use in the area identified for relocation.

8.f. **Mitigation Measure 4.3-2:** To address potential impacts associated with the Mission blue butterfly, the following shall be implemented prior to issuance of a grading permit “hard card”:

- A qualified biologist shall conduct a focused survey within the non-native grassland on the project site for the Mission blue butterfly during the appropriate identification periods for adults (March-July) or juveniles (wet season) prior to commencement of construction activities. Should no species be observed, then no additional mitigation is required.
- Should the Mission blue butterfly be observed during the focused survey on the project site, the qualified biologist shall contact CDFW within one day following the focused botanical survey to report the findings. If feasible, a 10-foot buffer shall be established around the species’ host plants using construction flagging prior to commencement of construction activities.
- Should avoidance of the Mission blue butterfly be infeasible, the qualified biologist would allow the butterfly to exit the property on its own, or would establish an alternately appropriate action approved by CDFW.

8.g. **Mitigation Measure 4.3-3a:** Prior to issuance of a grading permit “hard card,” a qualified biologist shall conduct a minimum of two protocol level pre-construction surveys for listed bird species during the recommended survey periods for the nesting season that coincides with the commencement of construction activities:

- Northern harrier: Present year-round, breeds March through August;
- Burrowing owl: Present year-round, breeds primarily March through August, but can be February through December; and
- White-tailed kite: Present year-round, breeding occurs in autumn. Nesting season begins in February and ends in August.

These surveys will occur in accordance with the United States Fish and Wildlife Service (USFWS) Division of Migratory Bird Management Guidelines for Raptor Conservation in the United States (2008). The qualified biologist shall conduct surveys within 14 days of commencement for northern harrier, burrowing owl, and white-tailed kite in the project site and within 0.25 miles of construction activities where legally permitted. The biologist will use binoculars to visually determine whether nests occur beyond the 0.25-mile survey area if access is denied on adjacent properties. If no active nests are identified on or within 0.25 miles of construction activities within the recommended survey periods, a report summarizing the survey results shall be submitted to the County and the CDFW within 30 days following the survey, and no further mitigation for nesting habitat is required. Evidence, in the form of a letter documenting the results of the survey, shall be submitted to the Current Planning Section prior to the issuance of grading permit “hard card.”

- 8.h. **Mitigation Measure 4.3-3b:** If active listed bird nests are found within 0.25 miles of construction activities, the biologist shall contact the Current Planning Section and CDFW within one day following the pre-construction survey to report the findings. For purposes of this mitigation requirement, construction activities are defined to include heavy equipment operation associated with construction (use of cranes or draglines, new rock crushing activities) or other project-related activities that could cause nest abandonment or forced fledging within 0.25 miles of a nest site during the identified nesting period. Should an active nest be present within 0.25 miles of construction areas, then CDFW shall be consulted to establish an appropriate noise buffer, develop take avoidance measures, and implement a monitoring and reporting program prior to any construction activities occurring within 0.25 miles of the nest/burrow. The monitoring program would require that a qualified biologist shall monitor all activities that occur within the established buffer zone to ensure that disruption of the nest/burrow or forced fledging does not occur. Should the biologist determine that the construction activities are disturbing the nest/burrow, the biologist shall halt construction activities until CDFW is consulted. The construction activities shall not commence until the CDFW determines that construction activities would not result in abandonment of the nest/burrow site. If the CDFW determines that take may occur, the applicant would be

required to obtain a California Endangered Species Act (CESA) take permit. Should the biologist determine that the nest/burrow has not been disturbed during construction activities within the buffer zone, then a report summarizing the survey results will be submitted to the Current Planning Section and CDFW and no further mitigation for nesting habitat is required.

- 8.i. **Mitigation Measure 4.3-4a:** A qualified biologist shall conduct a pre-construction bird survey for nesting within 14 days prior to commencement of construction activities and prior to the issuance of a grading permit “hard card” if anticipated to commence during the appropriate nesting season (between February 1 and August 31). The qualified biologist shall document and submit the results of the pre-construction survey in a letter to CDFW and the County within 30 days following the survey. The letter shall include: a description of the methodology including dates of field visits, the names of survey personnel, a list of references cited and persons contacted, and a map showing the location(s) of any bird nests observed on the project site. If no active nests are identified during the pre-construction survey, then no further mitigation is required. Evidence, in the form of a report documenting the results of the survey, shall be submitted to the Current Planning Section prior to the issuance of any grading or building permits within the project site.
- 8.j. **Mitigation Measure 4.3-4b:** If any active nests are identified during the pre-construction survey within the project site, a buffer zone will be established around the nests. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist will delimit the buffer zone with construction tape or pin flags within 250 feet of the active nest and maintain the buffer zone until the end of the breeding season or until the young have fledged. Guidance from CDFW will be requested if establishing a 250-foot buffer zone is impractical. Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed.
- 8.k. **Mitigation Measure 4.3-4c:** Trees anticipated for removal should be removed outside of the nesting season (February 1 and August 31). If trees are anticipated to be removed during the nesting season, a pre-construction survey shall be conducted by a qualified biologist prior to the issuance of a grading “hard card.” If the survey shows that there is no evidence of active nests, then the tree shall be removed within ten days following the survey. If active nests are located within trees identified for removal, a 250-foot buffer shall be installed around the tree. Guidance from CDFW will be requested if the 250-foot buffer is infeasible.
- 8.l. **Mitigation Measure 4.3-6:** Prior to the issuance of a grading permit “hard card” and removal of any trees, a certified arborist or registered

professional forester shall conduct an arborist survey documenting all trees with trunk circumferences of 38 inches or greater and their location, as well as any Tree Communities or Indigenous Trees regardless of size. The report shall be submitted to the Current Planning Section. The applicant shall not remove any trees without prior approval from the Community Development Director. All recommendations of the arborist report shall be implemented prior to the issuance of building permits for development on the project site. The arborist report shall specify measures including, but not limited to the following:

- To the extent feasible, trees anticipated for removal shall be removed outside of the nesting season for birds. Taking into account the nesting season for the white tailed kite, the nesting season shall be defined as February 1 to August 31.
- The project proponent shall plant replacement significant and/or indigenous tree species recommended by the County at a 3:1 ratio within the project site. See also Conditions No. 8.a and No. 8.b.

- 8.m. **Mitigation Measure 4.4-1a:** Implementation of Condition No. 8.t (Mitigation Measure 4.6-1 from Section 4.6; Hydrology and Water Quality) to identify and implement erosion control BMPs within the Stormwater Pollution Prevention Plans (SWPPP) (as specified in Condition No. 9) prepared for construction activities in accordance with the State’s Clean Water Act National Pollutant Discharge Elimination System (NPDES) general permit for construction activities. Implementation of these BMPs would ensure that temporary and short-term construction-related erosion impacts under the proposed project would be reduced to a less-than-significant level.
- 8.n. **Mitigation Measure 4.4-1b:** The applicant shall submit an Erosion and Sediment Control Plan prior to the issuance of a grading permit “hard card” as required in Condition No. 9. This Erosion and Sediment Control Plan shall be prepared by a licensed civil engineer or certified professional soil erosion and sediment control specialist. The plan shall show the location of proposed vegetative erosion control measures, including landscaping and hydroseeding, and the location and details of all proposed drainage systems. The plan shall include sufficient engineering analysis to show that the proposed erosion and sediment control measures during pre-construction, construction, and post-construction are capable of controlling surface runoff and erosion, retaining sediment on the project site, and preventing pollution of runoff in compliance with the Clean Water Act.
- 8.o. **Mitigation Measure 4.4-2a:** Grading and building designs, including foundation requirements, shall be consistent with the findings of the

geotechnical investigation, the California Code of Regulations, and the California Building Code.

- 8.p. **Mitigation Measure 4.4-2b:** The applicant shall comply with all recommendations contained within the site-specific geotechnical investigation conducted by Michelucci and Associates (2013) (FEIR; Appendix E).
- 8.q. **Mitigation Measure 4.4-2c:** The applicant shall retain a qualified engineering geologist to ensure all grading and installation of fill is performed under the observation of the qualified engineering geologist.
- 8.r. **Mitigation Measure 4.4-3a:** Implement Condition No. 8.u (Mitigation Measure 4.6-2 from Section 4.6; Hydrology and Water Quality) to ensure that the site stormwater drainage system (including individual systems for each residence) shall not allow discharge of uncontrolled runoff onto the site slopes. Concentrated runoff shall not be allowed to flow over graded slopes or areas of thick soil, colluviums, or fill. See Condition No. 12 for additional requirements.
- 8.s. **Mitigation Measure 4.4-3b:** Implement Condition No. 8.q (Mitigation Measure 4.4-2c) to ensure the recommendations of the geotechnical investigation regarding sub-drains and surface drainage are included in the project design.
- 8.t. **Mitigation Measure 4.6-1:** The applicant shall comply with the State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Stormwater Runoff Associated with Construction Activity (General Permit). The SWRCB requires that all construction sites have adequate control measures to reduce the discharge of sediment and other pollutants to streams to ensure compliance with Section 303 of the Clean Water Act. To comply with the NPDES permit, the applicant will file a Notice of Intent with the SWRCB and prepare a SWPPP prior to construction, which includes a detailed, site-specific listing of the potential sources of stormwater pollution; pollution prevention measures (erosion and sediment control measures and measures to control non-stormwater discharges and hazardous spills) to include a description of the type and location of erosion and sediment control BMPs to be implemented at the project site; and a BMPs monitoring and maintenance schedule to determine the amount of pollutants leaving the proposed project site. A copy of the SWPPP must be current and remain on the project site. Control measures are required prior to and throughout the rainy season. Water quality BMPs identified in the SWPPP shall include, but are not limited to, the following:

- Temporary erosion control measures (such as silt fences, staked straw bales, and temporary revegetation) shall be employed for disturbed areas. No disturbed surfaces will be left without erosion control measures in place during the winter and spring months.
- Sediment shall be retained on-site by detention basins, on-site sediment traps, or other appropriate measures.
- A spill prevention and countermeasure plan shall be developed which would identify proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used on-site. The plan shall also require the proper storage, handling, use, and disposal of petroleum products.
- Construction activities shall be scheduled to minimize land disturbance during peak runoff periods and to the immediate area required for construction. Soil conservation practices shall be completed during the fall or late winter to reduce erosion during spring runoff. Existing vegetation will be retained where possible. To the extent feasible, grading activities shall be limited to the immediate area required for construction.
- Surface water runoff shall be controlled by directing flowing water away from critical areas and by reducing runoff velocity. Diversion structures such as terraces, dikes, and ditches shall collect and direct runoff water around vulnerable areas to prepared drainage outlets. Surface roughening, berms, check dams, hay bales, or similar devices shall be used to reduce runoff velocity and erosion.
- Sediment shall be contained when conditions are too extreme for treatment by surface protection. Temporary sediment traps, filter fabric fences, inlet protectors, vegetative filters and buffers, or settling basins shall be used to detain runoff water long enough for sediment particles to settle out.
- Construction materials, including topsoil and chemicals, shall be stored, covered, and isolated to prevent runoff losses and contamination of groundwater.
- Topsoil removed during construction shall be carefully stored and treated as an important resource. Berms shall be placed around topsoil stockpiles to prevent runoff during storm events.
- Establish fuel and vehicle maintenance areas away from all drainage courses and design these areas to control runoff.

- Disturbed areas shall be revegetated after completion of construction activities.
- All necessary permits and approvals shall be obtained.
- Provide sanitary facilities for construction workers.

8.u. **Mitigation Measure 4.6-2a:** Prior to the recordation of the final subdivision map, a maintenance agreement shall be developed between the County and the Homeowners Association (HOA) or equivalent entity requiring the HOA or equivalent entity to complete the following tasks and provide the following information on a routine basis. These requirements apply only to the bioretention treatment system area of the project site and are as follows:

- Maintenance of soils and plantings, including routine pruning, mowing, irrigation, replenishment of mulch, weeding, and fertilizing with a slow-release fertilizer with trace elements.
- Removal of obstructions and trash from bioretention areas.
- Use of only pesticides and fertilizers that are accepted within the integrated pest management approach for use in the bioretention areas.
- Repair of erosion at inflow points.
- Monthly review and inspection of bioretention areas for the following:
  - Obstruction of trash,
  - If ponded water is observed, the surface soils shall be removed and replaced and sub-drain systems inspected, and
  - Condition of grasses.
- Distribution of the following:
  - A copy of the stormwater management plans shall be made available to personnel in charge of facility maintenance and shall be distributed to the subcontractor representative engaged in the maintenance or installation of the bioretention system, and

- Material presented in the integrated pest management program will be made available to personnel in charge of facility maintenance and shall be distributed to the subcontractor representative engaged in the maintenance or installation of the bioretention system.

8.v. **Mitigation Measure 4.6-2b:** Prior to recordation of the final subdivision map, a maintenance agreement shall be developed between the County and the HOA or equivalent entity requiring the HOA or equivalent entity to complete the following tasks and provide the following information on a routine basis. These requirements apply to all common areas of the project site and are as follows:

- Drainage inlets shall be inspected monthly and kept clean of any trash that may have accumulated. It is the responsibility of the property manager/owner to have those inspections performed, documented, and any repairs made.
- Landscape areas shall be covered with plants or some type of ground cover to minimize erosion. No areas are to be left as bare dirt that could erode. Mounding slopes shall not exceed two horizontal to one vertical.
- Pesticides and fertilizers shall be stored as hazardous materials and in appropriate packaging; over spraying onto paved areas shall be avoided when applying fertilizers and pesticides. Pesticides and fertilizers shall be prohibited from being stored outside.
- Landscape areas shall be inspected and all trash picked up and obstruction to the drainage flow removed on a monthly basis minimum. The project site shall be designed with efficient irrigation and drainage to reduce pesticide use. Plants shall be selected based on size and situation to reduce maintenance and routine pruning.
- Integrated pest management information shall be provided to the building management.

8.w. **Mitigation Measure 4.6-2c:** Infiltration systems shall be designed in accordance with the following procedures outlined in the California Stormwater Best Management Practice Handbooks to reduce runoff and restore natural flows to groundwater:

- Biofilters and/or vegetative swale drainage systems will be installed at roof downspouts for all buildings on the project site, allowing sediments and particulates to filter and degrade biologically.

- Structural source controls, such as covers, impermeable surfaces, secondary containment facilities, runoff diversion berms, sediment, and grease traps in parking areas will be installed.
  - Designated trash storage areas will be covered to protect bins from rainfall.
- 8.x. **Mitigation Measure 4.6-3a:** Prior to the recordation of the final subdivision map, a maintenance agreement shall be developed between the County and the HOA or equivalent entity requiring the HOA or equivalent entity to complete and provide the documentation of annual inspection and cleaning of each of the 19 individual lot storm drainage systems. The inspection shall be performed during the dry season and shall include removal of all trash and obstructions from area drains, cleanouts, and catch basins.
- 8.y. **Mitigation Measure 4.6-3b:** The 15-inch diameter stormwater drain pipe flowing at 2 percent that crosses Ascension Drive at Enchanted Way shall be replaced with a 21-inch diameter pipe. The 30-inch diameter stormwater drain pipe flowing at 1.3 percent shall be replaced with a 36-inch diameter pipe sloped at 2 percent. Stormwater drain pipe infrastructure improvements shall adhere to all applicable regulations and ordinances.
- 8.z. **Mitigation Measure 4.7-1:** The project applicant shall ensure through the enforcement of contractual obligations that all contractors transport, store, and handle construction-required hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by the San Mateo County Planning and Building Department, Office of Environmental Health Services Division, and Office of Emergency Services. Recommendations may include, but are not limited to, transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using approved protocols.
- 8.a.a. **Mitigation Measure 4.7-3a:** The applicant shall ensure through the enforcement of contractual obligations to be contained within the Subdivision Improvement Agreement (Condition No. 21) that the following measures are implemented by contractors during project construction:
- Staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a firebreak.

- Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.
- 8.a.b. **Mitigation Measure 4.7-3b:** The building plans of the proposed project shall be reviewed by a representative from County Fire/Cal-Fire to ensure that regulations in the County's Fire Ordinance are met and the project complies with County Fire/Cal-Fire requirements. The development of the proposed project shall be in compliance with Chapter 15 of the County General Plan with respect to residential uses adjacent to open space areas where wildfire is a threat, as well as Cal-Fire requirements (Condition No. 49).
- 8.a.c. **Mitigation Measure 4.8-1:** The project applicant shall ensure through contractual agreements to be contained within the Subdivision Improvement Agreement (Condition No. 21) that the following measures are implemented during construction:
- Construction activities shall be limited to occur between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and 9:00 a.m. and 5:00 p.m. on Saturdays. Construction activities shall not occur on Sundays, Thanksgiving, or Christmas. The intent of this measure is to prevent construction activities during the more sensitive time period and minimize the potential for effects.
  - Stationary equipment and staging areas shall be located as far as practical from noise-sensitive receptors.
  - All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and acoustical shields or shrouds, in accordance with manufacturers' recommendations.
  - Construction activities shall conform to the following standards: (a) there shall be no start-up of machines or equipment, no delivery of materials or equipment, no cleaning of machines or equipment and no servicing of equipment except during the permitted hours of construction; (b) radios played at high volume, loud talking and other forms of communication constituting a nuisance shall not be permitted.
  - The general contractors for all construction activities shall provide a contact number for citizen complaints and a methodology for dealing with such complaints such as designating a noise disturbance coordinator. This noise disturbance coordinator shall receive all

public complaints about construction-related noise and vibration, shall be responsible for determining the cause of the complaint, and shall implement any feasible measures to be taken to alleviate the problem. All complaints and resolution of complaints shall be reported to the County weekly.

- 8.a.d. **Mitigation Measure 4.10-2a:** Residents of the proposed project shall comply with all requirements of Cal Water's Water Shortage Contingency Plan as mandated by Cal Water and BSD. These requirements may include, but are not limited to the following that shall be contained within an HOA agreement:
- Voluntarily reduce water consumption at single-family residences;
  - Adhere to the minimum allocation given to single-family residential customers or pay penalty rate applied to service bill for use that is in excess of customer's allocation; and/or
  - Comply with orders prohibiting the use of water for specific activities, such as a prohibition of potable water use for landscape irrigation.
- a.e. **Mitigation Measure 4.10-2b:** Pumping facilities shall be installed at the existing water tank owned by Cal Water to provide adequate water pressure for residential and fire protection uses. Cal Water shall be contacted to review pumping facilities design and ensure compliance with applicable standards. The project applicant shall be responsible for covering the cost of the development of these facilities prior to the recordation of the final subdivision map.
- 8.a.f. **Mitigation Measure 4.10-2c:** Two existing water mains shall be relocated such that they are within the right-of-way of the proposed private street or at the property boundary so as to allow ease of maintenance of the water mains. Prior to the issuance of a grading permit "hard card," a new Cal Water easement shall be established that meets with the approval of Cal Water to the project site to replace the existing Cal Water easements. The two water mains include an 8-inch diameter water main connecting the water tank to the water main located on Parrot Drive and a 10-inch diameter water main connecting the water tank to the water main located on Bel Aire Drive.
- 8.a.g. **Mitigation Measure 4.10-3:** The applicant shall offset the increase in sewer flow generated by the proposed project by reducing the amount of existing Inflow and Infiltration (I&I) into the CSCSD sewer system. The offset amount shall achieve a zero net increase in flow during wet weather events with implementation of the proposed project. This shall be achieved through the construction of improvements to impacted areas of

the sewer system, with construction plans subject to CSCSD approval and required to be in compliance with applicable regulatory requirements. Construction of improvements, as approved by the CSCSD, shall be completed prior to the recordation of the final subdivision map.

- 8.a.h. **Mitigation Measure 4.10-5:** The applicant shall ensure that fire sprinklers with appropriate flow rates are installed for all structures that would be developed as a part of the proposed project, per County Fire/Cal-Fire's alternate materials and methods request.
- 8.a.i. **Mitigation Measure 4.11-3:** Either provide street lighting on the private streets to a level of 0.4 minimum maintained average foot-candles with a uniformity ratio of 6:1, average to minimum or ensure street lighting is consistent with safety standards of the County-governed Bel Aire Lighting District.
- 8.a.j. **Mitigation Measure 4.11-4:** Within the corner sight triangles at the new street intersection, there should be no walls, fencing, or signs that would obstruct visibility. Trees should be planted so as to not create a "wall" effect when viewed at a shallow angle. The type of shrubbery planted within the triangles should be such that it will grow no higher than 3 feet above the adjacent roadway surface. Trees planted within the sight triangle areas should be large enough that the lowest limbs are at least 7 feet above the surface of the adjacent roadway. Street parking should be prohibited within the bounds of the sight triangle, as well as within the fire hammerhead turnarounds.

#### Grading Permit Conditions

- 9. The applicant is required to comply with the County's Drainage Policy and the approved Erosion and Sediment Control Plan. A final Erosion and Sediment Control Plan is required at the building permit stage and should contain all measures of the approved Erosion and Sediment Control Plan and measures required by project mitigation measures.
- 10. No grading shall be allowed during the winter season (October 1 to April 30) to avoid potential soil erosion, unless approved, in writing, by the Community Development Director. The property owner(s) shall submit a letter to the Current Planning Section, at least two weeks prior to commencement of grading, stating the date when grading will begin, and its anticipated duration.
- 11. The property owner(s) shall file a Notice of Intent (NOI) with the State Water Resources Board to obtain coverage under the State General Construction Activity NPDES Permit. A copy of the project's NOI and Stormwater Pollution Prevention Plan (SWPPP) shall be submitted to the Current Planning Section, prior to the issuance of any grading permit "hard card."

12. Prior to the issuance of the grading permit “hard card,” the property owner(s) shall schedule an erosion control inspection by Current Planning Section staff to demonstrate that the approved erosion control plan has been implemented. The property owner(s) is responsible for ensuring that all contractors minimize the transport and discharge of pollutants from the project site into local drainage systems and water bodies by adhering to the San Mateo Countywide Water Pollution Prevention Program’s (SMCWPPP) “General Construction and Site Supervision Guidelines,” including:
- a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of fiber rolls or coir netting, and passive measures, such as minimizing vegetation removal and revegetating disturbed areas with vegetation that is compatible with the surrounding environment.
  - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
  - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
  - d. Using sediment controls or filtration to remove sediment when dewatering the site and obtaining all necessary permits.
  - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
  - f. Delineating with field markers clearing limits, setbacks, and drainage courses. Prior to issuance of a grading permit “hard card” for either property, the property owner(s) shall install accurate and visible markers (at a minimum height of 4 feet), to the satisfaction of the County Department of Parks, delineating all sides of the shared property line between the subject parcels and County property.
  - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
  - h. Performing clearing and earth-moving activities only during dry weather.
  - i. Limiting construction access routes and stabilizing designated access points.

- j. Avoid tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dray sweeping methods.
  - k. Training and providing instruction to all employees and subcontractors regarding the Watershed Protection Maintenance Standards and construction Best Management Practices.
  - l. Additional Best Management Practices in addition to those shown on the plans may be required by the Building Inspector to maintain effective stormwater management during construction activities. Any water leaving the site shall be clear and running slowly at all times.
  - m. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
13. While the property owner(s) must adhere to the final approved Erosion and Sediment Control Plan (per Condition No. 9) during grading and construction, it is the responsibility of the civil engineer and/or construction manager to implement the Best Management Practices (BMPs) that are best suited for each project site. If site conditions require additional measures in order to comply with the SMCWPPP and prevent erosion and sediment discharges, said measures shall be installed immediately under the direction of the project engineer. If additional measures are necessary in the reasonable judgment of the San Mateo County Community Development Director and the Director of Public Works, the erosion and sediment control plan shall be updated to reflect those changes and shall be resubmitted to the Planning and Building Department for review. The County reserves the right to require additional (and/or different) erosion and sediment control measures during grading and/or construction if the approved plan proves to be inadequate for the unique characteristics of each job site.
14. Prior to the issuance of a grading permit "hard card," the property owner(s) shall submit a schedule of grading operations, subject to review and approval by the Department of Public Works and the Current Planning Section. The submitted schedule shall include a schedule for, and details of, the off-site haul operations, including, but not limited to: gravel import site(s), size of trucks, haul route(s), time and frequency of haul trips, and dust and debris control measures. The submitted schedule shall represent the work in detail and project grading operations through to the completion of grading activities and stabilization of all disturbed areas of the site(s). As part of the review of the submitted schedule, the County may place such restrictions on the hauling operation, as it deems necessary. During periods of active grading, the property owner(s) shall submit monthly updates of the schedule to the Department of Public Works and the Current Planning Section.

15. The provision of the San Mateo County Grading Regulations shall govern all grading on and adjacent to the project sites. Per San Mateo County Ordinance Code Section 8605.5, all equipment used in the grading operations shall meet spark arrester and firefighting tool requirements, as specified in the California Public Resources Code.
16. Upon the start of grading activities and through to the completion of the project, the property owner(s) shall be responsible for ensuring that the following dust control guidelines are implemented:
  - a. All graded surfaces and materials, whether filled, excavated, transported or stockpiled, shall be wetted, protected or contained in such a manner as to prevent any significant nuisance from dust, or spillage upon adjoining water body, property, or streets. Equipment and materials on the site shall be used in such a manner as to avoid excessive dust. A dust control plan may be required at any time during the course of the project.
  - b. A dust palliative shall be applied to the site when required by the County. The type and rate of application shall be recommended by the soils engineer and approved by the Department of Public Works, the Planning and Building Department's Geotechnical Section, and the Regional Water Quality Control Board.
17. Final approval of all grading permits is required. For final approval of the grading permits, the property owner(s) shall ensure the performance of the following activities within thirty (30) days of the completion of grading at the project sites:
  - a. The engineer shall submit written certification that all grading has been completed in conformance with the approved plans, conditions of approval/mitigation measures, and the Grading Regulations, to the Department of Public Works and the Planning and Building Department's Geotechnical Section.
  - b. The geotechnical consultant shall observe and approve all applicable work during construction and sign Section II of the Geotechnical Consultant Approval form, for submittal to the Planning and Building Department's Geotechnical Engineer and Current Planning Section.

### Cultural Resources

18. The property owner(s) and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the

Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains which the property owner(s) shall comply with.

### Noise

19. The property owner(s) shall comply with the County's Noise Ordinance limiting construction and grading activities during the hours between 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 5:00 p.m. on Saturdays, and prohibiting construction on Sundays, Thanksgiving and Christmas.

### Department of Public Works

20. Prior to recordation of the final map, the applicant will be required to submit to the Department of Public Works a complete set of improvement plans including all provisions for roadways, driveway, utilities, storm drainage, and stormwater treatment, all in accordance with the County Subdivision Regulations, County Standard Details, County Drainage Policy and NPDES permit. Improvement plans must be accompanied by a plan review deposit in the amount of \$1,000.00 made payable to the County of San Mateo Department of Public Works.
21. Upon the Department of Public Works' approval of the improvement plans, the applicant will be required to execute a Subdivision Improvement Agreement and post securities with the Department of Public Works as follows:
  - a. Faithful Performance – 100 percent on the estimated cost of constructing the improvements.
  - b. Labor and Materials – 50 percent of the estimated cost of constructing the improvements.
22. The applicant shall prepare a plan indicating the proposed method of sewerage for these properties. This plan should be included on the improvement plans and submitted to the Department of Public Works for review. Upon completion of this review, the applicant or his engineer shall have these approved plans signed by the Crystal Springs County Sanitary District.
23. Any potable water system work required by the appropriate district within the County right-of-way shall not be commenced until County requirements for the issuance of an encroachment permit have been met. Plans for such work shall be reviewed by the Department of Public Works prior to the issuance of the permit.
24. The applicant shall submit a driveway "plan and profile" to the Department of Public Works, showing the driveway access to each parcel (garage slab) complying with County standards for driveway slopes (not to exceed 20 percent)

and to County standards for driveways (at property line) being the same elevation as the center of the access roadway. When appropriate, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.

25. The applicant shall have designed (by a registered civil engineer) and the applicant shall construct an on-site private street to serve the proposed lots of this subdivision. This street shall be designed and constructed to no less than the standards for an "Urban Private Street." The street shall be posted for no parking and it shall terminate in a turnaround meeting the requirements of the applicable fire jurisdiction and the San Mateo County Department of Public Works.
26. The applicant shall have prepared (by a registered civil engineer) a drainage analysis of the proposed subdivision and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property being subdivided shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the street improvement plans and submitted to the Department of Public Works for review and approval.

Any upgrades to the existing stormwater system, as required by this project, shall be completed by the owner prior to the recordation of the subdivision map.

27. The applicant shall submit a permanent stormwater management plan in compliance with the County's Drainage Policy and NPDES requirements for review and approval by the Department of Public Works.
28. The applicant shall record documents which address future maintenance responsibilities of any private drainage and/or roadway facilities which may be constructed. Prior to recording these documents, they shall be submitted to the Department of Public Works for review.
29. The property owner shall dedicate sanitary sewer easements for any portion of the sewer main which lies outside of existing public sanitary sewer easements, if applicable.
30. The applicant shall submit to the project planner (for recordation) legal descriptions of the reconfigured parcels. The project planner will review these descriptions and forward them to Public Works for approval.

31. Prior to recordation, the applicant shall submit written certification from the appropriate energy and communication utilities, sewer district, and water district to the Department of Public Works and the Planning Department stating that they will provide services to the proposed parcels of this subdivision.
32. The applicant shall submit a subdivision map to the Department of Public Works – County Surveyor for review and recordation.
33. The provisions of the San Mateo County Grading Ordinance shall govern all grading on and adjacent to this site. At the completion of work, the engineer who prepared the approved grading plan shall certify, in writing, that all grading, lot drainage, and drainage facilities have been completed in conformance with the approved plans, as conditioned, and the Grading Ordinance.
34. Prior to the issuance of the grading permit, the applicant shall submit, to the Department of Public Works for review and approval, a plan for any off-site hauling operations. This plan shall include, but not be limited to, the following information: size of trucks, haul route, disposal site, dust and debris control measures, and time and frequency of haul trips. As part of the review of the submitted plan, the County may place such restrictions on the hauling operation, as it deems necessary.
35. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued.
36. Prior to the issuance of future building permits, the applicant will be required to provide payment of “roadway mitigation fees” based on the square footage (assessable space) of the proposed buildings per Ordinance No. 3277.
37. “As-Built” plans of all construction required by these conditions shall be prepared and signed by the subdivider’s engineer upon completion of all work. The “As-Built” plans shall be accompanied by a written certification from the engineer that all private facilities have been completed in conformance with the approved plans.
38. It shall be the responsibility of the applicant’s engineer to regularly inspect the erosion control measures and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected.

#### Building Inspection Section

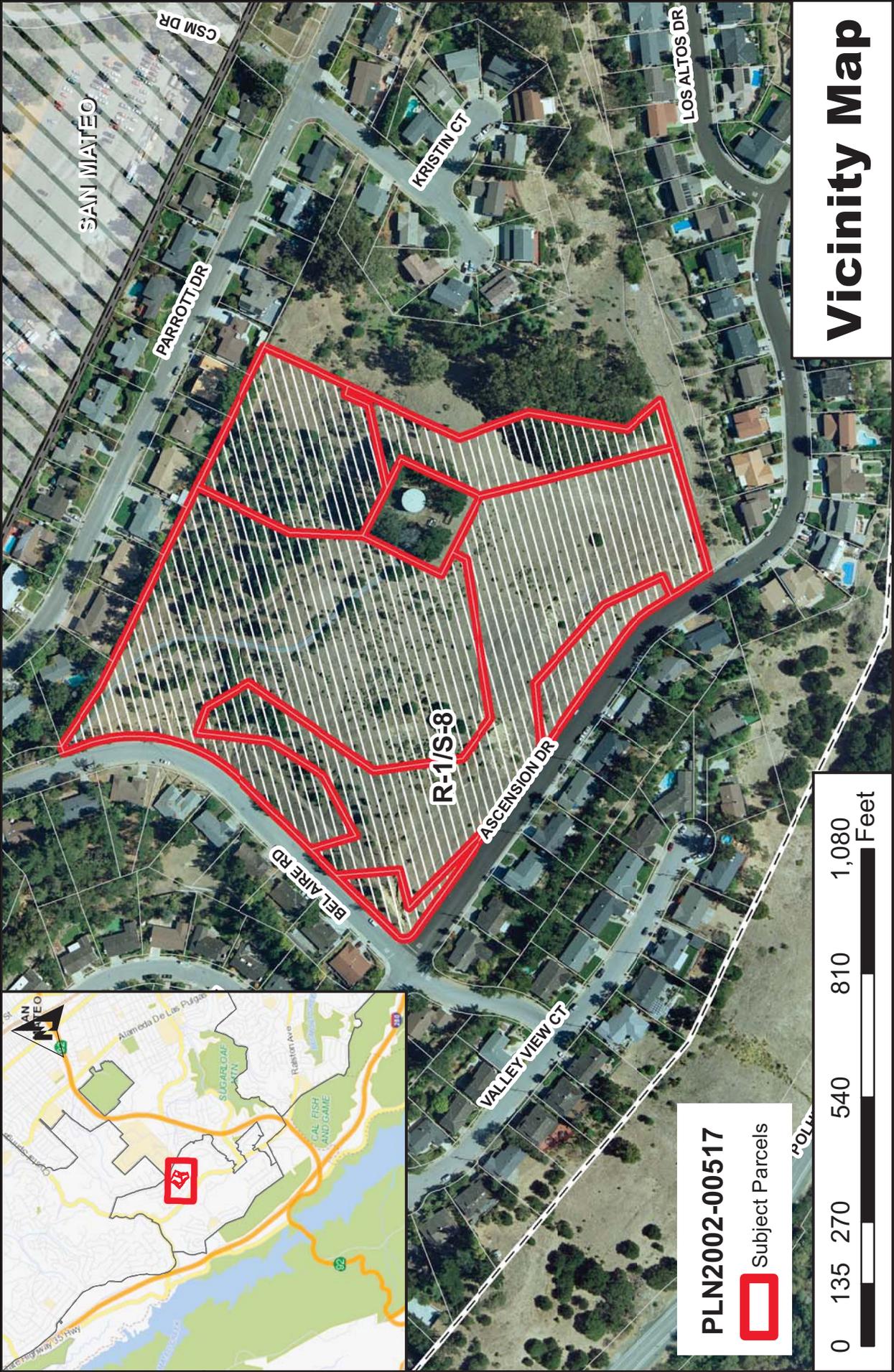
39. Building permits shall be applied for and obtained from the Building Inspection Section for any future construction on any of the 19 created parcels indicated for development after filing the final subdivision map.

## Cal-Fire

40. An Alternate Methods or Materials Request has been approved by the Fire Marshal for this project. A modified 13D system will be required as follows: three-head calculations for the three most hydraulically demanding heads without regard to partitions; bathrooms, closets and pantries will have fire sprinkler coverage; all attic access shall have on-head coverage; a remote inspector's test; an exterior alarm bell and an interior alarm. This condition shall be met at the building permit phase of the project.
41. No combustibles shall be on-site prior to the required fire protection water supply and fire department access provided.
42. The following fire flow will be required depending upon the total floor space square footage of the largest structure: Up to 3,600 sq. ft., 1,000 gpm; 3,601 to 4,800 sq. ft., 1,750 gpm; 4,801 to 6,200 sq. ft., 2,000 gpm. This fire flow shall be available for a minimum of 2 hours and at 20-psi residual operating pressure.
43. The required fire flow shall be available from a County Standard 6-inch Wet Barrel Fire Hydrant; the configuration of the hydrant shall have a minimum of one each 4 1/2-inch outlet and one each 2 1/2-inch outlet located not more than 200 feet from the building, measured by way of approved drivable access to the project site.
44. When receiving water service for fire protection (hydrants, fire sprinkler systems) from a public or municipal water purveyor, written certification from the water company that hydrants will be installed or that the existing water system is capable of meeting the project conditions is required to be presented to the San Mateo County Fire Department for verification to show that the required upgrades to the system will be installed and that existing fire flows will meet the project requirements.
45. Fire Department access shall be to within 150 feet of all exterior portions of the facility and all portions of the exterior walls of the first story of the buildings as measured by an approved access route around the exterior of the building or facility. Access shall be 20 feet wide, all weather surface, and able to support a fire apparatus weighing 75,000 lbs. Where a fire hydrant is located in the access, a minimum of 26 feet is required for a minimum of 20 feet on each side of the hydrant. This access shall be provided from a publicly maintained road to the property. Grades over 16 percent shall be approved by the Fire Marshal. Gravel road access shall be certified by an engineer as to the compaction and weight it will support.
46. All roof assemblies in Very High Fire Hazard Severity Zones shall have a minimum CLASS-A fire resistive rating and be installed in accordance with the manufacturer's specifications and current California Building and Fire Codes.

47. All dead-end roadways shall be terminated by a turnaround bulb of not less than 96 feet in diameter. Alternates such as a hammerhead T may be approved by the Fire Marshal.
48. All new public water systems, extensions from a public water system or replacement of any main or line of an existing public water system shall have a minimum diameter of 6 inches. If the pipes are not linked in grid or if individual legs are over 600 feet in length, then the minimum diameter shall be 8 inches.
49. This project is located in a wildland urban interface area. Roofing, attic ventilation, exterior walls, windows, exterior doors, decking, floors, and underfloor protection shall meet CRC R327 or CBC Chapter 7A requirements. You can visit the Office of the State Marshal's website at [http://www.fire.ca.gov/fire\\_prevention/fire\\_prevention\\_wildland.php](http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland.php) and click the new products link to view the "WUI Products Handbook." This condition to be met at the building permit phase of the project.

JAC:fc – JACZ0061\_WFU.DOCX



**PLN2002-00517**  
 Subject Parcels



# Vicinity Map

**San Mateo County Planning Commission Meeting**  
 Owner/Applicant: **O'Rourke/San Mateo Real Estate and Construction**  
 Attachment: **B**  
 File Numbers: **PLN2002-00517**

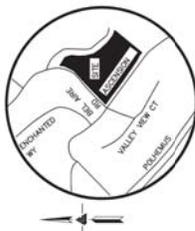
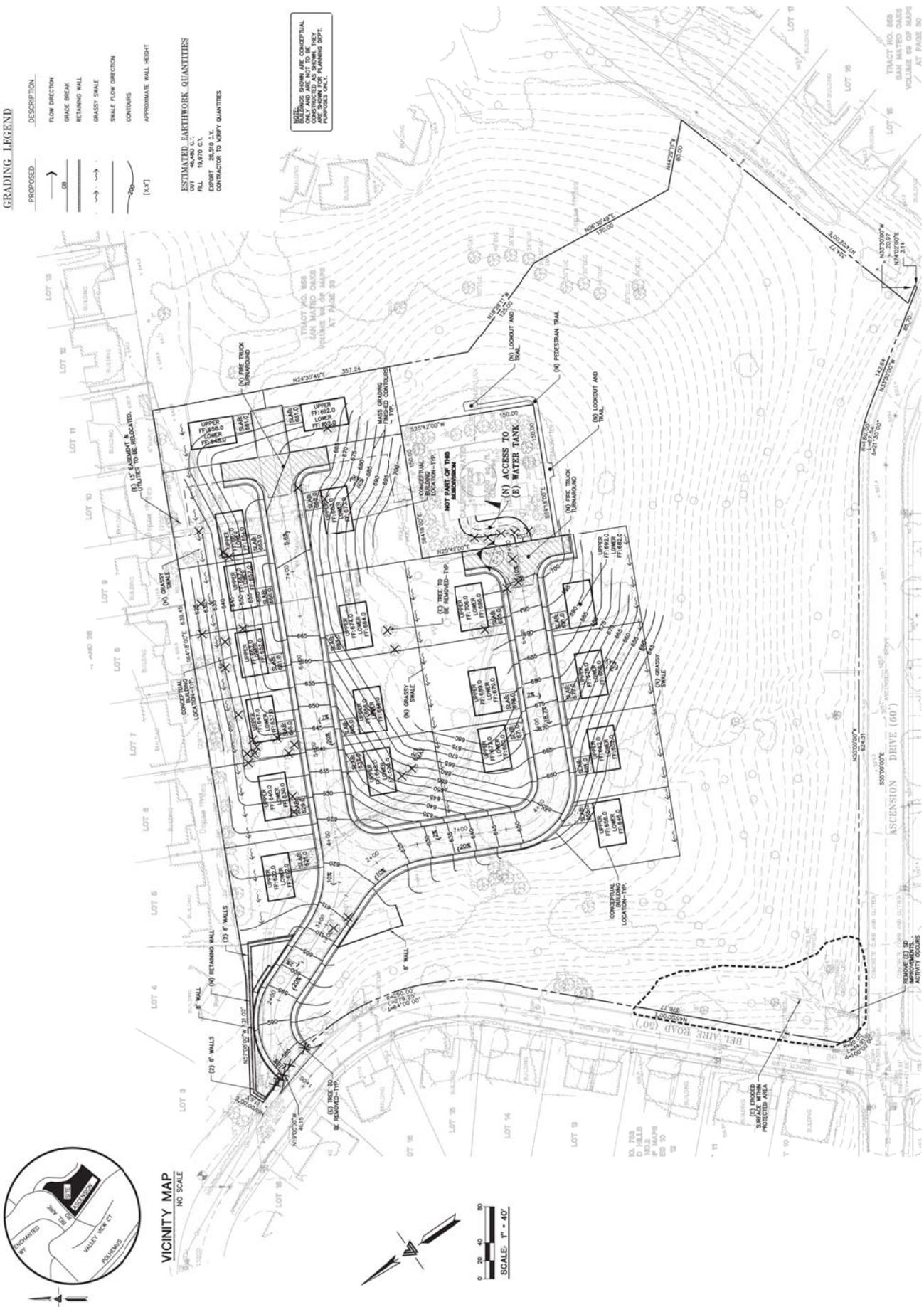


**GRADING LEGEND**

PROPOSED	DESCRIPTION
	FLOW DIRECTION
	GRADE BREAK
	RETAINING WALL
	GRASSY SWALE
	SWALE FLOW DIRECTION
	CONTOURS
	APPROXIMATE WALL HEIGHT

**ESTIMATED EARTHWORK QUANTITIES**  
 LOT 46 AND C.T.  
 FILL 19,870 C.Y.  
 EXCAVATION 10,000 C.Y.  
 CONTRACTOR TO VERIFY QUANTITIES

**NOTE:**  
 THESE QUANTITIES ARE CONCEPTUAL ONLY AND ARE NOT TO BE USED FOR BIDDING OR CONTRACT PURPOSES. CONTRACTOR TO VERIFY QUANTITIES.



**VICINITY MAP**  
 NO SCALE



**San Mateo County Planning Commission Meeting**

Owner/Applicant: **O'Rourke/San Mateo Real Estate and Construction**

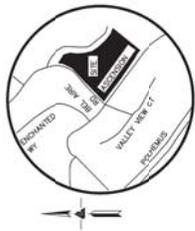
File Numbers: **PLN2002-00517**

Attachment: C-2

TRACT 100, 105, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

**UTILITY LEGEND**

PROPOSED	DESCRIPTION
	STORM DRAIN LINE
	SANITARY DRAIN LINE
	WATER LINE
	SANITARY SEWER MANHOLE
	SANITARY SEWER CLEAN OUT
	STORM DRAIN MANHOLE
	FIRE HYDRANT
	CATCH BASIN
	CURB INLET
	ANJUNCTION BOX



VICINITY MAP  
NO SCALE



SCALE: 1" = 40'



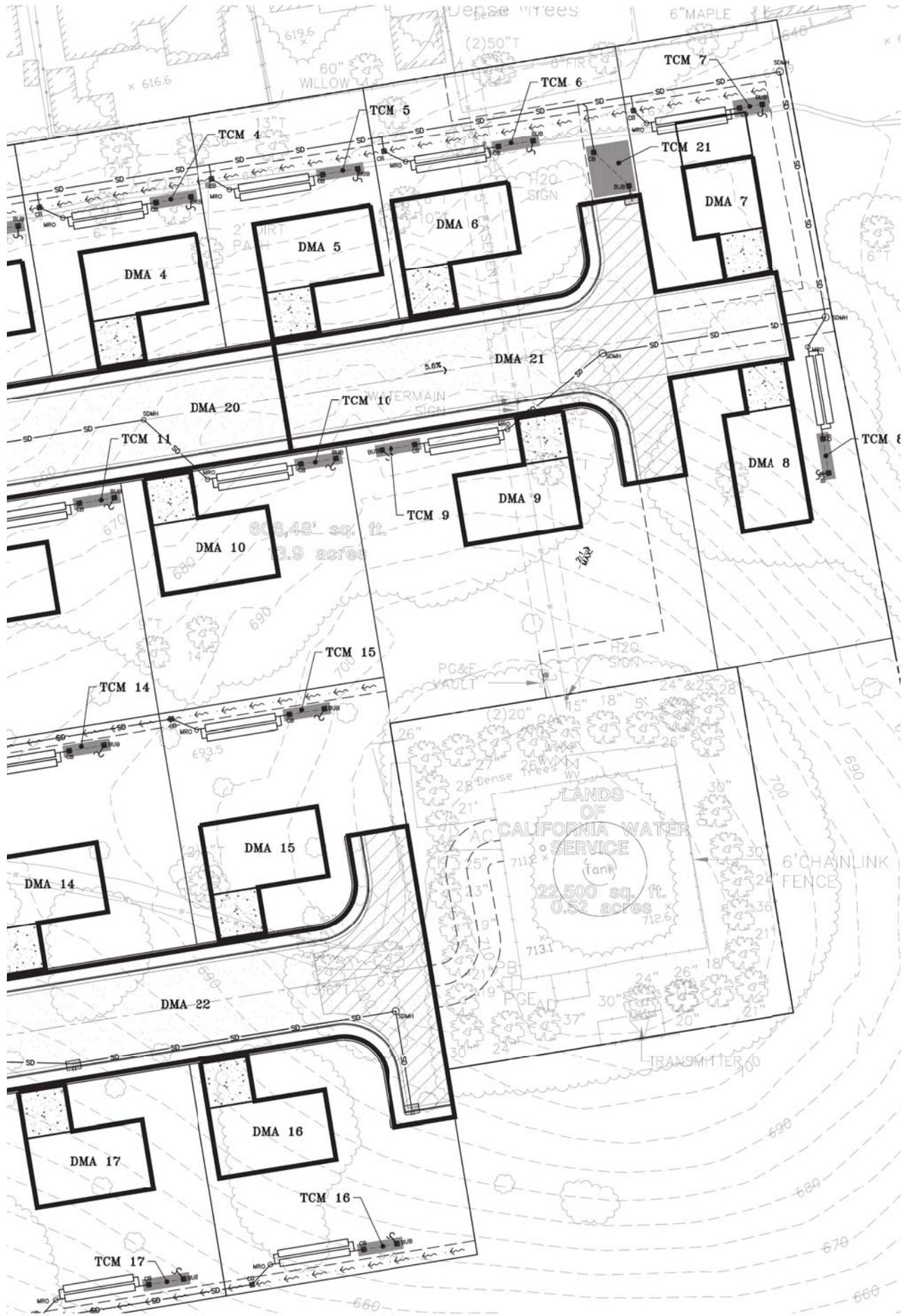


**San Mateo County Planning Commission Meeting**

Owner/Applicant: **O'Rourke/San Mateo Real Estate and Construction**

File Numbers: **PLN2002-00517**

Attachment: C-4

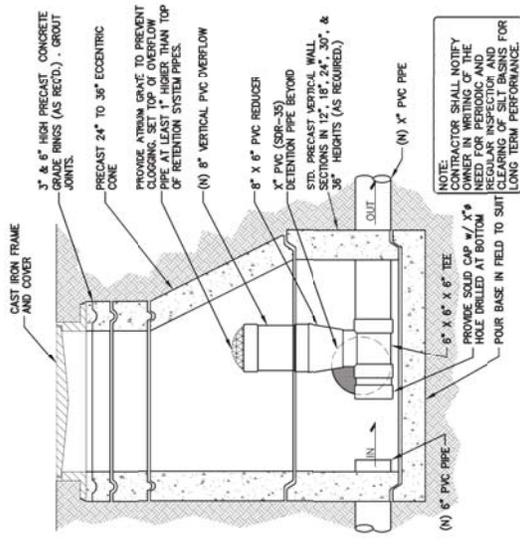


**San Mateo County Planning Commission Meeting**

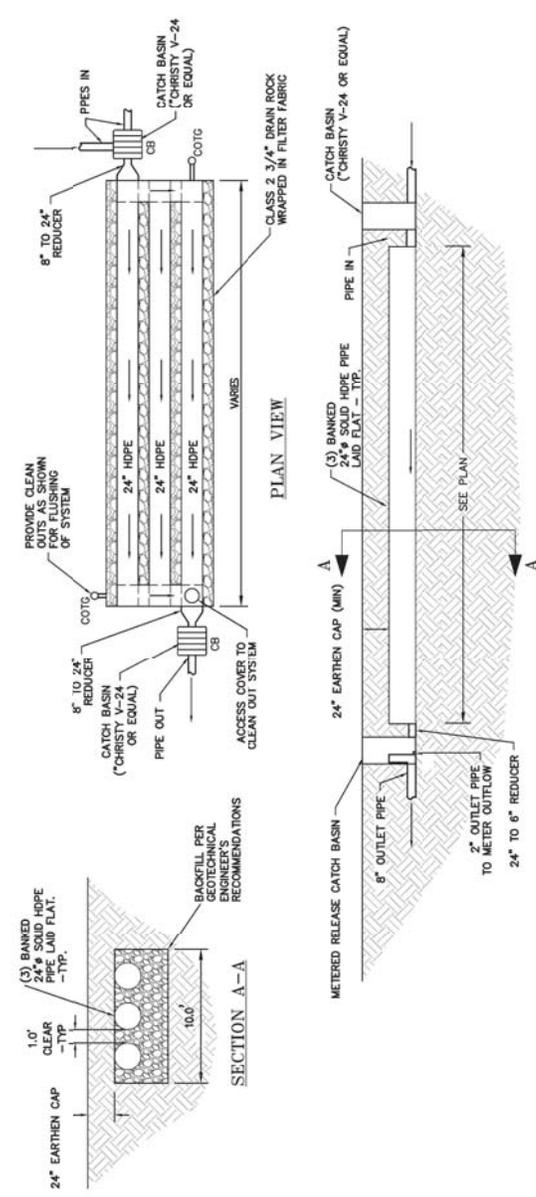
Owner/Applicant: **O'Rourke/San Mateo Real Estate and Construction**

File Numbers: **PLN2002-00517**

Attachment: C-5



METERED RELEASE OUTLET  
NOT TO SCALE



RETENTION/DISSIPATOR STRUCTURE  
NOT TO SCALE

**San Mateo County Planning Commission Meeting**

Owner/Applicant: **O'Rourke/San Mateo Real Estate and Construction**

Attachment: C-6

File Numbers: **PLN2002-00517**



**County of San Mateo**  
**Planning & Building Department**

455 County Center, 2nd Floor  
Redwood City, California 94063  
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122  
plngbldg@co.sanmateo.ca.us  
www.co.sanmateo.ca.us/planning

**Please reply to: James A. Castañeda**  
**(650) 363-1853**

February 11, 2010

Mr. Dennis Thomas  
San Mateo Real Estate & Construction  
1777 Borel Place, Suite 330  
San Mateo, CA 94402

**PROJECT FILE**

Mr. John O'Rourke  
29 San Francisco Street  
Brisbane, CA 94005

Dear Mr. Thomas and Mr. O'Rourke:

**Subject: REVISED LETTER OF DECISION**  
**File Number: PLN2002-00517**  
**Location: Bel Aire Road and Ascension Drive, San Mateo**  
**APN's: 041-111-130,-160,-270,-280,-320, -360**

**On February 10, 2010 the Planning Commission approved the minutes of the December 9, 2009 meeting, with regard to PLN2002-00517, to more precisely express the analysis of the project by the Commission. These revisions do not change the Planning Commission's recommendation, or the appeal period for the project. These modifications have been added to the original decision letter and are identified in underlined italics below.**

On December 9, 2009, the San Mateo County Planning Commission considered a Major Subdivision, pursuant to Section 7010 of the County Subdivision Ordinance and the State Subdivision Map Act, a Grading Permit, pursuant Section 8600 of the San Mateo County Ordinance Code, and certification of a Final Environmental Impact Report (FEIR), pursuant to the California Environmental Quality Act (CEQA), for the proposed Ascension Heights Subdivision located in the unincorporated San Mateo Highlands area of San Mateo County. The project includes the subdivision of the 13.25-acre subject site into 27 legal parcels for development of 25 single-family dwellings, a proposed conservation area (lot A), and "tot-lot" (lot B), which includes a main private access road, and an Emergency Vehicle Access road to provide additional fire access

Mr. Dennis Thomas  
Mr. John O'Rourke  
February 11, 2010  
Page 2

After receiving answers to questions from staff and the applicant, the Commissioners expressed various concerns that had not been overcome or answered by the information on which a decision must be made. Primary among these were Commissioner Bomberger's and Slocum's concern that the project as proposed was requesting the creation of new subdivision for lots that did not appear to conform with General Plan Policy 15.20.b. (Wherever possible, avoid construction on steeply sloping areas (generally above 30%), which had been shown to be a significant impact under the DEIR. The Commissioners, including Commissioner Wong, expressed a related concern regarding geotechnical and drainage/erosion impacts from building over a 5-year period on the proposed lots. Commissioner Slocum also expressed concerns about General Plan provisions regarding visual impacts in scenic corridors, which could be seen as resulting from building numerous 3-story buildings of over 36 feet in total height on the proposed lots on the steep south facing slope.

**Based on information provided by staff and evidence presented at the hearing, the Planning Commission denied (4-0) The following:**

1. A resolution certifying the Final Environmental Impact Report (FEIR) as complete, correct and adequate and prepared in accordance with CEQA.
2. A resolution adopting a Statement of Overriding Considerations.
3. A resolution adopting the Mitigation Monitoring Report and the Statement of Findings and Facts in Support of Findings.
4. The vesting tentative map for a major subdivision, the grading permit, and the removal of four significant trees by making the findings and adopting the conditions of approval as set forth in Attachment A.

The Planning Commission's motion also directed the applicant to meet with the community to seek a design that does not build on the steep south facing slope of the site and directed staff to assist as appropriate.

In addition, to provide guidance to the applicant to aid in any further efforts to modify the proposal, the Planning Commission encouraged the applicant to: 1) provide more moderate-sized housing, 2) address the concerns about avoiding building on the steep south facing slope, and 3) develop a new design that could minimize negative impacts.

Mr. Dennis Thomas  
Mr. John O'Rourke  
February 11, 2010  
Page 3

Commissioner Slocum distributed an illustrative drawing depicting a potential approach to a redesign that would appear to avoid the significant impacts identified in the Draft EIR and address many of the remaining concerns expressed by the community by avoiding development and new roads with retaining walls on the steep south facing slope but yet allow for development of approximately 18 – 19 homes on more modest sized lots on the flatter areas of the site. (See attached.); and Commissioner Dworetzky expressed concern that there appeared not to have been any recent outreach to or collaboration with the surrounding community by the applicant.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m. on December 23, 2009.**

If you have questions regarding this matter, please contact the Project Planner listed on page one.

Sincerely,



Rosario Fernandez  
Planning Commission Secretary  
Pcd1209T\_ascension(Revdenial).doc

Enclosure: Gail Slocum Illustrative Variation on DEIR

cc: Department of Public Works  
Building Inspection Section  
Gerard Ozanne, M.D.  
Angela Stricklzy  
Robert Stricklzy  
Craig Nishizaki  
Douglas Heiton  
Donald Nagle  
Clayton Nagle  
Harris Dubrow

Mr. Dennis Thomas  
Mr. John O'Rourke  
February 11, 2010  
Page 4

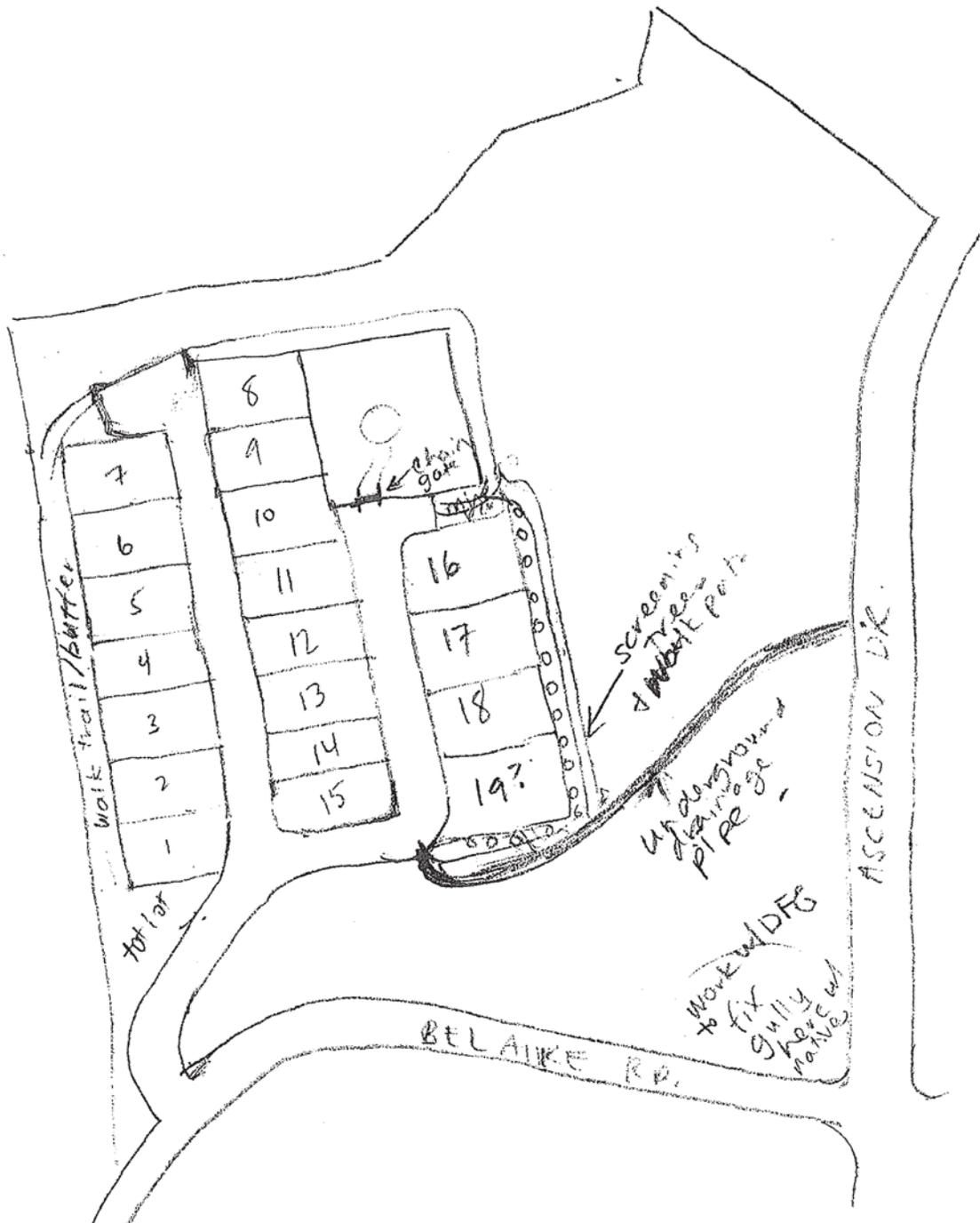
Pat Dubrow  
Gilma Walker  
Caron and Noam Tabb  
Marilyn Haithcox  
Pat Dubrow  
Ara Jabaghourian  
Carol McGraw  
Dr. Robert Snow  
Russ Wright  
Ted Glasgow  
Suzanne Kennedy  
Sam Naifeh  
Terence Day  
Steve Simpson  
Michael Hann  
Bob Dobel  
Eugene Ciranni  
Alissa Reindel  
Michele Pilgrim  
Barbara Mikulis  
T. Jack Foster  
Stelon Delorenzi  
Carol Henton  
Rosemarie Thomas  
John Shroyer  
Wendy Z. Browne  
Kim Ricket  
Frank Shissler  
George Mitroff  
Peter B. Pitkin  
Gary Ernst  
Kirk McGowan  
Scott Miller  
Anastassia Nagle  
Robert Snow  
Ted Sayre  
Barbara Bailey

FILE COPY

ILLUSTRATIVE VARIATION ON DEIR ALT. B -- Gail Slocum 12/9/09

Still allows ~18 SFD units, but (per DEIR) is superior to Proposed Project because:

- No "scenic impact (no building on the steep South slope face)
- Far less impervious surface (~1/2, with no EVA) less drainage/retaining wall issues
- Far less chance of slope failure in major earthquake (EIR points to south side)
- Far less air quality/grading/erosion impact because significantly less soil removal
- Far less or no biological/sensitive plant & species habitat impact



County of San Mateo  
 Planning and Building Department

**In-Lieu Park Fee Worksheet**

[This formula is excerpted from Section 7055 of the County's Subdivision Regulations]

This worksheet should be completed for any residential subdivision which contains 50 or fewer lots. For subdivisions with more than 50 lots, the County may require either an in-lieu fee or dedication of land.

- 1. **For the parcel proposed for subdivision, look up the value of the land on the most recent equalized assessment roll. (Remember you are interested in the land only.)**

Value of Land = \$1,065,696

- 2. **Determine the size of the subject parcel in acres.**

Acres of Land = 13.25

- 3. **Determine the value of the property per acre.**

- a. **Set up a ratio to convert the value of the land given its current size to the value of the land if it were an acre in size.**

<b>Formula:</b>	
<u>Parcel Size in Acres (From Item 2)</u> 1 Acre of Land	<u>Value of Subject Parcel (From Item 1)</u> Value of Land/Acre
<b>Fill Out:</b>	
<u>13.25</u> 1 Acre	<u>\$1,065,696</u> Value of Land/Acre

- b. **Solve for X by cross multiplying.**

<b>Formula:</b>			
Value of Land =	<u>Value of the Subject Parcel (From Item 1)</u> Size of the Subject Parcel in Acres (From Item 2)	=	<u>                    </u>
<b>Fill Out:</b>			
Value of Land =	<u>\$1,065,696</u> 13.25	=	<u>\$80,429.89</u>

4. Determine the number of persons per subdivision.

<b>Formula:</b>				
Number of New Lots Created*	X	2.75**	=	Number of Persons Per Subdivision
*Example = A 2-lot split would = 1 newly created lot.				
<b>Fill Out:</b>				
13	X	2.75**	=	35.75
**Average number of persons per dwelling unit according to the most recent federal census (2010).				

5. Determine the parkland demand due to the subdivision.

<b>Formula:</b>				
Number of Persons Per Subdivision (From Item 4)	X	0.003*** Acres/Person	=	Parkland Demand
<b>Fill Out:</b>				
35.75	X	0.003*** Acres/Person	=	0.10725
***Section 7055.1 of the County's Subdivision Ordinance establishes the need for 0.003 acres of parkland property for each person residing in the County.				

6. Determine the parkland in-lieu fee.

<b>Formula:</b>				
Parkland Demand (From Item 5)	X	Value of the Land/Acre (From Item 3.b)	=	Parkland In-Lieu Fee
<b>Fill Out:</b>				
0.10725	X	\$80,429.89	=	\$8,626.10

**RESOLUTION NO. .**

**PLANNING COMMISSION, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

\* \* \* \* \*

**A RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE ASCENSION HEIGHTS SUBDIVISION PROJECT AS COMPLETE, CORRECT AND ADEQUATE AND PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

---

**WHEREAS**, the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the County CEQA Guidelines provide that the County must certify that a final environmental report prepared for a project that may have significant environmental effects has been completed in compliance with CEQA; and

**WHEREAS**, on April 25, 2014, the County prepared an Initial Study of the Ascension Heights Subdivision Project which determined that it was a project subject to CEQA and concluded that an Environmental Impact Report (EIR) should be prepared to address the potentially significant environmental impact of the project; and

**WHEREAS**, on April 25, 2014, the County prepared, published and circulated, pursuant to the requirements of CEQA and the State CEQA Guidelines, a Notice of Preparation in order to obtain comments from interested persons and agencies on the proposed scope of the EIR; and

**WHEREAS**, a scoping session was held on October 9, 2013, to solicit public comment on issues to be addressed in the Draft EIR (DEIR); and

**WHEREAS**, on April 25, 2014, the County completed the Draft EIR (DEIR) and the DEIR was published and distributed to the State Clearinghouse, State and local agencies and special districts, public libraries, other known interested parties, and was made available to the general public, thereby commencing a 45-day period for public review and comment on the adequacy and contents of the DEIR in accordance with the requirements of CEQA. A Notice of Completion of the DEIR specifying the public review and comment period and hearing date was posted and circulated in accordance with the requirements of CEQA; and

**WHEREAS**, on May 14, 2014, the San Mateo County Planning Commission, an appointed commission of the San Mateo County Board of Supervisors, held a public hearing on the Ascension Heights Subdivision Project and received written and verbal comments on the DEIR which were received by the County and were made a part of the record of comments on the DEIR; and

**WHEREAS**, other written comments on the DEIR were received by the County during the public review period and were made a part of the record of comments on the DEIR; and

**WHEREAS**, on June 9, 2014, the 45-day public comment period on the DEIR terminated; and

**WHEREAS**, on December 12, 2014, the County completed and published the Final EIR (FEIR) containing all comments received by the County on the DEIR, responses to those comments raising environmental issues and revisions to the DEIR

text made thereby, changes to mitigation measures in connection therewith, and additional environmental information with respect thereto; and

**WHEREAS**, the FEIR was made available to the public and distributed in accordance with the requirements of CEQA, and was made available to those public agencies that had submitted comments on the DEIR; and

**WHEREAS**, on May 14, 2014, the Planning Commission held public hearings on the Ascension Heights Subdivision Project, accepted public testimony concerning the DEIR, and a written transcript was made of the hearings as part of the record of proceedings concerning the DEIR; and

**WHEREAS**, the County received and the Planning Commission has heard, and has been presented with and is familiar with all of the information in the administrative record, has reviewed and considered the information in the DEIR and the FEIR for completeness and compliance with CEQA, the State CEQA Guidelines and the County's CEQA Guidelines, and has independently reviewed and analyzed the FEIR.

**NOW, THEREFORE, BE IT RESOLVED** by the San Mateo County Planning Commission that, based on the foregoing facts and circumstances, and the administrative record concerning the EIR, which includes the public written and oral testimony received on the DEIR and the FEIR, the Planning Commission finds and determines that:

1. The Ascension Heights Subdivision Project Final EIR (FEIR) is complete,

correct and adequate and prepared in accordance with the California Environmental Quality Act.

2. The FEIR consists of the following documents:
  - a. The DEIR.
  - b. The FEIR, which includes (1) revisions to the DEIR made in response to comments, (2) comments received from the public, written and oral, and written responses to public comments, and (3) the Mitigation Monitoring and Reporting Program.
  - c. Supplemental responses to public comments.
3. All comments made on the DEIR that raised environmental issues were responded to adequately in the FEIR and in supplemental responses pursuant to the requirements of CEQA, and the FEIR does not contain significant new information requiring additional public review.
4. The FEIR reflects the independent judgment of the County.
5. The FEIR has been completed and processed in accordance with the requirements of CEQA, the State CEQA Guidelines, and the County's CEQA Guidelines.

\* \* \* \* \*

**RESOLUTION NO. .**

**PLANNING COMMISSION, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

\* \* \* \* \*

**A RESOLUTION (1) ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE ASCENSION HEIGHTS SUBDIVISION PROJECT, AND (2) ADOPTING THE STATEMENT OF FINDINGS AND FACTS IN SUPPORT OF FINDINGS REGARDING THE ASCENSION HEIGHTS SUBDIVISION PROJECT**

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**RECITALS**

Public Resources Code Section 21081.6 requires that when a public agency adopts findings, pursuant to Public Resources Code Section 21081 (concerning potential significant environmental impacts that will be generated by a project being approved), the public agency must adopt a monitoring or reporting program for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.

The San Mateo County Planning Commission, by adoption of this resolution, makes findings pursuant to Public Resources Code Section 21801 for the Ascension Heights Subdivision Project, and for actions that may be undertaken to implement that project.

The Ascension Heights Subdivision Project incorporates, as changes to the project, and makes a condition of approval of actions that may be undertaken to implement the project, mitigation measures recommended to lessen or alleviate significant environmental effects. The Mitigation Monitoring and Reporting Program for

the Ascension Heights Subdivision Project is designed to ensure that mitigation measures are implemented in a timely and organized manner and in accordance with certain specifications.

The Planning Commission makes findings of fact concerning, and to set forth in a cogent and comprehensive manner, the process that has occurred relative to the Ascension Heights Subdivision Project.

**NOW, THEREFORE**, the San Mateo County Planning Commission finds, determines and orders as follows:

1. That the Mitigation Monitoring and Reporting Program for the Ascension Heights Subdivision Project, a copy of which is attached to this resolution as Exhibit A, is adopted.
2. That the Statement of Findings and Facts in Support of Findings regarding the Ascension Heights Subdivision Project, attached to this resolution as Exhibit B, is adopted.
3. That all mitigation measures identified in the Final Environmental Impact Report (FEIR) are adopted as conditions of project approval.

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**RESOLUTION NO. .**

**PLANNING COMMISSION, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**EXHIBIT A**

**MITIGATION MONITORING AND REPORTING PLAN 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, Section 15097 of the California Environmental Quality Act (CEQA) Guidelines provides additional direction on mitigation monitoring or reporting). The County of San Mateo (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 and Reporting Plan (MMRP).

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 MMRP 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:

- Timing/Frequency of Action: Phase of the project during which the mitigation measure shall be monitored.
- Responsible for Implementing: Party responsible for implementing the mitigation measure.
- Responsible for Implementing: Party to which reports involving feasibility, compliance, implementation and development are made.
- Standards for Compliance: Action to ensure implementation of mitigation measure.
- Verification of Compliance: To be completed by the party responsible of monitoring completion of the mitigation measure.

The MMRP 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 MMRP 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 Mitigation Monitoring and Reporting Plan.

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Mitigation Monitoring and Reporting Plan

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<b>4.1 AESTHETICS</b>					
<p><b>4.1-1a</b> Prior to recordation of the Final Map, the project applicant shall submit a landscape plan for review and approval by the San Mateo County Planning Department (County Planning Department). The landscape plan shall include the location, size, and species of any proposed landscaping and shall include, but not be limited to, hedges or other appropriate vegetation that will provide opaque screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive. In addition, all proposed landscaping shall be of native, non-invasive species. Areas used for the storage of landscape maintenance or other equipment, supplies, or debris shall be shielded from view by fencing, landscaping or other means. Prior to final approval of the Final Map, a site inspection shall be required by the County Planning Department to verify that all approved landscaping has been implemented or bonds posted for performance and maintenance. All perimeter landscaping shall serve to screen and/or enhance views of the project site from surrounding roadways and neighborhoods.</p>	Prior to the approval of each phase of the Final Map	Applicant	PBD	Site inspection to verify compliance with mitigation measure	
<p><b>4.1-1b</b> Prior to the issuance of a grading permit "hard replacement plan that shall not exceed the following specifications:</p> <ul style="list-style-type: none"> <li>• For each loss of a significant indigenous tree, there shall be a replacement with three or more trees, as determined by the Planning Director, of the same species using at least five gallon size stock.</li> <li>• For each loss of a significant exotic tree there shall be a replacement with three or more trees, as determined by the Planning Director that the substitute tree can survive and</li> </ul>	Prior and during construction	Applicant	PBD/CDFW	Site inspection to verify compliance with mitigation measures during construction; and subsequent monitoring as stipulated in the measure	

PBD = County of San Mateo Planning and Building Department CDFW = California Department of Fish and Wildlife USFWS = United State Fish and Wildlife Service SWRCB = State Water Resources Control Board EHSD = County of San Mateo Office of Environmental Health Services Division OES = County of San Mateo Office of Emergency Services Cal Water BSD = California Water Service Company Bayshore District CSCSD = Crystal Springs County Sanitation District BALD = Bel Aire Lighting District County Fire = County of San Mateo Fire Department Cal-Fire = California Department of Forestry and Fire Protection BAAQMD = Bay Area Air Quality Management District HOA = Home Owners Association

Mitigation Monitoring and Reporting Plan

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<p>flourish in the regional climatic conditions.</p> <ul style="list-style-type: none"> <li>Replacement trees shall require a surety deposit for both performance (installation of tree, staking, and providing an irrigation system) and maintenance. Maintenance shall be required for no less than two and no more than five years as determined by the Planning Director.</li> </ul>					
<b>4.2 AIR QUALITY AND GHG</b>					
<p><b>4.2-1a</b> The applicant shall ensure through the enforcement of contractual obligations that construction contractors implement a fugitive dust abatement program during construction, which shall include the following elements consistent with the Basic Construction Mitigation Measures recommended by the Bay Area Air Quality Management District (BAAQMD):</p> <ul style="list-style-type: none"> <li>Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.</li> <li>Cover all exposed stockpiles.</li> <li>Water all exposed roadway and construction areas two times a day.</li> <li>Sweep paved streets three times daily (with water sweepers) if visible soil material is carried onto adjacent streets.</li> <li>Limit traffic speeds on unpaved roads to 15 miles per hour (mph).</li> <li>After grading is complete, construction of paved surfaces (e.g. roadways, driveways, sidewalks, building pads) should be completed as soon as possible unless protected by seeding, soil binders, or other similar measures.</li> <li>Limit idling time to a maximum of five minutes and turn off equipment when not in use; clear</li> </ul>	During construction	Applicant	PBD/ Construction Contractors/ BAAQMD	Site inspection to verify compliance with mitigation measures during construction; applicable forms submitted to BAAQMD	

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Mitigation Monitoring and Reporting Plan

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<p>signage indicating this shall be displayed at the project site access point.</p> <ul style="list-style-type: none"> <li>All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall be checked by a certified visible emissions evaluator.</li> <li>Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.</li> <li>Any burning of cleared vegetation shall be conducted according to the rules and regulations of the BAAQMD's Regulation 5 (BAAQMD, 2008). Prior notification to BAAQMD shall be made by submitting an Open Burning Prior Notification Form to BAAQMD's office in San Francisco.</li> <li>A publicly visible sign shall be posted with the telephone number and person to contact at the County regarding dust complaints. A response and corrective action shall occur within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</li> </ul>					
<p><b>4.2-1b</b> The applicant shall ensure through contractual obligations (to be contained within the the Subdivision Improvement Agreement with the Department of Public Works per Condition No. 21) with construction contractors that the following Best Management Practices (BMPs) shall be implemented during all stages of construction::</p> <ul style="list-style-type: none"> <li>All heavy duty construction equipment be equipped with a diesel particulate matter filters.</li> <li>Only low Reactive Organic Gas (ROG) coatings shall be utilized.</li> <li>The applicant shall use only Tier 2 or better heavy duty construction equipment.</li> </ul>	During construction	Applicant	PBD/ Construction Contractors	Site inspection to verify compliance with mitigation measures during construction	

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**Mitigation Monitoring and Reporting Plan**

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<b>4.4 BIOLOGICAL RESOURCES</b>					
<p><b>4.4.3-1</b> To address potential impacts associated with special status plant species, the following measures shall be implemented prior to issuance of a grading permit "hard card":</p> <ul style="list-style-type: none"> <li>A qualified biologist/botanist shall conduct a focused botanical survey during the month of May, which corresponds to the overlapping evident and identifiable bloom periods for the remaining seven species, and prior to commencement of construction. Should no special status plant species be observed, then no additional mitigation is required.</li> <li>Should one or more of these special status plants be found during the focused botanical survey on the project site, the qualified biologist/botanist shall contact California Department of Fish and Game (CDFW) within one day following the focused botanical survey to report the findings. If feasible, a 10-foot buffer shall be established around the species using construction flagging prior to commencement of construction activities.</li> <li>Should avoidance of special status plant species be infeasible, the qualified botanist would salvage and relocate the individuals in an area comprised of suitable habitat in the vicinity of the project site that would not be impacted by the Proposed Project. Prior to the attempted relocation, seeds shall be gathered from the identified plants for use in the area identified for relocation.</li> </ul>	<p>Prior to the commencement of construction</p>	<p>Applicant/PBD</p>	<p>PBD/CDFW</p>	<p>Verify completion of surveys and additional stipulated mitigation if necessary</p>	

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Mitigation Monitoring and Reporting Plan

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<p><b>4.3-2</b> To address potential impacts associated with the Mission blue butterfly, the following measures will be implemented prior to construction of the Proposed Project:</p> <ul style="list-style-type: none"> <li>• A qualified biologist shall conduct a focused survey within the nonnative grassland on the project site for the Mission blue butterfly during the appropriate identification periods for adults (March-July) or juveniles (wet season) prior to commencement of construction activities. Should no species be observed, then no additional mitigation is required.</li> <li>• Should the Mission blue butterfly be observed during the focused survey on the project site, the qualified biologist shall contact CDFW within one day following the focused botanical survey to report the findings. If feasible, a 10-foot buffer shall be established around the species' host plants using construction flagging prior to commencement of construction activities.</li> <li>• Should avoidance of the Mission blue butterfly be infeasible, the qualified biologist would allow the butterfly to exit the property on its own, or will establish an alternately approved appropriate action following contact with CDFW.</li> </ul>	<p>Prior to construction</p>	<p>PBD/CDFW</p>	<p>PBD/CDFW</p>	<p>Verify completion of surveys and additional stipulated mitigation if necessary</p>	
<p><b>4.3-3a</b> Prior to the commencement of construction activities on the project site during the nesting season, a qualified biologist shall conduct a minimum of two protocol level preconstruction surveys for listed bird species during the recommended survey periods for the nesting season that coincides with the commencement of construction activities:</p> <ul style="list-style-type: none"> <li>• Northern harrier: Present year-round, breeds</li> </ul>	<p>Prior to issuance of grading building permits</p>	<p>PBD/CDFW</p>	<p>PBD/CDFW</p>	<p>Verify completion of surveys and submittal of letter reports</p>	

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Mitigation Monitoring and Reporting Plan

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<p>March through August;</p> <ul style="list-style-type: none"> <li>Burrowing owl: Present year-round, breeds primarily March through August, but can be February-December; and</li> <li>White-tailed kite: Present year-round, breeding occurs in autumn. Nesting season begins in February and ends in August.</li> </ul> <p>These surveys will occur in accordance with the United States Fish and Wildlife Service (USFWS) Division of Migratory Bird Management <i>Guidelines for Raptor Conservation in the United States</i> (2008). The qualified biologist shall conduct surveys within 14 days of commencement for Northern harrier, burrowing owl, and white-tailed kite in the project site and within 0.25 miles of construction activities where legally permitted. The biologist will use binoculars to visually determine whether nests occur beyond the 0.25-mile survey area if access is denied on adjacent properties. If no active nests are identified on or within 0.25 miles of construction activities within the recommended survey periods, a report summarizing the survey results shall be submitted to the County and the CDFW within 30 days following the survey, and no further mitigation for nesting habitat is required. Evidence, in the form of a report documenting the results of the survey, shall be submitted to the County prior to the issuance of any grading or building permits within the project site.</p>	<p>Prior to construction</p>	<p>PBD/CDFW</p>	<p>PBD/CDFW</p>	<p>Verify completion of surveys and additional stipulated mitigation if necessary</p>	
<p><b>4.3-3b</b> If active listed bird nests are found within 0.25 mile of construction activities, the biologist shall contact the County and CDFW within one day following the pre-construction survey to report the findings. For purposes of this mitigation requirement, construction activities are defined to include heavy equipment operation associated with construction (use of cranes or draglines, new</p>		<p>PBD/CDFW</p>	<p>PBD/CDFW</p>	<p>Verify completion of surveys and additional stipulated mitigation if necessary</p>	

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Mitigation Monitoring and Reporting Plan

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<p>rock crushing activities) or other project-related activities that could cause nest abandonment or forced fledging within 0.25 mile of a nest site during the identified nesting period. Should an active nest be present within 0.25 mile of construction areas, then CDFW shall be consulted to establish an appropriate noise buffer, develop take avoidance measures, and implement a monitoring and reporting program prior to any construction activities occurring within 0.25 mile of the nest/burrow. The monitoring program would require that a qualified biologist shall monitor all activities that occur within the established buffer zone to ensure that disruption of the nest/burrow or forced fledging does not occur. Should the biologist determine that the construction activities are disturbing the nest/burrow, the biologist shall halt construction activities until CDFW is consulted. The construction activities shall not commence until the CDFW determines that construction activities would not result in abandonment of the nest/burrow site. If the CDFW determines that take may occur, the applicant would be required to obtain a California Endangered Species Act (CESA) take permit. Should the biologist determine that the nest/burrow has not been disturbed during construction activities within the buffer zone, then a report summarizing the survey results will be submitted to the County and CDFW and no further mitigation for nesting habitat is required.</p>					

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Mitigation Monitoring and Reporting Plan

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<p><b>4.3-4a</b> A qualified biologist shall conduct a pre-construction bird survey for nesting within 14 days prior to commencement of construction activities if anticipated to commence during the appropriate nesting season (between February 1 and August 31). The qualified biologist shall document and submit the results of the pre-construction survey in a letter to CDFW and the County within 30 days following the survey. The letter shall include: a description of the methodology including dates of field visits, the names of survey personnel, a list of references cited and persons contacted, and a map showing the location(s) of any bird nests observed on the project site. If no active nests are identified during the pre-construction survey, then no further mitigation is required. Evidence, in the form of a report documenting the results of the survey, shall be submitted to the County Planning Department prior to the issuance of any grading or building permits within the project site.</p>	<p>Prior to construction</p>	<p>PBD/CDFW</p>	<p>PBD/CDFW</p>	<p>Verify completion of surveys and submittal of letter reports</p>	
<p><b>4.3-4b</b> If any active nests are identified during the pre-construction survey within the project site, a buffer zone will be established around the nests. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist will delimit the buffer zone with construction tape or pin flags within 250 feet of the active nest and maintain the buffer zone until the end of the breeding season or until the young have fledged. Guidance from CDFW will be requested if establishing a 250-foot buffer zone is impractical. Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed.</p>	<p>Prior and during construction</p>	<p>PBD/CDFW</p>	<p>PBD/CDFW</p>	<p>Verify completion of weekly surveys contingent on results of survey detailed in <b>Mitigation Measure 4.3-4a</b></p>	
<p><b>4.3-4c</b> Trees anticipated for removal should be removed outside of the nesting season (February 1 and August 31). If trees are anticipated to be removed</p>	<p>Prior to construction</p>	<p>PBD/CDFW</p>	<p>PBD/CDFW</p>	<p>Verify completion of survey</p>	

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Mitigation Monitoring and Reporting Plan

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<p>during the nesting season, a pre-construction survey shall be conducted by a qualified biologist. If the survey shows that there is no evidence of active nests, then the tree shall be removed within ten days following the survey. If active nests are located within trees identified for removal, a 250-foot buffer shall be installed around the tree. Guidance from CDFW will be requested if the 250-foot buffer is infeasible.</p>					
<p><b>4.3-6</b> Prior to the issuance of grading permits and removal of any trees, a certified arborist or registered professional forester shall conduct an arborist survey documenting all trees with trunk circumferences of 38 inches or greater and their location, as well as any Tree Communities or Indigenous Trees regardless of size. The report shall be submitted to the County Planning Department. The applicant shall not remove any trees without prior approval from the County Planning Department. All recommendations of the arborist report shall be implemented prior to the issuance of building permits for development on the project site. The arborist report shall specify measures including, but not limited to the following:</p> <ul style="list-style-type: none"> <li>• To the extent feasible, trees anticipated for removal shall be removed outside of the nesting season for birds. Taking into account the nesting season for the white tailed kite, the nesting season shall be defined as February 1 to August 31.</li> <li>• The project proponent shall plant replacement significant and/or indigenous tree species recommended by the County at a 3:1 ratio within the project site.</li> </ul>	<p>Prior to issuance of grading permits</p>	<p>Applicant/PBD</p>	<p>PBD</p>	<p>Verify completion of surveys and submittal of letter reports</p>	

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**Mitigation Monitoring and Reporting Plan**

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<b>4.4 GEOLOGY AND SOILS</b>					
<p><b>4.4-1a</b> Implement <b>Mitigation Measure 4.6-1</b> (Section 4.6; Hydrology and Water Quality) to identify and implement erosion control BMPs within the Stormwater Pollution Prevention Plans (SWPPP) (as specified in Condition No. 9) prepared for construction activities in accordance with the State's Clean Water Act National Pollutant Discharge Elimination System (NPDES) general permit for construction activities. Implementation of these BMPs would ensure that temporary and short-term construction-related erosion impacts under the proposed project would be reduced to a less than significant level.</p>	See <b>Mitigation Measure 4.6-1</b>				
<p><b>4.4-1b</b> The applicant shall submit an Erosion and Sediment Control Plan prior to the issuance of a grading permit "hard card" as required in Condition No. 9. This Erosion and Sediment Control Plan shall be prepared by a licensed civil engineer or certified professional soil erosion and sediment control specialist. The plan shall show the location of proposed vegetative erosion control measures, including landscaping and hydroseeding, and the location and details of all proposed drainage systems. The plan shall include sufficient engineering analysis to show that the proposed erosion and sediment control measures during pre-construction, construction, and post-construction are capable of controlling surface runoff and erosion, retaining sediment on the project site, and preventing pollution of runoff in compliance with the Clean Water Act.</p>	Prior to issuance of a grading permit	Applicant/PBD	PBD	Verify that site-specific erosion control and sediment plans and post construction plans have been prepared and implemented	
<p><b>4.4-2a</b> Grading and building designs, including foundation requirements, shall be consistent with the findings of the geotechnical investigation, the California Code of Regulations, and the California Building Code.</p>	Prior to issuance of grading and building permits	Applicant/PBD	PBD	Project design review/grading and building standards	

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Mitigation Monitoring and Reporting Plan

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<b>4.4-2b</b> The project applicant shall comply with all recommendations contained within the site-specific Geotechnical Investigation conducted by Michelucci & Associates (2013) (FEIS; Appendix E).	Prior to issuance of grading and building permits	Applicant/PBD	PBD	Project design review/grading and building standards	
<b>4.4-2c</b> The applicant shall retain a qualified engineering geologist. All grading and installation of fill shall be performed under the observation of the qualified engineering geologist.	During grading/construction	Applicant/PBD	PBD	Verify site-specific grading standards	
<b>4.4-3a</b> Implement <b>Mitigation Measure 4.6-2</b> (Section 4.6; Hydrology and Water Quality) to ensure that the site storm water drainage system (including individual systems for each residence) shall not allow discharge of uncontrolled runoff onto the site slopes. Concentrated runoff shall not be allowed to flow over graded slopes or areas of thick soil, colluviums, or fill.	See <b>Mitigation Measure 4.6-2</b>				
<b>4.4-3b</b> Implement <b>Mitigation Measure 4.4-2c</b> to ensure the recommendations of the Geotechnical Investigation regarding subdrains and surface drainage are included in the project design.	See <b>Mitigation Measure 4.4-2c</b>				
<b>4.6 WATER</b>					
<b>4.6-1</b> The applicant shall comply with the State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Stormwater Runoff Associated with Construction Activity (General Permit). The SWRCB requires that all construction sites have adequate control measures to reduce the discharge of sediment and other pollutants to streams to ensure compliance with Section 303 of the Clean Water Act. To comply with the NPDES permit, the applicant will file a Notice of Intent with the SWRCB and prepare a SWPPP prior to construction, which includes a detailed, site-specific listing of the potential sources of	Prior to and during Construction	Applicant	Applicant/ SWRCB	Submit NOI to SWRCB. Verify that a SWPPP has been prepared and implemented	

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Mitigation Monitoring and Reporting Plan

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<p>stormwater pollution; pollution prevention measures (erosion and sediment control measures and measures to control non-stormwater discharges and hazardous spills) to include a description of the type and location of erosion and sediment control BMPs to be implemented at the project site; and a BMPs monitoring and maintenance schedule to determine the amount of pollutants leaving the proposed project site. A copy of the SWPPP must be current and remain on the project site. Control measures are required prior to and throughout the rainy season. Water quality BMPs identified in the SWPPP shall include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Temporary erosion control measures (such as silt fences, staked straw bales, and temporary revegetation) shall be employed for disturbed areas. No disturbed surfaces will be left without erosion control measures in place during the winter and spring months.</li> <li>• Sediment shall be retained onsite by detention basins, onsite sediment traps, or other appropriate measures.</li> <li>• A spill prevention and countermeasure plan shall be developed which would identify proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used onsite. The plan would also require the proper storage, handling, use, and disposal of petroleum products.</li> <li>• Construction activities shall be scheduled to minimize land disturbance during peak runoff periods and to the immediate area required for construction. Soil conservation practices shall be completed during the fall or late winter to reduce erosion during spring runoff.</li> </ul>					

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Mitigation Monitoring and Reporting Plan

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<p>Existing vegetation will be retained where possible. To the extent feasible, grading activities shall be limited to the immediate area required for construction.</p> <ul style="list-style-type: none"> <li>• Surface water runoff shall be controlled by directing flowing water away from critical areas and by reducing runoff velocity. Diversion structures such as terraces, dikes, and ditches shall collect and direct runoff water around vulnerable areas to prepared drainage outlets. Surface roughening, berms, check dams, hay bales, or similar devices shall be used to reduce runoff velocity and erosion.</li> <li>• Sediment shall be contained when conditions are too extreme for treatment by surface protection. Temporary sediment traps, filter fabric fences, inlet protectors, vegetative filters and buffers, or settling basins shall be used to detain runoff water long enough for sediment particles to settle out.</li> <li>• Construction materials, including topsoil and chemicals, shall be stored, covered, and isolated to prevent runoff losses and contamination of groundwater.</li> <li>• Topsoil removed during construction shall be carefully stored and treated as an important resource. Berms shall be placed around topsoil stockpiles to prevent runoff during storm events.</li> <li>• Establish fuel and vehicle maintenance areas away from all drainage courses and design these areas to control runoff.</li> <li>• Disturbed areas shall be revegetated after completion of construction activities.</li> <li>• All necessary permits and approvals shall be obtained.</li> </ul>					

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<ul style="list-style-type: none"> <li>• Provide sanitary facilities for construction workers.</li> </ul> <p><b>4.6-2a</b> Upon acceptance of the design concept, a maintenance agreement shall be developed between the County and the Homeowners Association (HOA) or equivalent entity requiring the HOA or equivalent entity to complete the following tasks and provide the following information on a routine basis. These requirements apply only to the bioretention treatment system area of the project site and are as follows:</p> <ul style="list-style-type: none"> <li>• Maintenance of soils and plantings, including routine pruning, mowing, irrigation, replenishment of mulch, weeding, and fertilizing with a slow-release fertilizer with trace elements;</li> <li>• Removal of obstructions and trash from bioretention areas;</li> <li>• Use of only pesticides and fertilizers that are accepted within the integrated pest management approach for use in the bioretention areas;</li> <li>• Repair of erosion at inflow points;</li> <li>• Monthly review and inspection of bioretention areas for the following:             <ul style="list-style-type: none"> <li>○ Obstruction of trash,</li> <li>○ If ponded water is observed, the surface soils shall be removed and replaced and subdrain systems inspected, and</li> <li>○ Condition of grasses;</li> </ul> </li> <li>• Distribution of the following:             <ul style="list-style-type: none"> <li>○ A copy of the storm water management plans shall be made available to personnel in charge of facility maintenance and shall be distributed to</li> </ul> </li> </ul>	<p>During Project operations</p>	<p>PBD/HOA</p>	<p>PBD/HOA</p>	<p>Project design review/Project operations</p>	

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<p>the subcontractor representative engaged in the maintenance or installation of the bioretention system, and</p> <ul style="list-style-type: none"> <li>o Material presented in the integrated pest management program will be made available to personnel in charge of facility maintenance and shall be distributed to the subcontractor representative engaged in the maintenance or installation of the bioretention system.</li> </ul>					
<p><b>4.6-2b</b> Upon acceptance of the design concept, a maintenance agreement shall be developed between the County and the HOA or equivalent entity requiring the HOA or equivalent entity to complete the following tasks and provide the following information on a routine basis. These requirements apply to all common areas of the project site and are as follows:</p> <ul style="list-style-type: none"> <li>• Drainage inlets shall be inspected monthly and kept clean of any trash that may have accumulated. It is the responsibility of the property manager/owner to have those inspections performed, documented, and any repairs made.</li> <li>• Landscape areas shall be covered with plants or some type of ground cover to minimize erosion. No areas are to be left as bare dirt that could erode. Mounding slopes shall not exceed two horizontal to one vertical.</li> <li>• Pesticides and fertilizers shall be stored as hazardous materials and in appropriate packaging; over spraying onto paved areas shall be avoided when applying fertilizers and pesticides. Pesticides and fertilizers shall be prohibited from being stored outside.</li> <li>• Landscape areas shall be inspected and all trash picked up and obstruction to the</li> </ul>	<p>During Project operations</p>	<p>PBD/HOA</p>	<p>PBD/HOA</p>	<p>Project design review/Project operations</p>	

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Mitigation Monitoring and Reporting Plan

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<p>drainage flow removed on a monthly basis minimum. The project site shall be designed with efficient irrigation and drainage to reduce pesticide use. Plants shall be selected based on size and situation to reduce maintenance and routine pruning.</p> <ul style="list-style-type: none"> <li>Integrated pest management information shall be provided to the building management.</li> </ul>					
<p><b>4.6-2c</b> Infiltration systems shall be designed in accordance with the following procedures outlined in the California Storm Water Best Management Practice Handbooks to reduce runoff and restore natural flows to groundwater:</p> <ul style="list-style-type: none"> <li>Biofilters and/or vegetative swale drainage systems will be installed at roof downspouts for all buildings on the project site, allowing sediments and particulates to filter and degrade biologically.</li> <li>Structural source controls, such as covers, impermeable surfaces, secondary containment facilities, runoff diversion berms, sediment, and grease traps in parking areas will be installed.</li> <li>Designated trash storage areas will be covered to protect bins from rainfall.</li> </ul>	<p>During Project design phase and during construction activities</p>	<p>Applicant/PBD</p>	<p>PBD</p>	<p>Verify that infiltration systems are designed accordingly and that construction BMPs are implemented</p>	
<p><b>4.6-3a</b> Upon acceptance of the design concept, a maintenance agreement shall be developed between the County and the HOA or equivalent entity requiring the HOA or equivalent entity to complete and provide the documentation of annual inspection and cleaning of each of the 19 individual lot storm drainage systems. The inspection shall be performed during the dry season and shall include removal of all trash and obstructions from area drains, cleanouts, and catch basins.</p>	<p>During Project operations</p>	<p>PBD/HOA</p>	<p>CDD/HOA</p>	<p>Project design review/Project operations</p>	

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<p><b>4.6-3b</b> The 15-inch diameter stormwater drain pipe flowing at 2 percent that crosses Ascension Drive at Enchanted Way shall be replaced with a 21-inch diameter pipe. The 30-inch diameter stormwater drain pipe flowing at 1.3 percent shall be replaced with a 36-inch diameter pipe sloped at 2 percent. Stormwater drain pipe infrastructure improvements shall adhere to all applicable regulations and ordinances.</p>	During construction	Applicant/PBD	PBD	Site inspection to verify compliance	
<b>4.7 HAZARDS AND HAZARDOUS MATERIALS</b>					
<p><b>4.7-1</b> The project applicant shall ensure through the enforcement of contractual obligations that all contractors transport, store, and handle construction-required hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by the San Mateo County Planning and Building Department, Office of Environmental Health Services Division, and Office of Emergency Services. Recommendations may include, but are not limited to, transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using approved protocols.</p>	During construction	Applicant/PBD/OEHSD/OES	Applicant/PBD/OEHSD/OES	Site inspection to verify compliance with mitigation measures during construction	
<p><b>4.7-3a</b> The applicant shall ensure through the enforcement of contractual obligations that the following measures are implemented by contractors during project construction:</p> <ul style="list-style-type: none"> <li>Staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a fire break.</li> <li>Any construction equipment that normally</li> </ul>	During construction	PBD	PBD	Site inspection to verify compliance with mitigation measure during construction	

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Mitigation Monitoring and Reporting Plan

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<p>includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.</p> <p><b>4.7-3b</b> The building plans of the Proposed Project shall be reviewed by a representative from County Fire/Cal-Fire to ensure that regulations in the County's Fire Ordinance are met and the project complies with County Fire/ Cal-Fire requirements. The development of the Proposed Project shall be in compliance with Chapter 15 of the County General Plan with respect to residential uses adjacent to open space areas where wildfire is a threat.</p>	<p>Prior to issuance of building permits</p>	<p>Applicant/PBD/ County Fire/ Cal-Fire</p>	<p>Applicant/PBD/ County Fire/ Cal-Fire</p>	<p>Project design review/Chapter 15 County General Plan</p>	
<p><b>4.8 NOISE</b></p>					
<p><b>4.8-1</b> The project applicant shall ensure through contractual agreements that the following measures are implemented during construction:</p> <ul style="list-style-type: none"> <li>• Construction activities shall be limited to occur between the hours of 7:00 A.M. to 6:00 P.M. Monday through Friday, and 9:00 A.M. to 5:00 P.M. on Saturdays. Construction activities shall not occur on Sundays, Thanksgiving, or Christmas. The intent of this measure is to prevent construction activities during the more sensitive time period and minimize the potential for effects.</li> <li>• Stationary equipment and staging areas shall be located as far as practical from noise-sensitive receptors.</li> <li>• All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and acoustical shields or shrouds, in accordance with manufacturers' recommendations.</li> <li>• Construction activities shall conform to the following standards: (a) there shall be no</li> </ul>	<p>During construction</p>	<p>Applicant</p>	<p>PBD</p>	<p>Site inspection to verify compliance with mitigation measures during construction</p>	

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<p>start-up of machines or equipment; no delivery of materials or equipment, no cleaning of machines or equipment and no servicing of equipment except during the permitted hours of construction; (b) radios played at high volume, loud talking and other forms of communication constituting a nuisance shall not be permitted.</p> <ul style="list-style-type: none"> <li>The general contractors for all construction activities shall provide a contact number for citizen complaints and a methodology for dealing with such complaints such as designating a noise disturbance coordinator. This noise disturbance coordinator shall receive all public complaints about construction-related noise and vibration, shall be responsible for determining the cause of the complaint, and shall implement any feasible measures to be taken to alleviate the problem. All complaints and resolution of complaints shall be reported to the County weekly.</li> </ul>					
<p><b>4.10 PUBLIC SERVICES, UTILITIES, AND RECREATION</b></p>					
<p><b>4.10-2a</b> Residents of the Proposed Project shall comply with all requirements of Cal Water's Water Shortage Contingency Plan as mandated by Cal Water and BSD. These requirements may include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>Voluntarily reduce water consumption at single-family residences;</li> <li>Adhere to the minimum allocation given to single-family residential customers or pay penalty rate applied to service bill for use that is in excess of customer's allocation; and/or</li> <li>Comply with orders prohibiting the use of water for specific activities, such as a prohibition of potable water use for landscape</li> </ul>	Project operations	Cal Water BSD	Cal Water BSD	Cal Water Shortage Contingency Plan	

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**Mitigation Monitoring and Reporting Plan**

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<p>irrigation.</p> <p><b>4.10-2b</b> Pumping facilities shall be installed at the existing water tank owned by Cal Water to provide adequate water pressure for residential and fire protection uses. Cal Water shall be contacted to review pumping facilities design and ensure compliance with applicable standards. The project applicant shall be responsible for covering the cost of the development of these facilities prior to the recordation of the final subdivision map.</p>	<p>During construction</p>	<p>Applicant/Cal Water BSD</p>	<p>Cal Water BSD</p>	<p>Site inspection to verify compliance with mitigation measures during construction</p>	
<p><b>4.10-2c</b> Two existing water mains shall be relocated such that they are within the right-of-way of the proposed private street or at the property boundary so as to allow ease of maintenance of the water mains. New Cal Water easement shall be established on the project site to replace the existing Cal Water easements. The two water mains include an 8-inch diameter water main connecting the water tank to the water main located on Parrot Drive and a 10-inch diameter water main connecting the water tank to the water main located on Bel Aire Drive.</p>	<p>During construction</p>	<p>Applicant/Cal Water BSD</p>	<p>Cal Water BSD</p>	<p>Site inspection to verify compliance with mitigation measures during construction</p>	
<p><b>4.10-3</b> The applicant shall offset the increase in sewer flow generated by the Proposed Project by reducing the amount of existing Inflow &amp; Infiltration (I&amp;I) into the Crystal Springs County Sanitation District (CSCSD) sewer system. The offset amount shall achieve a zero net increase in flow during wet weather events with implementation of the Proposed Project. This shall be achieved through the construction of improvements to impacted areas of the sewer system, with construction plans subject to CSCSD approval and required to be in compliance with applicable regulatory requirements. Construction of improvements, as approved by the CSCSD, shall be completed prior to the start of the</p>	<p>Prior to construction</p>	<p>Applicant/CSCSD</p>	<p>CSCSD</p>	<p>Approval of sewer system construction improvements</p>	

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construction of the residences.					
<b>4.10-5</b> The applicant shall ensure that fire sprinklers with appropriate flow rates are installed for all structures that would be developed as a part of the Proposed Project, per County Fire/Cal-Fire's alternate materials and methods request.	During construction	County Fire/Cal-Fire	County Fire/Cal-Fire	Site inspection to verify compliance with mitigation measures during construction	
<b>4.11 TRANSPORTATION AND CIRCULATION</b>					
<b>4.11-3</b> Either provide street lighting on the private streets to a level of 0.4 minimum maintained average foot-candles with a uniformity ratio of 6:1, average to minimum or ensure street lighting is consistent with safety standards of the County-governed Bel Aire Lighting District.	During construction	Applicant/BALD	BALD	Site inspection to verify compliance with mitigation measures during construction	
<b>4.11-4</b> Within the corner sight triangles at the new street intersection there should be no walls, fencing, or signs that would obstruct visibility. Trees should be planted so as to not create a "wall" effect when viewed at a shallow angle. The type of shrubbery planted within the triangles should be such that it will grow no higher than three feet above the adjacent roadway surface. Trees planted within the sight triangle areas should be large enough that the lowest limbs are at least seven feet above the surface of the adjacent roadway. Street parking should be prohibited within the bounds of the sight triangle.	During construction	Applicant	PBD	Project design review	

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**RESOLUTION NO. .**

**PLANNING COMMISSION, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

\* \* \* \* \*

**EXHIBIT B  
STATEMENT OF FINDINGS AND FACTS**

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The findings and determinations contained herein are prepared in accordance with CEQA and the state CEQA Guidelines. The findings are based on the competent and substantial evidence, both oral and written, contained in the entire record of proceeding relating to the proposed project and EIR. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole. Any findings made herein must be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings. If a finding fails to cross-reference or incorporate by reference any other part of these findings, it must be deemed to have been made if it appears in any portion of these findings or elsewhere in the record. These findings are only a summary of information in the record which supports the findings and all other information in support of the findings are incorporated herein by reference.

Pursuant to CEQA and the CEQA Guidelines, no findings are required for those impacts which are identified as less than significant in the Initial Study or EIR (Public Resources Code Section 21081; CEQA Guidelines Section 15091). So, these findings only address significant impacts of the proposed Project.

Under CEQA, lead agencies must adopt findings before approving a Project for which an EIR is required. (See Public Resources Code, Section 21081; CEQA Guidelines, Section 15091.) For each significant environmental effect identified in an EIR for a proposed Project, the approving agency must issue a written finding reaching one or more of three permissible conclusions: (1) that “[c]hanges or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, Section 15091, subd. (a)(1).); (2) that “[s]uch 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.” (CEQA Guidelines, Section 15091, subd. (a)(2).); or (3) that “[s]pecific 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 final EIR.” (CEQA Guidelines, Section 15091, subd. (a)(3).) Public Resources Code Section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines Section 15364 adds another factor:

“legal” considerations.” (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565.)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a Project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal. App. 3d 410, 417.) “[F]easibility” under CEQA encompasses desirability “to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Id.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the Project lies with some other agency. (CEQA Guidelines, Section 15091, subd. (a), (b).)

With respect to a Project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the Project if the agency adopts a Statement of Overriding Considerations setting forth the specific reasons why the agency found that the Project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, Sections 15093, 15043, subd. (b); see also Public Resources Code, Section 21081, subd. (b).) The California Supreme Court has stated, “[t]he wisdom of approving . . . any development Project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Goleta II*, 52 Cal. 3d at p. 576.)

The analysis and conclusions of the EIR, including but not limited to the responses to comments, are modified as set forth herein. As modified, the EIR and responses to comments are incorporated herein by this reference, and are hereby adopted as part of the findings. These findings constitute the best efforts to set forth the evidentiary and policy bases for the Planning Commission’s decision to approve the Project in a manner consistent with the requirements of CEQA. Below are the required findings under CEQA for each significant environmental impact of the proposed Project.

### **SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE REDUCED TO LESS-THAN-SIGNIFICANT LEVELS**

The analysis of the Proposed Project did not identify any significant and unavoidable impacts. All potential impacts would be either less than significant or would be reduced to a less-than-significant level with incorporation of proposed mitigation measures pursuant to the criteria contained in Appendix G of the CEQA Guidelines and relevant agency thresholds.

## **SIGNIFICANT IMPACTS REDUCED TO LESS THAN SIGNIFICANT THROUGH MITIGATION**

### **AESTHETICS**

#### **Impact 4.1-1**

The proposed project would result in a significant aesthetics impact if it would substantially damage scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a State Scenic Highway. The Proposed Project would result in a visual change to the project site by converting approximately 5.5 acres of a 13.3-acre area to a residential development. This includes 19 single-family residential units, a new street, and associated infrastructure. Approximately 7.8 acres would remain as dedicated open space and would include foot trails and approximately 0.45 acres of protected area in the west corner of the project site. Construction of the Proposed Project would result in the removal of approximately 43 of the 78 trees on the project site (approximately 55 percent). Tree removal could damage scenic resources and degrade a scenic vista. Further, tree removal constitutes degradation of a community of trees under Section 12,016 of the County Ordinance Code and could result in a thinning of the dense vegetation located along the northeastern edge of the project site between the project site and the existing residences along the southern side of Parrot Drive. Presently, some of the proposed residences are visible from portions of Parrot Drive, and reducing the vegetation located along the rear of existing residences may increase views of the proposed residences and therefore change the visual character and quality of the project site as viewed from Parrot Drive.

#### **Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

#### **Mitigation Measure 4.1-1a:**

Prior to recordation of the final map, the project applicant shall submit a landscape plan for review and approval by the San Mateo County Planning Department (County Planning Department). The landscape plan shall include the location, size, and species of any proposed landscaping and shall include, but not be limited to, hedges or other appropriate vegetation that will provide opaque screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive. In addition, all proposed landscaping shall be of native, non-invasive species. Areas used for the storage of landscape maintenance or other equipment, supplies, or debris shall be shielded from view by fencing, landscaping or other means. Prior to final approval of the final map, a site inspection shall be required by the County Planning Department to verify that all approved landscaping has been implemented or bonds posted for performance; a maintenance bond shall be required. All perimeter landscaping shall serve to screen and/or enhance views of the project site from surrounding roadways and neighborhoods (see also

Conditions 8.b and 8.l).

Mitigation Measure 4.1-1b:

Prior to the issuance of a grading permit “hard card,” the applicant is required to submit a tree replacement plan that shall not exceed the following specifications:

- For each loss of a significant indigenous tree, there shall be a replacement with three or more trees, as determined by the Community Development Director, of the same species using at least 5-gallon size stock.
- For each loss of a significant exotic tree, there shall be a replacement with three or more trees, as determined by the Community Development Director that the substitute tree can survive and flourish in the regional climatic conditions.
- Replacement trees shall require a surety deposit for both performance (installation of tree, staking, and providing an irrigation system) and maintenance. Maintenance shall be required for no less than two and no more than five years as determined by the Community Development Director.

Facts in Supporting of the Findings:

The final project design would comply with all applicable General Plan policies, Subdivision Regulations and County Ordinance Codes and would be required to undergo County approval prior to issuance of building permits to ensure that the proposed homes and landscaping would be designed and constructed to be compatible with or contribute to the appearance and visual character of the surrounding area. Further, a majority (approximately 59 percent) of the project site would remain as dedicated open space and would include foot trails and approximately 0.45 acres of protected area in the west corner of the project site. While the Proposed Project would convert approximately 40 percent of an area that is currently valued as natural scenery in an urban setting to an urban development and thereby change the amount of open space and associated visual resources, the Proposed Project does not constitute a change in the visual character or quality of the area given that the surrounding area is primarily single-family residential neighborhoods. Through compliance with aforementioned regulations, the project would consist of development similar in visual context to the surrounding neighborhoods. Thus, project impacts on scenic resources would be less than significant.

**AIR QUALITY AND GREENHOUSE GAS EMISSIONS**

**Impact 4.2-1**

Construction of the proposed project would result in a significant air quality impact if emissions are greater than 54 pounds per day for ozone precursors [reactive organic gasses (ROG) and nitrides of oxygen (NOx)] or PM<sub>2.5</sub> and/or 82 pounds per day for PM<sub>10</sub>. Emissions generated from construction activities associated with grading and building resulting from implementation of the Proposed Project would be short-term, intermittent, and temporary in nature. However, these construction emissions have the potential to represent a significant air quality impact. The grading and construction of the Proposed Project would result in the generation of ROG, NOx, PM<sub>10</sub>, and PM<sub>2.5</sub>

emissions. PM emissions are generally the direct result of site grading, excavation, road paving, and exhaust associated with construction equipment. PM emissions are largely dependent on the amount of ground disturbance associated with site preparation activities. Emissions of NOx and ROG are generally associated with employee vehicle trips, delivery of materials, and construction equipment exhaust. Mitigated and unmitigated emissions from construction activities were modeled using the California Emissions Estimator Model (CalEEMod) and were presented in Section 4.2.4 of the EIR. These emissions were then compared to the Bay Area Air Quality Management District's (BAAQMD's) thresholds to determine if the construction emissions of the Proposed Project would have a significant impact on regional air quality. As shown in Section 4.2.4 of the EIR, without mitigation the Proposed Project would exceed the BAAQMD threshold for NOx, resulting in a potentially-significant impact.

#### Findings:

The incorporation of BAAQMD Guidelines and CalEEMod mitigation measures would minimize the identified significant effect from NOx resulting from construction activities. The reduction in construction emissions resulting from implementation of specific mitigation measures was estimated using CalEEMod and the results indicated that project-related emissions during construction would be reduced below significance threshold for NOx. Therefore, emissions from construction would be a less-than-significant impact.

#### Mitigation Measure 4.2-1a:

The applicant shall ensure through the enforcement of contractual obligations that construction contractors implement a fugitive dust abatement program during construction, which shall include the following elements consistent with the Basic Construction Mitigation Measures recommended by the Bay Area Air Quality Management District (BAAQMD):

- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
- Cover all exposed stockpiles.
- Water all exposed roadway and construction areas two times a day.
- Sweep paved streets three times daily (with water sweepers) if visible soil material is carried onto adjacent streets.
- Limit traffic speeds on unpaved roads to 15 miles per hour (mph).
- After grading is complete, construction of paved surfaces (e.g., roadways, driveways, sidewalks, building pads) should be completed as soon as possible unless protected by seeding, soil binders, or other similar measures.
- Limit idling time to a maximum of five minutes and turn off equipment when not in use; clear signage indicating this shall be displayed at the project site access point.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall be checked by a certified visible emissions evaluator.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.

- Any burning of cleared vegetation shall be conducted according to the rules and regulations of the BAAQMD's Regulation 5 (BAAQMD, 2008). Prior notification to BAAQMD shall be made by submitting an Open Burning Prior Notification Form to BAAQMD's office in San Francisco.
- A publicly visible sign shall be posted with the telephone number and person to contact at the County regarding dust complaints. A response and corrective action shall occur within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

**Mitigation Measure 4.2-1b:**

The applicant shall ensure through contractual obligations (to be contained within the Subdivision Improvement Agreement with the Department of Public Works per Condition No. 21) with construction contractors that the following Best Management Practices (BMPs) shall be implemented during all stages of construction:

- All heavy-duty construction equipment shall be equipped with diesel particulate matter filters.
- Only low Reactive Organic Gas (ROG) coatings shall be utilized.
- The applicant shall use only Tier 2 or better heavy-duty construction equipment.

**Impact 4.2-8**

Construction and operation of the Proposed Project has the potential to result in cumulatively considerable emissions of greenhouse gasses (GHGs). CalEEMod was used to estimate project-related construction GHG emissions. As shown in Section 4.2.4 of the EIR, estimated direct construction emissions would be 957.68 MT of CO<sub>2</sub>e over the construction period. Neither the California Air Resources Board (CARB) nor BAAQMD have a construction threshold for GHG emissions; therefore, a 26 percent or greater reduction in construction-related GHG emissions (the overall state reduction goal implemented by AB 32) would result in a less-than-significant impact to global climate change. With the implementation of Mitigation Measure 4.2-8, construction CO<sub>2</sub>e emissions from the Proposed Project would be reduced by 26 percent and would comply with the significance criteria for GHG construction emissions. Therefore, construction of the Proposed Project would not generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Construction emissions associated with the Proposed Project would not be cumulatively considerable in relation to global climate change.

**Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

**Mitigation Measure 4.2-8:**

The applicant shall purchase CO<sub>2</sub>e emissions reduction credits in the amount of 249

MT prior to the start of construction. GHG CO<sub>2</sub>e emissions reduction credits are generated by projects that reduce their GHG emissions by the use of technology or a reduction in business over business as usual. The CO<sub>2</sub>e emission reduction credits must be permanently retired by the project applicant, thereby reducing annual emissions for the lifetime of the proposed project.

Facts in Supporting of the Findings:

The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures 4.2-1a and b and 4.2-8. The rationale for the above finding is set forth in Section 4.2.4, Air Quality and Greenhouse Gas Emissions, of the EIR. In summary, implementation of these mitigation measures would ensure that construction-related emissions of ozone precursors and particulate matter are mitigated below the significant thresholds established by the responsible agency (BAAQMD) and emissions GHGs are consistent with applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of GHGs. Accordingly, air quality impacts would be less than significant.

## **BIOLOGICAL RESOURCES**

### **Impact 4.3-1**

The Proposed Project has the potential to have a substantial adverse impact, either directly or through habitat modifications, on special-status plants. Four species were not identified during the survey conducted on July 25, 2013, which was within the corresponding evident and identifiable bloom period; therefore, they do not have the potential to occur on the Proposed Project site. Because the survey was conducted outside of the evident and identifiable bloom period for the remaining seven species, these species have the potential to occur on the Proposed Project site. As a result, implementation of the Proposed Project could result in direct impacts to these identified vegetative resources.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.3-1:

To address potential impacts associated with special status plant species, the following measures shall be implemented prior to issuance of a grading permit "hard card":

- A qualified biologist/botanist shall conduct a focused botanical survey during the month of May, which corresponds to the overlapping evident and identifiable bloom periods for the remaining seven species, and prior to commencement of construction. Should no special status plant species be observed, then no additional mitigation is required.
- Should one or more of these special status plants be found during the focused

botanical survey on the project site, the qualified biologist/botanist shall contact the California Department of Fish and Wildlife (CDFW) within one day following the focused botanical survey to report the findings. A 10-foot buffer shall be established around the species using construction flagging prior to commencement of construction activities.

- Should avoidance of special status plant species be infeasible, the qualified botanist would salvage and relocate the individuals in an area comprised of suitable habitat in the vicinity of the project site that would not be impacted by the proposed project. Prior to the attempted relocation, seeds shall be gathered from the identified plants for use in the area identified for relocation.

### **Impact 4.3-2**

The Proposed Project has the potential to have a substantial adverse impact, either directly or through habitat modifications, on one special-status invertebrate. The project site contains 7.44 acres of non-native brome grassland, including potential host plants which provide potential habitat for the Mission blue butterfly. The Mission blue butterfly was not observed during the July 25, 2013 biological surveys of the project site even though this survey was conducted during the designated identification period. Because the Mission blue butterfly often occurs within an elevation range above the project site and because the project site is south of the documented southernmost distribution of this species, the likelihood of this species occurring on the project site is relatively low. However, an informal observation of this species was made and noted by a member of the general public. Therefore, the Mission blue butterfly may occur on the project site and may be significantly impacted by the implementation of the Proposed Project.

### **Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

### **Mitigation Measure 4.3-2:**

To address potential impacts associated with the Mission blue butterfly, the following shall be implemented prior to issuance of a grading permit "hard card":

- A qualified biologist shall conduct a focused survey within the non-native grassland on the project site for the Mission blue butterfly during the appropriate identification periods for adults (March-July) or juveniles (wet season) prior to commencement of construction activities. Should no species be observed, then no additional mitigation is required.
- Should the Mission blue butterfly be observed during the focused survey on the project site, the qualified biologist shall contact CDFW within one day following the focused botanical survey to report the findings. If feasible, a 10-foot buffer shall be established around the species' host plants using construction flagging prior to commencement of construction activities.
- Should avoidance of the Mission blue butterfly be infeasible, the qualified biologist would allow the butterfly to exit the property on its own, or would

establish an alternately appropriate action approved by CDFW.

### **Impact 4.3-3**

Construction activities have the potential to result in the disturbance of nesting or foraging habitat for northern harrier, burrowing owl, and white-tailed kite. Although unlikely, white-tailed kite have the potential to nest within the project site in the eucalyptus grove in the southeastern region of the property and in the Oak woodland in the north-central region of the property. Northern harrier has the potential to nest on the ground in non-native grassland habitat, as does the burrowing owl. Construction activities could result in disturbance of potential nest sites through the removal of the potential nest locations, and the temporary increases in ambient noise levels and increased human activity on the project site. This is a potentially-significant impact. The mitigation measures identified below would ensure that impacts to listed nesting birds are reduced to less-than-significant levels through identification and avoidance of active nests or burrows.

CDFW considers 5 or more vacant acres within 10 miles of an active nest to be significant foraging habitat for raptor foraging, and the conversion to urban uses is a significant impact. The project site occurs within four miles of documented burrowing owl habitat/occurrence. No occurrences of Northern harrier have been documented within five miles of the project site. One white-tailed kite was observed foraging over the project site during the July 25, 2013 survey, but no other occurrences have been documented within five miles of the project site. The project site contains 7.44 acres of non-native brome grassland, 1.26 acres of oak woodland, and 1.17 acres of Knobcone Pine Forest which provide potential habitat for these species.

### **Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

### **Mitigation Measure 4.3-3a:**

Prior to issuance of a grading permit "hard card," a qualified biologist shall conduct a minimum of two protocol level pre-construction surveys for listed bird species during the recommended survey periods for the nesting season that coincides with the commencement of construction activities:

- Northern harrier: Present year-round, breeds March through August;
- Burrowing owl: Present year-round, breeds primarily March through August, but can be February through December; and
- White-tailed kite: Present year-round, breeding occurs in autumn. Nesting season begins in February and ends in August.

These surveys will occur in accordance with the United States Fish and Wildlife Service (USFWS) Division of Migratory Bird Management *Guidelines for Raptor Conservation in the United States* (2008). The qualified biologist shall conduct

surveys within 14 days of commencement for northern harrier, burrowing owl, and white-tailed kite in the project site and within 0.25 miles of construction activities where legally permitted. The biologist will use binoculars to visually determine whether nests occur beyond the 0.25-mile survey area if access is denied on adjacent properties. If no active nests are identified on or within 0.25 miles of construction activities within the recommended survey periods, a report summarizing the survey results shall be submitted to the County and the CDFW within 30 days following the survey, and no further mitigation for nesting habitat is required. Evidence, in the form of a letter documenting the results of the survey, shall be submitted to the Current Planning Section prior to the issuance of grading permit "hard card."

**Mitigation Measure 4.3-3b:**

If active listed bird nests are found within 0.25 miles of construction activities, the biologist shall contact the Current Planning Section and CDFW within one day following the pre-construction survey to report the findings. For purposes of this mitigation requirement, construction activities are defined to include heavy equipment operation associated with construction (use of cranes or draglines, new rock crushing activities) or other project-related activities that could cause nest abandonment or forced fledging within 0.25 miles of a nest site during the identified nesting period. Should an active nest be present within 0.25 miles of construction areas, then CDFW shall be consulted to establish an appropriate noise buffer, develop take avoidance measures, and implement a monitoring and reporting program prior to any construction activities occurring within 0.25 miles of the nest/burrow. The monitoring program would require that a qualified biologist shall monitor all activities that occur within the established buffer zone to ensure that disruption of the nest/burrow or forced fledging does not occur. Should the biologist determine that the construction activities are disturbing the nest/burrow, the biologist shall halt construction activities until CDFW is consulted. The construction activities shall not commence until the CDFW determines that construction activities would not result in abandonment of the nest/burrow site. If the CDFW determines that take may occur, the applicant would be required to obtain a California Endangered Species Act (CESA) take permit. Should the biologist determine that the nest/burrow has not been disturbed during construction activities within the buffer zone, then a report summarizing the survey results will be submitted to the Current Planning Section and CDFW and no further mitigation for nesting habitat is required.

**Impact 4.3-4**

Grading and construction activities have the potential to result in the disturbance of nesting habitat for migratory birds and other birds of prey. Nesting habitat for migratory birds and other birds of prey protected under the MBTA may include eucalyptus woodland and annual grassland within the project site and vicinity. Potential disruption of nesting migratory birds and other birds of prey during construction could result in nest abandonment or mortality. Likewise, increased human activity and traffic, elevated noise levels, and operation of machinery could also impact the birds if their nests are

located within the vicinity of development areas. These impacts are significant.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.3-4a:

A qualified biologist shall conduct a pre-construction bird survey for nesting within 14 days prior to commencement of construction activities and prior to the issuance of a grading permit “hard card” if anticipated to commence during the appropriate nesting season (between February 1 and August 31). The qualified biologist shall document and submit the results of the pre-construction survey in a letter to CDFW and the County within 30 days following the survey. The letter shall include: a description of the methodology including dates of field visits, the names of survey personnel, a list of references cited and persons contacted, and a map showing the location(s) of any bird nests observed on the project site. If no active nests are identified during the pre-construction survey, then no further mitigation is required. Evidence, in the form of a report documenting the results of the survey, shall be submitted to the Current Planning Section prior to the issuance of any grading or building permits within the project site.

Mitigation Measure 4.3-4b:

If any active nests are identified during the pre-construction survey within the project site, a buffer zone will be established around the nests. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist will delimit the buffer zone with construction tape or pin flags within 250 feet of the active nest and maintain the buffer zone until the end of the breeding season or until the young have fledged. Guidance from CDFW will be requested if establishing a 250-foot buffer zone is impractical. Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed.

Mitigation Measure 4.3-4c:

Trees anticipated for removal should be removed outside of the nesting season (February 1 and August 31). If trees are anticipated to be removed during the nesting season, a pre-construction survey shall be conducted by a qualified biologist prior to the issuance of a grading “hard card.” If the survey shows that there is no evidence of active nests, then the tree shall be removed within ten days following the survey. If active nests are located within trees identified for removal, a 250-foot buffer shall be installed around the tree. Guidance from CDFW will be requested if the 250-foot buffer is infeasible.

**Impact 4.3-6**

Construction of the Proposed Project has the potential to remove trees protected within the tree preservation ordinance specified in the San Mateo County Significant Tree

Ordinance. The County Tree Ordinance protects “significant” trees, being identified as any live tree which has a circumference measuring at or greater than 38 inches at a height of 4.5 feet above the ground or immediately below the lowest branch, whichever is lower. “Community of Trees” refers to an aesthetic grouping of trees, the removal of which would cause a significant ecological, aesthetic, or environmental impact in the immediate area. An “Indigenous Tree” is one known to be native to the County including any native willow, box elder, buckeye, madrone, oak, or laurel tree. Construction of the Proposed Project would require the removal of approximately 43 of the 78 trees (approximately 55 percent) on-site. This impact is significant.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.3-6:

Prior to the issuance of a grading permit “hard card” and removal of any trees, a certified arborist or registered professional forester shall conduct an arborist survey documenting all trees with trunk circumferences of 38 inches or greater and their location, as well as any Tree Communities or Indigenous Trees regardless of size. The report shall be submitted to the Current Planning Section. The applicant shall not remove any trees without prior approval from the Community Development Director. All recommendations of the arborist report shall be implemented prior to the issuance of building permits for development on the project site. The arborist report shall specify measures including, but not limited to the following:

- To the extent feasible, trees anticipated for removal shall be removed outside of the nesting season for birds. Taking into account the nesting season for the white tailed kite, the nesting season shall be defined as February 1 to August 31.
- The project proponent shall plant replacement significant and/or indigenous tree species recommended by the County at a 3:1 ratio within the project site. See also Conditions No. 8.a and No. 8.b.

Facts in Support of the Findings:

The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures 4.3-1; 4.3-2; 4.3-3a and b; 4.3-4a, b, and c; and 4.3-6. The rationale for the above finding is set forth in 4.3.4, Biological Resources, of the EIR. In summary, implementation of these mitigation measures would ensure that impacts to vegetation, wildlife, special-status species, and sensitive natural communities, as a result of development of the proposed Project, would be less than significant.

**GEOLOGY AND SOILS**

**Impact 4.4-1**

Earth-moving activities associated with construction of the Proposed Project have the potential to result in soil erosion or the loss of topsoil. Construction of the Proposed Project would involve grading, clearing, and landscaping activities associated with the development of residential units, roadways, and corresponding infrastructure (including potable water lines and storm water and sewage conveyance lines). Construction would result in the temporary disturbance of soil and would expose disturbed areas to potential storm events, which could generate accelerated runoff, localized erosion, and sedimentation of local waterways. Vegetation clearing associated with the Proposed Project could remove obstacles to sediment transport and expose new soils. In addition, construction activities could expose soil to wind erosion effects that could adversely affect both on-site and nearby soils and the re-vegetation potential of the area. Soils at the project site are characterized as having moderate erosion hazards. Without implementation of erosion control measures and BMPs, there could be substantial soil erosion and loss of topsoil from the project site.

**Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

**Mitigation Measure 4.4-1a:**

Implementation of Condition No. 8.t (Mitigation Measure 4.6-1 from Section 4.6; Hydrology and Water Quality) to identify and implement erosion control BMPs within the Stormwater Pollution Prevention Plans (SWPPP) (as specified in Condition No. 9) prepared for construction activities in accordance with the State's Clean Water Act National Pollutant Discharge Elimination System (NPDES) general permit for construction activities. Implementation of these BMPs would ensure that temporary and short-term construction-related erosion impacts under the proposed project would be reduced to a less-than-significant level.

**Mitigation Measure 4.4-1b:**

The applicant shall submit an Erosion and Sediment Control Plan prior to the issuance of a grading permit "hard card" as required in Condition No. 9. This Erosion and Sediment Control Plan shall be prepared by a licensed civil engineer or certified professional soil erosion and sediment control specialist. The plan shall show the location of proposed vegetative erosion control measures, including landscaping and hydroseeding, and the location and details of all proposed drainage systems. The plan shall include sufficient engineering analysis to show that the proposed erosion and sediment control measures during pre-construction, construction, and post-construction are capable of controlling surface runoff and erosion, retaining sediment on the project site, and preventing pollution of runoff in compliance with the Clean Water Act.

**Impact 4.4-2**

The Proposed Project has the potential to result in structural damage and injury from seismic activity and related geologic hazards. Based on USGS mapping, there is a

90 percent probability that within the next 50 years, a magnitude of 6.0 or greater earthquake will affect the project site (USGS, 2009). Richter magnitude of 6.0 earthquakes correspond to MMI values of VII to VIII, which would result in slight damage to specially designed structures, and moderate damage to buildings not designed for seismically active areas. Although potential damage to people or structures from seismic ground shaking could be a concern, compliance with the CBC would require the site's seismic-design response spectrum to be established and incorporated into the design of all new structures. Structures and utilities would be designed to withstand seismic forces per CBC requirements. The CBC specifies that all proposed structures on the project site should be able to: resist minor earthquakes without damage; resist moderate earthquakes without structural damage but with some nonstructural damage; and resist major earthquakes without collapse but with some structural as well as nonstructural damage. These construction standards would minimize the seismic ground shaking effects on developed structures; therefore, impacts related to ground shaking are less than significant and no mitigation is required.

It is anticipated that approximately 46,500 cubic yards of soil and bedrock will be excavated within the site, and approximately 20,000 cubic yards may be used as engineered fill on-site. If this fill material is determined to be unsuitable for use on-site, soils from other sources in the project vicinity would be utilized. With the incorporation of mitigation, fill materials would be tested to ensure their stability for use on the project site and placement of fill would be monitored to ensure compliance with all State and local requirements. Before a building permit can be issued for any structure, the Project applicant must submit a detailed Geotechnical Investigation to the building department (County General Plan Policy 15.21). The recommendations of the qualified engineering geologist in the geotechnical investigation will be incorporated into the project design. In addition, the applicant will comply with the San Mateo regulations for excavating, grading, filling, and clearing (San Mateo County Ordinance Code Section 8600 et seq.) by applying for a Grading Permit and implementing the BMPs therein.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.4-2a:

Grading and building designs, including foundation requirements, shall be consistent with the findings of the geotechnical investigation, the California Code of Regulations, and the California Building Code.

Mitigation Measure 4.4-2b:

The applicant shall comply with all recommendations contained within the site-specific geotechnical investigation conducted by Michelucci and Associates (2013) (FEIR; Appendix E).

Mitigation Measure 4.4-2c:

The applicant shall retain a qualified engineering geologist to ensure all grading and

installation of fill is performed under the observation of the qualified engineering geologist.

### **Impact 4.4-3**

The Proposed Project could potentially result in shallow landslides due to the depth of unconsolidated colluvium on the project site. The underlying sandstone bedrock of the Franciscan formation is very stable underneath the project site, meaning there is a low probability of deep-seated bedrock landslides. The unconsolidated colluvial material above the bedrock can be very deep in areas (at least a 5-foot depth on average and up to a maximum of 15 feet). Deep, unconsolidated material combined with the steep slopes on the flanks of the knoll can create a shallow landslide hazard. Shallow landslides are typically caused by improper grading and placement of structural fill, loading of the top of a slope, seismic activity, and changes in pore pressure of the soil caused by increased drainage in the slope.

#### **Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

#### **Mitigation Measure 4.4-3a:**

Implement Condition No. 8.u (Mitigation Measure 4.6-2 from Section 4.6; Hydrology and Water Quality) to ensure that the site stormwater drainage system (including individual systems for each residence) shall not allow discharge of uncontrolled runoff onto the site slopes. Concentrated runoff shall not be allowed to flow over graded slopes or areas of thick soil, colluviums, or fill. See Condition No. 12 for additional requirements.

#### **Mitigation Measure 4.4-3b:**

Implement Condition No. 8.q (Mitigation Measure 4.4-2c) to ensure the recommendations of the geotechnical investigation regarding sub-drains and surface drainage are included in the project design.

#### **Facts in Support of the Findings:**

The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures 4.4-1a and b; 4.4-2a, b, and c; and 4.4-3a and b. The rationale for the above finding is set forth in Section 4.4, Geology & Soils, of the EIR. In summary, implementation of these mitigation measures would ensure that geotechnical impacts, as a result of development of the proposed Project, would be less than significant.

## **HYDROLOGY & WATER QUALITY**

### **Impact 4.6-1**

Construction activities could substantially degrade surface water and/or groundwater

quality, which could violate water quality standards. Construction of the Proposed Project would involve grading, clearing, and landscaping activities associated with the development of residential units, roadways, and corresponding infrastructure (including potable water lines and storm water and sewage conveyance lines). Construction would result in the temporary disturbance of soil and would expose disturbed areas to potential storm events, which could generate accelerated runoff, localized erosion, and sedimentation of local waterways. Disturbed areas and stockpiled soils exposed to winter rainfall could lead to sediment discharge into surface waters, resulting in a degradation of water quality. In addition, construction equipment and materials have the potential to leak, thereby discharging additional pollutants into local waterways. Pollutants potentially include particulate matter, sediment, oils, and greases and construction supplies such as concrete, paints and adhesives. Changes to drainage patterns resulting from construction activities could result in discharge of these pollutants into surface waterways causing an exceedance of water quality objectives, which could adversely impact beneficial uses of downstream water resources. The Proposed Project is required to comply with the most recent version of the California NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ), which mandates the development and implementation of a SWPPP. Additionally, implementation of the Proposed Project requires obtaining a San Mateo County Grading Permit, which includes the development of a site-specific Erosion and Sediment Control Plan.

#### Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

#### Mitigation Measure 4.6-1:

The applicant shall comply with the State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Stormwater Runoff Associated with Construction Activity (General Permit). The SWRCB requires that all construction sites have adequate control measures to reduce the discharge of sediment and other pollutants to streams to ensure compliance with Section 303 of the Clean Water Act. To comply with the NPDES permit, the applicant will file a Notice of Intent with the SWRCB and prepare a SWPPP prior to construction, which includes a detailed, site-specific listing of the potential sources of stormwater pollution; pollution prevention measures (erosion and sediment control measures and measures to control non-stormwater discharges and hazardous spills) to include a description of the type and location of erosion and sediment control BMPs to be implemented at the project site; and a BMPs monitoring and maintenance schedule to determine the amount of pollutants leaving the proposed project site. A copy of the SWPPP must be current and remain on the project site. Control measures are required prior to and throughout the rainy season. Water quality BMPs identified in the SWPPP shall include, but are not limited to, the following:

- Temporary erosion control measures (such as silt fences, staked straw bales, and temporary revegetation) shall be employed for disturbed areas. No disturbed surfaces will be left without erosion control measures in place during the winter and spring months.
- Sediment shall be retained on-site by detention basins, on-site sediment traps, or other appropriate measures.
- A spill prevention and countermeasure plan shall be developed which would identify proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used on-site. The plan shall also require the proper storage, handling, use, and disposal of petroleum products.
- Construction activities shall be scheduled to minimize land disturbance during peak runoff periods and to the immediate area required for construction. Soil conservation practices shall be completed during the fall or late winter to reduce erosion during spring runoff. Existing vegetation will be retained where possible. To the extent feasible, grading activities shall be limited to the immediate area required for construction.
- Surface water runoff shall be controlled by directing flowing water away from critical areas and by reducing runoff velocity. Diversion structures such as terraces, dikes, and ditches shall collect and direct runoff water around vulnerable areas to prepared drainage outlets. Surface roughening, berms, check dams, hay bales, or similar devices shall be used to reduce runoff velocity and erosion.
- Sediment shall be contained when conditions are too extreme for treatment by surface protection. Temporary sediment traps, filter fabric fences, inlet protectors, vegetative filters and buffers, or settling basins shall be used to detain runoff water long enough for sediment particles to settle out.
- Construction materials, including topsoil and chemicals, shall be stored, covered, and isolated to prevent runoff losses and contamination of groundwater.
- Topsoil removed during construction shall be carefully stored and treated as an important resource. Berms shall be placed around topsoil stockpiles to prevent runoff during storm events.
- Establish fuel and vehicle maintenance areas away from all drainage courses and design these areas to control runoff.
- Disturbed areas shall be revegetated after completion of construction activities.
- All necessary permits and approvals shall be obtained.
- Provide sanitary facilities for construction workers.

#### **Impact 4.6-2**

Urban runoff resulting from the development of impervious surfaces and urban land uses on the project site have the potential to degrade water quality and violate water quality standards or waste discharge requirements. The Proposed Project has the potential to violate water quality standards during operation. The conversion of land would increase the amount of impervious surfaces, which would alter the existing drainage pattern of the project site and could result in increased runoff flows that could

lead to increased soil erosion or sedimentation to local surface waters. During storm events, rainwater collects atmospheric pollutants and, upon surface impact, gathers roadway contaminant deposits including oxygen-consuming constituents, suspended solids/particulates, nutrients, heavy metals, trace organics, and microorganisms. The increase in vehicular traffic and roadway surfaces on the project site would increase the level of contaminants in stormwater runoff. In addition, residential land uses typically result in the use of various household products that often are deposited into the drainage system both directly by pouring oil down a storm drain or indirectly by fertilizer and pesticide runoff into storm drains. Landscaped areas typically result in the use of pesticides, herbicides, and fertilizers. Urban runoff might include waste associated with typical residential uses including: motor oil; grease; paints; solvents; trace metals from pavement runoff; nutrients and bacteria from pet wastes; and landscape maintenance debris that may be mobilized in wet-season storm runoff from housing and roadway areas, parking areas, and in dry-season “nuisance flows” from landscape irrigation. Potential adverse impacts to local surface waters include an exceedance of surface water quality objectives resulting in sedimentation, eutrophication, and accumulation of pollutants in sediments and benthic organisms, and harm to native species.

In Order No. 99-059, adopted July 21, 2004, the SFBWQCB amended the SMCWPPP NPDES Permit to incorporate specific new development and redevelopment requirements (SFBWQCB, 2004). 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, including 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, as described in C.3 Provisions of the NPDES permit. 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.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.6-2a:

Prior to the recordation of the final subdivision map, a maintenance agreement shall be developed between the County and the Homeowners Association (HOA) or equivalent entity requiring the HOA or equivalent entity to complete the following tasks and provide the following information on a routine basis. These requirements apply only to the bioretention treatment system area of the project site and are as follows:

- Maintenance of soils and plantings, including routine pruning, mowing, irrigation, replenishment of mulch, weeding, and fertilizing with a slow-release fertilizer with trace elements.
- Removal of obstructions and trash from bioretention areas.
- Use of only pesticides and fertilizers that are accepted within the integrated pest management approach for use in the bioretention areas.
- Repair of erosion at inflow points.
- Monthly review and inspection of bioretention areas for the following:
  - Obstruction of trash,
  - If ponded water is observed, the surface soils shall be removed and replaced and sub-drain systems inspected, and
  - Condition of grasses.
- Distribution of the following:
  - A copy of the stormwater management plans shall be made available to personnel in charge of facility maintenance and shall be distributed to the subcontractor representative engaged in the maintenance or installation of the bioretention system, and
  - Material presented in the integrated pest management program will be made available to personnel in charge of facility maintenance and shall be distributed to the subcontractor representative engaged in the maintenance or installation of the bioretention system.

Mitigation Measure 4.6-2b:

Prior to recordation of the final subdivision map, a maintenance agreement shall be developed between the County and the HOA or equivalent entity requiring the HOA or equivalent entity to complete the following tasks and provide the following information on a routine basis. These requirements apply to all common areas of the project site and are as follows:

- Drainage inlets shall be inspected monthly and kept clean of any trash that may have accumulated. It is the responsibility of the property manager/owner to have those inspections performed, documented, and any repairs made.
- Landscape areas shall be covered with plants or some type of ground cover to minimize erosion. No areas are to be left as bare dirt that could erode. Mounding slopes shall not exceed two horizontal to one vertical.
- Pesticides and fertilizers shall be stored as hazardous materials and in appropriate packaging; over spraying onto paved areas shall be avoided when applying fertilizers and pesticides. Pesticides and fertilizers shall be prohibited from being stored outside.
- Landscape areas shall be inspected and all trash picked up and obstruction to the drainage flow removed on a monthly basis minimum. The project site shall be designed with efficient irrigation and drainage to reduce pesticide use. Plants shall be selected based on size and situation to reduce maintenance and routine pruning.
- Integrated pest management information shall be provided to the building management.

#### Mitigation Measure 4.6-2c:

Infiltration systems shall be designed in accordance with the following procedures outlined in the California Stormwater Best Management Practice Handbooks to reduce runoff and restore natural flows to groundwater:

- Biofilters and/or vegetative swale drainage systems will be installed at roof downspouts for all buildings on the project site, allowing sediments and particulates to filter and degrade biologically.
- Structural source controls, such as covers, impermeable surfaces, secondary containment facilities, runoff diversion berms, sediment, and grease traps in parking areas will be installed.
- Designated trash storage areas will be covered to protect bins from rainfall.

#### Impact 4.6-3

Development of the Proposed Project would substantially alter the existing drainage patterns and may cause flows to exceed the capacity of existing stormwater drainage systems, result in substantial pollution on- or off-site, or result in flooding on-or off-site. Assuming the maximum allowable development footprint would be developed, the Proposed Project will create approximately 2.1 acres of impervious surfaces through construction of residences, driveways, roads, and sidewalks. The existing drainage system on the project site is able to accommodate the current pre-development runoff, with two exceptions. During rainfall events, discharge exceeds the capacity of the stormwater drain pipe that cross Ascension Drive at Enchanted Way (15 inch diameter, 2 percent slope) and the outfall stormwater drain pipe that crosses Polhemus Road (30-inch, 1.3 percent slope). This conclusion was based on hydrological calculations performed using the Rational Method ( $Q=C*I*A$ ) for 10-year storm events, as required by the County's "Guidelines for Drainage Review." The Proposed Project would include an on-site stormwater drainage system designed and sized such that runoff from the Proposed Project will be released at pre-development rates. Each individual lot will have its own separate stormwater retention system that will be oversized to accommodate runoff from the on-site private street. The system will meter discharge from each individual lot to the collective on-site storm drainage system, which consists of underground pipes, inlets, drainage structures and retention systems, concrete valley gutters, and a bioretention treatment system. The bioretention treatment system is a CDS hydrodynamic separator runoff treatment device designed to remove as many pollutants as possible, including small sedimentation particles. Given the long retention time of the proposed stormwater retention systems per each individual lot, impacts to the existing system during peak flows will be minimized. However, the system requires regular maintenance to ensure proper performance.

Given the capacity of the proposed stormwater drainage system and ability to delay peak flows, the Proposed Project would have a minimal impact to the existing stormwater drain system. However, the systems are designed for a 10-year event. Should the rainfall exceed that of a 10-year event or should the system become intermittently clogged, the slope of the project site and surrounding areas is such that

water will run as overland flow and will drain into the nearby creek and thereby would neither pond on the project site nor flood adjacent properties.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.6-3a:

Prior to the recordation of the final subdivision map, a maintenance agreement shall be developed between the County and the HOA or equivalent entity requiring the HOA or equivalent entity to complete and provide the documentation of annual inspection and cleaning of each of the 19 individual lot storm drainage systems. The inspection shall be performed during the dry season and shall include removal of all trash and obstructions from area drains, cleanouts, and catch basins.

Mitigation Measure 4.6-3b:

The 15-inch diameter stormwater drain pipe flowing at 2 percent that crosses Ascension Drive at Enchanted Way shall be replaced with a 21-inch diameter pipe. The 30-inch diameter stormwater drain pipe flowing at 1.3 percent shall be replaced with a 36-inch diameter pipe sloped at 2 percent. Stormwater drain pipe infrastructure improvements shall adhere to all applicable regulations and ordinances.

**Impact 4.6-5**

Implementation of the Proposed Project would neither degrade groundwater quality nor substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. As stated in Section 4.6.2 of the Draft EIR, the project site does not contain a high groundwater table, as evidenced by project site surveys and test borings conducted on the project site. The soils on the project site are well-drained with a high runoff potential, which reduces the ability of the project site to contribute to groundwater recharge of the underlying basin. Increasing impervious surfaces on the project site as a result of implementation of the Proposed Project would not result in a significant decrease in groundwater infiltration. There are no aquifers below the site or in the vicinity of the project site. No pumping activities or drilling of groundwater wells are proposed with the Proposed Project. Potable water demands created by the project would be served by Cal Water, which is ultimately supplied by the Hetch Hetchy Reservoir.

**Mitigation Measures 4.6-1, 4.6-2a, and 4.6-2b**, which are protective of surface water quality, would also protect groundwater from potential contamination by pollutants. The Proposed Project would not impact groundwater quality.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Facts in Support of the Findings:

The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures 4.6-1; 4.6-2a, b, and c; and 4.6-3a and b. The rationale for the above finding is set forth in Section 4.6, Hydrology & Water Quality, of the EIR. Best Management Practices and a Stormwater Pollution Prevention Plan would reduce the amount of pollution from stormwater runoff at Project sites throughout the project site, and impacts to hydrology and water quality would be less than significant.

## **HAZARDS AND HAZARDOUS MATERIALS**

### **Impact 4.7-1**

Construction of the Proposed Project would include the routine transport, storage, and handling of hazardous materials, which have the potential to result in a public health or safety hazard from the accidental release of hazardous materials into the environment. During grading and construction activities, it is anticipated that limited quantities of miscellaneous hazardous substances, such as gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. would be brought onto the site. Temporary storage units (bulk above-ground storage tanks, 55-gallon drums, sheds/trailers, etc.) would likely be used by various contractors for fueling and maintenance purposes. As with any liquid and solid, the handling and transfer between one container to another has the potential for an accidental release. Construction contractors will be required to comply with applicable federal and State environmental and workplace safety laws. Adherence to these regulatory requirements would ensure that this impact is less than significant.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.7-1:

The project applicant shall ensure through the enforcement of contractual obligations that all contractors transport, store, and handle construction-required hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by the San Mateo County Planning and Building Department, Office of Environmental Health Services Division, and Office of Emergency Services. Recommendations may include, but are not limited to, transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using approved protocols.

### **Impact 4.7-2**

Construction of the Proposed Project has the potential to release hazardous materials into the environment through reasonably foreseeable upset or accident conditions, which may create a significant hazard. Underground utilities, such as water, sewer, electrical, and gas lines, may be located in the construction area of the project site. During the initial phases of construction of the Proposed Project, underground utilities could be encountered. Ground disturbance and excavation activities in areas with underground utilities could result in damage to those utilities, increasing the risk for explosion or release of hazardous materials into the environment. This is considered a potentially-significant impact.

#### **Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

#### **Mitigation Measure 4.7-2:**

The project applicant shall require through contractual obligations that the construction contractor(s) marks the areas planned to be disturbed in white paint and notify Underground Service Alert (USA) one week prior to the beginning of excavation activities. This will be completed so the entire construction area is properly surveyed in order to minimize the risk of exposing or damaging underground utilities. USA provides a free "Dig Alert" service to all excavators (contractors, homeowners and others), in northern California, and will automatically notify all USA Members (utility service providers) who may have underground facilities at their work site. In response, the USA Members will mark or stake the horizontal path of their underground facilities, provide information about, or give clearance to dig. This service protects excavators from personal injury and underground facilities from being damaged. The utility companies will be responsible for the timely removal or protection of any existing utility facilities located within construction areas.

### **Impact 4.7-3**

The Proposed Project has the potential to expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

#### *Construction*

Equipment used during grading and construction activities may create sparks, which could ignite dry grass on the project site. During construction, the use of power tools and acetylene torches may also increase the risk of fire hazard. This risk, similar to that found at other construction sites, is considered potentially significant.

#### *Operation*

The project site is located within the San Mateo County (County) Local Responsibility Area (LRA) produced by the California Department of Forestry and Fire Protection (Cal-

Fire). The Cal-Fire map designates the project site in a Very High Fire Hazard Severity Zone (VHFHSZ). Any buildings and infrastructure associated with the Proposed Project would be required to meet all applicable fire standards relating to construction quality, equipment access, and fire flow requirements. The County, the Uniform Building Code, and current Cal-Fire regulations adequately address issues related to wildland fires.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.7-3a:

The applicant shall ensure through the enforcement of contractual obligations to be contained within the Subdivision Improvement Agreement (Condition No. 21) that the following measures are implemented by contractors during project construction:

- Staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a firebreak.
- Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.

Mitigation Measure 4.7-3b:

The building plans of the proposed project shall be reviewed by a representative from County Fire/Cal-Fire to ensure that regulations in the County's Fire Ordinance are met and the project complies with County Fire/Cal-Fire requirements. The development of the proposed project shall be in compliance with Chapter 15 of the County General Plan with respect to residential uses adjacent to open space areas where wildfire is a threat, as well as Cal-Fire requirements (Condition No. 49).

Facts in Support of the Findings:

The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures 4.7-1; 4.7-2; and 4.7-3a and b. The rationale for the above finding is set forth in Section 4.7, Hazards and Hazardous Materials, of the EIR. Best Management Practices would prevent the dispersion of hazardous materials on the project site during construction and would prevent wildfires, and impacts related to hazards and hazardous materials would be less than significant.

## **NOISE AND VIBRATION**

### **Impact 4.8-1**

Construction of the Proposed Project has the potential to generate a substantial temporary or periodic noise level greater than existing ambient levels in the project vicinity. Noise levels as a result of construction would cause an exceedance of the

County's land use compatibility maximum level of 60 dBA for exterior residential land uses. Because of the nature of construction activities of the Proposed Project and the location of the project site, feasible noise mitigation for consistently reducing the noise levels below the 60-dBA threshold is unavailable. As a result, temporary substantial noise increases associated with project construction would be considered potentially significant. However, in accordance with the County Noise Ordinance 4.88.360, noise from construction activities occurring during the hours specified in Mitigation Measure 4.8-1 is exempt from the 60-dBA noise threshold.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.8-1:

The project applicant shall ensure through contractual agreements to be contained within the Subdivision Improvement Agreement (Condition No. 21) that the following measures are implemented during construction:

- Construction activities shall be limited to occur between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and 9:00 a.m. and 5:00 p.m. on Saturdays. Construction activities shall not occur on Sundays, Thanksgiving, or Christmas. The intent of this measure is to prevent construction activities during the more sensitive time period and minimize the potential for effects.
- Stationary equipment and staging areas shall be located as far as practical from noise-sensitive receptors.
- All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and acoustical shields or shrouds, in accordance with manufacturers' recommendations.
- Construction activities shall conform to the following standards: (a) there shall be no start-up of machines or equipment, no delivery of materials or equipment, no cleaning of machines or equipment and no servicing of equipment except during the permitted hours of construction; (b) radios played at high volume, loud talking and other forms of communication constituting a nuisance shall not be permitted.
- The general contractors for all construction activities shall provide a contact number for citizen complaints and a methodology for dealing with such complaints such as designating a noise disturbance coordinator. This noise disturbance coordinator shall receive all public complaints about construction-related noise and vibration, shall be responsible for determining the cause of the complaint, and shall implement any feasible measures to be taken to alleviate the problem. All complaints and resolution of complaints shall be reported to the County weekly.

### Facts in Support of the Findings:

The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measure 4.8-1. The rationale for the above finding is set forth in Section 4.8, Noise and Vibration, of the EIR. Best Management Practices would reduce the exempt construction noise impact to the extent feasible and reasonable.

## **PUBLIC SERVICES, UTILITIES, AND RECREATION**

### **Impact 4.10-2**

The Proposed Project would require the construction of new and the relocation of existing water supply facilities, the construction of which could cause significant environmental effects. The increase in population due to the Proposed Project is consistent with population projections contained in the 2010 Urban Water Management Plan. As discussed in Section 4.10.2 of the Draft EIR, water supply is projected to fall short of water demand in single and multiple dry years. The California Water Service Company (Cal Water) Bayshore District (BSD) (also known as Mid-Peninsula District) anticipates meeting water demands in dry years by implementing its Water Shortage Contingency Plan, which is a series of procedures and outreach strategies designed to reduce customer demand. Mitigation Measure 4.10-2a is included below to ensure that the Proposed Project would comply with the Water Shortage Contingency Plan.

Water from the existing storage tank would be used to supply the proposed development. However, the existing water system does not have adequate pressure to supply peak day and peak hour water demands of the Proposed Project. Additionally, the existing water mains and associated Cal Water easements are located in areas proposed for development of individual residential lots.

### Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

### Mitigation Measure 4.10-2a:

Residents of the proposed project shall comply with all requirements of Cal Water's Water Shortage Contingency Plan as mandated by Cal Water and BSD. These requirements may include, but are not limited to the following that shall be contained within an HOA agreement:

- Voluntarily reduce water consumption at single-family residences;
- Adhere to the minimum allocation given to single-family residential customers or pay penalty rate applied to service bill for use that is in excess of customer's allocation; and/or
- Comply with orders prohibiting the use of water for specific activities, such as a prohibition of potable water use for landscape irrigation.

**Mitigation Measure 4.10-2b:**

Pumping facilities shall be installed at the existing water tank owned by Cal Water to provide adequate water pressure for residential and fire protection uses. Cal Water shall be contacted to review pumping facilities design and ensure compliance with applicable standards. The project applicant shall be responsible for covering the cost of the development of these facilities prior to the recordation of the final subdivision map.

**Mitigation Measure 4.10-2c:**

Two existing water mains shall be relocated such that they are within the right-of-way of the proposed private street or at the property boundary so as to allow ease of maintenance of the water mains. Prior to the issuance of a grading permit "hard card," a new Cal Water easement shall be established that meets with the approval of Cal Water to the project site to replace the existing Cal Water easements. The two water mains include an 8-inch diameter water main connecting the water tank to the water main located on Parrot Drive and a 10-inch diameter water main connecting the water tank to the water main located on Bel Aire Drive.

**Impact 4.10-3**

The Proposed Project would exceed the wet weather capacity of the wastewater conveyance system and would require upgrades to existing wastewater treatment facilities, the construction of which could cause significant environmental effects. Sewer pipelines within the Town of Hillsborough and the City of San Mateo that would serve the Proposed Project have capacity issues during wet weather events. The additional wastewater generated by the Proposed Project would exacerbate these issues. Additionally, the Proposed Project cannot connect to the sewer system and associated wastewater treatment plant (WWTP) unless the project applicant commits to and completes construction of improvements to reduce inflow and infiltration to the sanitary sewer system such that the new project would result in a zero net increase of inflow during wet weather events.

**Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

**Mitigation Measure 4.10-3:**

The applicant shall offset the increase in sewer flow generated by the proposed project by reducing the amount of existing Inflow and Infiltration (I&I) into the CSCSD sewer system. The offset amount shall achieve a zero net increase in flow during wet weather events with implementation of the proposed project. This shall be achieved through the construction of improvements to impacted areas of the sewer system, with construction plans subject to CSCSD approval and required to be in compliance with applicable regulatory requirements. Construction of improvements, as approved by the CSCSD, shall be completed prior to the recordation of the final subdivision map.

#### **Impact 4.10-4**

The Proposed Project would require the expansion of existing stormwater drainage facilities, the construction of which would cause significant environmental effects. Development of the Proposed Project would substantially alter existing drainage patterns and may cause flows to exceed the capacity of existing stormwater culverts. The existing drainage system on the project site is able to handle the current pre-development runoff, with two exceptions. During rainfall events, discharge exceeds the capacity of the stormwater drain pipe that crosses Ascension Drive at Enchanted Way (15-inch diameter, 2 percent slope) and the outfall stormwater drain pipe that crosses Polhemus Road (30-inch diameter, 1.3 percent slope). Mitigation Measure 4.6-3b is included to increase the capacity of the existing stormwater drainage system and ensure that the construction of such infrastructure upgrades would not result in a significant environmental effect. Furthermore, as discussed in Section 4.6.4 of the Draft EIR, the Proposed Project would include an on-site stormwater drainage system designed and sized such that runoff from the Proposed Project will be released at pre-development rates. Each individual lot will have its own separate stormwater retention system that will meter discharge from each individual lot to the collective on-site storm drainage system. Mitigation Measure 4.6-3a is included to ensure proper maintenance of each lot's individual stormwater retention system. In the cumulative scenario, the amount of stormwater drainage from the Proposed Project would not increase, and other cumulative development projects would be subject to local, State, and federal regulations designed to minimize cumulative impacts, including those impacts related to stormwater drainage.

#### **Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

#### **Impact 4.10-5**

The Proposed Project would generate a demand for fire protection services, which could require the construction of new or expanded facilities that may cause significant environmental impacts.

#### ***Construction***

Construction of the Proposed Project would introduce additional potential sources of fire to the project site that could result in the need for fire-fighting services. Construction activities would be temporary in nature and are anticipated to occur periodically over a 27-month period. Equipment used during grading and periodic construction activities may create sparks, which could ignite dry grass on the project site. During construction, the use of power tools and acetylene torches may also increase the risk of fire hazard. In addition, medical emergencies could result from construction-related accidents, which could result in a response from fire protection services. Strict fire and personnel safety requirements and standards, typical of the industry, would be included in the

construction contractor's contract. Additionally, implementation of Mitigation Measure 4.7-3 would reduce the risk of wildland fires during construction to a less-than-significant level. Therefore, construction of the Proposed Project would not strain the San Mateo City Fire Department or County Fire/ Cal-Fire such that the construction of new or expanded facilities would be required and the potential impact would be less than significant with mitigation.

#### *Operation*

The Proposed Project includes a residential community that would be constructed on a project site that is currently uninhabited and undeveloped open space. Residential uses require a higher level of fire protection services compared to open space, due to the increased number of emergency calls and higher associated fire risk. Increased calls for service could decrease area response times as well as strain fire protection resources, which could result in the need to construct new or expanded facilities to meet demands. The Proposed Project would be designed to minimize service demands on the San Mateo City Fire Department and County Fire/Cal-Fire; these design features include the installation of fire hydrants, access roads without physical barriers, and water service to provide adequate fire flow. Mitigation Measure 4.10-2a, discussed above, would ensure adequate water pressure for fire protection services. All buildings would be built to the current California Building Code and California Fire Code. Additionally, per the alternate materials and methods request of County Fire/Cal-Fire, fire sprinklers for all structures within the proposed development would have a higher discharge thereby further alleviating impacts to fire protection services; Mitigation Measure 4.10-5 is included to ensure installation of this type of fire sprinkler.

#### Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

#### Mitigation Measure 4.10-5:

The applicant shall ensure that fire sprinklers with appropriate flow rates are installed for all structures that would be developed as a part of the proposed project, per County Fire/Cal-Fire's alternate materials and methods request.

#### Facts in Support of Findings:

The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures 4.10-2a, b, and c; 4.10-3; and 4.10-5. The rationale for the above finding is set forth in Section 4.10, Public Services, of the EIR. In summary, implementation of these mitigation measures would ensure that impacts of public services as a result of development of the proposed Project would be less than significant.

## **TRANSPORTATION AND CIRCULATION**

### **Impact 4.11-3**

Implementation of the Proposed Project would not conflict with adopted policies, plans, or programs, including those related to safety and performance, regarding public transit, bicycle, and pedestrian facilities but does have the potential develop unsafe pedestrian and bicycle facilities. The Proposed Project would result in an increase in bicycle and pedestrian trips in the vicinity of the project site by residents and visitors. The Proposed Project may also result in an increase in demand for mass transit service. However, the Proposed Project is not anticipated to hinder and would not eliminate any existing bikeways or pedestrian way or interfere with the implementation of the planned bicycle and pedestrian improvements in the project study area. Likewise, the Proposed Project would not interfere with mass transit systems, and the level of transit usage generated by the Proposed Project is not anticipated to exceed the capacity of the available and planned transit system in the project study area and the region. The Proposed Project would provide off-street sidewalks along all new roadways. Such provisions would result in enhanced pedestrian connectivity between the existing neighborhoods to the north and west of the project site. The project is not anticipated to result in unsafe condition for pedestrians and bicyclists; to ensure pedestrians' and bicyclists' safety at night on the project site, Mitigation Measure 4.11-3 is provided.

#### **Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

#### **Mitigation Measure 4.11-3:**

Either provide street lighting on the private streets to a level of 0.4 minimum maintained average foot-candles with a uniformity ratio of 6:1, average to minimum or ensure street lighting is consistent with safety standards of the County-governed Bel Aire Lighting District.

### **Impact 4.11-4**

Implementation of the Proposed Project has the potential to substantially increase hazards due to the design of the new private street and proposed intersection with Bel Aire Drive. The Proposed Project includes development of a new private street on the project site to provide access to all proposed residences. The private street would connect with Bel Aire Road at the northern corner of the project site via a new intersection. The paved area of the private street would be approximately 36 feet wide, providing 22 feet for two travel lanes (11 feet per lane) and 14 feet for parallel parking spaces (7 feet per side). Street grades would range from 11 to 19 percent; any street with a slope greater than 15 percent would be constructed of concrete whereas all other streets would be asphalt. Figure 3-6 of the Draft EIR (Private Street Cross Sections) provides a diagram. The private street and intersection would be developed in accordance with applicable County standards. Mitigation Measure 4.11-4 is included to

ensure a safe sight distance at the proposed new intersection.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.11-4:

Within the corner sight triangles at the new street intersection, there should be no walls, fencing, or signs that would obstruct visibility. Trees should be planted so as to not create a “wall” effect when viewed at a shallow angle. The type of shrubbery planted within the triangles should be such that it will grow no higher than 3 feet above the adjacent roadway surface. Trees planted within the sight triangle areas should be large enough that the lowest limbs are at least 7 feet above the surface of the adjacent roadway. Street parking should be prohibited within the bounds of the sight triangle, as well as within the fire hammerhead turnarounds.

Facts in Support of Findings:

The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures 4.11-3 and 4.11-4. The rationale for the above finding is set forth in Section 4.11, Transportation and Circulation, of the Draft EIR. In summary, implementation of these mitigation measures would ensure that traffic impacts as a result of development of the Proposed Project would be less than significant.

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## 2015 Planning Commission Workflow Calendar

Planning Commission Meeting Date	Draft Agenda Request, Graphics & Staff Report to Sr. Planner	Staff Report to WPC Graphics-L Drive	Agenda Request to PC Secretary, Staff Report to Diana Shu and Tim Fox	County Counsel Office Hours Report Review	Draft Graphics & Staff Report to Director	SM Times Ad published	Staff Report Mail & web , HMB Review Ad published	PowerPoint to PC Secretary	Appeals Accepted till 5:00 pm
Wednesday	Wednesday	Monday	Friday	Tuesday	Tuesday	Saturday	Wednesday	Tuesday, noon	Wed/Thurs
1/14/15 <sup>1</sup>	11/26/14	12/8/14	12/12/14	12/16/14	12/23/14	1/3/15	1/7/15	1/13/15	1/28/15
1/28/15 <sup>2</sup>	12/10/14	12/22/14	12/26/14	1/6/15	1/13/15	1/17/15	1/21/15	1/27/15	2/11/15
2/11/15	12/31/14	1/12/15	1/16/15	1/20/15	1/27/15	1/31/15	2/4/15	2/10/15	2/26/15
2/25/15	1/14/15	1/26/15	1/30/15	2/3/15	2/10/15	2/14/15	2/18/15	2/24/15	3/11/15
3/11/15	1/28/15	2/9/15	2/13/15	2/17/15	2/24/15	2/28/15	3/4/15	3/10/15	3/25/15
3/25/15	2/11/15	2/23/15	2/27/15	3/3/15	3/10/15	3/14/15	3/18/15	3/24/15	4/8/15
4/8/15	2/25/15	3/9/15	3/13/15	3/17/15	3/24/15	3/28/15	4/1/15	4/7/15	4/22/15
4/22/15	3/11/15	3/23/15	3/27/15	3/31/15	4/7/15	4/11/15	4/15/15	4/21/15	5/6/15
5/13/15	4/1/15	4/13/15	4/17/15	4/21/15	4/28/15	5/2/15	5/6/15	5/12/15	5/28/15
5/27/15	4/15/15	4/27/15	5/1/15	5/5/15	5/12/15	5/16/15	5/20/15	5/26/15	6/10/15
6/10/15	4/29/15	5/11/15	5/15/15	5/19/15	5/26/15	5/30/15	6/3/15	6/9/15	6/24/15
7/8/15	5/27/15	6/8/15	6/12/15	6/16/15	6/23/15	6/27/15	7/1/15	7/7/15	7/22/15
7/22/15	6/10/15	6/22/15	6/26/15	6/30/15	7/7/15	7/11/15	7/15/15	7/21/15	8/5/15
8/12/15	7/1/15	7/13/15	7/17/15	7/21/15	7/28/15	8/1/15	8/5/15	8/11/15	8/26/15
8/26/15	7/15/15	7/27/15	7/31/15	8/4/15	8/11/15	8/15/15	8/19/15	8/25/15	9/10/15
9/9/15	7/29/15	8/10/15	8/14/15	8/18/15	8/25/15	8/29/15	9/2/15	9/8/15	9/23/15
9/23/15	8/12/15	8/24/15	8/28/15	9/1/15	9/8/15	9/12/15	9/16/15	9/22/15	10/7/15
10/14/15	9/2/15	9/14/15	9/18/15	9/22/15	9/29/15	10/3/15	10/7/15	10/13/15	10/28/15
10/28/15	9/16/15	9/28/15	10/2/15	10/6/15	10/13/15	10/17/15	10/21/15	10/27/15	11/12/15
11/4/15	9/23/15	10/5/15	10/9/15	10/13/15	10/20/15	10/24/15	10/28/15	11/3/15	11/19/15
12/2/15	10/21/15	11/2/15	11/6/15	11/10/15	11/17/15	11/21/15	11/25/15	12/1/15	12/16/15
12/9/15	10/28/15	11/9/15	11/13/15	11/17/15	11/24/15	11/28/15	12/2/15	12/8/15	12/23/15
<b>Time line</b>	<b>T minus 6 weeks</b>	<b>T minus 4 weeks</b>	<b>T minus 4 weeks</b>	<b>T minus 3 weeks</b>	<b>T minus 2 weeks</b>	<b>T minus 11 days</b>	<b>T minus 1 week</b>	<b>T minus 1 day</b>	<b>10 business days</b>

<sup>1</sup> Date reserved for Big Wave, evening meeting on the coast. Consent is OK.

<sup>2</sup> Date reserved for Ascension Heights, evening meeting in the Highlands. Consent is OK.

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2/11/15	12/31/14	1/12/15	1/16/15	1/20/15	1/27/15	1/31/15	2/4/15	2/10/15	2/26/15
2/25/15	1/14/15	1/26/15	1/30/15	2/3/15	2/10/15	2/14/15	2/18/15	2/24/15	3/11/15
3/11/15	1/28/15	2/9/15	2/13/5	2/17/15	2/24/15	2/28/15	3/4/15	3/10/15	3/25/15
3/25/15	2/11/15	2/23/15	2/27/15	3/3/15	3/10/15	3/14/15	3/18/15	3/24/15	4/8/15
4/8/15	2/25/15	3/9/15	3/13/15	3/17/15	3/24/15	3/28/15	4/1/15	4/7/15	4/22/15
4/22/15	3/11/15	3/23/15	3/27/15	3/31/15	4/7/15	4/11/15	4/15/15	4/21/15	5/6/15
5/13/15	4/1/15	4/13/15	4/17/15	4/21/15	4/28/15	5/2/15	5/6/15	5/12/15	5/28/15
5/27/15	4/15/15	4/27/15	5/1/15	5/5/15	5/12/15	5/16/15	5/20/15	5/26/15	6/10/15
6/10/15	4/29/15	5/11/15	5/15/15	5/19/15	5/26/15	5/30/15	6/3/15	6/9/15	6/24/15
7/8/15	5/27/15	6/8/15	6/12/15	6/16/15	6/23/15	6/27/15	7/1/15	7/7/15	7/22/15
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8/26/15	7/15/15	7/27/15	7/31/15	8/4/15	8/11/15	8/15/15	8/19/15	8/25/15	9/10/15
9/9/15	7/29/15	8/10/15	8/14/15	8/18/15	8/25/15	8/29/15	9/2/15	9/8/15	9/23/15
9/23/15	8/12/15	8/24/15	8/28/15	9/1/15	9/8/15	9/12/15	9/16/15	9/22/15	10/7/15
10/14/15	9/2/15	9/14/15	9/18/15	9/22/15	9/29/15	10/3/15	10/7/15	10/13/15	10/28/15
10/28/15	9/16/15	9/28/15	10/2/15	10/6/15	10/13/15	10/17/15	10/21/15	10/27/15	11/12/15
11/4/15	9/23/15	10/5/15	10/9/15	10/13/15	10/20/15	10/24/15	10/28/15	11/3/15	11/19/15
12/2/15	10/21/15	11/2/15	11/6/15	11/10/15	11/17/15	11/21/15	11/25/15	12/1/15	12/16/15
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<sup>2</sup> Date reserved for Ascension Heights, evening meeting in the Highlands. Consent is OK.

**From:** James Castaneda  
**To:** Laurel Nagle  
**CC:** Lisa Aozasa; Steve Monowitz  
**Date:** 1/28/2015 3:59 PM  
**Subject:** Re: Cal water

Hi Laurel,

So I checked in with Calwater this morning to have them check one more time the current plans, and they confirmed that the proposed relocation of the waterline ABOVE your property would be acceptable to them. They clarified that their response to the EIR in their letter from 2013 that they didn't see the preliminary utility plan that shows how they were going to reroute through the Ascension site. They just asking that a 20-foot easement be provided through the Ascension side, and that no structures be placed in that easement. That's reflected in their plans. Hope this answers this question. We'll see you this evening.

James

>>> On 1/27/2015 at 22:05, Laurel Nagle < > wrote:

Dear Lisa, James, and Steve,

It was so nice to have you visit yesterday. I hope the tour gave you a clearer understanding of our issues.

I realize that I already asked this but can you clarify the status of the Cal Water easement redesign? Cal Water has been adamant in the past that the pipe could not be moved. However, the Ascension Heights plans call for retrenching and several 90 degree turns. This runs next to our home, so we would like to know what Cal Water has decided.

I know it is busy, but this is very important to us.

Thanks,  
Laurel

Sent from my iPad

**From:** Heather Hardy  
**To:** Lisa Aozasa  
**Date:** 1/29/2015 1:35 PM  
**Subject:** Fwd: Ascension Heights Project Questions for Staff  
**Attachments:** Ascension Heights Project Questions for Staff

Hi Lisa,

I'm not sure what of this you can address before James' return on Wednesday, but I wanted to share it with you. I can take care of the arborist report part. Do you recommend that we redline and reissue the staff report for February 25?

Thanks,  
Heather

**From:** Laurie Simonson <  
**To:** Hardy Heather <hhardy@smcgov.org>  
**Date:** 1/29/2015 11:29 AM  
**Subject:** Ascension Heights Project Questions for Staff

Heather,

Thank you for all your efforts to organize the meeting last night. Because we will be having another hearing on the Ascension Heights project, I thought I'd run a few of my questions by staff before the next meeting. So here they are:

1. On page 26 of the staff report paragraph 8.d., there's a reference to a Subdivision Improvement Agreement. What is this? Is this a document that we will need to review?
2. On page 33 of the staff report, paragraph 8.u., in the second to the last paragraph the last – indicates "condition of grasses." I think that perhaps there should be some indication of what "condition" is desirable.
3. On page 37 of the staff report, paragraph 8.a.d., there is an acronym BSD. This acronym is not defined. What is it?
4. On page 2 of the Mitigation Monitoring and Reporting Plan Procedures, in the first paragraph, it states "The MMRP for Ascension Heights Subdivision Project will be in place throughout all phases of the project. What is the definition of "the project?" Is this just the construction? Or is it longer?
5. On page 4 of the Statement of Findings and Facts, Mitigation Measure 4.1–1 B, it would be helpful to know if the foot trails will be public.
6. On page 13 of the Statement of Findings and Facts, Impact 4.4–2, USGS is not defined. I'm assuming it's the US Geological Survey. However, it would be helpful to have that spelled out.
7. On page 14, in the first full paragraph CBC is not defined. Is this the California Building Code? Can this be spelled out?
8. On page 20, the last full paragraph, CDS is not defined. What is this?
9. On page 27, I do not completely understand Mitigation Measure 4.10–3. Is this the stormwater retention system?

I don't know if it's possible, but it might be helpful to produce a revised staff report with the changes redlined and the additional conditions of approval. Again, it would be helpful, but I understand if that's not possible.

Lastly, is it possible to get a copy of the arborist report that one of the residents had at the hearing? I'm not sure that we had previously seen that. Thank you again for all your help.

Laurie

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** LAozasa@smcgov.org  
**CC:** JCastaneda@smcgov.org; hhardy@smcgov.org  
**Date:** 1/30/2015 10:53 AM  
**Subject:** RE: Next Meeting  
**Attachments:** AES Proposal\_Additional Hearings\_Ascension Heights.pdf

Sorry for the delay, here you are!

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: Lisa Aozasa [mailto:laozasa@smcgov.org]  
Sent: Thursday, January 29, 2015 12:43 PM  
To: Trenton Wilson  
Cc: Heather Hardy; James Castaneda  
Subject: Re: Next Meeting

Hi Trent --

James forwarded your e-mail to me. Thanks for your help last night. It's looking like the next meeting will be February 25th at 9:00 a.m. here in Redwood City. My thought is that if at all possible, we would like to have you attend that meeting -- since that is when the Commissioners will likely have more detailed questions about the EIR, as they deliberate and make a decision, after hearing from all the neighbors. What would be helpful is if you could provide us with an estimate of what the charges would be for one additional PC meeting, and (just in case) one Board of Supervisors meeting as well, and we'll see what we can do. Thanks!

Lisa Aozasa  
Acting Deputy Director  
San Mateo County  
Planning & Building Department  
455 County Center  
Redwood City, CA. 94063  
laozasa@smcgov.org<mailto:laozasa@smcgov.org>  
Phone: 650/363-4852

>>> Trenton Wilson <twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>> 1/29/2015 11:22 AM >>>

We are out of budget and didn't have another planning commission in our scope. How would you like to proceed. I wish I could just come down but the powers that be won't let me.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

**From:** Heather Hardy  
**To:** James Castaneda  
**CC:** Lisa Aozasa  
**Date:** 2/4/2015 8:27 AM  
**Subject:** Fwd: Ascension Heights Project Questions for Staff  
**Attachments:** Ascension Heights Project Questions for Staff

Hi James,

It's so good to have you back! Commissioner Simonson expressed her sympathies on your loss, and she said that there's no hurry on these questions.

Thanks,  
Heather



**TO:** Lisa Aozasa, Acting Deputy Director  
San Mateo County  
Planning & Building Department  
455 County Center  
Redwood City, CA. 94063  
laozasa@smcgov.org

**FROM:** Mr. Trenton Wilson, Senior Project Manager

**DATE:** January 30, 2015

**RE: Cost Estimate for Continued CEQA Compliance Services**

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In accordance with the *Agreement Between the County of San Mateo and Analytical Environmental Services* dated May 7<sup>th</sup>, 2013 (Agreement), AES completed an Environmental Impact Report (EIR) for the Ascensions Heights Subdivision Project (County File number PLN2002-0517) and attended the Planning Commission Hearing on January 28, 2015 for the potential approval of the EIR and other project-related planning considerations. Due to the number of the commenters, the hearing was adjourned and set to reconvene on February 25, 2015. As noted in our scope of work presented in Exhibit C of the Agreement, AES budgeted for attendance of one Planning Commission hearing. AES has exhausted the budget presented in the Agreement and has completed the scope of services as contracted.

The County has requested AES present a budget to attend a second Planning Commission hearing scheduled for February 25, 2015 as well as a contingency budget to attend a Board of Supervisors meeting should the need for AES's presence arise.

#### **COST ESTIMATE FOR ADDITIONAL CEQA COMPLIANCE SERVICES**

1. AES will attend the February 25, 2015 Planning Commission hearing to be held at 9:00 a.m. in Redwood City for a not to exceed time and materials cost of **\$1,980**.
2. If requested, AES will attend a Board of Supervisors meeting at a time and place to be determined for a not to exceed time and materials cost of **\$1,980**.

#### **Assumptions**

- An attendance requirement of four (4) hours is anticipated for each event.
- Each meeting will be attended by the Senior Project Manager. Additional staff can attend if requested at an additional cost.

**From:** Laurie Simonson <  
**To:** Hardy Heather <hhardy@smcgov.org>  
**Date:** 1/29/2015 11:29 AM  
**Subject:** Ascension Heights Project Questions for Staff

Heather,

Thank you for all your efforts to organize the meeting last night. Because we will be having another hearing on the Ascension Heights project, I thought I'd run a few of my questions by staff before the next meeting. So here they are:

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Lastly, is it possible to get a copy of the arborist report that one of the residents had at the hearing? I'm not sure that we had previously seen that. Thank you again for all your help.

Laurie

**From:** Diana Shu  
**To:** James Castaneda; Lisa Aozasa  
**CC:** Christopher Vandrey  
**Date:** 2/4/2015 8:41 AM  
**Subject:** Re: Planning Sign off PLN2007-0169  
**Attachments:** 186 santiago.pdf

Hi James and Lisa

I looked thru my emails and found an email dated 1/22/15 from Christopher Vandrey.

Sorry, the email is a bit cryptic, as it directs you to a Condition Check. It took me a while to figure it out also. The tentative map and conditions of approval are under DOCs... in the DPW case for plan check but the condition check is located....DPW2015-00051 - under Reports (left sidebar)> Public Works> Condition Check

If you go to this case, you can print a report of the condition check (2 pages - one for DPW and one for PLN), sign the copy for Planning and Building, then scan it to Chris.

This will start the recordation process. Please make sure it has the correct Owner and Address and Planning Case (Chris please ask your staff to include the PLN case number in the title for reference or attach it as a related case to the PLN case for cross checking).

I've attached a copy here for your convenience.

You will want to confirm that ALL conditions required prior to recordation are correct, that the tentative map Chris used is the correct version, and that the notes as required in the conditions have been applied to the map. I have confirmed that all DPW conditions have been met and have sent him my copy of the condition check.

On upcoming subdivision cases, please remind the other planners to attach a copy of the final tentative map and final letter of decision to be attached to the associated planning case under DOCs so that when Chris and his team do a map check, they'll know where to find the information.

Please ask them to label the document as FINAL in Accela as their may be more than one document in the file.

If you can pass this information on to the other planners, it will help to make the process go smoother in the future.

Hope this helps  
Diana

Diana Shu  
dshu@smcgov.org  
650-599-1414

Please provide us with your feedback at:  
<https://www.surveymonkey.com/s/DPWTraffic>

>>> James Castaneda 2/4/2015 7:46 AM >>>

Good morning Diana. Mary-Ellen Yli-Sikkila contacted me about getting Planning sign off for the recordation of the map. Having one more look at their conditions, look like theyre all meet from my end. I've been checked out of this process given all my time on Ascension in the last few weeks, but what do you need from me as a "signoff"? Let me know so I can tell Mary Ellen I'm all done from my end. Thanks.

JAMES

**James A. Castañeda, AICP**

Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
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**COUNTY OF SAN MATEO  
DEPARTMENT OF PUBLIC WORKS**

555 County Center, 5th Floor  
Redwood City, CA 94063  
(650) 363-4100

For Map Checkers Use Only

Map Number: P1081

Owner: YLI-SIKKILA JARMO

Vicinity/Street: P.O. Box 5648 - 069262060

To: Public Works  
From: Christopher G Vandrey, PLS-Department of Public Works  
Subject: Parcel / Final Map for File No. DPW2015-00051  
Date: 02/04/2015

A Parcel / Final Map showing the proposed subdivision of the property covered by the Planning File Number shown above has been submitted to the Public Works office for review and has been found to be technically correct as to the information shown thereon.

Please confirm that all Department of Public Works conditions have been completed and indicate your approval to record this Map by signing below and returning this letter to my attention at the Department of Public Works.

Christopher G Vandrey, PLS

DPW Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**COUNTY OF SAN MATEO  
DEPARTMENT OF PUBLIC WORKS**

555 County Center, 5th Floor  
Redwood City, CA 94063  
(650) 363-4100

For Map Checkers Use Only

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Vicinity/Street: P.O. Box 5648 - 069262060

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Christopher G Vandrey, PLS

Planning Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**From:** James Castaneda  
**To:** Diana Shu; Lisa Aozasa  
**CC:** Christopher Vandrey  
**Date:** 2/4/2015 8:54 AM  
**Subject:** Re: Planning Sign off PLN2007-0169

Sorry, just to be clear cause I'm a bit confused, but for the sake of time on this case specifically, you want me:

1. Sign the attached verifying the conditions have been met
2. Attached the conditions of approval
3. Attached the final map (which I don't have)

Let me know if that sounds right.

>>> On 2/4/2015 at 08:41, Diana Shu <dshu@smcgov.org> wrote:

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Hope this helps  
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dshu@smcgov.org  
650-599-1414  
Please provide us with your feedback at:  
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>>> James Castaneda 2/4/2015 7:46 AM >>>

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Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

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**From:** Diana Shu  
**To:** James Castaneda; Lisa Aozasa  
**CC:** Christopher Vandrey  
**Date:** 2/4/2015 8:58 AM  
**Subject:** Re: Planning Sign off PLN2007-0169

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**From:** Christopher Vandrey  
**To:** Diana Shu; James Castaneda; Lisa Aozasa  
**CC:** Gilles Tourel; Zack Azzari  
**Date:** 2/4/2015 9:00 AM  
**Subject:** Re: Planning Sign off PLN2007-0169

*Chris please ask your staff to include the PLN case number in the title for reference or attach it as a related case to the PLN case for cross checking*

The PLN case number is in the subject line of the email. The DPW case number is in the body of the email for cross checking.

-Chris

>>> On 2/4/2015 at 8:41 AM, in message <54D24BBC.BE3 : 211 : 9419>, Diana Shu wrote:

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**From:** James Castaneda  
**To:** Diana Shu; Lisa Aozasa  
**CC:** Christopher Vandrey  
**Date:** 2/4/2015 9:04 AM  
**Subject:** Re: Planning Sign off PLN2007-0169

Do you have the final map? I don't have it.

And yes, in future with other subdivisions we could establish this procedure (Ill let Lisa speak to how we'll update the Planners to do this in the future). This project has been sitting for a number of years, so it hasn't been updated in this work flow. Again, I'm short on time today and this week, so I appreciate any help to make this specific case easier to get you what you need.

>>> On 2/4/2015 at 08:58, Diana Shu <dshu@smcgov.org> wrote:

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**From:** James Castaneda  
**To:** Diana Shu; Lisa Aozasa  
**CC:** Christopher Vandrey  
**Date:** 2/4/2015 9:14 AM  
**Subject:** Re: Planning Sign off PLN2007-0169  
**Attachments:** MX-M623N\_20150204\_094757.pdf

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**From:** Christopher Vandrey  
**To:** Diana Shu; James Castaneda; Lisa Aozasa  
**Date:** 2/4/2015 9:27 AM  
**Subject:** Re: Planning Sign off PLN2007-0169

James,  
Thank you very much.

-Chris

>>> On 2/4/2015 at 9:14 AM, in message <54D25386.CAE : 90 : 50255>, James Castaneda wrote:

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**COUNTY OF SAN MATEO  
DEPARTMENT OF PUBLIC WORKS**

555 County Center, 5th Floor  
Redwood City, CA 94063  
(650) 363-4100

For Map Checkers Use Only

Map Number: P1081

Owner: YLI-SIKKILA JARMO

Vicinity/Street: P.O. Box 5648 - 069262060

To: Department of Planning and Building  
From: Christopher G Vandrey, PLS-Department of Public Works  
Subject: Parcel / Final Map for File No. DPW2015-00051  
Date: 02/04/2015

A Parcel / Final Map showing the proposed subdivision of the property covered by the Planning File Number shown above has been submitted to the Public Works office for review and has been found to be technically correct as to the information shown thereon.

Please confirm that all Department of Public Works conditions have been completed and indicate your approval to record this Map by signing below and returning this letter to my attention at the Department of Public Works.

Christopher G Vandrey, PLS

Planning Signature: \_\_\_\_\_

Date: \_\_\_\_\_

2/4/2015

**From:** Diana Shu  
**To:** James Castaneda; Lisa Aozasa  
**CC:** Christopher Vandrey  
**Date:** 2/4/2015 9:28 AM  
**Subject:** Re: Planning Sign off PLN2007-0169

Thanks...please send it directly to Chris, he is the county surveyor and works under a different org.

Diana Shu  
dshu@smcgov.org  
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Planner III - San Mateo County Planning & Building Department

**From:** Lisa Aozasa  
**To:** Steve Monowitz  
**CC:** Heather Hardy; James Castaneda  
**Date:** 2/4/2015 2:06 PM  
**Subject:** Fwd: RE: Next Meeting; Ascension Heights  
**Attachments:** RE: Next Meeting

Hi Steve --

I keep forgetting to ask you about this. We are out of budget for AES, so if we want Trent Wilson to attend the PC meeting on the 25th, we need to make arrangements to do that by amending the contract, and letting Dennis know that there will be an additional charge. Please see Trent's estimate of the charges, attached. I checked with Heather quickly, and I think we will need to extend the contract (it expired on 2/1) and amend the amount; I think that is still something we can do that will not require a return trip to the Board.

I feel like we really do need Trent at the next PC meeting -- that will be the time that the PC will likely will deliberate and have questions we may need Trent to answer. I'm not so sure we'll need him at the Board, but I had him estimate that cost as well.

Please let me know your thoughts on this. Thanks!

Lisa

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** Lisa Aozasa <laozasa@smcgov.org>  
**CC:** Heather Hardy <hhardy@smcgov.org>, James Castaneda <JCastaneda@smcgov.org>  
**Date:** 1/30/2015 10:53 AM  
**Subject:** RE: Next Meeting  
**Attachments:** AES Proposal\_Additional Hearings\_Ascension Heights.pdf

Sorry for the delay, here you are!

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: Lisa Aozasa [mailto:laozasa@smcgov.org]  
Sent: Thursday, January 29, 2015 12:43 PM  
To: Trenton Wilson  
Cc: Heather Hardy; James Castaneda  
Subject: Re: Next Meeting

Hi Trent --

James forwarded your e-mail to me. Thanks for your help last night. It's looking like the next meeting will be February 25th at 9:00 a.m. here in Redwood City. My thought is that if at all possible, we would like to have you attend that meeting -- since that is when the Commissioners will likely have more detailed questions about the EIR, as they deliberate and make a decision, after hearing from all the neighbors. What would be helpful is if you could provide us with an estimate of what the charges would be for one additional PC meeting, and (just in case) one Board of Supervisors meeting as well, and we'll see what we can do. Thanks!

Lisa Aozasa  
Acting Deputy Director  
San Mateo County  
Planning & Building Department  
455 County Center  
Redwood City, CA. 94063  
laozasa@smcgov.org<mailto:laozasa@smcgov.org>  
Phone: 650/363-4852

>>> Trenton Wilson <twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>> 1/29/2015 11:22 AM >>>

We are out of budget and didn't have another planning commission in our scope. How would you like to proceed. I wish I could just come down but the powers that be won't let me.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
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**TO:** Lisa Aozasa, Acting Deputy Director  
San Mateo County  
Planning & Building Department  
455 County Center  
Redwood City, CA. 94063  
laozasa@smcgov.org

**FROM:** Mr. Trenton Wilson, Senior Project Manager

**DATE:** January 30, 2015

**RE: Cost Estimate for Continued CEQA Compliance Services**

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In accordance with the *Agreement Between the County of San Mateo and Analytical Environmental Services* dated May 7<sup>th</sup>, 2013 (Agreement), AES completed an Environmental Impact Report (EIR) for the Ascensions Heights Subdivision Project (County File number PLN2002-0517) and attended the Planning Commission Hearing on January 28, 2015 for the potential approval of the EIR and other project-related planning considerations. Due to the number of the commenters, the hearing was adjourned and set to reconvene on February 25, 2015. As noted in our scope of work presented in Exhibit C of the Agreement, AES budgeted for attendance of one Planning Commission hearing. AES has exhausted the budget presented in the Agreement and has completed the scope of services as contracted.

The County has requested AES present a budget to attend a second Planning Commission hearing scheduled for February 25, 2015 as well as a contingency budget to attend a Board of Supervisors meeting should the need for AES's presence arise.

#### **COST ESTIMATE FOR ADDITIONAL CEQA COMPLIANCE SERVICES**

1. AES will attend the February 25, 2015 Planning Commission hearing to be held at 9:00 a.m. in Redwood City for a not to exceed time and materials cost of **\$1,980**.
2. If requested, AES will attend a Board of Supervisors meeting at a time and place to be determined for a not to exceed time and materials cost of **\$1,980**.

#### **Assumptions**

- An attendance requirement of four (4) hours is anticipated for each event.
- Each meeting will be attended by the Senior Project Manager. Additional staff can attend if requested at an additional cost.

**From:** James Castaneda  
**To:** jtoby@leabraze.com; jaymazzetta@smcgov.org  
**CC:** Aozasa, Lisa  
**Date:** 2/6/2015 2:54 PM  
**Subject:** Re: Lea and Braze

John,  
Ill forward your inquiry to Public Works to provide some insight regarding the 10 vs 100 storm analysis.

James

>>> John Mathon 02/06/15 2:45 PM >>>  
James, Jay,

Re: Ascension Hill/Watertank Hill FEIR

An important issue is that the EIR only did a 10 year storm assessment. Other EIRs we've seen in the area use 100yr storms for stormwater system design. We in the community are obviously concerned that 10 years is not sufficient. Jim said that he was told by the county to do only a 10 year analysis and that even though he said it would be easy for him to do calculations for 100 year he was told not to. Do you have any insight into this? As you know we in the community asked for such analysis in the EIR comments but were met with no information in the FEIR.

Regards, John

rgds, John follow me: [image: Wordpress]  
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On Fri, Feb 6, 2015 at 2:28 PM, John Mathon wrote:

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> I just talked to Jim.  
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laurel...

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I'll have to sync up next week with Jim and Public Works to see which document you're talking about. I'm actually not in the office today on my day off, but needed to log in for a pressing matter on another responsibility at the County. I'm sorry I can't recall the specific report off the top of my head, and appreciate your patience as I let the more appropriate individuals respond.

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>> \*Jim Toby\*\*, P.E., P.L.S, Leed AP\*  
>>  
>> \*Principal/Civil Engineering\*  
>>  
>> \*Qualified SWPPP Developer (QSD)\*  
>>  
>> \*Lea & Braze Engineering, Inc\*  
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>> \*Civil Engineers | Land Surveyors\*  
>>  
>> \*San Francisco Bay Area Region\*  
>>  
>> 2495 Industrial Parkway West  
>>  
>> Hayward, CA 94545  
>>  
>> Phone: 510-887-4086 x.105 Email: \*JToby@leabraze.com  
>> \*

>>  
>> \*Roseville/Sacramento Region\*  
>>  
>> 3017 Douglas Blvd., Suite 300  
>>  
>> Roseville, CA 95661  
>>  
>> Phone: 916-966-1338  
>>  
>> \*www.leabraze.com \*  
>>  
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>>  
>> \*From:\* James Castaneda [mailto:jcastaneda@smcgov.org  
>> ]  
>> \*Sent:\* Thursday, February 05, 2015 7:47 AM  
>> \*To:\* John Mathon  
>> \*Cc:\* Lisa Aozasa  
>> \*Subject:\* Re: Lea and Braze  
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>> Jim Toby: jtoby@leabraze.com  
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>> Diana Shu: dshu@smcgov.org  
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>> rgds, John follow me: [image: Wordpress]  
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**From:** James Castaneda  
**To:** jtoby@leabraze.com  
**CC:** Shu, Diana; Aozasa, Lisa  
**Date:** 2/6/2015 3:34 PM  
**Subject:** Fwd: Re: Lea and Braze  
**Attachments:** Re: Lea and Braze

Jim, Can you confirm which document John Mathon is talking about? I'll need to have Diana help us with this, but need to be on the same page. There's also some questions he's challenging us with regarding the 10 vs 100 storm requirements, so I'll be trying to sync up with Diana next week as well to see if we can get some clarity on the matter. If not for Mr Mathon, but for the commissioners who will possibly ask.  
Thanks.

JAMES

**From:** John Mathon <  
**To:** James Castaneda <jcastaneda@smcgov.org>, Gerard Ozanne  
**CC:** Jim Toby <jtoby@leabraze.com>, Lisa Aozasa <LAozasa@smcgov.org>  
**Date:** 2/6/2015 3:17 PM  
**Subject:** Re: Lea and Braze

James,

I've been through the document again and there is no additional information in the Appendices on the stormwater system.

rgds, John follow me: [image: Wordpress]  
<<http://johnmathon.wordpress.com/>>[image: Twitter]  
<[https://twitter.com/john\\_mathon](https://twitter.com/john_mathon)>

On Fri, Feb 6, 2015 at 2:59 PM, James Castaneda <jcastaneda@smcgov.org> wrote:

> The calculations he's speaking of are most likely in the EIR appendices,  
> along with other technical source materials.  
>  
>  
>  
> [https://planning.smcgov.org/sites/planning.smcgov.org/files/20140425\\_PLN2002-00517-DEIR\\_APDX.pdf](https://planning.smcgov.org/sites/planning.smcgov.org/files/20140425_PLN2002-00517-DEIR_APDX.pdf)  
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>> The EIR has a copy of our hydrology report which shows how we calculated  
>> everything. Mostly this was done with a computer simulation.

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**Date:** February 9, 2015  
**To:** Planning Staff, County of San Mateo (County)  
**From:** San Mateo Real Estate and Construction  
**Subject:** Ascension Heights Subdivision Project,  
Staff Memo re Additional and Edited Conditions, dated January 28, 2015  
**Project File No.:** PLN 2002-00517 (O'Rourke/San Mateo Real Estate and Construction)

---

The applicant has reviewed the staff memorandum referenced above regarding conditions of approval contained in attachment A of the staff report, and responds as follows.

1. As to the proposed condition regarding correction of surface erosion, the County must distinguish between surface erosion issues within the developed parcels and at other locations. The applicant's understanding is that the area of specific concern regarding surface erosion not within the developed parcels is delineated on the Vesting Tentative Subdivision Map, Preliminary Grading and Drainage Plan (Sheet C-3), dated July 1, 2013, at the extreme westerly corner of the subject site, far downgrade from the area of work, at the intersection of Bel Aire Road and Ascension Drive, and labeled as "(E) ERODED SURFACE WITHIN PROTECTED AREA" (the "ESWPA"). The ESWPA is an existing condition, and, as confirmed in the Final Environmental Impact Report (FEIR), will not be exacerbated by the project.

Nevertheless, the applicant agrees to correct the ESWPA, provided that the timing for such correction is properly coordinated with development and occupancy of the project. Therefore, the applicant proposes the wording for this new condition of approval:

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2. The applicant has no objection to the proposed correction to Condition No. 25, as drafted.

**From:** Heather Hardy  
**To:** Lisa Aozasa  
**Date:** 2/9/2015 2:18 PM  
**Subject:** Slide #41 - Baywood Park HOA  
**Attachments:** Slide#41.pptx

Please let me know if I can help with anything else.

Thanks,  
Heather

# The Hill deserves a better fate— and so do we

- ▶ 2009 planning commission - don't build on the steep, eroded lots on the Ascension side.
- ▶ ~~2009 planning commission -- provide buffer to Parrott houses -- none provided. Loss of privacy~~
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**From:** James Castaneda  
**To:** Diana Shu  
**CC:** Lisa Aozasa  
**Date:** 2/10/2015 12:56 PM  
**Subject:** Fwd: New Condition Wording  
**Attachments:** PLICAN 2.DOC

Good afternoon Diana,  
Attached is a suggested revision from Dennis Thomas regarding the condition we put together at the last minute to get him on the hook for fixing the erosion issues. I'd like you to take a look at what he's proposing and get some feedback on what you think. Lisa and I discussed it this morning, and both feel there needs to be a time element to it (such as providing this plan PRIOR to issuing a grading hard card is one idea), and also taking care of the erosion that is in two spots along the Ascension Road side (not just at the corner). Before we start word smithing it and giving it back to Dennis, we wanted to get your input. Appreciate any thoughts since this is something I know DPW has wanted corrected for some time. Thanks Diana!

James

>>> On 2/9/2015 at 11:03, < > wrote:

James and Lisa,

Here is a different version of the new condition for the soil erosion issue that was presented at the meeting January 28th.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402  
(650) 578-0330  
DRE #01011262  
CA #581591

**Date:** February 9, 2015  
**To:** Planning Staff, County of San Mateo (County)  
**From:** San Mateo Real Estate and Construction  
**Subject:** Ascension Heights Subdivision Project,  
Staff Memo re Additional and Edited Conditions, dated January 28, 2015  
**Project File No.:** PLN 2002-00517 (O'Rourke/San Mateo Real Estate and Construction)

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2. The applicant has no objection to the proposed correction to Condition No. 25, as drafted.

**From:** Diana Shu  
**To:** James Castaneda; Lisa Aozasa  
**Date:** 2/10/2015 1:20 PM  
**Subject:** Re: Fwd: New Condition Wording  
**Attachments:** PLICAN 2\_2.DOC

Hi James and Lisa

The language of the attached revision suggests that the applicant does not see this as an urgent matter. But he needs to have taken care of it already.

My recommendation is that we should keep our current language to require him to take care of this before the recordation of the map. He may decide to sell these lots and I don't want to deal with someone new. By now, he should have gotten approval to minimize the erosion or at the very least created a sedimentation pond to protect the inlets.

As it stands now, it is not clear what he plans to do there.

Also why would we take a security bond for work that should be in place prior to any new work on this site?

What are your thoughts?

Diana

Diana Shu  
dshu@smcgov.org  
650-599-1414  
Please provide us with your feedback at:  
<https://www.surveymonkey.com/s/DPWTraffic>

>>> James Castaneda 2/10/2015 12:56 PM >>>

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2. The applicant has no objection to the proposed correction to Condition No. 25, as drafted.

**From:** Lisa Aozasa  
**To:** James Castaneda;  
**Date:** 2/10/2015 1:37 PM  
**Subject:** Re: Neighbor Concern List  
**Attachments:** Slide#41.pptx

Hi Dennis --

We are still working on what responses (if any) we will include in an staff report addendum for the 2/25 PC meeting, but in the meantime, attached is the HOA's final slide that sums up their concerns.

By the way, we are reviewing the new proposed wording on the condition internally, and will get back to you shortly on it.

Best,

**Lisa Aozasa**  
**Acting Deputy Director**  
**San Mateo County**  
**Planning & Building Department**  
**455 County Center**  
**Redwood City, CA. 94063**  
**laozasa@smcgov.org**  
**Phone: 650/363-4852**

>>> <

2/9/2015 1:21 PM >>>

Lisa,

When you and James have completed the neighbor concern list from the meeting of 1/28 please forward a copy to me as well. I want each of my experts to be able to answer the issue professionally.

Many thanks.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
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**From:** James Castaneda  
**To:** twilson@analyticalcorp.com  
**CC:** Aozasa, Lisa  
**Date:** 2/11/2015 10:03 AM  
**Subject:** RE: Re: Lea and Braze

Thanks Trent, much appreciated and please do feel better. When you get back will be fine, and it's not too much trouble, if you have a response we could give Mr. Mathon in regards to the absents of the the hydrology or minor differences in plans (Ill forward you one his emails), that would be super helpful, as its hard to impress the ideas of what's required to do an environmental assessment.

James

>>> Trenton Wilson 02/11/15 7:08 AM >>>  
I am out sick but will look into this as soon as I am back.

Thanks, always hate the part about funding.

-Trent Wilson

----- Original message -----

From: James Castaneda  
Date: 02/10/2015 12:49 PM (GMT-08:00)  
To: Trenton Wilson  
Subject: Fwd: Re: Lea and Braze

Hi Trent,  
Quick question. John Mathon is asking why the hydrology report (which Public Works required) wasn't included in the EIR. I just wanted to confirm if it was needed or not from your stand point (or if it was and just wasn't included in the appendices) for your environmental assessment. Thanks Trent.

We're still working on discussing the funding matter with Mr Thomas regarding your attendance at the Planning Commission meeting. We'll give you an update as soon as we figure that out.

James

>>> On 2/6/2015 at 14:28, John Mathon wrote:  
James,

I just talked to Jim.

Jim said the county has the detailed sizing, calculations of flows, simulations. He says there is a large document with such information and for some reason that was not included in the FEIR.

Can you find the documents Jim is referring to?

Thanks, John

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The EIR has a copy of our hydrology report which shows how we calculated everything. Mostly this was done with a computer simulation.

I am happy to discuss this with you.

Attached is another picture which was taken just yesterday. This is another site in Woodside that has 40% slopes to it, soil that is not as hard as the Ascension site (making the Ascension site even safer to construct this on).

We have several that are being installed currently.

Thanks, Jim

Jim Toby, P.E., P.L.S, Leed AP

Principal/Civil Engineering

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www.leabraze.com

From: John Mathon [mailto:

Sent: Friday, February 06, 2015 6:57 AM

To: Jim Toby

Subject: Lea and Braze

Jim

Was your organization responsible for the information in the feir on the drainage system?

Can we schedule this call? My schedule is a little intense. My main interest is to find comparable sites and use cases with the following requirements :

On 40% slopes

Franciscan or class 3 soils

On hills

In the Bay Area (ie earthquake sensitive)

And with zero net new inflow requirements.

I can call today.

I am also interested in how you compute size, what is the capacity of the system and if you have figured it what the storm sizes you are projecting.

On Thursday, February 5, 2015, Jim Toby wrote:

John, I am happy to speak with you.

Yes, the retention systems we are proposing are extremely common in San Mateo County. We do them on almost every project and have designed and overseen the installation of hundreds of these in San Mateo County alone. I had one go in yesterday. (please see the attached picture. This one is in Woodside on a slope).

Please feel free to give me a call. I am happy to help.

Thanks, Jim

Jim Toby, P.E., P.L.S, Leed AP

Principal/Civil Engineering  
Qualified SWPPP Developer (QSD)  
Lea & Braze Engineering, Inc  
Civil Engineers | Land Surveyors  
San Francisco Bay Area Region  
2495 Industrial Parkway West  
Hayward, CA 94545  
Phone: 510-887-4086 x.105 Email: JToby@leabraze.com  
Roseville/Sacramento Region  
3017 Douglas Blvd., Suite 300  
Roseville, CA 95661  
Phone: 916-966-1338  
www.leabraze.com  
From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Thursday, February 05, 2015 7:47 AM  
To: John Mathon  
Cc: Lisa Aozasa  
Subject: Re: Lea and Braze

John,

I can give you both Jim Toby's contact info, who has indicated he'd make himself available to discuss the system. But also you can talk to the County Department of Public Works who can contest to the system's common use as well.

Jim Toby: jtoby@leabraze.com

Diana Shu: dshu@smcgov.org

James

>>> On 2/5/2015 at 06:49, John Mathon > wrote:

James,

As you may remember I presented at the recent planning committee meeting about the stormwater system. The developers team stated the system they plan to implement is something they have done hundreds of times.

Can you point me to the instances they have done or point me to the person at Lea and Braze I could talk to who knows about the use cases of the water retention system?

Thanks, John Mathon

1450 Parrott Dr

rgds, John follow me: [cid:\_com\_android\_email\_attachmentprovider\_1\_3871\_RAW@sec.galaxytab]  
[cid:\_com\_android\_email\_attachmentprovider\_1\_3871\_RAW@sec.galaxytab]

--

rgds, John follow me: [cid:\_com\_android\_email\_attachmentprovider\_1\_3869\_RAW@sec.galaxytab]  
[cid:\_com\_android\_email\_attachmentprovider\_1\_3870\_RAW@sec.galaxytab]

**From:** Heather Hardy  
**To:** Planning-Planning  
**Date:** 2/11/2015 12:19 PM  
**Subject:** March 11 Planning Commission Meeting

Dear Planners,

Agenda requests are due this week for the March 11 meeting. Please let me know if you intend to present an item to the Commission. I'm currently aware of Dennis' 3 items. In case you were curious, the three items considered today went without a hitch. On February 25, the Commission will consider two items related to the Westerfield Fence and also the continued Ascension Heights proposal.

Thank you!

Heather

**From:** Jim Toby <jtoby@leabraze.com>  
**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org; dshu@smcgov.org  
**Date:** 2/11/2015 2:57 PM  
**Subject:** RE: Lea and Braze  
**Attachments:** Complete Ascension Heights Hydrology Study 11-3-14.pdf

James and John, attached is a PDF copy of the hydrology report we did the for the project. The narrative gives a good explanation of what we did and then the computer analysis follows this and then pipe capacity calculations and tributary areas.

Please let me know if you have any questions.

John, I am working on finding some more information on sites that we have used this on in the past. As I mentioned this is extraordinarily common and we have done hundreds, if not thousands of these systems in San Mateo County alone, the majority of them on steeper slopes such as this. It is a County requirement on almost any development, even additions to houses typically require this.

Thanks, Jim

Jim Toby, P.E., P.L.S, Leed AP  
Principal/Civil Engineering  
Qualified SWPPP Developer (QSD)  
Lea & Braze Engineering, Inc  
Civil Engineers | Land Surveyors  
San Francisco Bay Area Region  
2495 Industrial Parkway West  
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Roseville/Sacramento Region  
3017 Douglas Blvd., Suite 300  
Roseville, CA 95661  
Phone: 916-966-1338  
www.leabraze.com

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

**From:** James Castaneda [mailto:jcastaneda@smcgov.org]  
**Sent:** Wednesday, February 11, 2015 2:46 PM  
**To:**  
**Cc:** Jim Toby; Diana Shu; Lisa Aozasa  
**Subject:** Re: Lea and Braze

John,

The report you were discussing with Jim Toby was the hydrology report, which is a document DPW requires and reviews for the potential project.

I'm looking into obtaining a current copy to provide to you. I'm also trying to get the EIR consultant to clarify the hydrology report's roll in the environmental analysis and drainage plans details in identify and mitigating significant environmental impacts per CEQA guidelines. My apologies I can't provide this immediately, but I appreciate your patience given our workload at the Planning department, and our consultant is out of the office ill. As soon as I can provide more information, I will do so.

In the meantime, Diana Shu of the Department of Public Works is available to discuss questions

regarding the 10 year vs 100 year plans as they relate to County requirements, as well as other question regarding the storm retentions system in question, as she's very familiar give their is charged with review of said systems. You can reach here at dshu@smcgov.org , or 650-599-1414.

James

>>> John Mathon 02/11/15 9:12 AM >>>  
James, Lisa,Jim,

Can you speak to Jim about what document I am referring to. He mentioned there was a document produced which has the flow rates, sizing before and after construction. If not, Jim, can you simply send me the document?

I realize everyone is busy but the planning meeting may be coming up in  
2  
weeks and I/WE need time to digest and respond.

Jim, also those comparable will take time for me to research. I really need them soon or will be forced to assume that comparables don't really exist.

It is very odd that both figure 4.3 (the stormwater diagram) was missing from the FEIR, that the FEIR refers to a different system than is described in the county report and that the FEIR is missing the other document Jim refers to that has the information the HOA asked for in the response to the DEIR and that should have been in the FEIR appendices. It is confusing why the FEIR says there are no use cases similar and yet we are told there are many examples of this being used in similar ways. I hope you can understand why the HOA is so concerned about this issue. It has enormous implications on the neighborhood, is potentially dangerous and environmentally dangerous. These missing documents and corroborating information all around this is very odd. There are other odd aspects to this. Other EIRs I have looked at in the area have full fledged 100yr storm drainage systems documented with 15 page reports. Our EIR has 2 paragraphs on the system contradicted by the county report.

Regards, John Mathon

rgds, John follow me: [image: Wordpress]  
[image: Twitter]

On Thu, Feb 5, 2015 at 9:07 AM, James Castaneda wrote:

> John, without diving into some research to match you specifics at the  
> moment, I can't be certain. I have quite a bit on my to-do list, so if  
we

> can, we'll see if we can search with these parameters. In the  
meantime, you  
> may contact Jim Toby for examples as I gave him a heads up you would  
be  
> checking in with him.  
>  
> James  
>  
>  
> >>> On 2/5/2015 at 08:43, John Mathon wrote:  
> Just for clarity, when you say common use do you mean on  
construction  
> sites with 40% slopes on franciscan soil in elevated areas?  
>  
> rgds, John follow me: [image: Wordpress]  
> [image: Twitter]  
>  
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>> 1450 Parrott Dr  
>>  
>>  
>> rgds, John follow me: [image: Wordpress]  
>> [image: Twitter]  
>>  
>>  
>  
>

**From:** James Castaneda  
**To:** Lisa Aozasa  
**Date:** 2/12/2015 1:52 PM  
**Subject:** Fwd: RE: Requested Files

FYI

>>> On 2/12/2015 at 13:50, Craig Nishizaki < > wrote:

Hi Heather & James:

I had a few questions for both of you.

- 1) Has the date, time, and location been finalized for the next Planning Commission Meeting re: Ascension Heights. We need to update our communication very soon and need this information.
- 2) Do you know what the time limit will be for each new speaker at the meeting
- 3) We're still coming across documents and information that the developer says they submitted but we cannot find. We'd like to have access to all information submitted regarding the Ascension Heights project. We can come by to make copies if needed, but there seems to be key information missing from the DEIR, FEIR, Staff reports. Do we need to make a formal request for all of the documents.
- 4) In the staff report that was released just before the meeting, the Planning Department is now requiring the developer to fix the erosion on Ascension and Bel Aire sides of the hill. Has the Planning Department defined what those fixes will be and what the requirements will be for the fix. (for example, does it mean retaining walls must be built, or is it just plantings. If plantings, what type of plantings will be required)

Thanks, Craig

**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Friday, February 06, 2015 2:45 PM  
**To:** Craig Nishizaki  
**Subject:** RE: Requested Files

Hi Craig,

I have access to correspondence from the public. Is that what you are looking for? In response to your earlier questions, I have spoken to Chair Dworetzky. Speakers who spoke on January 28 will not speak again. Members of the public who haven't yet spoken are welcome to speak. Regarding documents from the developer, I don't know of any. I'll check with Project Planner James Castaneda next week when I see him again. I can make any correspondence to the Commission available to you. For the Board Chambers, the capacity is about 100 or 110, I believe.

Please let me know if I can help with any further questions. Thank you,

Heather

>>> Craig Nishizaki <

2/6/2015 12:43 AM >>>

Hi Heather,

Can we get access to all of the records related to the development, not just what's in the project file.

Thanks, Craig

**From:** Craig Nishizaki

**Sent:** Wednesday, February 04, 2015 11:56 PM

**To:** 'Heather Hardy'

**Cc:** Craig Nishizaki

**Subject:** RE: Requested Files

Hi Heather,

Have you been able to find out the answers to a & b below?

Also, I had a couple more questions.

1) Has the developer or anyone else submitted any new information/documents since the Jan. 28<sup>th</sup> meeting. If so, would we be able to view those documents. If anyone submits any new documents between now and the next meeting, would we be notified so that we can review the documents before the next meeting.

2) If the meeting is held in the Board of Supervisor's chambers, what is the maximum capacity for this room.

Please let me know,

Thanks, Craig

**From:** Heather Hardy [mailto:hhardy@smcgov.org]

**Sent:** Monday, February 02, 2015 9:48 AM

**To:** Craig Nishizaki

**Subject:** RE: Requested Files

Hi Craig,

For a & b) I don't know these answers yet, but will speak to the Chair and try to get some information for you

c) Yes absolutely. I recommend that the materials be sent no later than 4PM on Tuesday February 24 so that the Commission can read them. (Of course, earlier is better)

d) I'll publish the agenda on the Planning Commission Website ( <http://planning.smcgov.org/planning-commission> ) no later than next Friday, February 13. I expect that the meeting will be scheduled as a regular meeting - 9AM start time in the Board of Supervisors Chambers here at County Center in Redwood City.

I'll update you as soon as I can.

Thanks,

Heather

>>> Craig Nishizaki <

2/2/2015 9:32 AM >>>

Hi Heather

Thank you so much for the information!

I had a few questions re: the next meeting.

- a) Will only the 6 remaining speakers that had submitted speaker tags from the 1/28 meeting be allowed to speak, or can there be additional speakers
- b) Can people that spoke at the 1/28 meeting be allowed to speak again
- c) Will the Planning Commission continue to review emails that are sent in. Is there a deadline?
- d) When will you know the location, day, and time for certain?

Thanks again for the information

Craig

**From:** Heather Hardy [mailto:hhardy@smcgov.org]

**Sent:** Monday, February 02, 2015 9:07 AM

**To:** Craig Nishizaki

**Subject:** Requested Files

Hello Craig,

I hope you are well. I received your email request for a)the applicant's presentation from January 28 and b)a meeting transcript. I've attached the requested presentation here. I haven't been directed to order a transcript, but I have posted the meeting's audio online at this link (<https://www.hightail.com/download/UIRReFIZNHY0b0JvZE1UQw>). The file is quite large (160MB), and the link does expire in 10 days. Please let me know if I can help with anything further.

Thank you,

Heather

P.S. In the future, please send any communications for me to this address (hhardy@smcgov.org) for a

faster response.

**Heather Hardy**  
Management Analyst  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

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Redwood City, CA 94063  
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**From:** James Castaneda  
**To:** Craig Nishizaki; Heather Hardy  
**CC:** Lisa Aozasa  
**Date:** 2/12/2015 2:49 PM  
**Subject:** RE: Requested Files

Good afternoon Craig,  
To add on to Heather's email:

We'll need to get some specifics as to which documents and information you're referring. This would help us with verifying with the consultant to see if they were included or if they're inclusions was not necessary as part of the environmental analysis to identify significant impacts and proposed mitigations per CEQA guidelines for completing an EIR to be considered for certification.

As for the condition regarding the erosion fix, we're in the process of revisiting it further and working with Public Works. We proposed it last minute because we realized that despite discussing in the staff report that erosion would be address, we didn't have a specific condition included among the list of proposed conditions (attachment A of the staff report) for the Planning Commission to consider/approve/modify.

Are goal was to create a specific requirement and action on the applicant's part to be responsible for corrective actions, and submit a plan as to how that's to occur that meets with the approval of the Community Development Director (Planning Director) and the Department of Public Works. Again, the Planning Commission can further modify this (and any condition for that matter) as they feel is adequate and necessary.

James

>>> On 2/12/2015 at 14:25, Heather Hardy <hhardy@smcgov.org> wrote:

Hi Craig,

Question #1: Yes - the agenda was posted today. Please see the attached.

Question #2 The time limit will probably be defined at the meeting. In past meetings, I have seen the Chair give speakers 5 minutes each when there are only a few, and 2 minutes each when there are many speakers.

Question #3 I recommend that you submit a California Public Records Act request, and clearly define what specific documents you're seeking.

Question #4 I defer to James on this technical question

Thank you,  
Heather

>>> Craig Nishizaki <

2/12/2015 1:50 PM >>>

Hi Heather & James:

I had a few questions for both of you.

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Thanks again for the information  
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Thank you,

Heather

P.S. In the future, please send any communications for me to this address (hhardy@smcgov.org) for a faster response.

**Heather Hardy**  
Management Analyst  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

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**From:** Lisa Aozasa  
**To:**  
**Date:** 2/13/2015 5:59 PM  
**Subject:** AES Contract  
**Attachments:** AES Proposal\_Additional Hearings\_Ascension Heights\_1.pdf

Hi Dennis --

I'm afraid we have a bit of housekeeping to do on AES's contract. Specifically, they have completed the contract, and we only budgeted for them to attend one Planning Commission permit decision meeting. So, if we want Trent Wilson to attend the 2/25 PC meeting (which I strongly recommend), we'll need an additional \$1,980 to cover his attendance (please see attached). There would be an additional charge if the project is appealed and we decide his attendance is necessary at a Board of Supervisors's hearing.

We believe these charges are reasonable, and perhaps, in hind sight, we were overly optimistic to include only one PC permit decision hearing in the original contract. I should also mention, that although he's not added a specific charge for it, Trent continues to help us field questions from the public about the FEIR, which is extremely helpful.

Ideally, the additional funds would be submitted to the Department prior to the meeting, but by the end of March when AES's invoice comes due would work, if you need additional time. Please let me know if you have any questions or concerns about this.

Best,

**Lisa Aozasa**  
**Acting Deputy Director**  
**San Mateo County**  
**Planning & Building Department**  
**455 County Center**  
**Redwood City, CA. 94063**  
**laozasa@smcgov.org**  
**Phone: 650/363-4852**



**TO:** Lisa Aozasa, Acting Deputy Director  
San Mateo County  
Planning & Building Department  
455 County Center  
Redwood City, CA. 94063  
laozasa@smcgov.org

**FROM:** Mr. Trenton Wilson, Senior Project Manager

**DATE:** January 30, 2015

**RE: Cost Estimate for Continued CEQA Compliance Services**

---

In accordance with the *Agreement Between the County of San Mateo and Analytical Environmental Services* dated May 7<sup>th</sup>, 2013 (Agreement), AES completed an Environmental Impact Report (EIR) for the Ascensions Heights Subdivision Project (County File number PLN2002-0517) and attended the Planning Commission Hearing on January 28, 2015 for the potential approval of the EIR and other project-related planning considerations. Due to the number of the commenters, the hearing was adjourned and set to reconvene on February 25, 2015. As noted in our scope of work presented in Exhibit C of the Agreement, AES budgeted for attendance of one Planning Commission hearing. AES has exhausted the budget presented in the Agreement and has completed the scope of services as contracted.

The County has requested AES present a budget to attend a second Planning Commission hearing scheduled for February 25, 2015 as well as a contingency budget to attend a Board of Supervisors meeting should the need for AES's presence arise.

#### **COST ESTIMATE FOR ADDITIONAL CEQA COMPLIANCE SERVICES**

1. AES will attend the February 25, 2015 Planning Commission hearing to be held at 9:00 a.m. in Redwood City for a not to exceed time and materials cost of **\$1,980**.
2. If requested, AES will attend a Board of Supervisors meeting at a time and place to be determined for a not to exceed time and materials cost of **\$1,980**.

#### **Assumptions**

- An attendance requirement of four (4) hours is anticipated for each event.
- Each meeting will be attended by the Senior Project Manager. Additional staff can attend if requested at an additional cost.

**From:** Dennis Thomas <  
**To:** LAozasa@smcgov.org  
**Date:** 2/13/2015 8:58 PM  
**Subject:** Re: AES Contract

Lisa,

I appreciate your notification of this. I completely agree with your analysis and recommendation. Proceed with his time and I will cover the expense.

Thank for your effort.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, Ca 94402  
Office (650) 578-0330  
Fax (650) 578-0394

> On Feb 13, 2015, at 5:59 PM, Lisa Aozasa <laozasa@smcgov.org> wrote:

>

> Hi Dennis --

> ou y

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> Best,

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>

> Lisa Aozasa

> Acting Deputy Director

> San Mateo County

> Planning & Building Department

> 455 County Center

> Redwood City, CA. 94063

> laozasa@smcgov.org

> Phone: 650/363-4852

> <AES Proposal\_Additional Hearings\_Ascension Heights\_1.pdf>

**From:** Lisa Aozasa  
**To:** Planning-Planning  
**CC:** Heather Hardy; Tim Fox  
**Date:** 2/18/2015 1:29 PM  
**Subject:** March 25 PC

Hi Folks --

Just a friendly reminder that we are making a serious push to get our PC report review and publication process to run according to the published schedule. Please let me or Heather know if you don't have the schedule, and we can send it again.

We started off the year a bit behind (blame Big Wave and Ascension), but we are catching up! The next available PC meeting is 3/25. For that meeting, your draft Agenda Request and Staff Report are due to your Senior Planner ASAP, your staff report is due to WPC on Monday 2/23, and the Agenda Request is due to Heather and the Report is due to Diana and Tim on 2/27. Also, if you have an item for 3/25, mark your calendar for 12 noon on 3/3; that is when Tim will be in the office to review your report (if he hasn't already) and you should plan to be available, in case he has any questions, or in case you have any last minute questions. A final version of your report (which includes graphics and Tim's comments) is due to Steve on 3/10.

Think how much less stressful our lives will be if we start following the schedule. We can do it! Si se puede!

Lisa

**From:** Lisa Aozasa  
**To:** Planning-Planning  
**CC:** Heather Hardy; Tim Fox  
**Date:** 2/18/2015 1:29 PM  
**Subject:** March 25 PC

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Lisa

**From:** Camille Leung  
**To:** Lisa Aozasa  
**CC:** Heather Hardy  
**Date:** 2/18/2015 1:31 PM  
**Subject:** Re: March 25 PC

Hi Lisa,

Thank you! I will work with Dennis to meet these deadlines. He has one item for Patrick Power.

Thanks!

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
Phone: (650) 363-1826  
Fax: (650) 363-4849

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>>> Lisa Aozasa 2/18/2015 1:29 PM >>>

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Lisa

**From:** Heather Hardy  
**To:** Lisa Aozasa  
**Date:** 2/18/2015 1:47 PM  
**Subject:** Re: March 25 PC

Thanks for this great email! On another related note, it would be great if we could cancel the 4/8 and/or 4/22 meetings. I'll be on vacation 4/6-4/17, and it would mitigate the amount of work I have to leave for Deb. The hire date for the new PC secretary is also a wildcard, and eliminating meeting or meetings would really help.

HH

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**From:** Lisa Aozasa  
**To:** Camille Leung  
**CC:** Heather Hardy  
**Date:** 2/18/2015 2:01 PM  
**Subject:** Re: March 25 PC

Hi Camille --

I've heard Dennis has a couple of items for 3/11. We're already behind for that one :( But let's work out a schedule we can live with for that, if they have to have to on 3/11...

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**From:** Camille Leung  
**To:** Lisa Aozasa  
**CC:** Dennis Aguirre; Heather Hardy  
**Date:** 2/18/2015 2:14 PM  
**Subject:** Re: March 25 PC

Hi Lisa,

Dennis and I plan to get both reports to Steve on time. Its the WPC deadline that is tough, which is 2 weeks before the draft report is due to Steve. But we will try harder next time to meet this deadline.

A work in progress :)

Thanks

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**From:** James Castaneda  
**To:** Laurie Simonson  
**CC:** Heather Hardy; Lisa Aozasa; Steve Monowitz  
**Date:** 2/18/2015 2:59 PM  
**Subject:** Re: Ascension Heights Project Questions for Staff

Good afternoon Commissioner Simonson. I apologize for the not getting this to you earlier. Here's my best effort to respond to your inquires:

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United States Geological Survey is correct. We will included this in our memo listing proposed changes to the staff report's attachments.

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Laurie

**From:** James Castaneda  
**To:** Laurie Simonson  
**CC:** Heather Hardy; Lisa Aozasa; Steve Monowitz  
**Date:** 2/18/2015 3:43 PM  
**Subject:** Re: Ascension Heights Project Questions for Staff

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**From:** Diana Shu  
**To:** James Castaneda  
**CC:** Lisa Aozasa  
**Date:** 2/18/2015 4:50 PM  
**Subject:** Re: 10 vs 100 year storm requirements

The 10 year storm is required for all projects.  
The 100 year storm is required for projects in the flood zone.

Some consultants wish to use the 100 year storm to design in some safety factor and we have no objections.

On Ascension Heights, I believe we required it because they were tying into our storm system and it was discharging to the creek.

As I had noted to you, in order to get this project to this past meeting, we let the drainage review go as is. Jim Toby still needs to provide me with the information that I requested before Christmas. And we will certainly want all of it wrapped up before we record the map or before we issue a grading permit.

Diana

Diana Shu  
dshu@smcgov.org  
650-599-1414  
Please provide us with your feedback at:  
<https://www.surveymonkey.com/s/DPWTraffic>

>>> James Castaneda 2/18/2015 3:52 PM >>>

Hi Diana,

Another questions- do you have some kind of general response regarding the differences between 10 year and 100 year calculations, and the County's requirements? I'm preparing a memo for the Planning Commission to help respond to a few points that keep coming up, and this is one of them. I know you helped explained this a few years ago when we had our working group meetings with the community, but I think its worth having something general down. Appreciate anything you can give me. Thanks.

James

**From:** Laurie Simonson <  
**To:** JCastaneda@smcgov.org  
**CC:** SMonowitz@smcgov.org; LAozasa@smcgov.org; hhardy@smcgov.org  
**Date:** 2/18/2015 8:42 PM  
**Subject:** Re: Ascension Heights Project Questions for Staff

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- >
- > Laurie

**From:** Lisa Aozasa  
**To:** James Castaneda  
**Date:** 2/19/2015 9:03 AM  
**Subject:** Insert for 2/25 Ascension Memo  
**Attachments:** Ascension Hts Additional Info for 2.25.15 PC.docx

Here ya go.

## Additional Information/Discussion About Issues Raised at Prior Hearing(s)

### Privacy along Shared Property Line with Houses on Parrott Dr.

It has been suggested that there should be a “buffer” between the rear of the new lots proposed as part of the subdivision and the rear of the existing lots that front on Parrott Dr., in order to protect privacy, and retain/maintain vegetation to provide screening between the existing and new homes. This concept was discussed by the Planning Commission during their review of the previous version of the subdivision, but a recommendation for a designated “buffer” was not specifically included in their decision letter (Attachment \_\_). In redesigning the project, the applicant considered this option, but decided against including a designated buffer area that would be in common ownership, because it would create a relatively narrow strip of land between the backyard fences of existing and new lots that would be hard to monitor and maintain. Instead, the applicant is proposing that the 20 ft. rear yard setback area that is required per the zoning on each lot would provide an adequate buffer. That area, coupled with the 20 ft. rear setback required to existing homes, will provide a 40 ft. buffer area between new and existing homes. With the “buffer” area included in individual lots, responsibility for maintenance of landscape screening will be clear, and individual homeowners will be motivated to maintain their own property. Staff’s determination is that this is a reasonable solution to privacy issues, consistent with the layout of existing lots and homes in the neighborhood which is governed by the same R-1/S-8 zoning regulations. While it is often desirable from the residents view point to have a property that backs on to open space, even in hillside areas, it is common to have residential lots abutting each other to the rear, and residents have options available (fencing, landscaping) to help protect their privacy. However, if the Planning Commission determines that the situation with this proposed subdivision requires additional assurance that privacy will be maintained, a “landscape maintenance easement” could be required along the rear of the proposed lots that will prohibit development (accessory buildings and structures would otherwise be allowed in this area of a residential lot) and require ongoing maintenance of trees and other vegetation that provide screening, along with maintenance of drainage facilities along the rear of the lots. Such an easement would be recorded as part of the recordation of the Final Map for the subdivision.

**From:** Diana Shu  
**To:** James Castaneda  
**CC:** Lisa Aozasa  
**Date:** 2/19/2015 10:08 AM  
**Subject:** Re: 10 vs 100 year storm requirements

He needs to send me his hydraulic grade lines....computations for the total runoff into our system.

Diana Shu  
dshu@smcgov.org  
650-599-1414  
Please provide us with your feedback at:  
<https://www.surveymonkey.com/s/DPWTraffic>

>>> James Castaneda 2/19/2015 7:49 AM >>>

Thanks Diana. Just to remind me and be clear, which document exactly is missing from the drainage review that Jim needs to provide?

>>> On 2/18/2015 at 16:50, Diana Shu <dshu@smcgov.org> wrote:

The 10 year storm is required for all projects.  
The 100 year storm is required for projects in the flood zone.

Some consultants wish to use the 100 year storm to design in some safety factor and we have no objections.

On Ascension Heights, I believe we required it because they were tying into our storm system and it was discharging to the creek.

As I had noted to you, in order to get this project to this past meeting, we let the drainage review go as is. Jim Toby still needs to provide me with the information that I requested before Christmas. And we will certainly want all of it wrapped up before we record the map or before we issue a grading permit.

Diana

Diana Shu  
dshu@smcgov.org  
650-599-1414  
Please provide us with your feedback at:  
<https://www.surveymonkey.com/s/DPWTraffic>

>>> James Castaneda 2/18/2015 3:52 PM >>>

Hi Diana,

Another questions- do you have some kind of general response regarding the differences between 10 year and 100 year calculations, and the County's requirements? I'm preparing a memo for the Planning Commission to help respond to a few points that keep coming up, and this is one of them. I know you helped explained this a few years ago when we had our working group meetings with the community, but I think its worth having something general down. Appreciate anything you can give me. Thanks.

**From:** Lisa Aozasa  
**To:** Planning-Planning  
**CC:** Diana Shu  
**Date:** 2/19/2015 10:49 AM  
**Subject:** Subdivisions that have HOAs

Hi Gang --

I'm doing a little research related to Ascension Heights, which is back before the PC next week on 2/25. Do any of you recall processing a subdivision approval in a single-family area that involved an HOA? I'm guessing there have been a few -- the larger ones along Edgewood, and a few larger ones in ELH, perhaps? I don't need much detail at this point, just if there was an HOA. File numbers would be helpful too, so I can look them up if necessary. Please let me know as soon as you can. Thanks!

Lisa

**From:** Lisa Aozasa  
**To:** Planning-Planning  
**CC:** Diana Shu  
**Date:** 2/19/2015 10:49 AM  
**Subject:** Subdivisions that have HOAs

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Lisa

**From:** Summer Burlison  
**To:** Lisa Aozasa  
**Date:** 2/19/2015 11:05 AM  
**Subject:** Re: Subdivisions that have HOAs

I had one in Emerald Lake Hills that was just a 2-lot subdivision, PLN2010-00149 (787 Hillcrest).

Summer

>>>

**From:** Lisa Aozasa  
**To:** Planning-Planning  
**CC:** Diana Shu  
**Date:** 2/19/2015 10:49 AM  
**Subject:** Subdivisions that have HOAs  
Hi Gang --

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Lisa

**From:** Angela Chavez  
**To:** Lisa Aozasa  
**Date:** 2/19/2015 12:06 PM  
**Subject:** Re: Subdivisions that have HOAs

Edgewood Canyon Estates PLN2009-00117 and not sure what the file numbers are but the Rathgar/Palomar Oaks Subdivision both included review by Palomar Property Owners Association.

>>> Lisa Aozasa 2/19/2015 10:49 AM >>>  
Hi Gang --

I'm doing a little research related to Ascension Heights, which is back before the PC next week on 2/25. Do any of you recall processing a subdivision approval in a single-family area that involved an HOA? I'm guessing there have been a few -- the larger ones along Edgewood, and a few larger ones in ELH, perhaps? I don't need much detail at this point, just if there was an HOA. File numbers would be helpful too, so I can look them up if necessary. Please let me know as soon as you can. Thanks!

Lisa

**From:** James Castaneda  
**To:** Craig Nishizaki  
**CC:** Heather Hardy; Lisa Aozasa  
**Date:** 2/20/2015 3:35 PM  
**Subject:** RE: Requested Files  
**Attachments:** Boring Sample Map Ascension Heights, San Mateo County.pdf

Hi Craig,  
Luckily I was able to get this before the weekend. Attached is the map you requested, and you can download the rest of the figures at this link (15MB PDF).

<https://drive.google.com/file/d/0B3-xGRRxjZbjd2xpdnZfX2dpVnM/view?usp=sharing>

Have a good weekend!

James

>>> On 2/19/2015 at 19:26, Craig Nishizaki < > wrote:

Hi James,  
I cannot find all of the figures that were supposed to be in the Michelucci report from 2002. Specifically, I'm looking for the map of where the boring samples were taken as well as the logs of what they found.  
Could you send me this entire report. I need it fairly urgently.  
Also, it doesn't look like the boring samples were ever taken again since 2002. Do you know if it was more recently done. I cannot find that data if it was done more recently than 2002.

Thanks, Craig

**From:** James Castaneda [mailto:jcastaneda@smcgov.org]  
**Sent:** Thursday, February 12, 2015 2:49 PM  
**To:** Craig Nishizaki; Heather Hardy  
**Cc:** Lisa Aozasa  
**Subject:** RE: Requested Files

Good afternoon Craig,  
To add on to Heather's email:

We'll need to get some specifics as to which documents and information you're referring. This would help us with verifying with the consultant to see if they were included or if they're inclusions was not necessary as part of the environmental analysis to identify significant impacts and proposed mitigations per CEQA guidelines for completing an EIR to be considered for certification.

As for the condition regarding the erosion fix, we're in the process of revisiting it further and working with Public Works. We proposed it last minute because we realized that despite discussing in the staff report that erosion would be address, we didn't have a specific condition included among the list of proposed

conditions (attachment A of the staff report) for the Planning Commission to consider/approve/modify.

Are goal was to create a specific requirement and action on the applicant's part to be responsible for corrective actions, and submit a plan as to how that's to occur that meets with the approval of the Community Development Director (Planning Director) and the Department of Public Works. Again, the Planning Commission can further modify this (and any condition for that matter) as they feel is adequate and necessary.

James

>>> On 2/12/2015 at 14:25, Heather Hardy <hhardy@smcgov.org> wrote:

Hi Craig,

Question #1: Yes - the agenda was posted today. Please see the attached.

Question #2 The time limit will probably be defined at the meeting. In past meetings, I have seen the Chair give speakers 5 minutes each when there are only a few, and 2 minutes each when there are many speakers.

Question #3 I recommend that you submit a California Public Records Act request, and clearly define what specific documents you're seeking.

Question #4 I defer to James on this technical question

Thank you,

Heather

>>> Craig Nishizaki <

2/12/2015 1:50 PM >>>

Hi Heather & James:

I had a few questions for both of you.

- 1) Has the date, time, and location been finalized for the next Planning Commission Meeting re: Ascension Heights. We need to update our communication very soon and need this information.
- 2) Do you know what the time limit will be for each new speaker at the meeting
- 3) We're still coming across documents and information that the developer says they submitted but we cannot find. We'd like to have access to all information submitted regarding the Ascension Heights project. We can come by to make copies if needed, but there seems to be key information missing from the DEIR, FEIR, Staff reports. Do we need to make a formal request for all of the documents.
- 4) In the staff report that was released just before the meeting, the Planning Department is now requiring the developer to fix the erosion on Ascension and Bel Aire sides of the hill. Has the Planning Department defined what those fixes will be and what the requirements will be for

the fix. (for example, does it mean retaining walls must be built, or is it just plantings. If plantings, what type of plantings will be required)  
Thanks, Craig

**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Friday, February 06, 2015 2:45 PM  
**To:** Craig Nishizaki  
**Subject:** RE: Requested Files

Hi Craig,

I have access to correspondence from the public. Is that what you are looking for? In response to your earlier questions, I have spoken to Chair Dworetzky. Speakers who spoke on January 28 will not speak again. Members of the public who haven't yet spoken are welcome to speak. Regarding documents from the developer, I don't know of any. I'll check with Project Planner James Castaneda next week when I see him again. I can make any correspondence to the Commission available to you. For the Board Chambers, the capacity is about 100 or 110, I believe.

Please let me know if I can help with any further questions. Thank you,

Heather

>>> Craig Nishizaki <

2/6/2015 12:43 AM >>>

Hi Heather,

Can we get access to all of the records related to the development, not just what's in the project file.  
Thanks, Craig

**From:** Craig Nishizaki  
**Sent:** Wednesday, February 04, 2015 11:56 PM  
**To:** 'Heather Hardy'  
**Cc:** Craig Nishizaki  
**Subject:** RE: Requested Files

Hi Heather,

Have you been able to find out the answers to a & b below?

Also, I had a couple more questions.

1) Has the developer or anyone else submitted any new information/documents since the Jan. 28<sup>th</sup> meeting. If so, would we be able to view those documents. If anyone submits any new documents between now and the next meeting, would we be notified so that we can review the documents before the next meeting.

2) If the meeting is held in the Board of Supervisor's chambers, what is the maximum capacity for this room.

Please let me know,

Thanks, Craig

**From:** Heather Hardy [mailto:hhardy@smcgov.org]

**Sent:** Monday, February 02, 2015 9:48 AM

**To:** Craig Nishizaki

**Subject:** RE: Requested Files

Hi Craig,

For a &b) I don't know these answers yet, but will speak to the Chair and try to get some information for you

c) Yes absolutely. I recommend that the materials be sent no later than 4PM on Tuesday February 24 so that the Commission can read them. (Of course, earlier is better)

d) I'll publish the agenda on the Planning Commission Website ( <http://planning.smcgov.org/planning-commission> ) no later than next Friday, February 13. I expect that the meeting will be scheduled as a regular meeting - 9AM start time in the Board of Supervisors Chambers here at County Center in Redwood City.

I'll update you as soon as I can.

Thanks,

Heather

>>> Craig Nishizaki <

2/2/2015 9:32 AM >>>

Hi Heather

Thank you so much for the information!

I had a few questions re: the next meeting.

a) Will only the 6 remaining speakers that had submitted speaker tags from the 1/28 meeting be allowed to speak, or can there be additional speakers

b) Can people that spoke at the 1/28 meeting be allowed to speak again

c) Will the Planning Commission continue to review emails that are sent in. Is there a deadline?

d) When will you know the location, day, and time for certain?

Thanks again for the information

Craig

**From:** Heather Hardy [mailto:hhardy@smcgov.org]  
**Sent:** Monday, February 02, 2015 9:07 AM  
**To:** Craig Nishizaki  
**Subject:** Requested Files

Hello Craig,

I hope you are well. I received your email request for a)the applicant's presentation from January 28 and b)a meeting transcript. I've attached the requested presentation here. I haven't been directed to order a transcript, but I have posted the meeting's audio online at this link ( <https://www.hightail.com/download/UIRReFIZNHY0b0JvZE1UQw> ). The file is quite large (160MB), and the link does expire in 10 days. Please let me know if I can help with anything further.

Thank you,

Heather

P.S. In the future, please send any communications for me to this address (hhardy@smcgov.org) for a faster response.

**Heather Hardy**  
Management Analyst  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

Planning and Building Department  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
(650) 363-1859 T  
(650) 363-4849 F  
[www.planning.smcgov.org](http://www.planning.smcgov.org) ( [about:www.planning.smcgov.org](http://about:www.planning.smcgov.org) )

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**From:** James Castaneda  
**To:** Lisa Aozasa  
**Date:** 2/23/2015 8:14 AM  
**Subject:** Fwd: Setback Limits

>>> On 2/20/2015 at 15:57, John Mathon < > wrote:

James,

I am still confused how the applicant for the Ascension Hill project can build structures and a road inches from my back property line. Aren't there basic setback requirements in the county?

On my property line will be built a retaining wall, some water retention system, possibly water cleaning system, some common area things and the road. While I understand a county public road can abut my property line I am unclear how all these other structures are able to be positioned there. Also I am not clear if the road is a public road or a private road and if so, can it be built adjacent with no setback to my property line?

John

rgds, John follow me:

**From:** James Castaneda  
**To:** jtoby@leabraze.com  
**CC:** Lisa Aozasa  
**Date:** 2/23/2015 11:19 AM  
**Subject:** Retaining Walls and Storm Drains at Entrance, Ascension

Good morning Jim,

Couple of questions of clarification (John Mathon is asking a few more questions): the retaining walls at the entrance of the site- I read it as two terraced retaining walls (each 6-feet) with one section being upwards of 8-feet. I'm I reading that correctly? Also the shaded areas (marked as TCM-20, -22, and -23) are not underground treatment retention devices (or as they been calling underground storage tanks), but is a treatment areas designed to lead water to a bubbler box? If you can help clarify that for me so I'm not making assumptions when we can respond. Much appreciated.

James

>>> On 2/20/2015 at 15:57, John Mathon < > wrote:

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John

rgds, John follow me:

**From:** James Castaneda  
**To:** David Burruto  
**CC:** Heather Hardy; Lisa Aozasa  
**Date:** 2/23/2015 2:17 PM  
**Subject:** RE: Ascension Hearing

Nothing to really share at this time to be honest. All the emails Ive gotten are the same that have been CCed to Supervisor Pine. I can't really speak to the item before (I'm not the planner on it), but from what I understand it will have some opposition. Ill let Heather or Lisa speculate on the time the item before might require.

James

>>> On 2/23/2015 at 14:13, David Burruto <dburruto@smcgov.org> wrote:

James,

Just checking on your thoughts for the hearing tomorrow. Not sure what the attendance will be. Has there been much email traffic?

How long do you think the items before Ascension will require?

DB

David Burruto  
Chief of Staff  
Office of Supervisor Dave Pine  
San Mateo County  
District 1  
Hall of Justice & Records  
400 County Center  
Redwood City, CA 94063  
650-363-4571  
dburruto@co.sanmateo.ca.us

**From:** Heather Hardy  
**To:** David Burruto; James Castaneda  
**CC:** Lisa Aozasa  
**Date:** 2/23/2015 2:38 PM  
**Subject:** RE: Ascension Hearing

Hello all,

I have spoken to Mike Schaller, who is the Planner for Items 1 and 2. He estimates that each item may take an hour, which would indicate that Ascension Heights will begin at around 11. Also - just to make sure we're all on the same page - the hearing is Wednesday, not tomorrow. We have received about 20 pieces of correspondence for the 7th Street Fence (Items 1 & 2), and around the same number for Ascension Heights. Please let me know if I can help with any further questions.

Thanks,  
Heather

>>> James Castaneda 2/23/2015 2:17 PM >>>

Nothing to really share at this time to be honest. All the emails I've gotten are the same that have been CCed to Supervisor Pine. I can't really speak to the item before (I'm not the planner on it), but from what I understand it will have some opposition. I'll let Heather or Lisa speculate on the time the item before might require.

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Chief of Staff  
Office of Supervisor Dave Pine  
San Mateo County  
District 1  
Hall of Justice & Records  
400 County Center  
Redwood City, CA 94063  
650-363-4571  
dburruto@co.sanmateo.ca.us

**From:** James Castaneda  
**To:** Lisa Aozasa; Trenton Wilson  
**Date:** 2/24/2015 8:22 AM  
**Subject:** Fwd: No privacy for Parrott homes

A few comments from Craig Nishizaki.

>>> On 2/24/2015 at 08:19, Craig Nishizaki < > wrote:

Dear Planning Commissioners

In the January 28, 2015 Ascension Heights Development Planning Commission meeting, the developer's engineer said that there are no issues with privacy for the Parrott Drive residents who live adjacent to the northern boundary of the proposed development. He said that sufficient screening already exists with the trees that are currently there. As you can see from this attached photo, that statement is false. The existing trees are 50+ year old Monterey Pines which have really thinned out over time and will not provide any screening at all. For the new trees that will be planted, it could take up to 25 years for them to be big enough to provide adequate screening from a 3-story home that will be built on this slope right above the existing Parrott homes. As was discussed in the January 28th meeting, this would violate CEQA aesthetic requirements as it would be a huge invasion of privacy for the current Parrott Drive residents who live adjacent to the proposed development.

Also, I wanted to follow up on a couple other items that we're discussed in the meeting.

The developer's engineer said that there would be a large truck coming to or from the site once every 20 minutes. This again is an inaccurate statement. The FEIR says that there will be 156 trips per day during the heavy grading period which comes out to one truck every 4.3 minutes over a 30 day period (11 hour work day) Even adjusting for a 45 day period (what the developer stated in the meeting) would yield one truck every 6.3 minutes over an 11 hour workday. (which also would put the truck traffic right in the middle of rush hour traffic with the CSM students).

Finally, one of the residents gave testimony at the meeting regarding asbestos. A soil engineer had confirmed that he had serpentine rock on his property on Rainbow Drive. Although the FEIR states that there was no serpentine rock in the borings that were done, how do we know for sure that there aren't smaller areas of serpentine rock which contains asbestos on the hill. If so, this will present a huge health issue as the asbestos particles are released into the environment.

I'm urging the planning commission to vote no against this proposal. The above three issues are just a fraction of all of the other issues with this development including hillside stability, erosion, risky stormwater drainage system, air pollution, etc.

Thanks,  
Craig Nishizaki  
1474 Parrott Drive  
San Mateo, CA

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** LAozasa@smcgov.org; JCastaneda@smcgov.org  
**Date:** 2/24/2015 8:57 AM  
**Subject:** RE: No privacy for Parrott homes

- 1) Not a CEQA issue if the designs of the homes meet the County Code, no impacts to aesthetics.
- 2) We conducted a third party assessment of construction traffic, which may be off from the actual traffic generation (this emphasizes that we are separate from the contractors team)
- 3) Governor's Office of Planning and Research guidance on NOA states that CEQA should address NOA potentials, which we do.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Tuesday, February 24, 2015 8:23 AM  
To: Lisa Aozasa; Trenton Wilson  
Subject: Fwd: No privacy for Parrott homes

A few comments from Craig Nishizaki.

>>> On 2/24/2015 at 08:19, Craig Nishizaki <mailto: >  
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[cid:image002.png@01D0500D.284BD640]

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Thanks,  
Craig Nishizaki  
1474 Parrott Drive  
San Mateo, CA

**From:** Aaron Kinney <akinney@bayareanewsgroup.com>  
**To:** LAozasa@smcgov.org  
**Date:** 2/24/2015 10:54 AM  
**Subject:** Urgent media request

Hi Lisa

I'm writing a story today on tomorrow's hearing on the Ascension/Water Tank Hill project. Steve M. said you might be the best person to talk to. I also left a voicemail for James. Please give me a call at your earliest convenience. Thanks!

Aaron Kinney  
Reporter  
San Mateo County Times/Bay Area News Group  
650-348-4357  
Twitter: @kinneytimes

**From:** Lisa Aozasa  
**To:** James Castaneda  
**CC:** Melissa Andrikopoulos; Steve Monowitz; Tim Fox  
**Date:** 2/24/2015 6:11 PM  
**Subject:** Revised Ascension Condition Re: Erosion  
**Attachments:** Ascension Erosion Correction Condition v. 2.docx

Hi James --

I've attached the revised condition that I reviewed with Dennis Thomas today, and he's o.k. with it. I tweaked it just a bit from what Melissa had written for us -- mainly I took out specific reference to additional permits from CDFW and USFW -- that was concerning Dennis, mainly because there is so much uncertainty related to the timing on their review. I think it's covered anyway, since we still have language relating to compliance with their requirements. Let me know if you have any questions.

Also, just to confirm, he is planning to be there with as many of his team as can make it. His plan is, after Staff's brief presentation, to indicate that while he is hopeful of a positive decision on the project, he recognizes that the PC may have additional questions or need additional information based on documents/testimony received only recently, and he is open to a continuance to allow him to bring back answers to any outstanding questions/issues. He is also hopeful that means that all five commissioners will be there

I'll try to be there early tomorrow -- let me know if you have any questions or need anything else.

Lisa

Prior to issuance of a grading hard card by the Planning and Building Department, and subject to the approval of the Planning Director and Public Works Director, the applicant shall file a plan to correct the existing surface erosion conditions on the subject site (Erosion Correction Plan). The Erosion Correction Plan shall incorporate all the requirements outlined in Conditions 8.e. through 8.j., as well as any additional requirements from the California Department of Fish and Wildlife (CDFW) and/or the United States Fish and Wildlife Service (USFWS), as appropriate. The applicant shall also post a security in an amount determined by the Planning Director and/or the Public Works Director to be sufficient to ensure the faithful performance of the Erosion Correction Plan, pursuant to Section 8604.11 of the San Mateo County Ordinance Code.

**From:** Heather Hardy  
**To:** Heather Hardy  
**CC:** James Castaneda; Lisa Aozasa; Steve Monowitz; Tim Fox  
**Date:** 2/24/2015 6:49 PM  
**Subject:** Today's Ascension Heights Correspondence & a few notes  
**Attachments:** 20150225\_Ascension\_Correspondence\_20150224\_only.pdf

Dear Commissioners,

Please see the attached. There was no 7th Street Fence correspondence today. Please note:

- Due to a meeting in the Board Conference Room, we won't be able to use our usual gathering spot tomorrow. Your coffee, etc, will be in the Kitchen.
- Commissioner Dworetzky will likely have to miss the meeting. Vice Chair Simonson has been notified.

I'll see you in the morning.

Thank you,

Heather

Heather Hardy  
Management Analyst  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

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**From:** James Castaneda  
**To:** twilon@analyticalcorp.com  
**CC:** Aozasa, Lisa  
**Date:** 2/24/2015 7:04 PM  
**Subject:** Fwd: Comments on Ascension Heights Subdivision Project  
**Attachments:** Comments on Ascension Heights Subdivision Project

Actually, this is a priority read over anything else. We just got this late this afternoon, so we need to have scanned through it.

**From:** Winter King <king@smwlaw.com>  
**To:** "planning-commission@smcgov.org" <planning-commission@smcgov.org>, "h...  
**CC:** "Gerard Ozanne ( < > "Laur...  
**Date:** 2/24/2015 6:34 PM  
**Subject:** Comments on Ascension Heights Subdivision Project  
**Attachments:** Letter to San Mateo County Planning Commission.pdf

Dear Members of the Planning Commission,  
Attached please find our comments on the Ascension Heights Subdivision Project, which are submitted on behalf of Baywood Park Homeowners' Association.  
Thank you,  
Winter

Winter King  
Shute, Mihaly & Weinberger LLP  
396 Hayes Street  
San Francisco, CA 94102  
Tel: (415) 552-7272  
Fax: (415) 552-5816  
king@smwlaw.com

**From:** James Castaneda  
**To:** Fox, Tim  
**CC:** Aozasa, Lisa  
**Date:** 2/24/2015 7:08 PM  
**Subject:** Fwd: Comments on Ascension Heights Subdivision Project  
**Attachments:** Comments on Ascension Heights Subdivision Project

Tim, we just received the following letter from the Baywood HOA from an attorney they have retained. I've forwarded it to the EIR consultant.

James

**From:** Winter King <king@smwlaw.com>  
**To:** "planning-commission@smcgov.org" <planning-commission@smcgov.org>, "h...  
**CC:** "Gerard Ozanne ( < > "Laur...  
**Date:** 2/24/2015 6:34 PM  
**Subject:** Comments on Ascension Heights Subdivision Project  
**Attachments:** Letter to San Mateo County Planning Commission.pdf

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San Francisco, CA 94102  
Tel: (415) 552-7272  
Fax: (415) 552-5816  
king@smwlaw.com

**From:** "Jared J. Eigerman" <jeigerman@reubenlaw.com>  
**To:** LAozasa@smcgov.org  
**Date:** 2/25/2015 8:40 AM  
**Subject:** Ascension Heights  
**Attachments:** 20150225\_Ascension\_Correspondence\_20150224\_only.pdf

Dear Lisa:

I apologize for the confused voice mail message. Dennis Thomas just hired me regarding Ascension Heights, and forwarded me the attached comments on the EIR, including a letter from an attorney at Shute Mihaly.

With the matter on for hearing tonight, I am eager to connect by phone to get up to speed. My cell phone is Thank you.

REUBEN, JUNIUS & ROSE LLP

Jared Eigerman, Of Counsel  
One Bush Street, Suite 600  
San Francisco, CA 94104  
Tel: 415 567 9000

jeigerman@reubenlaw.com<[https://mail.reubenlaw.com/owa/redir.aspx?C=dTMLjRQZIEmkuyOvVY\\_s0na3XbVHzM8ISlr-WPtueSNdnMdJ64fnfylhxQ6-pFnwf2Ps8EKB8wE.&URL=mailto%3attunny%40reubenlaw.com](https://mail.reubenlaw.com/owa/redir.aspx?C=dTMLjRQZIEmkuyOvVY_s0na3XbVHzM8ISlr-WPtueSNdnMdJ64fnfylhxQ6-pFnwf2Ps8EKB8wE.&URL=mailto%3attunny%40reubenlaw.com)>

Please consider our environment before printing this email.

**From:** Lisa Aozasa  
**To:** Jared J. Eigerman  
**Date:** 2/25/2015 8:46 AM  
**Subject:** Re: Ascension Heights

Hi Jared --

Your phone number didn't work for some reason. The meeting is this morning. There's one item before Ascension that starts at 9:00. My guess is the Ascension item won't start before 10:00. We just received the Shute Mihaly letter as well, so will need time to adequately respond. I don't anticipate that we will be able to do that at today's meeting -- there's simply no time. I'm actually leaving now for the meeting, so will see you there, if you're attending. Otherwise, we'll be in touch I'm sure.

**Lisa Aozasa**  
**Acting Deputy Director**  
**San Mateo County**  
**Planning & Building Department**  
**455 County Center**  
**Redwood City, CA. 94063**  
**laozasa@smcgov.org**  
**Phone: 650/363-4852**

>>> "Jared J. Eigerman" <jeigerman@reubenlaw.com> 2/25/2015  
8:39 AM >>>

Dear Lisa:

I apologize for the confused voice mail message. Dennis Thomas just hired me regarding Ascension Heights, and forwarded me the attached comments on the EIR, including a letter from an attorney at Shute Mihaly.

With the matter on for hearing tonight, I am eager to connect by phone to get up to speed. My cell phone is Thank you.

**REUBEN, JUNIUS & ROSE LLP**

Jared Eigerman, Of Counsel  
One Bush Street, Suite 600  
San Francisco, CA 94104  
Tel: 415 567 9000  
jeigerman@reubenlaw.com (  
[https://mail.reubenlaw.com/owa/redir.aspx?C=dTMLjRQZIEmkuyOvVY\\_s0na3XbVHzM8ISlr-WPtueSNdnMdJ64fnfylhxQ6-pFnwf2Ps8EKB8wE.&URL=mailto%3attunny%40reubenlaw.com](https://mail.reubenlaw.com/owa/redir.aspx?C=dTMLjRQZIEmkuyOvVY_s0na3XbVHzM8ISlr-WPtueSNdnMdJ64fnfylhxQ6-pFnwf2Ps8EKB8wE.&URL=mailto%3attunny%40reubenlaw.com))

**Please consider our environment before printing this email.**

**From:** "Jared J. Eigerman" <jeigerman@reubenlaw.com>  
**To:** LAozasa@smcgov.org  
**Date:** 2/25/2015 9:26 AM  
**Subject:** RE: Ascension Heights

Okay, we'll have to catch up later.

REUBEN, JUNIUS & ROSE LLP

Jared Eigerman, Of Counsel  
LEED AP Operations + Maintenance  
One Bush Street, Suite 600  
San Francisco, CA 94104  
Tel: 415 567 9000

jeigerman@reubenlaw.com<[https://mail.reubenlaw.com/owa/redir.aspx?C=dTMLjRQZIEmkuyOvVY\\_s0na3XbVHzM8ISlr-WPtueSNdnMdJ64fnfylhxQ6-pFnwf2Ps8EKB8wE.&URL=mailto%3attunny%40reubenlaw.com](https://mail.reubenlaw.com/owa/redir.aspx?C=dTMLjRQZIEmkuyOvVY_s0na3XbVHzM8ISlr-WPtueSNdnMdJ64fnfylhxQ6-pFnwf2Ps8EKB8wE.&URL=mailto%3attunny%40reubenlaw.com)>

Please consider our environment before printing this email.

---

From: Lisa Aozasa [laozasa@smcgov.org]  
Sent: Wednesday, February 25, 2015 11:46 AM  
To: Jared J. Eigerman  
Subject: Re: Ascension Heights

Hi Jared --

Your phone number didn't work for some reason. The meeting is this morning. There's one item before Ascension that starts at 9:00. My guess is the Ascension item won't start before 10:00. We just received the Shute Mihaly letter as well, so will need time to adequately respond. I don't anticipate that we will be able to do that at today's meeting -- there's simply no time. I'm actually leaving now for the meeting, so will see you there, if you're attending. Otherwise, we'll be in touch I'm sure.

Lisa Aozasa  
Acting Deputy Director  
San Mateo County  
Planning & Building Department  
455 County Center  
Redwood City, CA. 94063  
laozasa@smcgov.org<<mailto:laozasa@smcgov.org>>  
Phone: 650/363-4852

>>> "Jared J. Eigerman" <jeigerman@reubenlaw.com> 2/25/2015 8:39 AM >>>

Dear Lisa:

I apologize for the confused voice mail message. Dennis Thomas just hired me regarding Ascension Heights, and forwarded me the attached comments on the EIR, including a letter from an attorney at Shute Mihaly.

With the matter on for hearing tonight, I am eager to connect by phone to get up to speed. My cell phone is Thank you.

REUBEN, JUNIUS & ROSE LLP

Jared Eigerman, Of Counsel  
One Bush Street, Suite 600

**From:** Patrick Kobernus <pkobernus@crecology.com>  
**To:** LAozasa@smcgov.org  
**CC:** jtoby@leabraze.com;  
**Date:** 2/25/2015 2:40 PM  
**Subject:** timing of biological surveys for Ascension Heights

Hi Lisa,

At the planning commission meeting today, one of the planning commissioners expressed concern over the timing of the biological surveys at the Ascension Heights project. I think she was referring to the survey conducted by the County's environmental consultant, Analytical Environmental Services. They had conducted one survey on July 25, 2013.

Dennis Thomas has asked me to conduct surveys this spring to address this concern. Do you know what her concern was? Was it for the potential for rare plants on site?

For the mission blue/pardalis butterfly, we have conducted 24 surveys of the site (documented in reports in 2005, 2008 and 2012) including mapping the host plants. So we have extensive documentation of this species, and an accurate understanding of where this small colony of butterflies occurs on the property.

If you could let me know what the concern is with the biological timing of the survey by Analytical Environmental Services, I can conduct a follow up biological survey(s) to address this concern.

thank you,  
Patrick

--

Patrick Kobernus  
Coast Ridge Ecology, LLC  
1410 31st Avenue  
San Francisco, CA 94122  
[www.CREcology.com](http://www.crecology.com) <<http://www.crecology.com/>>

Ph: 415-404-6757  
Fax: 415-404-6097

**From:** Lisa Aozasa  
**To:** Patrick Kobernus  
**CC:** Dennis Thomas; Jim Toby  
**Date:** 2/25/2015 4:01 PM  
**Subject:** Re: timing of biological surveys for Ascension Heights  
**Attachments:** Letter to San Mateo County Planning Commission.pdf

Hi Patrick --

The Commissioner mentioned the letter (attached) that was submitted late yesterday. I think this is what she was referring to. Take a look and let me know if you have any other questions --

Lisa

>>> Patrick Kobernus <pkobernus@crecology.com> 2/25/2015 2:39 PM >>>  
Hi Lisa,

At the planning commission meeting today, one of the planning commissioners expressed concern over the timing of the biological surveys at the Ascension Heights project. I think she was referring to the survey conducted by the County's environmental consultant, Analytical Environmental Services. They had conducted one survey on July 25, 2013.

Dennis Thomas has asked me to conduct surveys this spring to address this concern. Do you know what her concern was? Was it for the potential for rare plants on site?

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thank you,  
Patrick

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1410 31st Avenue  
San Francisco, CA 94122  
www.CREcology.com ( <http://www.crecology.com/> )

Ph: 415-404-6757  
Fax: 415-404-6097

**From:** James Castaneda  
**To:** Lisa Aozasa; Steve Monowitz  
**Date:** 3/3/2015 6:15 PM  
**Subject:** Fwd: Next Meeting?

>>> On 3/3/2015 at 17:20, Laurel Nagle < > wrote:

Heather, James,

Have you heard anything about when Ascension Heights will go on the Commissioners' schedule?

Does Dennis Thomas have unlimited time to improve/revise his proposal?

As you know, this last fact has our neighborhood quite upset and eager for info.

Thanks!

Laurel

**From:** James Castaneda  
**To:** Dave Holbrook  
**CC:** Lisa Aozasa  
**Date:** 3/4/2015 12:35 PM  
**Subject:** Fwd: Re: Application Status of Case No.: PLN2014-00311

We need to get this reassigned to someone to start processing as quickly as possible. We originally told this person we'll start in four months anticipating having slight relief from Ascension- were now at five with another PC continuation. While its unclear the work required for Ascension to get back to the PC, I have quite a backlog with Roundtable before our April 1st hearing Ill need to work. This project has the potential to be controversial given that the applicant wanted to proceed despite Tiare explaining what we would not support going to a ZHO hearing.

James

>>> On 3/4/2015 at 08:39, Greg Denari < > wrote:

When you have time, please reply to my email.

Thank you.

Greg

Following sent to you 2/24/15:

Hi James,

Checking in to see how things are progressing.  
Hopefully the hearing will be in the near future?  
Please let me know status.

Thanks.

Greg

Sent from my iPad

> On Jan 14, 2015, at 1:01 PM, James Castaneda <jcastaneda@smcgov.org> wrote:

>

> Greg,

> At this time, I don't have a tentative date. I'm hoping to start working on your staff report (which normally is about 5-6 weeks out of a ZHO hearing) in the next couple of weeks as I'm managing a larger controversial project going to hearing at the end of the month. Ill keep you apprised if that changes.

>

> JAMES

>

>>>> Greg Denari < >

01/14/15 12:46 PM >>>

> Hi James,

>

> When we last talked you thought in early January we may have a tentative date for the planning hearing on our application.

> Do we have one yet?

> Thanks.

>

> Greg

>

> Sent from my iPad

>

>> On Oct 27, 2014, at 11:17 AM, James Castaneda <JCastaneda@smcgov.org> wrote:

>>

>> I'm out of the office from Thursday, October 23, 2014 through Friday, October 31, 2014. Ill respond to emails on Monday, November 3, 2014 when I'm back in the office. For general questions, please contact the counter planner at 650/363-1825.

>>>> Greg Denari <

10/27/14 11:17 >>>

>>

>> Hi James,

>>

>> Could you let me know if our application is complete or not when you have time?

>>

>> Thanks.

>>

>> Greg

>>

>> Sent from my iPad

>>

>>> On Oct 21, 2014, at 2:52 PM, James Castaneda <jcastaneda@smcgov.org> wrote:

>>>

>>> Greg,

>>> I have a meeting with staff tomorrow afternoon to discuss your project and the completeness status now that we have receive the revised comments from Woodside fire. Your patients is appreciated as we review your project while processing other projects in our current workload.

>>>

>>> Regards,

>>> JAMES

>>>

>>>>> On 10/21/2014 at 14:28, Greg Denari <

wrote:

>>> Is our application now complete or do you need something more?

>>>

>>> Thanks.

>>>

>>> Greg Denari

>>>

>>> Sent from my iPad

>>

**From:** Dave Holbrook  
**To:** James Castaneda  
**CC:** Lisa Aozasa  
**Date:** 3/4/2015 12:46 PM  
**Subject:** Fwd: Re: Application Status of Case No.: PLN2014-00311

I need the file from you. I'll reassign to Rob. What I need you to do is go over with him where you last left it & what the project is about.

David Holbrook>>> James Castaneda 3/4/2015 12:35 PM >>>

We need to get this reassigned to someone to start processing as quickly as possible. We originally told this person we'll start in four months anticipating having slight relief from Ascension- were now at five with another PC continuation. While its unclear the work required for Ascension to get back to the PC, I have quite a backlog with Roundtable before our April 1st hearing Ill need to work. This project has the potential to be controversial given that the applicant wanted to proceed despite Tiare explaining what we would not support going to a ZHO hearing.

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>>>  
>>> Greg Denari  
>>>  
>>> Sent from my iPad  
>>

**From:** Heather Hardy  
**To:** James Castaneda; Steve Monowitz  
**CC:** Lisa Aozasa  
**Date:** 3/4/2015 4:20 PM  
**Subject:** Re: Ascension PC Decision  
**Attachments:** Pcd0225\_hh (Item 3, AscensionHeights).docx

Draft letter attached with Lisa's blurb. Please let me know if you have edits. Track Changes are on.  
Thanks,

Heather

Heather Hardy  
Management Analyst  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

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>>> Lisa Aozasa 3/4/2015 3:59 PM >>>  
Here's a revised version of the blurb for the PC decision letter:

Based on information provided by staff and evidence presented at the hearing, the Planning Commission, with the applicant's concurrence, continued the item to a date uncertain to allow additional time for: (1) staff to prepare formal findings for denial; and (2) the applicant to bring back additional documentation or revisions to the project that respond to concerns expressed about the project. All interested parties will be notified when the item is scheduled for a future Planning Commission meeting.

Feel free to comment or edit as appropriate -- please respond ASAP as we're a bit behind sending this out. (To be fair, Heather gave me a draft of this quite awhile ago....) Thanks!

Lisa

March 4, 2015

Mr. Dennis Thomas  
San Mateo Real Estate  
1777 Borel Place, Suite 330  
San Mateo, CA 94402

Dear Mr. Thomas:

Subject: **LETTER OF CONTINUANCE**  
File Number: PLN2002-00517  
Location: Bel Aire Road in the San Mateo Highlands  
APNs: 041-111-130, 041-111-160, 041-111-270, 041-111-280, 041-111-320, and 041-111-360

On February 25, 2015, the San Mateo County Planning Commission considered a Major Subdivision, pursuant to Section 7010 of the County Subdivision Ordinance, a Grading Permit, pursuant to Section 8600 of the San Mateo County Ordinance Code, and certification of a Final Environmental Impact Report (FEIR), pursuant to the California Environmental Quality Act (CEQA), for the proposed Ascension Heights Subdivision.

The project includes the subdivision of the 13.25-acre subject site (Water Tank Hill) into 21 legal parcels for development of 19 single-family dwellings with the remaining two lots as conservation (Lot A) and common space (Lot C) areas, including a main private access road. The project site is accessed from Bel Aire Road north of Ascension Drive.

Based on information provided by staff and evidence presented at the hearing, and with the applicant's concurrence, the Planning Commission continued the item to a date uncertain to allow additional time for:

- 1) Staff's preparation of formal findings for denial; and
- 2) The applicant to bring back additional documentation or revisions to the project that respond to concerns expressed about the project.

All interested parties will be notified when the item is scheduled for a future Planning Commission meeting. Please direct any questions regarding this matter to James Castañeda, Project Planner, at (650)363-1853 or Email: [jcastaneda@smcgov.org](mailto:jcastaneda@smcgov.org). To provide feedback, please visit the Department's Customer Survey at the following link: <http://planning.smcgov.org/survey>.

Sincerely,

Heather Hardy  
Planning Commission Secretary

**From:** James Castaneda  
**To:** Lisa Aozasa  
**Date:** 3/10/2015 7:35 AM  
**Subject:** Fwd: RE: Ascension Follow Up  
**Attachments:** Beeken\_2013\_SMUHSD\_CoverLetter.pdf; Beeken\_2013\_SMUHSD\_Letter.pdf

From Trent:

>>> On 3/9/2015 at 16:20, Trenton Wilson <twilson@analyticalcorp.com> wrote:

Ooops, looks like you mis-typed my email, forgot the "s" in Wilson so they go to the boss. I will have a cost to you tomorrow. Been a rough couple of days.

The multiple surveys were brought up in the first hearing and it would be a good idea to provide a staffing report that gives the whole picture. Because the nature of identifying species, even if surveys were conducted every year for 10 years, there still needs to be a final survey before construction unless it just isn't possible for the species to be present. We can add this information to the existing setting of the biological discussion.

Measure P looks like a bond measure but we state in the analysis that while the personal communication from the district states that the project would not impact schools (and the district brought up Measure P) we explicitly state that the Impact Fee will reduce impacts and that in the discussion of the existing setting we note that "Government Code §65996 states that the development fees authorized by SB 50 are deemed to be "full and complete school facilities mitigation."" So we don't rest on conclusion on Measure P. Both districts flat out states in our personal communication that the project would not impact the school district. The City district does state that cumulatively schools could be beyond capacity. But as stated above, that is what the mitigation impact fees are for. Measure P was a bond measure to borrow money to speed up the process, but the developer is covered from impacts by paying the impact fees. We will update this section with the most recent information and discussion and expand upon the impact fee discussion.

The alternatives discussion is pretty straight forward; the no action alternative (alternative A) would be the environmental superior alternative because there would be no construction on the site. Alt C would be the environmentally superior development action, since only 6 lots would be developed. Maybe the Commissioner mistook seeing Alternative A as meaning the Proposed Project instead of as the first alternative to the Proposed Project? Here is the text from the EIR:

"Generally, the environmentally superior alternative is the alternative that would cause the least damage to the biological and physical environment. Since implementation of the No Project Alternative would result in the fewer adverse environmental effects than would occur under the Proposed Project and other alternatives, Alternative A - No Project/No Development Alternative would be considered the environmentally superior alternative. However, the No Project/No Development Alternative would not achieve any of the project objectives.

If the No-Project Alternative is the environmentally superior alternative, CEQA *Guidelines* Section 1526.6(e)(2) requires identification of an environmentally superior alternative among the other alternatives considered in the EIR. When comparing the remaining development alternatives, Alternative C, the Alternative Design Alternative, is the most environmentally superior alternative. Under Alternative C, development of fewer housing units on larger lots with increased open space would achieve some of the project objectives. Development of Alternative C would result in lesser impacts than the Proposed Project in six issue areas, similar impacts to the Proposed Project in three issue areas, and greater impacts in one issue area.

**TRENTON WILSON**  
**ANALYTICAL ENVIRONMENTAL SERVICES**  
Senior Project Manager | twilson@analyticalcorp.com  
1801 7th Street, Ste 100 | Sacramento, CA 95811

916.447.3479 | Fax 447.1665  
www.analyticalcorp.com

**From:** David Zweig, P.E.  
**Sent:** Thursday, March 05, 2015 2:42 PM  
**To:** Trenton Wilson  
**Subject:** FW: Ascension Follow Up

**From:** James Castaneda [mailto:jcastaneda@smcgov.org]  
**Sent:** Thursday, March 05, 2015 2:35 PM  
**To:** twilson@analyticalcorp.com  
**Subject:** Ascension Follow Up

Good afternoon Trent,  
Based on some of our initial conversations internally and with the applicant, I have a few things I wanted to check in with you and give you an idea of what we're looking at so far.

After speaking to Dennis, we don't expect too many changes other than minor altering to the entrance to the site (to provide some more space from Mr Mathon's property). He did indicate that he's having the biologist go out there right now to do another survey, so we can expect that to coming in the next few weeks.

For what we need now concerning the EIR, we have so far the following items/areas that we think will need to be address/edited:

1. Biological Resources- According the applicant's biologist, there were more surveys conducted that weren't reflected in the EIR. I asked them to provide all the previous surveys in addition to the one they're conducting as we speak. We'll need to include their surveys the help with the analysis (which I suspect will result in the same conclusion).
2. School Impacts- Per the feedback regarding Measures P, we'll need to make sure we need to clarify the impact absent of that measure using all current assumptions. We'll be working with the applicant to figure out what the estimated fees will be that he'll be obligated to pay as part of developing and clarifying the requirement. But for the purposes of the EIR, we'll need to have that discussion revised.
3. Environmentally Superior Alternative- Per the Commission's comments, we'll need to clarify this a bit more. If not as part of the EIR text, perhaps as part of some proposed language staff can use within a

report when we return back to the Planning Commission.

That's all I had regarding possible edits/additions to the EIR, and of course any you identified as well. Aside from the EIR, I think our approach the next time is having as much information to provide clarity on the issues we were anticipating to answer in person within a report. So, I think we'll need to help in providing clarification in the areas commonly mistaken not to be addressed (air quality for example), and documents utilized to make an adequate environmental assessment.

What we'll need is an estimate of time and cost to perform these. Right now, the best estimate we have June for the next Planning Commission hearing.

If you want to chat about it over the phone, I'm available Monday after 8am. Thanks Trent.

James

**James A. Castañeda, AICP**  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
[planning.smcgov.org](http://planning.smcgov.org) | [sforoundtable.org](http://sforoundtable.org)

**From:** James Castaneda  
**To:** twilson@analyticalcorp.com  
**CC:** Aozasa, Lisa  
**Date:** 3/11/2015 1:27 PM  
**Subject:** RE: RE: Ascension Follow Up

Thanks Trent. We'll look this over and discuss. In the meantime, what would be a rough estimate on timing? We're trying to work out the particulars here on that as well.

James

>>> Trenton Wilson 03/11/15 10:35 AM >>>  
Here you are.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com

-----Original Message-----  
From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, March 11, 2015 7:50 AM  
To: Trenton Wilson  
Subject: Re: RE: Ascension Follow Up

I would just to be on the safe side, but just make sure to itemize in case we elect not to.

>>> Trenton Wilson 03/10/15 16:06 PM >>>  
One bit of clarification, should the cost estimate include another Planning Commission Hearing?

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From: Trenton Wilson  
Sent: Tuesday, March 10, 2015 4:04 PM  
To: 'James Castaneda'  
Subject: RE: Ascension Follow Up

Sorry, day got away from me. Will get the cost to you first thing in the morning, no later than 9am.

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Thursday, March 05, 2015 2:35 PM  
To: twilson@analyticalcorp.com  
Subject: Ascension Follow Up

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If you want to chat about it over the phone, I'm available Monday after 8am. Thanks Trent.

James

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department Program Coordinator - SFO  
Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
[planning.smcgov.org](http://planning.smcgov.org) | [sforoundtable.org](http://sforoundtable.org)

**From:** James Castaneda  
**To:** Aozasa, Lisa  
**Date:** 3/11/2015 1:28 PM  
**Subject:** Fwd: RE: RE: Ascension Follow Up  
**Attachments:** RE: RE: Ascension Follow Up

Lisa, see attached for Trent's estimates in revising some of the areas of concerns based on the PC feedback so far.

James

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**Date:** 3/11/2015 10:35 AM  
**Subject:** RE: RE: Ascension Follow Up  
**Attachments:** AES Proposal\_FEIR Revisions andAdditional Hearings\_Ascension Heights.pdf

Here you are.

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**To:** JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 3/11/2015 2:28 PM  
**Subject:** RE: RE: Ascension Follow Up

I would comfortably state that by the end of the first week of april we could have a revised EIR, release, and then have the comment period end by third week of may.

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Sent: Wednesday, March 11, 2015 1:27 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: RE: RE: Ascension Follow Up

Thanks Trent. We'll look this over and discuss. In the meantime, what would be a rough estimate on timing? We're trying to work out the particulars here on that as well.

James

>>> Trenton Wilson 03/11/15 10:35 AM >>>  
Here you are.

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**From:** James Castaneda  
**To:** Heather Hardy  
**CC:** Lisa Aozasa; Tim Fox  
**Date:** 3/24/2015 11:51 AM  
**Subject:** Fwd: Public Records Act Request re Ascension Heights Subdivision, 3-24-15  
**Attachments:** Ltr to M. Church re PRA Request 3-24-15.PDF

FYI

>>> On 3/24/2015 at 11:31, "Sean P. Mulligan" <Mulligan@smwlaw.com> wrote:

Dear Mr. Church:

Please find attached a letter from Winter King regarding the above referenced matter. A hard copy has been sent to your office via U.S. Mail. If you have any questions please do not hesitate to contact our office. Thank you.

Sean Mulligan  
Shute, Mihaly & Weinberger LLP  
396 Hayes Street  
San Francisco, CA 94102  
Tel: (415) 552-7272  
Fax: (415) 552-5816  
mulligan@smwlaw.com

**From:** "Sean P. Mulligan" <Mulligan@smwlaw.com>  
**To:** "planning-commission@smcgov.org" <planning-commission@smcgov.org>  
**CC:** Winter King <king@smwlaw.com>  
**Date:** 3/24/2015 11:36 AM  
**Subject:** Ltr re Ascension Heights Subdivision Project, 3-24-15  
**Attachments:** Ltr to Planning Commission reProposed Denial of Ascension Heights Subdivision Project, 3-24-15.PDF; Draft Ascension Heights Denial Findings (3-16).DOCX

Dear Honorable Members of the San Mateo County Planning Commission:

Please find attached a letter with attachment from Winter King regarding the above referenced matter. A hard copy has been sent to your office via U.S. Mail. If you have any questions please do not hesitate to contact our office. Thank you.

Sean Mulligan  
Shute, Mihaly & Weinberger LLP  
396 Hayes Street  
San Francisco, CA 94102  
Tel: (415) 552-7272  
Fax: (415) 552-5816  
mulligan@smwlaw.com<mailto:mulligan@smwlaw.com>

**Ascension Heights Subdivision:**  
**Recommended Findings in Support of Project Denial**

Regarding the Environmental Review, Find:

1. That a project denial is not subject to California Environmental Quality Act (CEQA), and therefore the request to certify the EIR is also denied. *See* Pub. Res. Code § 21080(b)(5). In addition, the Commission has reviewed the Final Environmental Impact Report (FEIR), and has found that it is inadequate in the following ways:

(a) It does not include adequate analysis of the Project’s potential impacts to biological resources. Rather than conducting the required analysis now, it defers the analysis until after Project approval and likewise defers development of mitigation measures. This deferred analysis appears in other chapters of the EIR as well, including:

- Aesthetics. *See* RDEIR at 4.1-14 (noting that the Landscape Plan and Tree Replacement Plan—the only proposed mitigation for the project’s aesthetic impacts—need not be developed until after project approval).
- Geology and Soils. *See* RDEIR at 4.4-12 and 4.4-13 (deferring the development of an erosion control plan and the adoption of specified “erosion control BMPs” until after project approval and failing to provide any substantial evidence that these measures would mitigate erosion impacts to a less than significant level).
- Hydrology. *See* RDEIR at 4.10-27 (failing to provide any details about how the project applicant will achieve sufficient reduction in infiltration and inflow in order to mitigate the effect of increased discharge to an already over-burdened sewer line).
- Traffic. *See* RDEIR at 4.11-10 (proposing a handful of non-mandatory design suggestions to mitigate the traffic impacts associated with a hazardous intersection).

(b) The EIR incorrectly concludes that the Project will not have a significant aesthetic impact even though the photo simulations plainly show the impacts will be significant from nearby public streets. The Commission has not been presented with a landscape plan and thus has no basis to conclude that landscaping alone will reduce these impacts to a level of insignificance.

(c) Members of the public have identified additional flaws in the EIR, including repeated instances of the failure to adopt enforceable mitigation measures. For example, the requirement of a 250-foot buffer around active raptor nesting sites is unenforceable because it can be disregarded if the buffer is “impractical” or “unfeasible.” In some instances, the FEIR fails to support its findings of less than significant impacts with substantial evidence, for example, by basing its analysis of biological impacts on poorly timed and inadequate surveys of existing biological conditions. The document likewise

**From:** Tim Fox  
**To:** Winter King  
**CC:** Heather Hardy; James Castaneda; Lisa Aozasa  
**Date:** 4/2/2015 4:42 PM  
**Subject:** Ascension Heights CPRA request  
**Attachments:** 44588.PDF

Please see the attached letter.

Tim

Timothy Fox  
Deputy County Counsel  
County of San Mateo  
400 County Center, 6th Fl.  
Redwood City, CA 94063  
(650) 363 4456  
tfox@smcgov.org

**From:** Heather Hardy  
**To:** Gary West; Lisa Aozasa  
**CC:** Steve Monowitz  
**Date:** 4/7/2015 9:19 AM  
**Subject:** Program Summaries for Budget Deliverable  
**Attachments:** 10\_ProgramSummary\_38100.doc; 10\_ProgramSummary\_38420.doc;  
10\_ProgramSummary\_38430.doc; 10\_ProgramSummary\_38320.doc;  
Template\_Program\_Summaries.doc

Dear Lisa and Gary,

I'm writing to ask for your help. Steve and I have a budget deadline at the end of next week, and need the Program Summaries for Current Planning and Building Inspection, respectively. Steve traditionally produces the program summary for Long Range Planning, while I produce the summary for Administration and Support. The template for the summary is attached here. I ask that you fill out the yellow highlighted sections by end of day next Wednesday, April 15. This will give me and Steve time to review and provide any edits before Friday. I'll fill out all of the financial details from BRASS when I return to the office next week. If you can't recall your program's Performance measures, you can refer to the Performance page:

Building Inspection ( <https://performance.smcgov.org/reports/Planning-Building-Building-Inspection> )  
Current Planning ( <https://performance.smcgov.org/reports/Planning-Building-Current-Planning> )  
Long Range Planning ( <https://performance.smcgov.org/reports/Planning-Building-Long-Range-Planning-3830P-> )  
Administration ( <https://performance.smcgov.org/reports/Planning-Building-Administration-and-Support-3810P> )

I have attached the Program Summaries that we turned in two years ago. The Budget Instructions website with deliverables templates is here ( <http://intranet.co.sanmateo.ca.us/cmo/budgetinstructions/2015/instructionshome2015.htm> ).

Thank you so much,

Heather

Heather Hardy  
Management Analyst  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

Planning and Building Department  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
(650) 363-1859 T  
(650) 363-4849 F  
[www.planning.smcgov.org](http://www.planning.smcgov.org) ( [about:www.planning.smcgov.org](http://about:www.planning.smcgov.org) )

## ***Long Range Planning (3830P)***

San Mateo County

*Livable Community*

*Planning and Building Department*

*Long Range Planning*

### **Program Outcome Statement**

Promote sustainable development by updating plans, regulations, and procedures

### **Program Results**

Long Range Planning will continue to revise and update the County's General Plan and Zoning Regulations to create livable communities, protect the environment, and support sustainable economic development.

In FY 2013-15, Long Range Planning will amend the zoning and subdivision regulations to implement the Housing Element and North Fair Oaks Community Plan; complete the Princeton Local Coastal Program Update; streamline the permit process for projects that support agriculture; implement emission reduction measures contained in the Climate Action Plan; develop information and pursue funds to construct the trail and roadway improvements recommended by the Midcoast Mobility Studies. Long Range Planning will also administer the Williamson Act Program, San Francisco Airport Roundtable, and Zoning Hearing Officer functions; enforce zoning, tree removal, and grading regulations; and apply for grants to fund other needed updates to the County's Plans and Regulations.

### **Performance Measures**

	<b>FY 2010-11 Actual</b>	<b>FY 2012-13 Target</b>	<b>FY 2012-13 Estimate</b>	<b>FY 2013-14 Target</b>	<b>FY 2014-15 Target</b>
<i>Achievement of land use and development emission reduction targets established by Climate Action Plan<sup>1</sup></i>	N/A	N/A	N/A	15%	30%
<i>Completion of Implementation Actions Identified By Housing Element and North Fair Oaks Community Plan</i>	N/A	N/A	N/A	75%	100%
<i>Number of days to complete site inspection following receipt of code compliance complaint<sup>2</sup></i>	N/A	N/A	N/A	3	3

<sup>1</sup> The timeframe for implementing all of the emission reduction measures contained in the CAP concludes in the year 2020.

<sup>2</sup> Benchmark is Marin County, who has a target of 7 days

**Resource Allocation Table**

	Actual 2010-11	Actual 2011-12	Revised 2012-13	Recomm. 2013-14	Change 2012-13	Recomm. 2014-15	Change 2014-15
Salary Resolution							
Funded FTE							
Total Requirements		AUTO	Filled	From	BRASS		
Total Sources							
Net County Cost							

**FY 2013-14 Program Funding Adjustments**

The following are significant changes from the FY 2012-13 Revised to the FY 2013-14 Recommended Budget:

**1. Adjustments to Provide Current Level Services:**

Budget adjustments have been made to reflect current costs for existing levels of service and performance: inclusion of merit increases, and increases in retirement contributions and health benefit costs. *The variances below are explained by a change in budget methodology. Prior to the 2013-14 budget cycle, costs were tracked across programs using intra-departmental transfers. The decrease in Total Sources is the result of the deletion of a one-time Federal grant which funded the San Mateo County Energy Efficiency and Climate Action Plan Project.*

Total Requirements	Total Sources	Net County Cost	Positions
(\$813,498)	(\$115,000)	(\$698,498)	0

**FY 2014-15 Program Funding Adjustments**

The following are significant changes from the FY 2013-14 Recommended Budget to the FY 2014-15 Recommended Budget:

**1. Adjustments to Provide Current Level Services:**

Budget adjustments have been made to reflect current costs for existing levels of service and performance: inclusion of merit increases, and increases in retirement contributions and health benefit costs. *Variances in Total Requirements and Net County Cost are the result of scheduled Salary & Benefit increases and a decrease in Telephone Service Charges.*

Total Requirements	Total Sources	Net County Cost	Positions
\$8,657	\$0	\$8,657	0

## Building Inspection Services (3842P)

San Mateo County

*Livable Community*

*Planning and Building Department*

*Building Inspection Services*

### Program Outcome Statement

Protect public health and safety by enforcing building codes

### Program Results

Building Inspection Services protects the health and safety of County residents' property by ensuring that permitted construction within the unincorporated area of San Mateo County meets current building code standards.

Building Inspection staff will work with the Information Services Department to complete the Planning and Building Department's permit tracking system and upgrade in FY 2013-14. The new permit tracking system, Accela Automation, will enhance property owner and applicant access and improve permit management and workflows. Electronic Document Review (EDR) will be a key component in the system upgrade. When fully implemented, EDR will allow applicants to submit plans and documents 24 hours a day, 7 days a week.

In FY 2013-14, the number of building permits finalized is expected to reach 1,970, up from 1,950 estimated permits in FY 2012-13. This indicates a positive trend in permitted projects being completed in compliance with prevailing regulations and an improved construction economy. The percentage of major-type building permits (any permit exceeding 50% of the value of an existing building as determined by the Building Official) being issued within 365 days will continue to meet its 90% target in FY 2013-14. The one year timeframe represents the necessary time for all departments, agencies, and the applicant to submit and respond to code and regulation comments prior to issuing a permit.

San Mateo County has been awarded an Insurance Service Office (ISO) rating of 2 (in a range from 1 to 10 with 1 being the best). San Mateo County is in the top 17% of all Cities and Counties within the State of California with respect to an ISO rating of 2. Prior to 2008, San Mateo County consistently received an ISO rating of 7. The Board of Supervisors' approval of the most current California Building Codes and International Building Codes in 2008 was a factor in receiving the improved ISO rating of 2.

### Performance Measures

	FY 2011-12 Actual	FY 2012-13 Target	FY 2012-13 Estimate	FY 2013-14 Target	FY 2014-15 Target
Number of building permits finalized	1,619	1,900	1,950	1,970	2,000
% of major-type building permits issued within 365 days	84%	94%	90%	90%	90%
Maintain an ISO Rating of 2	2	2	2	2	2

**Resource Allocation Table**

	Actual 2010-11	Actual 2011-12	Revised 2012-13	Recomm. 2013-14	Change 2012-13	Recomm. 2014-15	Change 2014-15
Salary Resolution							
Funded FTE							
Total Requirements		AUTO	Filled	From	BRASS		
Total Sources							
Net County Cost							

**FY 2013-14 Program Funding Adjustments**

The following are significant changes from the FY 2013 Revised to the FY 2013-14 Recommended Budget:

**1. Adjustments to Provide Current Level Services:**

Budget adjustments have been made to reflect current costs for existing levels of service and performance: inclusion of merit increases, and increases in retirement contributions and health benefit costs. The variances below are explained by a change in budget methodology. Prior to the FY 2013-14 budget cycle, costs were tracked across programs using intra-departmental transfers. The increase in Total Sources is due to anticipated increases in Building Permits and related revenues.

Total Requirements	Total Sources	Net County Cost	Positions
(\$1,293,846)	\$137,370	(\$1,431,216)	0

**FY 2014-15 Program Funding Adjustments**

The following are significant changes from the FY 2013-14 Recommended Budget to the FY 2014-15 Recommended Budget:

**1. Adjustments to Provide Current Level Services:**

Budget adjustments have been made to reflect current costs for existing levels of service and performance: inclusion of merit increases, and increases in retirement contributions and health benefit costs. The increase in Total Sources is due to anticipated increases in Building Permit Fees and related revenues.

Total Requirements	Total Sources	Net County Cost	Positions
\$20,073	\$101,244	(\$81,171)	0

# Program Summary Template

*Insert Program Name (P-level)*

## Program Locator

County  
*Insert Agency*  
*Insert Department*  
*Insert Program*

## Program Outcome Statement

*See the RLB Section of the budget instructions for guidance on how to prepare the outcome statement*

## Program Results

*See the RLB Section of the budget instructions for guidance on how to prepare the narrative for this section.*

## Performance Measures

	FY 2012-13 Actual	FY 2013-14 Actual	FY 2014-15 Estimate	FY 2015-16 Target	FY 2016-17 Target
<i>Insert Measure #1</i>					
<i>Insert Measure #2</i>					
<i>Insert Measure #3</i>					

## Resource Allocation Table

	Actual 2012-13	Actual 2013-14	Revised 2014-15	Recomm. 2015-16	Change 2015-16	Recomm. 2016-17	Change 2016-17
Salary Resolution							
Funded FTE							
Total Requirements		AUTO	Filled	From	BRASS		
Total Sources							
Net County Cost							

## FY 2015-16 Program Funding Adjustments

The following are significant changes from the FY 2013 Revised to the FY 2013-14 Recommended Budget:

### 1. Adjustments to Provide Current Level Services:

Budget adjustments have been made to reflect current costs for existing levels of service and performance: inclusion of merit increases, and increases in retirement contributions and health benefit costs; *[continue to add text]*

Total Requirements	Total Sources	Net County Cost	Positions

2. **Insert RLB Funding Adjustment Titles**

*See the RLB Section of the budget instructions for guidance on how to prepare the funding adjustment narrative for this section.*

Total Requirements	Total Sources	Net County Cost	Positions

**Total FY 2015-16 Program Funding Adjustments**

Total Requirements	Total Sources	Net County Cost	Positions

**FY 2016-17 Program Funding Adjustments**

The following are significant changes from the FY 2013-14 Recommended Budget to the FY 2014-15 Recommended Budget:

1. **Adjustments to Provide Current Level Services:**

Budget adjustments have been made to reflect current costs for existing levels of service and performance: inclusion of merit increases, and increases in retirement contributions and health benefit costs; *[continue to add text]*

Total Requirements	Total Sources	Net County Cost	Positions

2. **Insert RLB Funding Adjustment Titles**

*See the RLB Section of the budget instructions for guidance on how to prepare the funding adjustment narrative for this section.*

Total Requirements	Total Sources	Net County Cost	Positions

**Total FY 2016-17 Program Funding Adjustments**

Total Requirements	Total Sources	Net County Cost	Positions

## Current Planning (3843P)

San Mateo County

Livable Community

Planning and Building Department

Current Planning

### Program Outcome Statement

Enhance quality of life and the environment through enforcement of land use, development, and environmental regulations.

### Program Results

Current Planning protects and improves the community and the environment by processing permits for land use and development projects in the unincorporated areas of San Mateo County, ensuring compliance with the County General Plan, Local Coastal Program, Zoning/Subdivision Regulations and State and County environmental statutes. At the Development Review Center, staff receive and review plans and permit applications in addition to providing the public with information about zoning, land use, and environmental regulations and best management practices to improve the quality of future development, protecting neighborhood character and property values. Current Planning also provides project coordination, research and analysis, reports and recommendations for compliance with land use regulations to 11 Boards, Commissions and Committees, including the Board of Supervisors, that provide a forum for resolving land use conflicts and make land use recommendations and decisions.

Initiatives to be undertaken to improve performance in the next two years include: (1) expanding capacity and developing procedures for electronic information distribution and document management to increase efficiency and improve public outreach; (2) revising appeal procedures to decrease permit delays; (3) offering enhanced services/products to the public relative to property records research/analysis; (4) providing more detailed review of commercial development to improve land use compatibility; (5) installing and transitioning to a new permit tracking system to increase efficiency and accountability; (6) revising staff procedures to increase accuracy of information provided; (7) cross-training/sharing resources with Long Range Planning to update zoning regulations and policies.

### Performance Measures

	FY 2011-12 Actual	FY 2012-13 Target	FY 2012-13 Estimate	FY 2013-14 Target	FY 2014-15 Target
% of Customers Assisted within 20 minutes/Phone Calls Answered or Returned Same Day <sup>1</sup>	83%	N/A	84%	85%	90%
% of Hearing-level Permits Processed within 4 months. Staff-level Permits Processed within 2 months <sup>2</sup>	68%	75%	70%	75%	80%
Average Number of Days from Application to Decision of Design Review Applications <sup>3</sup>	54	50	22	21	20

<sup>1</sup> FY2011-12 and FY2012-13 data for customers assisted only.

<sup>2</sup> From date application complete for hearing-level permits, from date of application submittal for staff-level permits. FY 2011-12 and FY2012-13 data for hearing-level permits only.

<sup>3</sup> Marin County/SMCounty; includes only DR permits exempt from environmental review.

**Resource Allocation Table**

	Actual 2010-11	Actual 2011-12	Revised 2012-13	Recomm. 2013-14	Change 2012-13	Recomm. 2014-15	Change 2014-15
Salary Resolution							
Funded FTE							
Total Requirements		AUTO	Filled	From	BRASS		
Total Sources							
Net County Cost							

**FY 2013-14 Program Funding Adjustments**

The following are significant changes from the FY 2012-13 Revised to the FY 2013-14 Recommended Budget:

1. **Adjustments to Provide Current Level Services:**

Budget adjustments have been made to reflect current costs for existing levels of service and performance: inclusion of merit increases, and increases in retirement contributions and health benefit costs. The variances below are explained by a change in budget methodology. Prior to the FY 2013-14 budget cycle, costs were tracked across programs using intra-departmental transfers. The decrease in Total Sources is due to anticipated decline in Zoning Permit and Land Division Permit revenues. This decrease is partially offset by anticipated gains in Plan Checking Fees and Interfund Revenue. Increases in Total Requirements are the result of several one-time appropriations including the Princeton Land Use Update and the Ascension Heights Subdivision.

Total Requirements	Total Sources	Net County Cost	Positions
\$832,540	(\$230,473)	\$1,063,013	0

**FY 2014-15 Program Funding Adjustments**

The following are significant changes from the FY 2013-14 Recommended Budget to the FY 2014-15 Recommended Budget:

1. **Adjustments to Provide Current Level Services:**

Budget adjustments have been made to reflect current costs for existing levels of service and performance: inclusion of merit increases, and increases in retirement contributions and health benefit costs. The variance in Total Requirements is due to the deletion of one-time appropriations including the Princeton Land Use Update, Ascension Heights Subdivision, and the Edgewood Canyon Estates Mitigation Monitoring Program.

Total Requirements	Total Sources	Net County Cost	Positions
(\$182,527)	\$20,775	(\$203,302)	0

## Administration and Support (3810P)

*San Mateo County*

*Livable Community*

*Planning and Building Department*

*Administration and Support*

### Program Outcome Statement

Provide leadership and internal operational support

### Program Results

The Administration and Support Program offers direction and guidance to three programs within the Department: Long Range Planning, Current Planning, and Building Inspection. The Program provides fiscal oversight, payroll, budget, network administration, word processing, graphics, reception and administrative support. Administration and Support also serves as a critical source of document preparation, graphics, and the IT support needed by the Zoning Hearing Officer, Planning Commission, and Board of Supervisors to enable informed decisions regarding land use and development. The IT support component of the Program maintains a reliable computer network, allowing staff to perform their work efficiently and provide residents with timely access to information through its on-line permit tracking system.

In FY 2013-14, the Department will complete a permit processing and tracking system upgrade from a client-server platform to a web and cloud-based application. Administration and Support is also collaborating with the Information Services Department to develop permit processing and tracking integration with the County's Geographic Information System to make more information and mapping layers available to the public and staff. Throughout FY 2013-14 and FY 2014-15, the Program will improve e-resources for both internal and external customers, including an improved website, enhanced electronic document submission and management, and new ways to inform interested parties of land use issues.

### Performance Measures

	FY 2010-11 Actual	FY 2012-13 Target	FY 2012-13 Estimate	FY 2013-14 Target	FY 2014-15 Target
Percent of staff recommended actions approved by the Planning Commission	94%	98%	100%	100%	100%
Percent availability of computer network during scheduled hours	100%	100%	100%	100%	100%
Number of weekly hours the public is served <sup>1</sup>	47.5	47.5	47.5	47.5	47.5

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<sup>1</sup> This Benchmark Measure is compared to the average hours the public is served by County Planning & Building departments within the 9 Bay Area Counties. That average is 41.5 hours.

**Resource Allocation Table**

	Actual 2010-11	Actual 2011-12	Revised 2012-13	Recomm. 2013-14	Change 2012-13	Recomm. 2014-15	Change 2014-15
Salary Resolution							
Funded FTE							
Total Requirements		AUTO	Filled	From	BRASS		
Total Sources							
Net County Cost							

**FY 2013-14 Program Funding Adjustments**

The following are significant changes from the FY 2013 Revised to the FY 2013-14 Recommended Budget:

**1. Adjustments to Provide Current Level Services:**

Budget adjustments have been made to reflect current costs for existing levels of service and performance: inclusion of merit increases, and increases in retirement contributions and health benefit costs. The variances below are explained by a change in budget methodology. Prior to the FY 2013-14 budget cycle, costs were tracked across programs using intra-departmental transfers. The decrease in Total Requirements is also attributed to the deletion of one-time Intrafund transfers to fund the Accela Automation Technology Upgrade and the SMC Saves technology grant. The reduction in Total Sources is due to the deletion of a one-time North Fair Oaks grant and a reduction in Fund Balance.

Total Requirements	Total Sources	Net County Cost	Positions
\$1,712,475	(\$35,577)	\$1,748,052	0

**2. Adjustments to Provide Recommended Level Services**

The reduction in Total Requirements is due to the deletion of two vacant positions, Administrative Services Manager and Senior Graphic Specialist, in order to provide cost savings and avoid the deletion of filled positions. These savings are offset somewhat by the addition of a Shared Services Agreement with the Department of Public Works, to be used on an as-needed basis.

Total Requirements	Total Sources	Net County Cost	Positions
(\$275,527)	\$0	(\$275,527)	(2)

**Total FY 2013-14 Program Funding Adjustments**

Total Requirements	Total Sources	Net County Cost	Positions
\$1,436,948	(\$35,577)	\$1,472,525	(2)

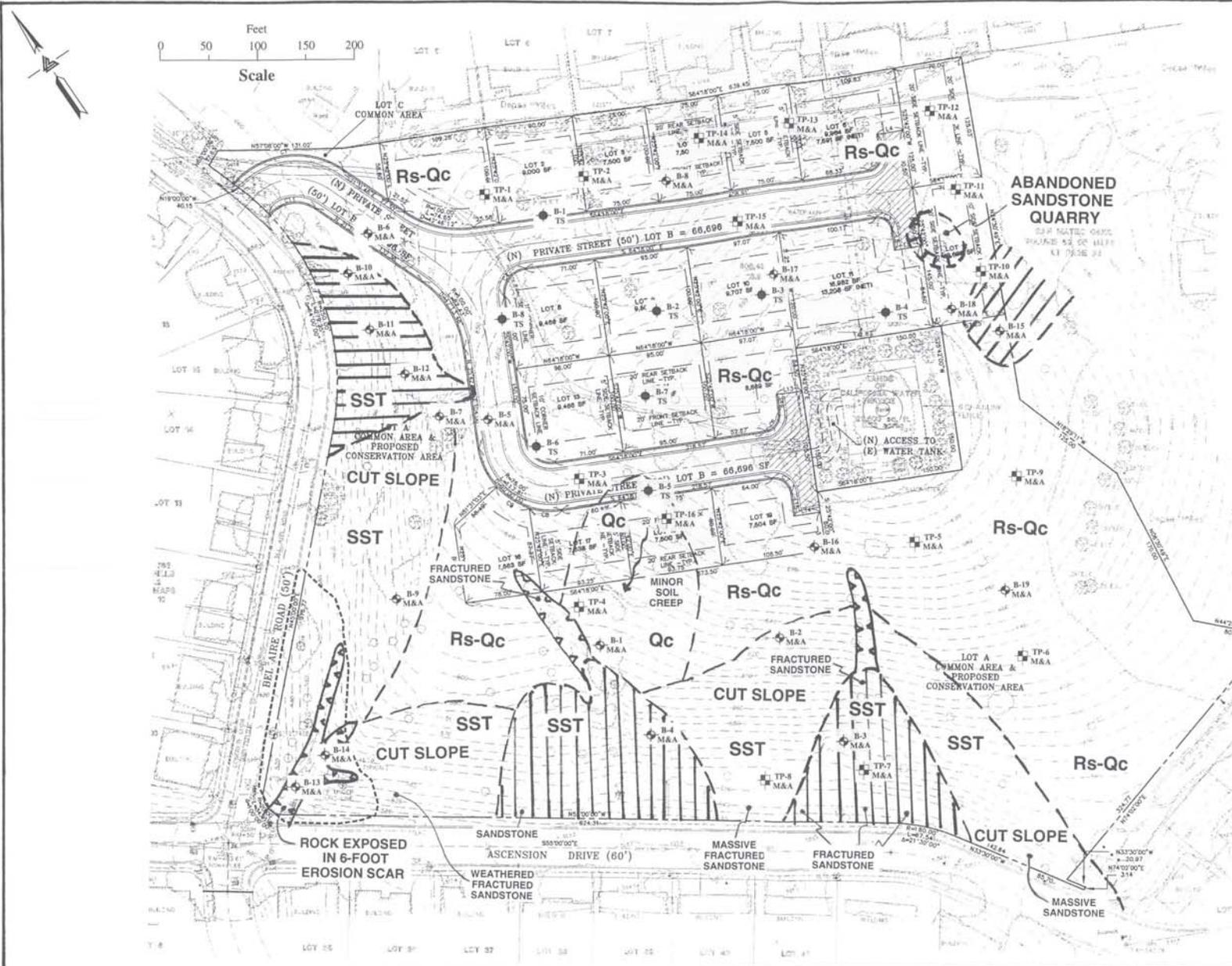
### **FY 2014-15 Program Funding Adjustments**

The following are significant changes from the FY 2013-14 Recommended Budget to the FY 2014-15 Recommended Budget:

1. **Adjustments to Provide Current Level Services:**

Budget adjustments have been made to reflect current costs for existing levels of service and performance: inclusion of merit increases, and increases in retirement contributions and health benefit costs. The reduction in Total Requirements is attributed primarily to the conclusion of the Accela Automation Technology Upgrade and related technology expenditures in FY 2012-13 and FY 2013-14. The reduction in Total Sources is attributed to reduced Fund Balance, as a result of lower Reserves and a lower level of carried-over funds for continuing appropriations.

<b>Total Requirements</b>	<b>Total Sources</b>	<b>Net County Cost</b>	<b>Positions</b>
(\$268,973)	(\$607,594)	\$338,621	0



**EXPLANATION**

- Location of Exploratory Boring (Michelucci & Associates, Inc., 2002)
- Location of Exploratory Test Pit (Michelucci & Associates, Inc., 2002)
- Location of Exploratory Boring (Terrasearch, Inc., 1979)
- Qc** Colluvium
- Rs-Qc** Residual Soil-colluvium
- SST** Sandstone
- Extent Of Rill Erosion
- Incised Erosion Gully

\*Base map from a Vesting Tentative Subdivision Map Lot Layout Plan (Sheet C-2), titled, "Ascension Heights Subdivision, San Mateo, California," dated July 1, 2013 prepared by Lea & Brze Engineering, Inc. and from measurements with hand-held tape measures and a Brunton compass. Mapping of erosional gullies and rill erosion areas is approximate. Arrow in mapped colluvium (Qc) indicates direction of creep movement.

<b>SITE PLAN/ENGINEERING GEOLOGIC MAP*</b>		
Ascension Heights Subdivision San Mateo County, California		
Scale: 1"=100'±	Approved: J. M.	Prepared By: J. P.
Date: 12-5-13		Revised:
<b>Michelucci &amp; Associates, Inc.</b>		
Job No. 13-4309		Figure 3

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February 24, 2015

**Via E-Mail and U.S. Mail**

San Mateo County Planning Commission

E-Mail:

[planning-commission@smcgov.org](mailto:planning-commission@smcgov.org)

Re: Ascension Heights Subdivision Project

Honorable Members of the San Mateo County Planning Commission:

This firm represents the Baywood Park Homeowners' Association ("Baywood") with regard to the Ascension Heights Subdivision Project ("Project"). Baywood is an association of homeowners and residents who live immediately adjacent to the proposed Project. As discussed in Baywood's detailed comment letters on the Draft Environmental Impact Report ("DEIR"), these residents have serious concerns about the proposed Project's potential environmental impacts and consistency with applicable land use regulations, as well as the DEIR's analysis of the Project's impacts. Baywood is also concerned about the Project applicant's failure to follow the specific direction provided by this Planning Commission in 2009—including direction to meet with the community and avoid building on the steep south-facing slope of the Project site.

Our preliminary review of the Final Environmental Impact Report ("FEIR") and Revised Draft EIR ("RDEIR") (together, "EIR") leads us to conclude, as Baywood has in its comments, that these documents contain substantial analytical flaws and informational omissions that render them inadequate under the California Environmental Quality Act.<sup>1</sup> As described below, the EIR repeatedly defers both analysis of impacts and development of mitigation until after Project approval, which is strictly prohibited under CEQA. The EIR and proposed resolutions attached to the January 28 staff report also fail to identify and require adequate mitigation for the Project's identified impacts.

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<sup>1</sup> Public Resources Code § 21000 et seq. (hereinafter "CEQA"); Cal. Code of Regulations, tit. 14, § 15000 et seq. (hereinafter "Guidelines").

Nor do the proposed findings contained in the January 28 staff report support the conclusion that the Project complies with other land use regulations, including the County's General Plan state planning and subdivision laws. *See, e.g.*, Gov't Code § 65000 et seq.; Gov't Code §§ 66473.5 & 66474.

Given these inadequacies, it is our opinion that the County cannot approve the Project as proposed and must, at a minimum, recirculate a revised DEIR that addresses the inadequacies identified in this letter and in the previous comments submitted by Baywood.

**I. The EIR Fails to Adequately Analyze the Project's Potential Environmental Impacts or Identify Adequate Mitigation Measures.**

The discussion of a proposed project's environmental impacts is at the core of an EIR. *See* CEQA Guidelines, § 15126.2(a) (“[a]n EIR shall identify and focus on the significant environmental effects of the proposed project”). An EIR must effectuate the fundamental purpose of CEQA: to “inform the public and responsible officials of the environmental consequences of their decisions before they are made.” *Laurel Heights Improvement Assn. v. Regents of the University of California*, 6 Cal. 4th 1112 at 1123 (1993). To do so, an EIR must contain facts and analysis, not just an agency's bare conclusions. *Citizens of Goleta Valley v. Board of Supervisors*, 52 Cal. 3d 553, 568 (1990).

An EIR must also identify feasible mitigation measures to minimize significant environmental impacts. CEQA Guidelines, § 15126.4. Under CEQA, “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. . . .” Pub. Res. Code § 21002. California courts have made clear that an EIR is inadequate if it fails to suggest feasible mitigation measures, or if the proposed mitigation measures are so undefined that it is impossible to evaluate their effectiveness. *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 79.

Moreover, the formulation of mitigation measures may not properly be deferred until after Project approval. Rather, “[m]itigation measures must be fully enforceable through permit conditions, agreements, or legally binding instruments.” CEQA Guidelines § 15126.4(a). The record must also contain substantial evidence of the measures' feasibility and effectiveness. *Sacramento Old City Assn. v. City Council of*

*Sacramento*, 229 Cal. App. 3d 1011, 1027 (1991); *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 726-29 (1990).

As explained below, the EIR’s environmental impacts analysis is deficient under CEQA because it fails to provide the necessary facts and analysis to allow the County and the public to make informed decisions about the Project and its environmental impacts. The EIR also impermissibly defers analysis and the development of mitigation until after project approval—clear violations of CEQA. Finally, the conclusions drawn in the EIR regarding the significance of Project impacts and the adequacy and efficacy of mitigation are not supported by evidence. For all of these reasons, the RFEIR, like the DEIR and original FEIR, is inadequate under CEQA.

#### **A. Aesthetics**

Under CEQA, it is the State’s policy to “[t]ake all action necessary to provide the people of this state with . . . enjoyment of *aesthetic*, natural, scenic, and historic environmental qualities.” CEQA § 21001(b) (emphasis added). “A substantial negative effect of a project on view and other features of beauty could constitute a significant environmental impact under CEQA.” *Ocean View Estates Homeowners Assn., Inc. v. Montecito Water District* (2004) 116 Cal.App.4th 396, 401. No special expertise is required to demonstrate that the Project will result in significant aesthetic impacts. *Ocean View Estates*, 116 Cal.App.4th at 402 (“Opinions that the [project] will not be aesthetically pleasing is not the special purview of experts.”); *The Pocket Protectors v. City of Sacramento* (2005) 124 Cal.App.4th 903, 937 (“[N]o special expertise is required on this topic.”).

As explained by the court in *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1606, it is “self-evident” that replacing open space with a subdivision will have an adverse effect upon “views and the beauty of the setting.” Here, the EIR concludes that the proposed Project, with its 19 large new residences perched on hillsides, looming over the existing neighborhood, will have potentially significant aesthetic impacts. RDEIR at 4.1-14. And the visual simulations support this conclusion. RDEIR, Figures 4.1-2a and -2b.

The only mitigation measures identified and proposed for adoption, however, are the adoption and implementation of a landscape plan and a tree replacement plan. MM 4.1-1a and -1b. Neither of these plans are presented with the EIR, though. In fact, they need not be developed until after Project approval. RDEIR at 4.1-14. As a

result, there is no way for the public or decisionmakers to know whether these plans will actually reduce the Project's impacts to a level of insignificance.

## **B. Biological Resources**

A fundamental purpose of CEQA is to ensure that decisionmakers and the public are aware of the potential environmental impacts of a proposed project before deciding whether to approve it. *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 449-450. As a result, courts have repeatedly held that an EIR must identify and analyze such impacts; deferring this analysis until after project approval is strictly forbidden. *Id.* at 441.

The EIR's biological resources section repeatedly violates this clear CEQA mandate. Rather than conducting thorough and timely biological surveys *now*, so that the public and decisionmakers know what the Project's impacts will be, the EIR defers this analysis until some future date after the Project is approved. For example:

- Impact 4.3-1: The survey conducted to identify special status plant species “was conducted outside of the evident and identifiable bloom period for . . . seven species.” MM 4.3-1 requires *post-approval* “focused botanical survey during the month of May” to determine whether the Project will impact these seven species.
- Impact 4.3-2: Members of the public observed Mission blue butterfly on the Project site. MM 4.3-2 requires *post-approval* “focused survey” during appropriate identification periods for adults (March-July) or juveniles (wet season).
- Impact 4.3-6: The EIR notes that the Project has the potential to “remove trees protected [by] the [County's] tree preservation ordinance.” However, there is no information in EIR itself about how many protected trees will be affected by the development. Instead, MM 4.3-6 requires a *post-approval* survey “documenting all [protected] trees.” This measure does not specify the survey area, a critical element of analysis, as the proposed Project could harm protected trees on neighboring properties, too.

The County must conduct these studies—and thus identify all potentially significant impacts to biological resources—before considering the proposed Project approvals. *See Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831 (a

lead agency may not simply jump to the conclusion that impacts would be significant without disclosing to the public and decision makers information about how adverse the impacts would be). Any new information resulting from these studies must then be provided to the public in a recirculated DEIR.<sup>2</sup>

The EIR also defers the development of mitigation measures until after these post-approval surveys are complete, in direct violation of CEQA. *See San Joaquin Raptor Rescue Ctr. v. County of Merced* (2007) 149 Cal.App.4th 645, 670; *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 92, 94 (rejecting mitigation measures for greenhouse gas emissions that merely required applicant to create plan after project approval). Many of these yet-to-be-developed mitigation measures are contingent on a future determination of whether mitigation is feasible. For example:

- MM 4.3-1: If post approval survey finds special status plant species, a buffer shall be created “if feasible.” If the buffer is not feasible, a qualified botanist “would” salvage and relocate plants. There is no evidence to support the feasibility or effectiveness of either mitigation measure.
- MM 4.3-2: If Mission blue butterflies are observed and avoidance (through creation of a buffer zone) is infeasible, a qualified biologist will “establish . . . appropriate action following contact with CDFW.”

This deferral of mitigation patently violates CEQA and renders the proposed CEQA findings—which conclude the Project will have no significant impact on biological resources—completely hypothetical and unsupported. *See Sacramento Old City Assn. v. City Council of Sacramento* (1991) 229 Cal.App.3d 1011, 1027 (The record must also contain substantial evidence of the measures’ feasibility and effectiveness).

The EIR also notes that the Project site is suitable raptor foraging habitat and a white-tailed kite was observed foraging over the site during the July 25, 2013 survey. RDEIR at 4.3-22. Nonetheless, the EIR fails to identify any mitigation for the

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<sup>2</sup> It is also unclear from the EIR whether CDFW was consulted as a Responsible or Trustee Agency for the Project. Moreover, as Baywood has noted, a late July survey in 2013 was unlikely to discover Mission blue butterflies, even if they are present on the site, because there was minimal rain that spring, and the lupin bloomed early and peaked in May.

loss of this foraging habitat, focusing instead exclusively on mitigation for the Project's potential impacts to breeding habitat. RDEIR at 4.3-22 through 23.

Several of the biological resource mitigation measures identified in the EIR (and proposed for adoption in the draft resolutions) are also plainly unenforceable and/or do not support the conclusion that the Project's impacts have been mitigated to a level of insignificance. For example, the EIR concludes that the project could have potentially significant impacts on nesting raptors. RDEIR at 4.3-22. At first blush, MM 4.3-4b and -4c appear to require a 250-foot buffer around active raptor nests discovered in pre-construction surveys. These measures contain a blanket exception to this buffer, however, if it is "impractical" or "infeasible." In that event, the only "mitigation" is the statement that "guidance from CDFW will be requested." RDEIR at 4.3-24. Neither the EIR nor the proposed resolutions even require the applicant to comply with CDFW's guidance. *See also* MM 4.3-3a (requiring pre-construction surveys to determine whether there are any active northern harrier, burrowing owl, or white-tailed kite nests in the area. If there are, then "CDFW shall be consulted" to develop avoidance measures. If CDFW determines that a "take" may nonetheless occur, the applicant must obtain a take permit.)

### **C. Geology and Soils**

The EIR concludes that the massive grading and earth-moving activities required to develop the Project could result in "substantial soil erosion and loss of topsoil from the project site." RDEIR at 4.4-12. Yet the EIR once again defers the development of mitigation measures until after Project approval, and provides no performance standards to guide that development. Thus, MM 4.4-1a and 4.4-1b simply require the identification and implementation of unspecified "erosion control BMPs" and the development of an erosion control plan. Because these deferred measures contain no performance standards or other mandatory requirements to ensure that they will sufficiently reduce the Project's impacts, they violate CEQA, and the proposed findings concluding this impact will be reduced to a level of insignificance are unsupported.

### **D. Air Quality and GHG**

The EIR estimates that Project construction would result in 957.68 MT of CO<sub>2</sub>e during the one-year construction period. The EIR then notes that neither CARB nor BAAQMD have established a construction threshold for GHG emissions. Nonetheless, the State has established a goal of reducing GHG emissions "by 26%" through adoption of AB 32. Therefore, the EIR identifies as a mitigation measure the requirement that the Project proponent purchase 249 MT worth of CO<sub>2</sub>e emissions reduction credits

(reflecting “a 26% reduction” in the total construction emissions for the Project) to maintain consistency with AB 32’s goal.

The flaw in this reasoning is that it fails to reveal that AB 32 actually established a goal of *reducing* GHG emissions statewide. Thus, simply offsetting some of the new GHG emissions from the Project does nothing to achieve this goal over overall GHG reduction. *See generally Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2014) 231 Cal.App.4th 1056.

The EIR’s air quality analysis also omits essential analysis and understates the Project’s potential impacts. Baywood commented extensively on these errors and omissions. For example, Baywood noted that the analysis did not take into account impacts on nearby schools, which would be affected by construction emissions due to the particular geography and meteorology in the area. Likewise, neither the EIR nor the findings provides evidence to support the conclusion that the proposed mitigation would reduce construction impacts to a level of insignificance. Instead of providing the missing analysis and information, the FEIR simply attempts to defend the RDEIR’s flawed approach. More is required for adequate responses to comments.

#### **E. Hydrology**

The EIR’s analysis of the Project’s hydrology impacts is similarly flawed. First, the EIR acknowledges that the Project, which would create more than two new acres of impervious surface, would have potentially significant impacts on the area’s water quality if left unmitigated. The EIR then states that these potentially significant impacts will be mitigated to a level of insignificance by “the proposed on-site detention and drainage systems . . . described in Section 3.4.” RDEIR at 4.6-14. Section 3.4, however, includes only the most generic and cursory description of the proposed stormwater treatment measure, making it impossible to evaluate the system’s efficacy.

Moreover, the brief description of the stormwater treatment measure suggests it does not comply with the requirements of the County’s current NPDES permit, Municipal Regional Stormwater NPDES Permit, Order No. R2-2009-0074, NPDES Permit No. CAS612008, adopted October 14, 2009 and revised November 28, 2011 (“MRP”). The C.3 portion of the MRP, which refers to post-construction stormwater management for new development and redevelopment projects, requires Low Impact Development (“LID”). The Project as proposed includes centralized detention basins, which are not LID features.

The goal of LID is to reduce runoff and mimic a site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes. LID also limits disturbance of natural water bodies and drainage systems; minimizes compaction of highly permeable soils; protects slopes and channels; and minimizes impacts from stormwater and urban runoff on the biological integrity of natural drainage systems and water bodies. Here, no LID designs or features appear to be incorporated or required into the Project.

In addition, the EIR does not actually include any supporting analysis for its conclusion that the proposed stormwater treatment measure will reduce the project's runoff impacts to a level of insignificance or comply with the County's NPDES requirements. See *Santa Clarita Organization for Planning the Environment v. County of L.A.* (2003) 106 Cal.App.4th 715, 722 (agency's analysis must be contained in the EIR, not "scattered here and there in EIR appendices").<sup>3</sup> While it appears the County had a hydrology report discussing these measures in more detail, the County was required to include this analysis in the EIR itself. "Decision-makers and the general public should not be forced to sift through obscure minutiae or appendices in order to ferret out the fundamental assumptions that are being used for purposes of the environmental analysis." *San Joaquin Raptor Rescue Center*, 149 Cal.App. 4th at 659; see also *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442 ("The data in an EIR must not only be sufficient in quantity, it must be presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project.") Moreover, the County did not even provide this report to the public until after the first Planning Commission meeting on the revised Project had occurred, thus preventing Baywood from preparing complete comments on this document during the public comment period.

Finally, it appears that the stormwater treatment measures proposed to mitigate the Project's stormwater runoff impacts will only be capable of handling a 10-

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<sup>3</sup> It is also unclear whether the particular treatment measure proposed will work on the steep slopes of the Project site. Baywood repeatedly asked for evidence that this technology had been safely and successfully used in similar topography, but was provided with no evidence that it had.

year storm event. RDEIR at 4.6-16. While MM 4.6-3b requires increasing the size and capacity of two stormwater drainage pipes, the EIR fails to explain how this measure with prevent significant runoff impacts during a more severe storm event.

## F. Noise

The EIR establishes a number of criteria for determining whether the proposed Project's noise impacts would be significant. *See* RDEIR at 4.8-10 through 11. One of these criteria is whether the Project would expose people to noise levels in excess of standards established in the County's general plan or ordinances. RDEIR at 4.8-10. Other, standalone criteria include whether the Project would cause "[a] substantial temporary or periodic increase in ambient noise levels," and whether the Project would expose people to "noise levels in excess of . . . 60 dB Ldn, exterior or 45 dB Ldn, interior." RDEIR at 4.8-11.

The EIR then goes on to demonstrate that the Project would, indeed, cross these significance thresholds by exposing nearby residents to excessive construction noise—reaching 85 dBA Lmax "at the nearest sensitive receptor northeast of the project site." RDEIR at 4.8-12.<sup>4</sup> The EIR also states that there is no feasible noise mitigation available to consistently reduce these construction noise levels below 60 dbA.

Given these facts, the EIR was required to conclude that the Project would have significant, unmitigable noise impacts: The construction noise clearly exceeds one of the County's own significance thresholds and the EIR asserts that there is no feasible mitigation available to prevent this exceedence. Instead, the EIR concludes that the Project is "exempt" from this threshold due to a County Noise Ordinance that exempts certain construction activities from the prohibitions contained in that ordinance. RDEIR at 4.8-12; *see also id.* at 4.8-6 through 8. However, CEQA requires lead agencies to consider more than just a project's consistency with local ordinances. It requires analysis of the project's actual environmental impacts. *See Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1108-09 (2004) (environmental effect may be significant despite compliance with such requirements). Here the noise impacts are admittedly significant (regardless of whether they also violate

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<sup>4</sup> As Baywood pointed out in its previous comments, even these high noise levels appear to understate the Project's true impacts, as they account for noise from only one piece of noisy construction equipment operating at any one time. *See, e.g.*, FEIR at 4.8-1.

the County Noise Ordinance). Thus, the County was required to inform decisionmakers and the public of this significant impact.

### **G. Traffic**

As with noise, the EIR concludes that the Project will have potentially significant transportation and circulation impacts. Specifically, the Project “has the potential to substantially increase hazards due to the design of the new private street and proposed intersection with Bel Aire Drive.” RDEIR at 4.11-10. However, the principal mitigation measure identified to reduce this impact—MM 4.11-4—is neither mandatory nor enforceable. Instead, this measure simply suggests that this hazardous intersection “should” be designed without walls, fences, signs, trees, shrubbery, or parked cars blocking motorists views. Because this measure is not mandatory, there is no basis for the conclusion that it will reduce this transportation impact one bit.<sup>5</sup>

### **II. The Proposed CEQA Findings Are Insufficient.**

Under CEQA, a lead agency cannot approve a project with significant environmental impacts without first finding that there are no feasible mitigation measures or alternatives that could lessen these impacts. *See* CEQA § 21002, 21002.1(b), 21081; Guidelines §§ 15091(a), 15091(b), 15093(b); *see also Uphold Our Heritage v. Town of Woodside*, 147 Ca. App. 4th 587 (2007). Moreover, the agency must make findings, supported by substantial evidence, demonstrating how the mitigation measures adopted by the agency will actually reduce environmental impacts to a level of insignificance. *See id.*

The proposed findings contained in the staff report do not satisfy this requirement. Many of them lack any explanation of how proposed mitigation measures will reduce Project impacts to a level of insignificance. And there are no findings (much less substantial evidence) to support the conclusion that there are no feasible, less impactful alternatives.<sup>6</sup>

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<sup>5</sup> Moreover, MM 4.11-3, which requires the Project to include certain street lighting on the private street, will do nothing to prevent accidents caused by motorists who cannot see oncoming traffic due to physical obstacles, such as fences and parked cars.

<sup>6</sup> The EIR also impermissibly and artificially limits the environmental advantages of these reduced density alternatives by stating that they, unlike the Project, would not

Finally, if the County wishes to approve the Project despite its significant impacts, it must make and adopt a statement of overriding considerations. *See City of Marina v. Bd. of Trustees of the Cal. State Univ.* (2006) 39 Cal.4th 341, 368 (citing § 21081(b)). No such proposed findings are included in January 28 staff report.

### **III. Approval of This Project Would Violate the Subdivision Map Act.**

The proposed Project requires approval of a tentative subdivision map. *See* DEIR at 3.0-13. As a result, the County must comply with the Subdivision Map Act. This statute requires that a tentative map approval be consistent with the local general plan. *See* Gov't Code §§ 66473.5; 66474; *see also Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 998 (Subdivision Map Act expressly requires consistency with general plan). Approval of a project that is inconsistent with the general plan violates the Subdivision Map Act and may be enjoined on that basis. *See Friends of "B" Street*, 106 Cal.App.3d at 998 ("City approval of a proposed subdivision ... may be enjoined for lack of consistency of the subdivision map with the general plan."); *see also* City of Pittsburg Municipal Code § 17.20.060 (to approve a tentative map, the following findings must be made, among others: 1) the proposed map is consistent with the general plan and any applicable specific plan, or other applicable provisions of [the municipal] code; 2) the site is physically suitable for the proposed density of development; and 3) the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat).

Here, the site is not physically suitable for the proposed density of development given the excessive slopes. In 2009, Baywood submitted expert comments indicating that substantial retaining walls will be needed to build on the up-sloping lots. Many of these lots are still proposed for development. As Baywood has pointed out in previous comments, piecemeal development of these retaining walls could leave certain lots essentially unbuildable. Likewise, the arborist report submitted by Baywood shows that the Tree Protection Zones required to protect existing trees (both on and off the Project Site) could also render portions of these identified building sites unbuildable.

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require improvement of the site's existing drainage issues. *See, e.g.,* RDEIR at 6-4. There is no reason why the alternatives could not include a similar requirement.

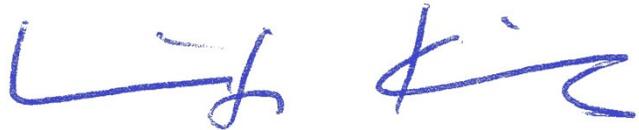
Given these physical constraints on development, the County cannot make the findings required to approve the proposed subdivision map.<sup>7</sup>

#### IV. Conclusion

For all of these reasons, we believe the EIR for the Project fails to comply with CEQA, and the proposed findings included in the January 28 staff report are insufficient to support approval of the Project. As a result, the Planning Commission cannot approve the Project based upon this record. We respectfully urge the County to direct the applicant and the Planning Department to correct the EIR's deficiencies and work with the community to resolve the remaining issues.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Winter King

661833.1

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<sup>7</sup> These inconsistencies between the information on the proposed tentative map and the EIR's description of the Project and potential mitigation measures also render the Project description section of the EIR inadequate.

**From:** Craig Nishizaki <  
**To:** <planning-commission@smcgov.org>  
**CC:** <jcastaneda@smcgov.org>, "dpine@smcgov.org" <dpine@smcgov.org>, Carole Groom  
<cgroom@smcgov.org>  
**Date:** 2/24/2015 8:20 AM  
**Subject:** No privacy for Parrott homes

Dear Planning Commissioners

In the January 28, 2015 Ascension Heights Development Planning Commission meeting, the developer's engineer said that there are no issues with privacy for the Parrott Drive residents who live adjacent to the northern boundary of the proposed development. He said that sufficient screening already exists with the trees that are currently there. As you can see from this attached photo, that statement is false. The existing trees are 50+ year old Monterey Pines which have really thinned out over time and will not provide any screening at all. For the new trees that will be planted, it could take up to 25 years for them to be big enough to provide adequate screening from a 3-story home that will be built on this slope right above the existing Parrott homes. As was discussed in the January 28th meeting, this would violate CEQA aesthetic requirements as it would be a huge invasion of privacy for the current Parrott Drive residents who live adjacent to the proposed development.

Also, I wanted to follow up on a couple other items that we're discussed in the meeting.

The developer's engineer said that there would be a large truck coming to or from the site once every 20 minutes. This again is an inaccurate statement. The FEIR says that there will be 156 trips per day during the heavy grading period which comes out to one truck every 4.3 minutes over a 30 day period (11 hour work day) Even adjusting for a 45 day period (what the developer stated in the meeting) would yield one truck every 6.3 minutes over an 11 hour workday. (which also would put the truck traffic right in the middle of rush hour traffic with the CSM students).

Finally, one of the residents gave testimony at the meeting regarding asbestos. A soil engineer had confirmed that he had serpentine rock on his property on Rainbow Drive. Although the FEIR states that there was no serpentine rock in the borings that were done, how do we know for sure that there aren't smaller areas of serpentine rock which contains asbestos on the hill. If so, this will present a huge health issue as the asbestos particles are released into the environment.

I'm urging the planning commission to vote no against this proposal. The above three issues are just a fraction of all of the other issues with this development including hillside stability, erosion, risky stormwater drainage system, air pollution, etc.

Thanks,  
Craig Nishizaki  
1474 Parrott Drive  
San Mateo, CA

**From:** Kim Rickett <  
**To:** <Planning-Commission@smcgov.org>, <dpine@smcgov.org>  
**Date:** 2/24/2015 9:37 AM  
**Subject:** Ascension Heights Development

Dear Planning Commission Members,

I am writing to you because I oppose the proposed Ascension Heights subdivision that is up for a vote on Wednesday, although I do support homes being built upon that hill. I have been following the whole process from the beginning, and I feel strongly that this current EIR is still not complete, and that grading and other permits should not be approved on its basis.

The EIR states that the San Mateo County General Plan states a need for more housing to be built. However, the General Plan also warns against building on steep hillsides, and several of the proposed homes would be on extremely steep slopes that would require extensive grading.

This EIR is also failed to consider the most reasonable alternatives. The alternatives of "no project" and "a few large homes" would certainly be favored by many in the neighborhood, but fail to address the need for housing. However, the "build on every other lot" project makes no sense, as it would still result in almost all of the same negative impacts. As I suggested at the initial scoping meeting, a minimal grading approach would greatly reduce the significant negative impacts on the neighborhood, while still allowing the developer to build most of the planned houses. The four houses along Ascension are on the steepest, most heavily eroded slope, and would require the most grading. Simply removing these four houses would greatly reduce the negative impacts to air quality, truck traffic, dust, landslide potential, visual impact, and more.

When the previous Planning Commission decided not to approve the first EIR, they suggested the developer might fit in three rows of homes, while staying off of the steepest part of the hill. If you compare the map drawn that night to the current plan, you will see that not only was there not a fourth row of houses, but that no houses were drawn where those four homes along Ascension are being proposed.

The EIR fails to explain how many of the negative impacts will be minimized, and our questions remain unanswered. An even better alternative than the one I mentioned above would be one that would minimize almost every negative impact brought up by the homeowners association, yet still allow the majority of the homes to be built. By building just two rows of homes and by staying off of the steep part of the hillside, the developer could likely fit about 11 to 13 homes on the site. By simply building the homes where the two roads are proposed, and by placing a road between them, all of the homes will be built on the flattest part of the site. This will further attenuate the negative impacts discussed above, and will additionally provide a buffer zone for the Parrott Drive homes (as was also suggested by the previous Planning Commission, and was in the previous plans), which will help with concerns over privacy, tree roots, dust, and runoff.

As you saw at the previous Planning Commission meeting, hundreds of neighborhood residents are opposed to this current plan. The only one who

will benefit will be the developer. Normally the purchasers of the new homes would also see a benefit, but in this case they will be saddled with undetermined fees to upkeep an untested drainage system, and they will bear full financial responsibility when the slope begins to slide. Even if they sink the houses into bedrock, anything on top of that bedrock will still continue to move. Please look at photos of the site erosion, and "Google Earth" the site itself. Do you see the giant sets of retaining walls built between Parrott Drive and Los Altos Drive, just to the east of the site past Kristin Ct, and on the same hill as the site itself? Those are the walls our homeowners association had to pay to build (this is different from the Rainbow/Polhemus slide in the videos that is just to the west of the site, also on "CSM hill." In fact, both major slides are closer to the site than are any of the buildings at CSM.) And even after our homeowners association had the retaining walls built to current standards, the ground continued to move and the walls required repairs. There are homes on Rainbow Drive that are almost impossible to sell due to land that continues to slide every year. The San Francisco Public Utilities Commission had so little faith in the stability of area soils that they dug a huge tunnel almost 200 feet underground to run water lines past Ascension Drive (Crystal Springs Bypass Tunnel WD-2498). It just doesn't make sense to build on the steep part of that site, and it is the new homeowners who will (literally) pay.

You might be tempted to feel sorry for the developer, because this is the second time he has submitted a proposal for this site. But please keep in mind that he did not take the advice that was given to him last time. He tried to squeeze in an extra row of homes, he has homes planned for the steep southern side he was told to avoid, and he removed the buffer zone along the Parrott Drive homes. He was also told to work with the neighborhood, but has refused to do so. This has unfortunately resulted in a plan that will have significant, unmitigable negative impacts on the neighborhood. Either the plans need to be modified, or he needs to try again. I do feel about a dozen houses could be built on the site with minimal negative impacts, but this plan is just not the right one for this site.

Thank you for your thoughtful questions at the January meeting, and thank you for listening to and considering all of the responses to this project. Please make sure you wait to approve the right project for this site.

Thank you,

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1474 Parrott Drive  
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**To:** <[Planning-Commission@smcgov.org](mailto:Planning-Commission@smcgov.org)>, <[dpine@smcgov.org](mailto:dpine@smcgov.org)>  
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Thank you,

Kim Ricket

**From:** m g <  
**To:** <Planning-Commission@smcgov.org>  
**CC:** <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>, <  
**Date:** 2/24/2015 3:23 PM  
**Subject:** Water Tank Hill Project.

Dear Planning Commissioners:

cc: James Castaneda, Supervisor Dave Pine, Supervisor Carole Groom

I live at 1459 Parrot Drive San Mateo CA 94402 and I have questions for you regarding the continuously proposed development of Ascension Hts. or Watertank Hill. Over the past few years, I have attended multiple meetings, along with hundreds of my neighbors to express concern and dismay at the attempt to build on a piece of property that not only clearly looks like it is eroding rapidly, but is surrounded by 3 recent landslides-the current Rainbow Drive, the former Los Altos Drive, and the huge Polhemus road slide. I am not sure why we are talking about the same issues again and again? I have read portions of the EIR and am amazed at the methods that the county would find acceptable to mitigate some very real and severe issues that will arise with any building on that hill. This entire proposal and process continues to beg the question...WHY???

Specifically, does it make sense to grade a hillside, causing 470% greater air pollution to a thriving neighborhood composed of your constituents that are elderly or have young families, during a time when almost every day is a Spare the Air day? How can a neighbor be fined over \$100 if they burn a wood fire one night, yet a developer can be allowed to increase air pollution by 470% above normal without any consequences over a two year+ timeframe? Are there different standards for different parties in regards to the Bay Area Air Quality Board and it's regulations? Is this development the right thing for our neighborhood, our county, your constituents, and why?

Additionally, it is my understanding that this developer would be allowed to build on slopes as steep as 40 degrees or more for a substantial number of the proposed homes. Why? Where is the logic and who is the structural engineer that would take financial responsibility for any slides on those hillsides? My neighborhood was forced to pay \$6,000 per household (approx. 130 households in total or approx. \$780,000) to the San Mateo Oaks HOA in 1996, in order to analyze and build a huge retaining wall to fix the slope that slipped between homes on Parrott and Los Altos Drive. Thankfully, no one was killed, despite the soil slipping within feet of the home. My neighbor, who tried to act responsibly before he purchased his home, hired a soils engineer before he moved in to assess his hillside. Despite being told everything was good, he had a slide occur years after he moved in. He paid thousands of dollars out of his own pocket to fix his slide and within a few months, the retaining wall had to be re-engineered and rebuilt because it failed. How will 19 home owners be able to pay for fixing multiple or even one potentially large landslide that will occur someday in the future? They will not be able to afford the cost! Why should any homeowner be put through this? Is any development on known, unstable land smart? How will the county label the land--SE for scenic easement or U for unstable and unuseable? Is it good for our county and your constituents? If so, why?

Last, how is it legal (and if it is legal, how is it moral) to establish a Home Owners Association for the real purpose of shifting liability for unstable land from the developer (and the county who authorizes it) to future homeowners? Why is the strategy allowable to saddle unsuspecting homeowners with a substantial future liability? In dry years, people forget about landslide issues. In our case, years before we moved in, the neighborhood had "disbanded" the HOA. They didn't see the point of paying dues--there were no tennis courts, pool, or playgrounds to maintain and all seemed well. Our RE agent and sellers told us that there was no HOA anymore and to disregard it. Six months later, we were receiving notices that we needed to pay dues for the current year and back dues for years past. We sued our sellers and both agents, as no one disclosed the landslides that occurred years earlier. We won our legal battle, but it doesn't make up for the wasted energy, money, and stress to fight it. Sadly, we are fighting the battle for those 19 future homeowners. Why does the county believe that homeowners are best suited to maintain drainage ditches and retaining walls? It is not the norm in other cities. In the Hallmark subdivision in Belmont, I believe the city maintains all water and drainage issues. Why? It is my understanding that the developer would be allowed to pass the landslide liability and maintenance for retaining walls, drainage, and eventually 5 underground water tanks to the 19 homeowners. Why would they be assumed to handle this responsibility over decades? If they do not, it will negatively impact everyone around them. Why would this be acceptable to anyone? I believe that if potential home owners fully understood what buying a home on that hillside entailed, no one in their right mind would purchase a home. Again, WHY???

Please email me back how you see this development benefiting anyone for the long term, I would really appreciate your efforts. I can see no other benefit, than money in the form of future property taxes for the county and, of course, revenue for the developer. In that case, all liability and costs should also rest with the developer and county. A real portion of that money should be kept in a fund for future landslides, flooding, sewer systems that are already at capacity and schools that are also at capacity. It seems unconscionable to do anything else.

Respectfully,  
Marvin Gin  
1459 Parrott Drive  
San Mateo, CA 94402

**From:** Debbie Conliffe <  
**To:** <Planning-Commission@smcgov.org>, <jcastaneda@smcgov.org>, Carole Groom <CGroom@smcgov.org>  
**Date:** 2/24/2015 3:25 PM  
**Subject:** Please don't build!!!

\*To the Members of the Planning Commission:\*

Smart building promotes good health and should be beneficial to the residents of San Mateo County. Your job, while a difficult one, is designed to promote and protect the positive aspects of San Mateo County. Your job is not to insure that one individual makes a profit from a poor business decision to purchase a hillside that is unstable and dangerous to build upon.

The proposed plan to build 19 homes on WaterTank/Cell Tower hill is unwise, unsafe, and fraught with problems that will plague the hillside households, as well as hundreds of homeowners surrounding the proposed site, for decades. It may make sense to wisely build homes on the flat land at the top of the steep hill, but do not cut into the hillside that is already clearly unstable and eroding. The mitigation methods proposed to attempt to reduce resulting air pollution, landslide risk, and serious water run off issues, do not reduce these hazards to manageable levels, especially in the face of continuous drought and resulting air pollution issues that our county is now facing on a daily basis.

In mid January, the SF Chronicle reported on the front page that we are experiencing record number of Spare the Air days and severe air pollution ("Bay Area ties Spare the Air's 11-day record," 1/13/2015). If air quality is so vital that households can be fined \$100+ for 1 fire burnt in a single fireplace, then what is the cost of particulate matter at 470% above allowable standards over 2 years, as noted in the EIR? The proposed development does not meet BAAQB standards that are required of everyone else and cannot be mitigated to normal standards without adding to our already serious water shortage. Mitigating known particulate air pollution from grading the proposed 40,000 yards of hillside soil by wasting hundreds of gallons of water is detrimental to everyone in the Bay Area and does not even address the diesel pollution of trucking the soil through surrounding neighborhoods for months at a time. On this basis alone, the EIR and proposed project should be voted down permanently. Perhaps the developer could build safely and responsibly on the top of the hill where there is more flat land. Grading soil that will cause air pollution, potential asbestos release, landslides, and will create the need for retaining walls and even steeper slopes on a site with visible erosion and crumbling water pipe is insane.

It is not your or our duty to allow anyone to build anything, anywhere. Our county is prosperous and should not be desperate for new property taxes at any cost. With the influx of new businesses like GoPro and Solar City, we are already experiencing outrageous traffic on HWY 92 from 7-9:30am and 4-7pm every day! That alone, is causing severely high air pollution. The additional cost of more households will continue to burden our expensive sewer system and will add to the burden on our local Highlands elementary school and Borel middle school, which are already struggling with how to handle a record number of students in upcoming grades. The proposed WaterTank/Cell Tower hill is not smart development...it is hazardous to too many of your constituents and we respectfully ask you to vote it down for good.

Thank you for your time,  
Debbie Conliffe, M.A., MFT

**From:** m g <  
**To:** <Planning-Commission@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>,  
<  
**Date:** 2/24/2015 3:25 PM  
**Subject:** Fw: Water Tank Hill project.

Please read!!!!

--- On Tue, 2/24/15, m g < > wrote:

> From: m g <  
> Subject: Water Tank Hill project.  
> To: jcastaneda@smcgov.org  
> Date: Tuesday, February 24, 2015, 1:26 PM  
> This is for the record and to be held  
> accountable. Please address this issue. Please  
> pass this along to your boss and his/her bosses.  
>  
> WE HAVE A SERIOUS POTENTIAL HEALTH PROBLEM THAT DIRECTLY  
> AFFECTS OUR FAMILIES.  
>  
> The problem is airborne Asbestos fibers released by the  
> proposed development Water Tank Hill.  
>  
> Naturally occurring asbestos is found in Serpentine rock.  
> The United States Geological Survey clearly shows on its  
> maps of our area the presence of Serpentine rock. We live on  
> top of large deposit of Serpentine rock according to the  
> USGS maps. The soil engineering company that repaired the  
> landslide that occurred on the hill behind our home, states  
> in its report, that Serpentine rock was found at our slide  
> site. We live two blocks from the proposed construction site  
> on WTH. I recently took a walk around the base of WTH and  
> found Serpentine rock lying on top of the ground.  
>  
> The developer tells us that no Serpentine rock is present on  
> WTH.  
>  
> I guess with millions of dollars at stake, and a huge vested  
> interest in seeing the development move forward, that is  
> what they were bound to say.  
>  
> Thank you,  
> Marvin Gin  
> 1459 Parrott Drive  
> San Mateo, CA 94402  
>

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**To:** <Planning-Commission@smcgov.org>  
**CC:** <dpine@smcgov.org>, <cgroom@smcgov.org>, <  
**Date:** 2/24/2015 3:26 PM  
**Subject:** Fw: Water Tank Hill project.

Please read!!! There's a lot of information you need to know.

--- On Wed, 2/18/15, m g < wrote:

> From: m g <  
> Subject: Water Tank Hill project.  
> To: jcastaneda@smcgov.org  
> Date: Wednesday, February 18, 2015, 1:04 PM  
> My name is Marvin Gin, I live at 1459  
> Parrott Drive, San Mateo, CA 94402. I oppose the  
> Ascension Heights Subdivision. My children's health is  
> at reason along with all my neighbors that walk up and down  
> the Parrott Drive. This is due to the plan grading of  
> the hillside that will make all of us sick with long term  
> lung problems.  
>  
> Please pass this along to your boss and the Planning  
> commission members.  
>  
> Since we first heard about the stormwater plan to place  
> water on the hill in storage there has been concern. All our  
> concerns and letters seem to meet a wall either at the  
> developers doorstep or the county. The research I have done  
> indicates that it is required for Environmental impact  
> reports to include detailed stormwater system information  
> and to plan for 100 year storm events. An example is the  
> Laurel Way Redwood City project recently turned down. It has  
> an 82 page stormwater report documenting water flow before,  
> the exact system and design and the flow after using  
> detailed models and calculations. All parts of the project  
> were included and it was done for a 100 year storm.  
> In contrast the EIR was missing a critical document from the  
> report referred to in the report at diagram 3.4. It was just  
> missing. Later after the FEIR (final) was produced another  
> report was produced by the staff which described a different  
> system than the FEIR described. Neither had detailed  
> calculations nor was an explanation provided for the  
> differing systems. When we pressed the county for the  
> detailed calculations (for a 2nd time after realizing such  
> calculations were routinely done) we were told it was in the  
> FEIR. When told we couldn't find it in the FEIR we were  
> simply handed over to an engineer who sent us what they sent  
> to the county which was a report for less than half the  
> system (40,000 of the 90,000 sqft of impervious land being  
> created.) All of this additional material should have been  
> in the original EIR but was provided in some cases weeks  
> after the planning commission meeting on the project.  
>  
> The entire system has been designed for 10 year storm. This  
> is what the county has required. This also seems  
> inconsistent with EIR standards and is just plain dangerous.  
>  
> I don't know if this would be considered negligent or even  
> purposeful negligence but it is awfully suspicious that  
> these documents have taken so much work to obtain, were  
> missing from the original EIR and still in the end are  
> incomplete and don't answer the basic questions of the size  
> and whether the project meets the requirements for zero net  
> inflow to the existing storm drainage system. We still don't  
> know how many 10s of thousands or 100s of thousands of  
> gallons of water they are going to store on the hill.  
> One of the big points I raised was that this system had not  
> been tried on a hill like Ascension with the same  
> requirements, i.e. 90,000sqft or more impervious new area

> created, zero net inflow requirement, 40% slopes, class C  
> poor soil, in earthquake area on a hill. The developer has  
> insisted there are many many many such examples. We have  
> asked for them and told it would be no problem. Nonetheless  
> 2 weeks after there are no examples provided. Sure this  
> system may be okay for a single house, for a couple of  
> houses, on a hill. But I have not found a similar scale  
> usage and storage of 100,000 gallons or more on a hill of  
> our type. (That's 5 swimming pools of water!)  
> This is not the only issue that has met with this kind of  
> what appears to be intransigence and incompleteness. The  
> last report in 2009 was woefully incomplete and this one  
> consists of more than 1,000 pages of words that apparently  
> still don't answer the questions we put to them as a  
> community. This is true of the blue butterfly, the air  
> pollution issues, traffic issues, privacy issues, ...  
>  
> In the meeting the developer was very clear and stated for  
> all to hear that he was putting all liability on the  
> homeowners association of the 19 homes he is going to build.  
> These liabilities include the maintenance and liability of  
> the stormwater system, the retaining walls (many and big),  
> any slippage or other concerns, erosion of the hill, all of  
> the common areas, roads and new vegetation with this  
> development are the responsibility of these 19 home owners.  
> The developer wants to take his millions in profit and leave  
> the community with all the liability in years hence. I am  
> not 100% every issue above was stated by the developer but  
> he seemed to be throwing it all on this non-existent  
> organization and hapless homeowners who happen to buy these  
> properties are likely to be surprised by the assessments  
> over time.  
>  
> Thank you,  
> Marvin Gin  
>

**From:** <  
**To:** <planning-commission@smcgov.org>  
**CC:** <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>  
**Date:** 2/24/2015 3:35 PM  
**Subject:** Comments regarding Water Tank Hill proposed development

Dear Planning Commission members,

I'm writing in regards to the Water Tank Hill development. First of all, I want to thank you for your service in regards to this application. It's a contentious and complex issue with a lot of passionate people involved as well as real monetary concerns.

I live at 72 Valley View Ct which is one street down from the proposed development. I'm not usually very sympathetic to the NIMBY crowd that opposes this development as I would probably have been very interested in one of the houses had it been available years earlier.

I have two major concerns. One, I commute with my kids every day back and forth on the proposed truck route while I take them to Highlands Rec Center and Highlands Elementary. The intersection of Ascension and Polhemus is already challenging in the morning with traffic. I'm genuinely worried of the possibility that one of the dump trucks might accidentally knock me into oncoming traffic. It's true that theoretically any vehicle can do that but there is a difference between having my car rammed forward by another car vs. a dump truck. I'm sure the trucks that will be used will be well maintained and staffed by excellent drivers but that is a risky t-section and all it takes is one broken part. Even ignoring myself, I think most trucks will find it difficult to traverse given oncoming traffic and no signal light.

My second concern is more with the developer themselves. I'm guessing that Water Tank Hill probably should be developed and likely will be. At the last meeting, it seemed to me that the developer was a bit vague on the houses that will be actually built and they were quite clear that there is nothing in this development for the rest of the community. I highly doubt that they don't know exactly the floor plans of the houses they will build so that seems like an out and out lie to me. Also, my wife and I would be delighted if there were a series of trails or a small park that we could take our three kids to. None of that appears to be present in the plans. As far as I can tell, they are going to cause all of us major hassle, make a mess of the area, put us at increased danger (however slight) and our community gets nothing out of it.

I would ask that you reject this developer's proposal until someone comes along who is more willing to develop the hill in a more community compatible fashion.

thank you for your time and I'll see you tomorrow morning.

sincerely,

Jotham McMillan  
72 Valley View Ct.  
cell

**From:** Gerard Ozanne <  
**To:** Hardy Heather <hhardy@smcgov.org>  
**CC:** James Castaneda <jcastaneda@smcgov.org>, Nagle Laurel <  
**Date:** 2/24/2015 12:03 PM  
**Subject:** Baywood Park comments 2009 FEIR  
**Attachments:** BPHAResponseAscHtsSep9-2.doc

Hi Heather,  
I just want to ensure our 2009 comments are part of the 2015 FEIR official record since many of them remain relevant today do to the similarities of the EIRs.

Please let me know if you receive this. See you tomorrow,

Thanks,

Jerry Ozanne

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.

*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, 1<sup>st</sup> District  
Mr. David Bomberger, 2<sup>nd</sup> District  
Mr. Chris Ranken, Chairperson 3<sup>rd</sup> District  
Ms. Gail Slocum, 4<sup>th</sup> District  
Mr. Steve Dworetzky, 5<sup>th</sup> 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.

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.

### **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.

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

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

(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?

**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.

## 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<sub>x</sub> 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,**

**nor has the project applicant acknowledged that these measures would be implemented." Page IV.B-20)**

### **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;<sup>21, 22, 23, 24</sup>
  - ii. increased mortality in infants and young children;<sup>25</sup>
  - iii. increased numbers of heart attacks, especially among the elderly and in people with heart conditions;<sup>26</sup>
  - iv. inflammation of lung tissue in young, healthy adults;<sup>27</sup>
  - v. increased hospitalization for cardiovascular disease, including strokes and congestive heart failure;<sup>28, 29, 30</sup>
  - vi. increased emergency room visits for patients suffering from acute respiratory ailments;<sup>31</sup>
  - vii. increased hospitalization for asthma among children;<sup>32, 33, 34</sup> and
  - viii. increased severity of asthma attacks in children.<sup>35</sup>
  
- 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,

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.**

### **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.

### **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.

### **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?

### **15) Wildlife Assessment**

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.

**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.

**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?

**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?

**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.

**20) Maps.**

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. (2009 CEQA Guidelines 15088.5)**

#### **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

#### **23) Additional Concerns.**

The six months of "street construction" following the rough grading is not defined or disclosed with regard to grading, off-site hauling, dust, exhaust, noise, hours of operation.

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.

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)

Erosion control design is inadequate, or non-existent.

Proposed house designs illustrating height of "cripple" walls and total residence height are not included.

## **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.

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.
- 24 Wellenius GA, Schwartz J, Mittleman MA. *Air Pollution and Hospital Admissions for Ischemic and Hemorrhagic Stroke Among Medicare Beneficiaries. Stroke* 2005; 36:2549-2553.
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***Comments on DEIR: Ascension Hts Subdivision  
Baywood Park Homeowners Assoc  
September 9, 2009***

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



**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.

#### 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 gully 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.

The proposed development plan indicates that the most severe area of site erosion (prominent gully 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.

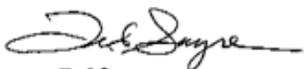
We recommend that the above items be fully evaluated in the Final EIR. In addition, proposed project drainage and grading plans should be modified so they are in essential compliance with code requirements.

**LIMITATIONS**

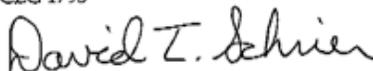
Our evaluation services consist of professional opinions and recommendations made in accordance with generally accepted engineering geology and geotechnical engineering principles and practices. No warranty, expressed or implied, or merchantability of fitness, is made or intended in connection with our 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

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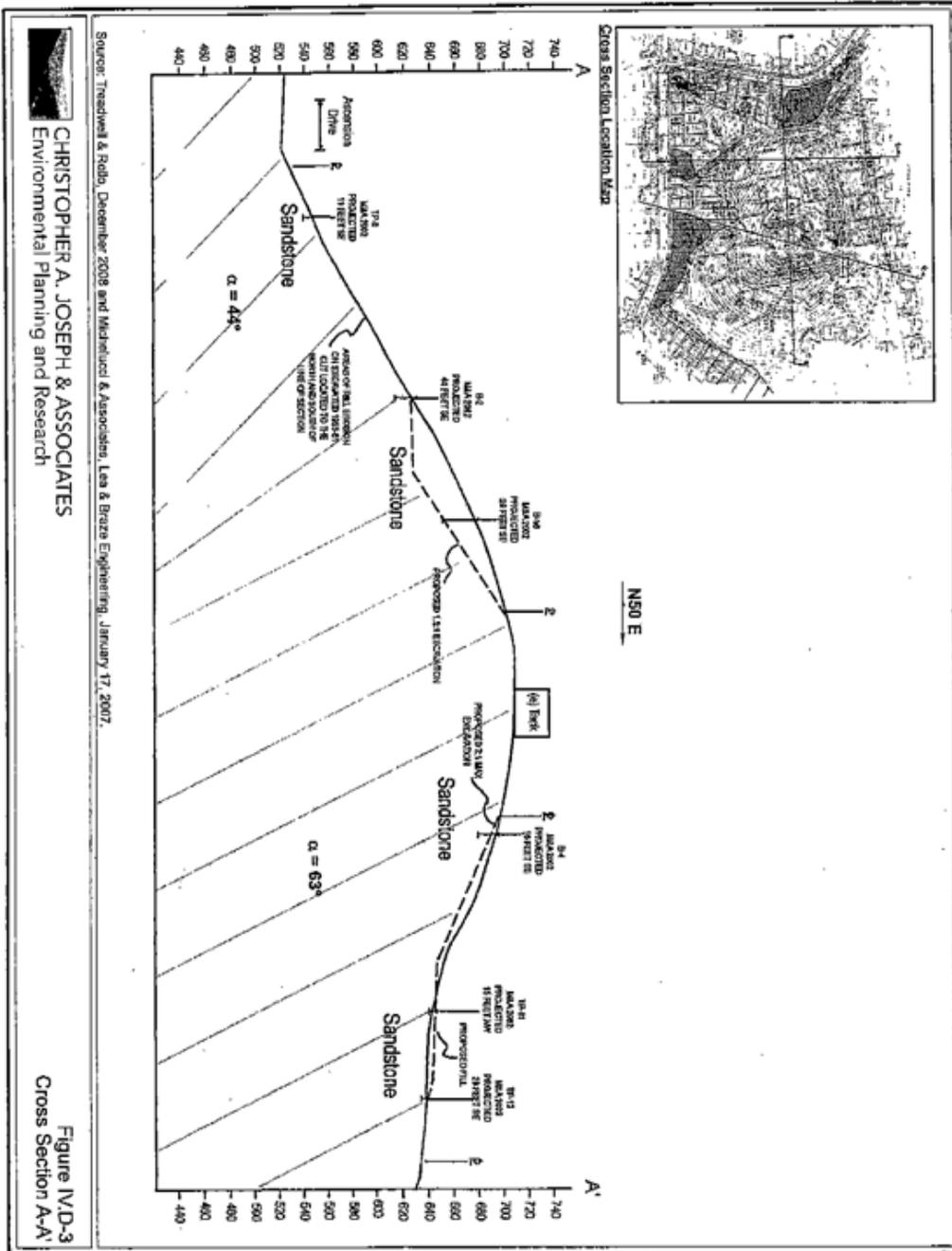


Figure IV-D-3  
 Cross Section A-A



**From:** Laurel Nagle <  
**To:** Heather Hardy <hhardy@smcgov.org>, <planning-commission@smcgov.org>  
**Date:** 2/24/2015 5:33 PM  
**Subject:** Nagle Family Letter  
**Attachments:** NaglelettertoCounty24Feb2015updated2.odt

Dear Heather,

Here is the letter Donald and I wrote. I have also sent it to the Planning Commission email. I wasn't sure what was best.

See you tomorrow<  
Laurel

February 24, 2015

James Castaneda and members of the County Planning Commission  
San Mateo County Planning and Building Department  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063

RE: FEIR response to our letter of June 9, 2014 and additional issues with the project

Mr. Castaneda and Members of the Planning Commission:

**1. Major concerns** as a Parrott Drive resident (Re-emphasized here beyond earlier testimony) – As homeowners who live directly adjacent to, downhill, and downwind from the site, we have several significant concerns, which have not been addressed or mitigated. In particular, three stand out among many:

- **Privacy impacts and a sense of being overwhelmed on a daily basis, forever!** Imagine living under 3-story homes that are out of character with the neighborhood and will be looming over us with major privacy impacts. Any landscaping called for by the County as a mitigation will take 15-25 years to grow sufficiently large to serve as a truly effective privacy screen. Additionally, imagine those giant homes only 20 feet away from our backyard fences. The applicant has removed the buffer that he previously included, and has promised since 2001. The new homes will be “right on top of us!”
- **Construction impacts that are unmitigable to those on Parrott adjacent to the site.** Imagine living directly adjacent to a construction site that is above us and upwind. Significant dust, other air pollution, and noise will cascade down upon us and cannot be fully mitigated, or even close. It is very frustrating that the County would even consider subjecting us to these impacts. There are sensitive receptors in nearly every adjacent Parrott house, including 80+-year old residents, children, individuals with documented asthma and allergies, and individuals with documented clinical depression. Imagine subjecting those sensitive receptors to the 85 db, the dust, and the particulates 11 hours per day for three or more years.
- **Living under a permanent threat from the large bodies of water that will be stored above our heads during storms.** The poorly described and not proven stormwater drainage system raises so many concerns. The most basic is that when it fails, it will flood our properties.

**2. New Concerns** --The testimony of the Applicant and his team members during the January 28, 2015, Planning Commission meeting, and further review of the FEIR, revealed new information that has triggered additional concerns related to the proposed Ascension Heights project:

- **Use of non-potable** water to mitigate the spread of construction-generated particulates, including but not limited to dust, dirt, diesel exhaust.
  - Non-potable water by definition is unsafe to drink, or even have on your body; see below for three references (of many) from OSHA and the EPA.
    - OSHA Federal Regulations requires labeling non-potable water as unsafe for drinking, washing or cooking. Specifically, Standard 1926.51(b) ("Sanitation") states "*Outlets for nonpotable water, such as water for industrial or firefighting purposes only, shall be identified by signs meeting the requirements of Subpart G of this part, to indicate clearly that the water is unsafe and is not to be used for drinking, washing, or cooking purposes.*"  
 ([https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=STANDARDS&p\\_id=10624](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10624))
    - OSHA Federal Regulations also prohibit getting nonpotable water onto individuals or their clothing. Specifically, Standard 1910.141(b)(2)(iii) ("Sanitation") states "*Nonpotable water shall not be used for washing any portion of the person, cooking or eating utensils, or clothing.*"
    - The EPA, even in its literature promoting the appropriate use of water recycling and grey water, clearly refers to non-potable water as "not for drinking".  
 (<http://www.epa.gov/region9/water/recycling/>)
  - Yet the Applicant's team, at the January 28, 2015 Planning Commission meeting, described a plan to use of non-potable water to spray down the trucks and construction dust, presumably as an attempt to ward off claims of wasting water during a drought.
    - While this may be admirable creativity upon initial review, and while it may be an appropriate mitigation when the construction site is flat with high solid fencing all around, the proposed site is on a steep hillside with prevailing wind patterns running west to east directly down and toward the homes on Parrott.
  - There is no analysis about the impacts of spraying water that is "unsafe for drinking" so close to our homes, particularly those homes on Parrott.
  - The non-potable water will aerosolize into mist that will be carried downhill and downwind into our yards and onto our homes. ***We, our pets and local fauna will be subjected to this unsafe situation.*** Sensitive receptors among us will be dramatically more impacted.
  - This is a poorly thought through, new mitigation, with zero analysis and deeply concerning implications.
- **Newly stated information** by the applicant's civil engineer during verbal testimony in two specific areas of the project description and impacts or benefits.
  - New claims related to grading truck traffic

- In direct response to a question raised by a Planning Commissioner, the applicant's civil engineer stated that, in fact, grading trucks would only need to leave the site every 20 minutes, and would do so for a period of 45 days to complete the grading off-haul removal.
  - This new information would appear to assuage concerns about the impact on the neighborhood from the grading trucks.
  - Both of these new figures contradict what is stated in the FEIR (which states 30 days as the time duration for removing the graded soil).
  - Additionally, the math does NOT work, and the result would be to remove only ~62% of the soil!
    - The FEIR states that ~40,000 cubic yards of soil will need to leave the site.
    - The FEIR also states that the applicant intends to use grading trucks averaging 17 cubic yards in size.
    - The result of the above two stated assumptions is that 2,353 truck trips will be required to remove the 40,000 cubic yards.
    - Yet 3 loaded trucks per hour (the first new statement), multiplied by 11 hours/day, yields 33 trucks per day removing soil, which multiplied by 45 days (the second new statement) is only 1,485 truck trips, or only ~62% of the required number of trucks.
    - The situation is even worse when you consider that Saturdays will have shorter working hours, so even less than 62% of the soil will have been removed in the 45 days.
    - This new contradictory information clearly does not add up!
  - The only way to make the math work is to increase the number of truck trips per day, or to extend the grading off-haul period beyond 45 days.
  - These trucks will impact our neighborhood, and are a serious safety concern. Given the new confusion and mistakes, however, what are we to believe in order to understand that impact? Is it the plan described in the FEIR? ... or the new information, even though it doesn't add up?
  - With this confusion, this is now one more example in which the FEIR and the process are inadequate.
- o New claims related to public access of the common areas, which was to be a benefit of the project.
- In direct response to a question raised by a Planning Commissioner, the applicant's civil engineer stated that, in fact, the common areas would NOT be accessible by members of the public because those areas are "too steep".

- The FEIR states that the common areas will be open to the public, which has been described as a benefit of the project.
    - Which is it? Will the common areas be public or private?
    - And if “too steep” for members of the public, are the common areas also too steep for the new homeowners?
    - How could decision makers evaluate whether the project as described has inherent dangers (e.g., common areas open to the public even though those areas are “too steep”) or not (e.g., closed areas, and therefore no access benefit may be claimed, either for the public or for the new homeowners)?
    - In either case, with this confusion, this is yet one more example in which the FEIR and the process are inadequate.
  - By extrapolation from these two new sets of information, what else in the FEIR is now considered outdated or incorrect by the applicant?
  - How can the Planning Commission consider approving an FEIR that is now, in part, incorrect in terms of key aspects of the project description and the grading plan?
- Concentration of cell towers near the homes
    - There are now more than 10 cell towers at the top of the hill. This is a large concentration, and may be significantly more than members of the Planning Department and Planning Commission are aware.
    - Additionally, as described during public testimony at the January 28, 2015, Planning Commission meeting, there are posted signs on the property warning about emissions dangers.
    - Such a large concentration of cell towers has not been reviewed or described in the project description as being adjacent to the proposed homes
    - Additionally, there is no analysis about the health impacts of someone living so close to so many cell towers. While skeptics may have argued that one or two cell towers do not pose a danger, this is no longer a question of just one or two towers.
    - What liability will the County assume should it approve an FEIR that does not describe this intense concentration of cell towers as part of the project description and should it approve a subdivision plan with homes that close to so many cell towers?

**3. County responses to our earlier comments** -- The EIR Consultant and the County responded in the FEIR Volume 1 Response to Comments to our letter of June 9, 2014, in which we raised specific concerns about the DEIR, including the project description and several of the planned mitigations.

We also included our letter of November 4, 2013, as we believe those comments are still materially relevant, and which the county labeled as P4-13. Unfortunately, the County did not include any formal responses in the FEIR to the comments in this earlier letter (despite assigning it the formal P4-13 label, which we can only assume per the implied process means that there should have been formal responses).

Turning back to the June 9, 2014 letter, for which the County did have responses, we have reviewed the point-by-point responses to our letter. After this review, we are more troubled than ever about the lack of information in the DEIR, and subsequently the FEIR. We are also troubled by an apparent pattern of mostly general, opaque, vague, off-topic and/or irrelevant responses to our concerns, and to the concerns raised by other members of the public, which seems to be indicative of a inconsistent or minimalist approach to following the CEQA process.

Turning specifically to the FEIR's written, formal responses to the eleven concerns that we raised in our June 9, 2014 letter:

- **Summary**

- For only two of the concerns are the formal County responses direct and to the point
  - In both cases, however, the responses claim that additional detail can wait until later in the process or that the concern is temporary and therefore unfounded. We respectfully disagree in both cases.
- For the nine other concerns, the formal County responses are:
  - Non-responsive, even when appearing to be responsive (six cases). The County refers us to other County responses made originally to other comments, and yet when you follow the cookie trail to those other responses, there is nothing written of direct material nature to our specific concerns
  - Argumentative (one case)
  - Incorrect or unbelievable on a prima facie basis (two cases)
- We are concerned that such non-responsiveness seemingly hidden in long answers calls into question the integrity of this portion of the CEQA process.

- **Supporting detail**

- Non-responsive (six cases)
  - (1) Lack of confidence in the bio report due to existence of lupines and raptors (labeled P4-03)
    - The formal County response (p. 3-45) references an earlier and quite lengthy response (P1-4 on p. 3-4).
    - The referenced response, however, does NOT refer directly to our concerns about the timing of the prior biological survey and the lack of observations of what we've seen routinely on the hill. These concerns

about inappropriate timing and poor quality were not formally and directly addressed.

(2) Impact to Significant Trees in Parrott backyards adjacent to the site (labeled P4-04)

- The formal County response (p.3-45) references an earlier response (P1-67 on p. 3-24).
- The referenced response, however, does NOT refer to Significant Trees on adjacent properties, nor does the planned mitigation (Mitigation 4.3-6), and so is non-responsive
  
- Leaving aside the non-responsive nature of the County response for the moment, we commissioned and submitted to the County and the Planning Commission on January 28, 2015, a report by a certified arborist describing harm to our Significant Trees if the project were allowed to be built as planned, and also describing an appropriate Tree Protection Zone (TPZ) to safeguard our Significant Trees. Given the TPZ described in the report that we submitted, it is clear that (a) three lots in the plan (proposed lots 5-7) would need to be altered (i.e., moved up the hill away from the TPZ) and (b) the proposed re-routing of the Cal Water water main adjacent to our property would need to be re-routed further up the hill outside of the TPZ.
- These implications have been known for years, but the County has proposed in the DEIR and the FEIR to postpone examining this issue until after the subdivision as been accepted by the Planning Commission, even though the subdivision would not be buildable as accepted.

(3) Request to use *International Arborist* practices, which are the accepted standard in the US by certified arborists (labeled P4-05)

- The formal County response (p.3-45) references an earlier response (also P1-67 on p. 3-24 as with the above).
- The referenced response, however, does NOT refer to International Arborist standards, nor does the planned mitigation (4.3-6), and so is non-responsive.

(4) Specifics of the stormwater system, including durability, reliability, and longevity (labeled P4-07)

- The formal County response (p.3-46) references two earlier responses (P1-89 on p. 3-28 and P1-92 on p. 3-29).
- Neither of the referenced responses nor the planned mitigation (4.6-2) refers to our stated concerns about the lack of specifics, including related to durability, reliability, and longevity, of this complex system to better allow for understanding and evaluation), and so is non-responsive.

- (5) Engineering difficulties at nearby residences, e.g., on Rainbow Drive (labeled P4-12)
  - The formal County response (p. 3-46) references an earlier response (P1-6 on p. 3-8).
  - The referenced response, however, does not discuss our concern about nearby engineering difficulties at all. Instead, it focuses on “hill stability”, which was not the point of our specific comment. We were questioning what might be learned from other failures at locations where engineers also said “this is buildable”.
  
- (6) No consideration for topsoil as an important resource (labeled P4-10)
  - The formal County response (p. 3-46) states that the public had an earlier opportunity to suggest scoping topics (P4-10 on p. 3-46).
  - This statement suggests that the public has missed its opportunity, and that the County stopped accepting any new information after scoping. This seems fundamentally incorrect from a basic process standpoint, particularly when that information is coming from an expert source (in this case a Certified Master Gardener of San Francisco and San Mateo Counties).
  - The formal response also refers to planned mitigations 4.4-1a and 4.4-1b as reducing impact to soil and erosion.
  - These planned mitigations focus on erosion, however, and do not address the importance of maintaining the health of the topsoil, and the formal County response is therefore non-responsive.
  
- o Argumentative (one case)
  - Mischaracterization of the path behind the Parrott Houses as a “drainage ditch or swale” that would deter water runoff (labeled P4-02).
  - The formal County response (p. 3-45) references an earlier response (P1-99 on p. 3-31) that states “The ditch was delineated by a qualified biologist.”
  - Since when is a biologist qualified to comment on land features? Isn’t that a geologist? And isn’t responding in this manner argumentative rather than searching for the facts?
  - This “naming” of a path as a ditch can only lead us to conclude that this biologist must not have walked the land at that point because otherwise he would have seen that most of the path is flat to sloping downhill!
  
  - The County response goes on to state that the “drainage plan ... does not rely on this ditch to protect nearby residences” (see also P1-99 on p. 3-31).
  - The plans (attachment C-2 in Planning Dept’s report) and public conversations with the applicant, however, consistently show and

have referred to a swale in this location that would help divert water should the storm drainage system fail.

- Without a ditch or a swale, then any runoff from any system failure, including being overcome by “larger than modeled storms” (e.g., storms larger than the 10-year storms used in the modeling), will pour into our yards.
- o Incorrect or unbelievable on prima facie basis (two cases)
- (1) Dust on solar panels and swimming pools of adjacent properties (labeled P4-08)
    - The formal County response (p. 3-46) claims that planned mitigation 4.2-1 will reduce particulates and their off-site movement and “prevent settling and adverse impacts to solar panels, swimming pools, water features”.
    - With the word “prevent”, the county is claiming that there will be zero impacts on our properties, and specifically zero impacts to our solar panels or pools.
    - Such a claim is an absurd on a *prima facie* basis. Of course the solar panels and pools (and houses and yards) for the homeowners on Parrott directly adjacent to the site will be impacted.
    - But because of the claim of zero impact, the County has not conducted any analysis nor created a specific mitigation to reduce the obvious impact.
  - (2) Traffic problems (e.g., blind spots) and potential accidents (labeled P4-11)
    - The formal County response (p. 3-46) references an earlier response (P1-6 on p. 3-8) that claims that planned mitigation 4.11-4 will “ensure a safe sight distance at the proposed new intersection” on Bel Aire.
    - With the word “ensure”, the county claims there will NOT be a blind spot at the proposed new intersection with Bel Aire, and that any future accidents at this new location could not be due to “safe sight distance” issues.
    - Given the topography and curvature of Bel Aire at that location, and given that there is not a plan to reshape Bel Aire itself, the existing blind spot and sight difficulties will remain, and there will be a new hazard imposed on the community by the development.
- o Direct response, but still an issue (two cases)
- (1) Effect on adjacent Parrott properties of trees that may be planted to attempt to reduce privacy impact on those homes (labeled P4-06).
    - The formal County response (p. 3-46 and in an earlier comment to P1-35 on p. 3-17) references a to-be-completed landscaping plan.
    - Given that there is not a formal buffer zone between the new development and the existing homes on Parrott Drive, there is no room for landscaping screening.

- And should the applicant attempt to “squeeze in” landscaping under the current plan, the only location possible would be directly against the Parrott backyard fences (in order to retain legally minimum sized lots in the proposed subdivision plan), which would mean unavoidable root encroachment into our lawns.
  - Both types of impact are material, and the proposed deferral postpones meaningful input until an unspecified future point after plan approval, at which point re-planning the subdivision plan is moot, and the landscaping screen could become a point of irresolvable contention between the Parrott homeowners and the applicant.
- (2) Zero analysis for impact of car lights in hammerhead on our property (labeled P4-09).
- The formal County response (p. 3-46) states that any traffic would be temporary, so the impact is less-than-significant.
  - The plan does not describe, however, how it would mitigate the permanent situation of car lights shining directly into our children’s bedroom windows.

In summary:

- We on Parrott adjacent to the proposed project are deeply and seriously impacted.
- There are new issues that add to the inadequacies of the FEIR.
- The “Public Comment and Response” process, in this instance, is less helpful to decision makers than it should be, due to the mostly general, opaque, vague, off-topic, and/or irrelevant responses to public concerns.

Thank you for your attention to the above,

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

**From:** Gina Blohowiak <  
**To:** <Planning-Commission@smcgov.org>  
**CC:** <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>, <  
**Date:** 2/24/2015 6:03 PM  
**Subject:** Concern over Ascension Heights Project

Dear Members of the Planning Commission:

I hope this email finds you well. I live at 1492 Ascension Dr and have many concerns about the Ascension Heights Project. If this project is approved, my family will be looking for a new home and community. I certainly don't think you want to drive out the residents, but I think that's what this development will do.

In general, I agree with all the concerns that were voiced at the meeting last month at the school. You're well aware of the issues so instead of restating them, I will say that my main concerns are around the health my family. We are expecting a child and are terrified of the harm this project could do to our baby (asbestos, dust, noise) and our general happiness for the many years of development.

I hope you all seriously consider the residents' concerns and reject this proposal.

Thank you,  
Gina Blohowiak



February 24, 2015

**Via E-Mail and U.S. Mail**

San Mateo County Planning Commission

E-Mail:

[planning-commission@smcgov.org](mailto:planning-commission@smcgov.org)

Re: Ascension Heights Subdivision Project

Honorable Members of the San Mateo County Planning Commission:

This firm represents the Baywood Park Homeowners' Association ("Baywood") with regard to the Ascension Heights Subdivision Project ("Project"). Baywood is an association of homeowners and residents who live immediately adjacent to the proposed Project. As discussed in Baywood's detailed comment letters on the Draft Environmental Impact Report ("DEIR"), these residents have serious concerns about the proposed Project's potential environmental impacts and consistency with applicable land use regulations, as well as the DEIR's analysis of the Project's impacts. Baywood is also concerned about the Project applicant's failure to follow the specific direction provided by this Planning Commission in 2009—including direction to meet with the community and avoid building on the steep south-facing slope of the Project site.

Our preliminary review of the Final Environmental Impact Report ("FEIR") and Revised Draft EIR ("RDEIR") (together, "EIR") leads us to conclude, as Baywood has in its comments, that these documents contain substantial analytical flaws and informational omissions that render them inadequate under the California Environmental Quality Act.<sup>1</sup> As described below, the EIR repeatedly defers both analysis of impacts and development of mitigation until after Project approval, which is strictly prohibited under CEQA. The EIR and proposed resolutions attached to the January 28 staff report also fail to identify and require adequate mitigation for the Project's identified impacts.

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<sup>1</sup> Public Resources Code § 21000 et seq. (hereinafter "CEQA"); Cal. Code of Regulations, tit. 14, § 15000 et seq. (hereinafter "Guidelines").

Nor do the proposed findings contained in the January 28 staff report support the conclusion that the Project complies with other land use regulations, including the County's General Plan state planning and subdivision laws. *See, e.g.*, Gov't Code § 65000 et seq.; Gov't Code §§ 66473.5 & 66474.

Given these inadequacies, it is our opinion that the County cannot approve the Project as proposed and must, at a minimum, recirculate a revised DEIR that addresses the inadequacies identified in this letter and in the previous comments submitted by Baywood.

**I. The EIR Fails to Adequately Analyze the Project's Potential Environmental Impacts or Identify Adequate Mitigation Measures.**

The discussion of a proposed project's environmental impacts is at the core of an EIR. *See* CEQA Guidelines, § 15126.2(a) (“[a]n EIR shall identify and focus on the significant environmental effects of the proposed project”). An EIR must effectuate the fundamental purpose of CEQA: to “inform the public and responsible officials of the environmental consequences of their decisions before they are made.” *Laurel Heights Improvement Assn. v. Regents of the University of California*, 6 Cal. 4th 1112 at 1123 (1993). To do so, an EIR must contain facts and analysis, not just an agency's bare conclusions. *Citizens of Goleta Valley v. Board of Supervisors*, 52 Cal. 3d 553, 568 (1990).

An EIR must also identify feasible mitigation measures to minimize significant environmental impacts. CEQA Guidelines, § 15126.4. Under CEQA, “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. . . .” Pub. Res. Code § 21002. California courts have made clear that an EIR is inadequate if it fails to suggest feasible mitigation measures, or if the proposed mitigation measures are so undefined that it is impossible to evaluate their effectiveness. *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 79.

Moreover, the formulation of mitigation measures may not properly be deferred until after Project approval. Rather, “[m]itigation measures must be fully enforceable through permit conditions, agreements, or legally binding instruments.” CEQA Guidelines § 15126.4(a). The record must also contain substantial evidence of the measures' feasibility and effectiveness. *Sacramento Old City Assn. v. City Council of*

*Sacramento*, 229 Cal. App. 3d 1011, 1027 (1991); *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 726-29 (1990).

As explained below, the EIR's environmental impacts analysis is deficient under CEQA because it fails to provide the necessary facts and analysis to allow the County and the public to make informed decisions about the Project and its environmental impacts. The EIR also impermissibly defers analysis and the development of mitigation until after project approval—clear violations of CEQA. Finally, the conclusions drawn in the EIR regarding the significance of Project impacts and the adequacy and efficacy of mitigation are not supported by evidence. For all of these reasons, the RFEIR, like the DEIR and original FEIR, is inadequate under CEQA.

#### **A. Aesthetics**

Under CEQA, it is the State's policy to "[t]ake all action necessary to provide the people of this state with . . . enjoyment of *aesthetic*, natural, scenic, and historic environmental qualities." CEQA § 21001(b) (emphasis added). "A substantial negative effect of a project on view and other features of beauty could constitute a significant environmental impact under CEQA." *Ocean View Estates Homeowners Assn., Inc. v. Montecito Water District* (2004) 116 Cal.App.4th 396, 401. No special expertise is required to demonstrate that the Project will result in significant aesthetic impacts. *Ocean View Estates*, 116 Cal.App.4th at 402 ("Opinions that the [project] will not be aesthetically pleasing is not the special purview of experts."); *The Pocket Protectors v. City of Sacramento* (2005) 124 Cal.App.4th 903, 937 ("[N]o special expertise is required on this topic.").

As explained by the court in *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1606, it is "self-evident" that replacing open space with a subdivision will have an adverse effect upon "views and the beauty of the setting." Here, the EIR concludes that the proposed Project, with its 19 large new residences perched on hillsides, looming over the existing neighborhood, will have potentially significant aesthetic impacts. RDEIR at 4.1-14. And the visual simulations support this conclusion. RDEIR, Figures 4.1-2a and -2b.

The only mitigation measures identified and proposed for adoption, however, are the adoption and implementation of a landscape plan and a tree replacement plan. MM 4.1-1a and -1b. Neither of these plans are presented with the EIR, though. In fact, they need not be developed until after Project approval. RDEIR at 4.1-14. As a

result, there is no way for the public or decisionmakers to know whether these plans will actually reduce the Project's impacts to a level of insignificance.

## **B. Biological Resources**

A fundamental purpose of CEQA is to ensure that decisionmakers and the public are aware of the potential environmental impacts of a proposed project before deciding whether to approve it. *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 449-450. As a result, courts have repeatedly held that an EIR must identify and analyze such impacts; deferring this analysis until after project approval is strictly forbidden. *Id.* at 441.

The EIR's biological resources section repeatedly violates this clear CEQA mandate. Rather than conducting thorough and timely biological surveys *now*, so that the public and decisionmakers know what the Project's impacts will be, the EIR defers this analysis until some future date after the Project is approved. For example:

- Impact 4.3-1: The survey conducted to identify special status plant species “was conducted outside of the evident and identifiable bloom period for . . . seven species.” MM 4.3-1 requires *post-approval* “focused botanical survey during the month of May” to determine whether the Project will impact these seven species.
- Impact 4.3-2: Members of the public observed Mission blue butterfly on the Project site. MM 4.3-2 requires *post-approval* “focused survey” during appropriate identification periods for adults (March-July) or juveniles (wet season).
- Impact 4.3-6: The EIR notes that the Project has the potential to “remove trees protected [by] the [County's] tree preservation ordinance.” However, there is no information in EIR itself about how many protected trees will be affected by the development. Instead, MM 4.3-6 requires a *post-approval* survey “documenting all [protected] trees.” This measure does not specify the survey area, a critical element of analysis, as the proposed Project could harm protected trees on neighboring properties, too.

The County must conduct these studies—and thus identify all potentially significant impacts to biological resources—before considering the proposed Project approvals. *See Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831 (a

lead agency may not simply jump to the conclusion that impacts would be significant without disclosing to the public and decision makers information about how adverse the impacts would be). Any new information resulting from these studies must then be provided to the public in a recirculated DEIR.<sup>2</sup>

The EIR also defers the development of mitigation measures until after these post-approval surveys are complete, in direct violation of CEQA. *See San Joaquin Raptor Rescue Ctr. v. County of Merced* (2007) 149 Cal.App.4th 645, 670; *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 92, 94 (rejecting mitigation measures for greenhouse gas emissions that merely required applicant to create plan after project approval). Many of these yet-to-be-developed mitigation measures are contingent on a future determination of whether mitigation is feasible. For example:

- MM 4.3-1: If post approval survey finds special status plant species, a buffer shall be created “if feasible.” If the buffer is not feasible, a qualified botanist “would” salvage and relocate plants. There is no evidence to support the feasibility or effectiveness of either mitigation measure.
- MM 4.3-2: If Mission blue butterflies are observed and avoidance (through creation of a buffer zone) is infeasible, a qualified biologist will “establish . . . appropriate action following contact with CDFW.”

This deferral of mitigation patently violates CEQA and renders the proposed CEQA findings—which conclude the Project will have no significant impact on biological resources—completely hypothetical and unsupported. *See Sacramento Old City Assn. v. City Council of Sacramento* (1991) 229 Cal.App.3d 1011, 1027 (The record must also contain substantial evidence of the measures’ feasibility and effectiveness).

The EIR also notes that the Project site is suitable raptor foraging habitat and a white-tailed kite was observed foraging over the site during the July 25, 2013 survey. RDEIR at 4.3-22. Nonetheless, the EIR fails to identify any mitigation for the

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<sup>2</sup> It is also unclear from the EIR whether CDFW was consulted as a Responsible or Trustee Agency for the Project. Moreover, as Baywood has noted, a late July survey in 2013 was unlikely to discover Mission blue butterflies, even if they are present on the site, because there was minimal rain that spring, and the lupin bloomed early and peaked in May.

loss of this foraging habitat, focusing instead exclusively on mitigation for the Project's potential impacts to breeding habitat. RDEIR at 4.3-22 through 23.

Several of the biological resource mitigation measures identified in the EIR (and proposed for adoption in the draft resolutions) are also plainly unenforceable and/or do not support the conclusion that the Project's impacts have been mitigated to a level of insignificance. For example, the EIR concludes that the project could have potentially significant impacts on nesting raptors. RDEIR at 4.3-22. At first blush, MM 4.3-4b and -4c appear to require a 250-foot buffer around active raptor nests discovered in pre-construction surveys. These measures contain a blanket exception to this buffer, however, if it is "impractical" or "infeasible." In that event, the only "mitigation" is the statement that "guidance from CDFW will be requested." RDEIR at 4.3-24. Neither the EIR nor the proposed resolutions even require the applicant to comply with CDFW's guidance. *See also* MM 4.3-3a (requiring pre-construction surveys to determine whether there are any active northern harrier, burrowing owl, or white-tailed kite nests in the area. If there are, then "CDFW shall be consulted" to develop avoidance measures. If CDFW determines that a "take" may nonetheless occur, the applicant must obtain a take permit.)

### **C. Geology and Soils**

The EIR concludes that the massive grading and earth-moving activities required to develop the Project could result in "substantial soil erosion and loss of topsoil from the project site." RDEIR at 4.4-12. Yet the EIR once again defers the development of mitigation measures until after Project approval, and provides no performance standards to guide that development. Thus, MM 4.4-1a and 4.4-1b simply require the identification and implementation of unspecified "erosion control BMPs" and the development of an erosion control plan. Because these deferred measures contain no performance standards or other mandatory requirements to ensure that they will sufficiently reduce the Project's impacts, they violate CEQA, and the proposed findings concluding this impact will be reduced to a level of insignificance are unsupported.

### **D. Air Quality and GHG**

The EIR estimates that Project construction would result in 957.68 MT of CO<sub>2</sub>e during the one-year construction period. The EIR then notes that neither CARB nor BAAQMD have established a construction threshold for GHG emissions. Nonetheless, the State has established a goal of reducing GHG emissions "by 26%" through adoption of AB 32. Therefore, the EIR identifies as a mitigation measure the requirement that the Project proponent purchase 249 MT worth of CO<sub>2</sub>e emissions reduction credits

(reflecting “a 26% reduction” in the total construction emissions for the Project) to maintain consistency with AB 32’s goal.

The flaw in this reasoning is that it fails to reveal that AB 32 actually established a goal of *reducing* GHG emissions statewide. Thus, simply offsetting some of the new GHG emissions from the Project does nothing to achieve this goal over overall GHG reduction. *See generally Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2014) 231 Cal.App.4th 1056.

The EIR’s air quality analysis also omits essential analysis and understates the Project’s potential impacts. Baywood commented extensively on these errors and omissions. For example, Baywood noted that the analysis did not take into account impacts on nearby schools, which would be affected by construction emissions due to the particular geography and meteorology in the area. Likewise, neither the EIR nor the findings provides evidence to support the conclusion that the proposed mitigation would reduce construction impacts to a level of insignificance. Instead of providing the missing analysis and information, the FEIR simply attempts to defend the RDEIR’s flawed approach. More is required for adequate responses to comments.

#### **E. Hydrology**

The EIR’s analysis of the Project’s hydrology impacts is similarly flawed. First, the EIR acknowledges that the Project, which would create more than two new acres of impervious surface, would have potentially significant impacts on the area’s water quality if left unmitigated. The EIR then states that these potentially significant impacts will be mitigated to a level of insignificance by “the proposed on-site detention and drainage systems . . . described in Section 3.4.” RDEIR at 4.6-14. Section 3.4, however, includes only the most generic and cursory description of the proposed stormwater treatment measure, making it impossible to evaluate the system’s efficacy.

Moreover, the brief description of the stormwater treatment measure suggests it does not comply with the requirements of the County’s current NPDES permit, Municipal Regional Stormwater NPDES Permit, Order No. R2-2009-0074, NPDES Permit No. CAS612008, adopted October 14, 2009 and revised November 28, 2011 (“MRP”). The C.3 portion of the MRP, which refers to post-construction stormwater management for new development and redevelopment projects, requires Low Impact Development (“LID”). The Project as proposed includes centralized detention basins, which are not LID features.

The goal of LID is to reduce runoff and mimic a site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes. LID also limits disturbance of natural water bodies and drainage systems; minimizes compaction of highly permeable soils; protects slopes and channels; and minimizes impacts from stormwater and urban runoff on the biological integrity of natural drainage systems and water bodies. Here, no LID designs or features appear to be incorporated or required into the Project.

In addition, the EIR does not actually include any supporting analysis for its conclusion that the proposed stormwater treatment measure will reduce the project's runoff impacts to a level of insignificance or comply with the County's NPDES requirements. See *Santa Clarita Organization for Planning the Environment v. County of L.A.* (2003) 106 Cal.App.4th 715, 722 (agency's analysis must be contained in the EIR, not "scattered here and there in EIR appendices").<sup>3</sup> While it appears the County had a hydrology report discussing these measures in more detail, the County was required to include this analysis in the EIR itself. "Decision-makers and the general public should not be forced to sift through obscure minutiae or appendices in order to ferret out the fundamental assumptions that are being used for purposes of the environmental analysis." *San Joaquin Raptor Rescue Center*, 149 Cal.App. 4th at 659; see also *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442 ("The data in an EIR must not only be sufficient in quantity, it must be presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project.") Moreover, the County did not even provide this report to the public until after the first Planning Commission meeting on the revised Project had occurred, thus preventing Baywood from preparing complete comments on this document during the public comment period.

Finally, it appears that the stormwater treatment measures proposed to mitigate the Project's stormwater runoff impacts will only be capable of handling a 10-

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<sup>3</sup> It is also unclear whether the particular treatment measure proposed will work on the steep slopes of the Project site. Baywood repeatedly asked for evidence that this technology had been safely and successfully used in similar topography, but was provided with no evidence that it had.

year storm event. RDEIR at 4.6-16. While MM 4.6-3b requires increasing the size and capacity of two stormwater drainage pipes, the EIR fails to explain how this measure will prevent significant runoff impacts during a more severe storm event.

## F. Noise

The EIR establishes a number of criteria for determining whether the proposed Project's noise impacts would be significant. *See* RDEIR at 4.8-10 through 11. One of these criteria is whether the Project would expose people to noise levels in excess of standards established in the County's general plan or ordinances. RDEIR at 4.8-10. Other, standalone criteria include whether the Project would cause "[a] substantial temporary or periodic increase in ambient noise levels," and whether the Project would expose people to "noise levels in excess of . . . 60 dB Ldn, exterior or 45 dB Ldn, interior." RDEIR at 4.8-11.

The EIR then goes on to demonstrate that the Project would, indeed, cross these significance thresholds by exposing nearby residents to excessive construction noise—reaching 85 dBA L<sub>max</sub> "at the nearest sensitive receptor northeast of the project site." RDEIR at 4.8-12.<sup>4</sup> The EIR also states that there is no feasible noise mitigation available to consistently reduce these construction noise levels below 60 dbA.

Given these facts, the EIR was required to conclude that the Project would have significant, unmitigable noise impacts: The construction noise clearly exceeds one of the County's own significance thresholds and the EIR asserts that there is no feasible mitigation available to prevent this exceedence. Instead, the EIR concludes that the Project is "exempt" from this threshold due to a County Noise Ordinance that exempts certain construction activities from the prohibitions contained in that ordinance. RDEIR at 4.8-12; *see also id.* at 4.8-6 through 8. However, CEQA requires lead agencies to consider more than just a project's consistency with local ordinances. It requires analysis of the project's actual environmental impacts. *See Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1108-09 (2004) (environmental effect may be significant despite compliance with such requirements). Here the noise impacts are admittedly significant (regardless of whether they also violate

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<sup>4</sup> As Baywood pointed out in its previous comments, even these high noise levels appear to understate the Project's true impacts, as they account for noise from only one piece of noisy construction equipment operating at any one time. *See, e.g.*, FEIR at 4.8-1.

the County Noise Ordinance). Thus, the County was required to inform decisionmakers and the public of this significant impact.

### **G. Traffic**

As with noise, the EIR concludes that the Project will have potentially significant transportation and circulation impacts. Specifically, the Project “has the potential to substantially increase hazards due to the design of the new private street and proposed intersection with Bel Aire Drive.” RDEIR at 4.11-10. However, the principal mitigation measure identified to reduce this impact—MM 4.11-4—is neither mandatory nor enforceable. Instead, this measure simply suggests that this hazardous intersection “should” be designed without walls, fences, signs, trees, shrubbery, or parked cars blocking motorists views. Because this measure is not mandatory, there is no basis for the conclusion that it will reduce this transportation impact one bit.<sup>5</sup>

### **II. The Proposed CEQA Findings Are Insufficient.**

Under CEQA, a lead agency cannot approve a project with significant environmental impacts without first finding that there are no feasible mitigation measures or alternatives that could lessen these impacts. *See* CEQA § 21002, 21002.1(b), 21081; Guidelines §§ 15091(a), 15091(b), 15093(b); *see also Uphold Our Heritage v. Town of Woodside*, 147 Ca. App. 4th 587 (2007). Moreover, the agency must make findings, supported by substantial evidence, demonstrating how the mitigation measures adopted by the agency will actually reduce environmental impacts to a level of insignificance. *See id.*

The proposed findings contained in the staff report do not satisfy this requirement. Many of them lack any explanation of how proposed mitigation measures will reduce Project impacts to a level of insignificance. And there are no findings (much less substantial evidence) to support the conclusion that there are no feasible, less impactful alternatives.<sup>6</sup>

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<sup>5</sup> Moreover, MM 4.11-3, which requires the Project to include certain street lighting on the private street, will do nothing to prevent accidents caused by motorists who cannot see oncoming traffic due to physical obstacles, such as fences and parked cars.

<sup>6</sup> The EIR also impermissibly and artificially limits the environmental advantages of these reduced density alternatives by stating that they, unlike the Project, would not

Finally, if the County wishes to approve the Project despite its significant impacts, it must make and adopt a statement of overriding considerations. *See City of Marina v. Bd. of Trustees of the Cal. State Univ.* (2006) 39 Cal.4th 341, 368 (citing § 21081(b)). No such proposed findings are included in January 28 staff report.

### **III. Approval of This Project Would Violate the Subdivision Map Act.**

The proposed Project requires approval of a tentative subdivision map. *See* DEIR at 3.0-13. As a result, the County must comply with the Subdivision Map Act. This statute requires that a tentative map approval be consistent with the local general plan. *See* Gov't Code §§ 66473.5; 66474; *see also Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 998 (Subdivision Map Act expressly requires consistency with general plan). Approval of a project that is inconsistent with the general plan violates the Subdivision Map Act and may be enjoined on that basis. *See Friends of "B" Street*, 106 Cal.App.3d at 998 ("City approval of a proposed subdivision ... may be enjoined for lack of consistency of the subdivision map with the general plan."); *see also* City of Pittsburg Municipal Code § 17.20.060 (to approve a tentative map, the following findings must be made, among others: 1) the proposed map is consistent with the general plan and any applicable specific plan, or other applicable provisions of [the municipal] code; 2) the site is physically suitable for the proposed density of development; and 3) the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat).

Here, the site is not physically suitable for the proposed density of development given the excessive slopes. In 2009, Baywood submitted expert comments indicating that substantial retaining walls will be needed to build on the up-sloping lots. Many of these lots are still proposed for development. As Baywood has pointed out in previous comments, piecemeal development of these retaining walls could leave certain lots essentially unbuildable. Likewise, the arborist report submitted by Baywood shows that the Tree Protection Zones required to protect existing trees (both on and off the Project Site) could also render portions of these identified building sites unbuildable.

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require improvement of the site's existing drainage issues. *See, e.g.,* RDEIR at 6-4. There is no reason why the alternatives could not include a similar requirement.

Given these physical constraints on development, the County cannot make the findings required to approve the proposed subdivision map.<sup>7</sup>

#### IV. Conclusion

For all of these reasons, we believe the EIR for the Project fails to comply with CEQA, and the proposed findings included in the January 28 staff report are insufficient to support approval of the Project. As a result, the Planning Commission cannot approve the Project based upon this record. We respectfully urge the County to direct the applicant and the Planning Department to correct the EIR's deficiencies and work with the community to resolve the remaining issues.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Winter King

661833.1

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<sup>7</sup> These inconsistencies between the information on the proposed tentative map and the EIR's description of the Project and potential mitigation measures also render the Project description section of the EIR inadequate.

February 24, 2015

**Via E-Mail and U.S. Mail**

San Mateo County Planning Commission

E-Mail:

[planning-commission@smcgov.org](mailto:planning-commission@smcgov.org)

Re: Ascension Heights Subdivision Project

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Our preliminary review of the Final Environmental Impact Report ("FEIR") and Revised Draft EIR ("RDEIR") (together, "EIR") leads us to conclude, as Baywood has in its comments, that these documents contain substantial analytical flaws and informational omissions that render them inadequate under the California Environmental Quality Act.<sup>1</sup> As described below, the EIR repeatedly defers both analysis of impacts and development of mitigation until after Project approval, which is strictly prohibited under CEQA. The EIR and proposed resolutions attached to the January 28 staff report also fail to identify and require adequate mitigation for the Project's identified impacts.

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<sup>1</sup> Public Resources Code § 21000 et seq. (hereinafter "CEQA"); Cal. Code of Regulations, tit. 14, § 15000 et seq. (hereinafter "Guidelines").

Nor do the proposed findings contained in the January 28 staff report support the conclusion that the Project complies with other land use regulations, including the County's General Plan state planning and subdivision laws. *See, e.g.*, Gov't Code § 65000 et seq.; Gov't Code §§ 66473.5 & 66474.

Given these inadequacies, it is our opinion that the County cannot approve the Project as proposed and must, at a minimum, recirculate a revised DEIR that addresses the inadequacies identified in this letter and in the previous comments submitted by Baywood.

**I. The EIR Fails to Adequately Analyze the Project's Potential Environmental Impacts or Identify Adequate Mitigation Measures.**

The discussion of a proposed project's environmental impacts is at the core of an EIR. *See* CEQA Guidelines, § 15126.2(a) (“[a]n EIR shall identify and focus on the significant environmental effects of the proposed project”). An EIR must effectuate the fundamental purpose of CEQA: to “inform the public and responsible officials of the environmental consequences of their decisions before they are made.” *Laurel Heights Improvement Assn. v. Regents of the University of California*, 6 Cal. 4th 1112 at 1123 (1993). To do so, an EIR must contain facts and analysis, not just an agency's bare conclusions. *Citizens of Goleta Valley v. Board of Supervisors*, 52 Cal. 3d 553, 568 (1990).

An EIR must also identify feasible mitigation measures to minimize significant environmental impacts. CEQA Guidelines, § 15126.4. Under CEQA, “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. . . .” Pub. Res. Code § 21002. California courts have made clear that an EIR is inadequate if it fails to suggest feasible mitigation measures, or if the proposed mitigation measures are so undefined that it is impossible to evaluate their effectiveness. *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 79.

Moreover, the formulation of mitigation measures may not properly be deferred until after Project approval. Rather, “[m]itigation measures must be fully enforceable through permit conditions, agreements, or legally binding instruments.” CEQA Guidelines § 15126.4(a). The record must also contain substantial evidence of the measures' feasibility and effectiveness. *Sacramento Old City Assn. v. City Council of*

*Sacramento*, 229 Cal. App. 3d 1011, 1027 (1991); *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 726-29 (1990).

As explained below, the EIR’s environmental impacts analysis is deficient under CEQA because it fails to provide the necessary facts and analysis to allow the County and the public to make informed decisions about the Project and its environmental impacts. The EIR also impermissibly defers analysis and the development of mitigation until after project approval—clear violations of CEQA. Finally, the conclusions drawn in the EIR regarding the significance of Project impacts and the adequacy and efficacy of mitigation are not supported by evidence. For all of these reasons, the RFEIR, like the DEIR and original FEIR, is inadequate under CEQA.

#### **A. Aesthetics**

Under CEQA, it is the State’s policy to “[t]ake all action necessary to provide the people of this state with . . . enjoyment of *aesthetic*, natural, scenic, and historic environmental qualities.” CEQA § 21001(b) (emphasis added). “A substantial negative effect of a project on view and other features of beauty could constitute a significant environmental impact under CEQA.” *Ocean View Estates Homeowners Assn., Inc. v. Montecito Water District* (2004) 116 Cal.App.4th 396, 401. No special expertise is required to demonstrate that the Project will result in significant aesthetic impacts. *Ocean View Estates*, 116 Cal.App.4th at 402 (“Opinions that the [project] will not be aesthetically pleasing is not the special purview of experts.”); *The Pocket Protectors v. City of Sacramento* (2005) 124 Cal.App.4th 903, 937 (“[N]o special expertise is required on this topic.”).

As explained by the court in *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1606, it is “self-evident” that replacing open space with a subdivision will have an adverse effect upon “views and the beauty of the setting.” Here, the EIR concludes that the proposed Project, with its 19 large new residences perched on hillsides, looming over the existing neighborhood, will have potentially significant aesthetic impacts. RDEIR at 4.1-14. And the visual simulations support this conclusion. RDEIR, Figures 4.1-2a and -2b.

The only mitigation measures identified and proposed for adoption, however, are the adoption and implementation of a landscape plan and a tree replacement plan. MM 4.1-1a and -1b. Neither of these plans are presented with the EIR, though. In fact, they need not be developed until after Project approval. RDEIR at 4.1-14. As a

result, there is no way for the public or decisionmakers to know whether these plans will actually reduce the Project's impacts to a level of insignificance.

## **B. Biological Resources**

A fundamental purpose of CEQA is to ensure that decisionmakers and the public are aware of the potential environmental impacts of a proposed project before deciding whether to approve it. *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 449-450. As a result, courts have repeatedly held that an EIR must identify and analyze such impacts; deferring this analysis until after project approval is strictly forbidden. *Id.* at 441.

The EIR's biological resources section repeatedly violates this clear CEQA mandate. Rather than conducting thorough and timely biological surveys *now*, so that the public and decisionmakers know what the Project's impacts will be, the EIR defers this analysis until some future date after the Project is approved. For example:

- Impact 4.3-1: The survey conducted to identify special status plant species “was conducted outside of the evident and identifiable bloom period for . . . seven species.” MM 4.3-1 requires *post-approval* “focused botanical survey during the month of May” to determine whether the Project will impact these seven species.
- Impact 4.3-2: Members of the public observed Mission blue butterfly on the Project site. MM 4.3-2 requires *post-approval* “focused survey” during appropriate identification periods for adults (March-July) or juveniles (wet season).
- Impact 4.3-6: The EIR notes that the Project has the potential to “remove trees protected [by] the [County's] tree preservation ordinance.” However, there is no information in EIR itself about how many protected trees will be affected by the development. Instead, MM 4.3-6 requires a *post-approval* survey “documenting all [protected] trees.” This measure does not specify the survey area, a critical element of analysis, as the proposed Project could harm protected trees on neighboring properties, too.

The County must conduct these studies—and thus identify all potentially significant impacts to biological resources—before considering the proposed Project approvals. *See Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831 (a

lead agency may not simply jump to the conclusion that impacts would be significant without disclosing to the public and decision makers information about how adverse the impacts would be). Any new information resulting from these studies must then be provided to the public in a recirculated DEIR.<sup>2</sup>

The EIR also defers the development of mitigation measures until after these post-approval surveys are complete, in direct violation of CEQA. *See San Joaquin Raptor Rescue Ctr. v. County of Merced* (2007) 149 Cal.App.4th 645, 670; *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 92, 94 (rejecting mitigation measures for greenhouse gas emissions that merely required applicant to create plan after project approval). Many of these yet-to-be-developed mitigation measures are contingent on a future determination of whether mitigation is feasible. For example:

- MM 4.3-1: If post approval survey finds special status plant species, a buffer shall be created “if feasible.” If the buffer is not feasible, a qualified botanist “would” salvage and relocate plants. There is no evidence to support the feasibility or effectiveness of either mitigation measure.
- MM 4.3-2: If Mission blue butterflies are observed and avoidance (through creation of a buffer zone) is infeasible, a qualified biologist will “establish . . . appropriate action following contact with CDFW.”

This deferral of mitigation patently violates CEQA and renders the proposed CEQA findings—which conclude the Project will have no significant impact on biological resources—completely hypothetical and unsupported. *See Sacramento Old City Assn. v. City Council of Sacramento* (1991) 229 Cal.App.3d 1011, 1027 (The record must also contain substantial evidence of the measures’ feasibility and effectiveness).

The EIR also notes that the Project site is suitable raptor foraging habitat and a white-tailed kite was observed foraging over the site during the July 25, 2013 survey. RDEIR at 4.3-22. Nonetheless, the EIR fails to identify any mitigation for the

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<sup>2</sup> It is also unclear from the EIR whether CDFW was consulted as a Responsible or Trustee Agency for the Project. Moreover, as Baywood has noted, a late July survey in 2013 was unlikely to discover Mission blue butterflies, even if they are present on the site, because there was minimal rain that spring, and the lupin bloomed early and peaked in May.

loss of this foraging habitat, focusing instead exclusively on mitigation for the Project's potential impacts to breeding habitat. RDEIR at 4.3-22 through 23.

Several of the biological resource mitigation measures identified in the EIR (and proposed for adoption in the draft resolutions) are also plainly unenforceable and/or do not support the conclusion that the Project's impacts have been mitigated to a level of insignificance. For example, the EIR concludes that the project could have potentially significant impacts on nesting raptors. RDEIR at 4.3-22. At first blush, MM 4.3-4b and -4c appear to require a 250-foot buffer around active raptor nests discovered in pre-construction surveys. These measures contain a blanket exception to this buffer, however, if it is "impractical" or "infeasible." In that event, the only "mitigation" is the statement that "guidance from CDFW will be requested." RDEIR at 4.3-24. Neither the EIR nor the proposed resolutions even require the applicant to comply with CDFW's guidance. *See also* MM 4.3-3a (requiring pre-construction surveys to determine whether there are any active northern harrier, burrowing owl, or white-tailed kite nests in the area. If there are, then "CDFW shall be consulted" to develop avoidance measures. If CDFW determines that a "take" may nonetheless occur, the applicant must obtain a take permit.)

### **C. Geology and Soils**

The EIR concludes that the massive grading and earth-moving activities required to develop the Project could result in "substantial soil erosion and loss of topsoil from the project site." RDEIR at 4.4-12. Yet the EIR once again defers the development of mitigation measures until after Project approval, and provides no performance standards to guide that development. Thus, MM 4.4-1a and 4.4-1b simply require the identification and implementation of unspecified "erosion control BMPs" and the development of an erosion control plan. Because these deferred measures contain no performance standards or other mandatory requirements to ensure that they will sufficiently reduce the Project's impacts, they violate CEQA, and the proposed findings concluding this impact will be reduced to a level of insignificance are unsupported.

### **D. Air Quality and GHG**

The EIR estimates that Project construction would result in 957.68 MT of CO<sub>2</sub>e during the one-year construction period. The EIR then notes that neither CARB nor BAAQMD have established a construction threshold for GHG emissions. Nonetheless, the State has established a goal of reducing GHG emissions "by 26%" through adoption of AB 32. Therefore, the EIR identifies as a mitigation measure the requirement that the Project proponent purchase 249 MT worth of CO<sub>2</sub>e emissions reduction credits

(reflecting “a 26% reduction” in the total construction emissions for the Project) to maintain consistency with AB 32’s goal.

The flaw in this reasoning is that it fails to reveal that AB 32 actually established a goal of *reducing* GHG emissions statewide. Thus, simply offsetting some of the new GHG emissions from the Project does nothing to achieve this goal over overall GHG reduction. *See generally Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2014) 231 Cal.App.4th 1056.

The EIR’s air quality analysis also omits essential analysis and understates the Project’s potential impacts. Baywood commented extensively on these errors and omissions. For example, Baywood noted that the analysis did not take into account impacts on nearby schools, which would be affected by construction emissions due to the particular geography and meteorology in the area. Likewise, neither the EIR nor the findings provides evidence to support the conclusion that the proposed mitigation would reduce construction impacts to a level of insignificance. Instead of providing the missing analysis and information, the FEIR simply attempts to defend the RDEIR’s flawed approach. More is required for adequate responses to comments.

#### **E. Hydrology**

The EIR’s analysis of the Project’s hydrology impacts is similarly flawed. First, the EIR acknowledges that the Project, which would create more than two new acres of impervious surface, would have potentially significant impacts on the area’s water quality if left unmitigated. The EIR then states that these potentially significant impacts will be mitigated to a level of insignificance by “the proposed on-site detention and drainage systems . . . described in Section 3.4.” RDEIR at 4.6-14. Section 3.4, however, includes only the most generic and cursory description of the proposed stormwater treatment measure, making it impossible to evaluate the system’s efficacy.

Moreover, the brief description of the stormwater treatment measure suggests it does not comply with the requirements of the County’s current NPDES permit, Municipal Regional Stormwater NPDES Permit, Order No. R2-2009-0074, NPDES Permit No. CAS612008, adopted October 14, 2009 and revised November 28, 2011 (“MRP”). The C.3 portion of the MRP, which refers to post-construction stormwater management for new development and redevelopment projects, requires Low Impact Development (“LID”). The Project as proposed includes centralized detention basins, which are not LID features.

The goal of LID is to reduce runoff and mimic a site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes. LID also limits disturbance of natural water bodies and drainage systems; minimizes compaction of highly permeable soils; protects slopes and channels; and minimizes impacts from stormwater and urban runoff on the biological integrity of natural drainage systems and water bodies. Here, no LID designs or features appear to be incorporated or required into the Project.

In addition, the EIR does not actually include any supporting analysis for its conclusion that the proposed stormwater treatment measure will reduce the project's runoff impacts to a level of insignificance or comply with the County's NPDES requirements. See *Santa Clarita Organization for Planning the Environment v. County of L.A.* (2003) 106 Cal.App.4th 715, 722 (agency's analysis must be contained in the EIR, not "scattered here and there in EIR appendices").<sup>3</sup> While it appears the County had a hydrology report discussing these measures in more detail, the County was required to include this analysis in the EIR itself. "Decision-makers and the general public should not be forced to sift through obscure minutiae or appendices in order to ferret out the fundamental assumptions that are being used for purposes of the environmental analysis." *San Joaquin Raptor Rescue Center*, 149 Cal.App. 4th at 659; see also *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442 ("The data in an EIR must not only be sufficient in quantity, it must be presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project.") Moreover, the County did not even provide this report to the public until after the first Planning Commission meeting on the revised Project had occurred, thus preventing Baywood from preparing complete comments on this document during the public comment period.

Finally, it appears that the stormwater treatment measures proposed to mitigate the Project's stormwater runoff impacts will only be capable of handling a 10-

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<sup>3</sup> It is also unclear whether the particular treatment measure proposed will work on the steep slopes of the Project site. Baywood repeatedly asked for evidence that this technology had been safely and successfully used in similar topography, but was provided with no evidence that it had.

year storm event. RDEIR at 4.6-16. While MM 4.6-3b requires increasing the size and capacity of two stormwater drainage pipes, the EIR fails to explain how this measure with prevent significant runoff impacts during a more severe storm event.

## F. Noise

The EIR establishes a number of criteria for determining whether the proposed Project's noise impacts would be significant. *See* RDEIR at 4.8-10 through 11. One of these criteria is whether the Project would expose people to noise levels in excess of standards established in the County's general plan or ordinances. RDEIR at 4.8-10. Other, standalone criteria include whether the Project would cause "[a] substantial temporary or periodic increase in ambient noise levels," and whether the Project would expose people to "noise levels in excess of . . . 60 dB Ldn, exterior or 45 dB Ldn, interior." RDEIR at 4.8-11.

The EIR then goes on to demonstrate that the Project would, indeed, cross these significance thresholds by exposing nearby residents to excessive construction noise—reaching 85 dBA Lmax "at the nearest sensitive receptor northeast of the project site." RDEIR at 4.8-12.<sup>4</sup> The EIR also states that there is no feasible noise mitigation available to consistently reduce these construction noise levels below 60 dbA.

Given these facts, the EIR was required to conclude that the Project would have significant, unmitigable noise impacts: The construction noise clearly exceeds one of the County's own significance thresholds and the EIR asserts that there is no feasible mitigation available to prevent this exceedence. Instead, the EIR concludes that the Project is "exempt" from this threshold due to a County Noise Ordinance that exempts certain construction activities from the prohibitions contained in that ordinance. RDEIR at 4.8-12; *see also id.* at 4.8-6 through 8. However, CEQA requires lead agencies to consider more than just a project's consistency with local ordinances. It requires analysis of the project's actual environmental impacts. *See Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1108-09 (2004) (environmental effect may be significant despite compliance with such requirements). Here the noise impacts are admittedly significant (regardless of whether they also violate

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<sup>4</sup> As Baywood pointed out in its previous comments, even these high noise levels appear to understate the Project's true impacts, as they account for noise from only one piece of noisy construction equipment operating at any one time. *See, e.g.*, FEIR at 4.8-1.

the County Noise Ordinance). Thus, the County was required to inform decisionmakers and the public of this significant impact.

### **G. Traffic**

As with noise, the EIR concludes that the Project will have potentially significant transportation and circulation impacts. Specifically, the Project “has the potential to substantially increase hazards due to the design of the new private street and proposed intersection with Bel Aire Drive.” RDEIR at 4.11-10. However, the principal mitigation measure identified to reduce this impact—MM 4.11-4—is neither mandatory nor enforceable. Instead, this measure simply suggests that this hazardous intersection “should” be designed without walls, fences, signs, trees, shrubbery, or parked cars blocking motorists views. Because this measure is not mandatory, there is no basis for the conclusion that it will reduce this transportation impact one bit.<sup>5</sup>

## **II. The Proposed CEQA Findings Are Insufficient.**

Under CEQA, a lead agency cannot approve a project with significant environmental impacts without first finding that there are no feasible mitigation measures or alternatives that could lessen these impacts. *See* CEQA § 21002, 21002.1(b), 21081; Guidelines §§ 15091(a), 15091(b), 15093(b); *see also Uphold Our Heritage v. Town of Woodside*, 147 Ca. App. 4th 587 (2007). Moreover, the agency must make findings, supported by substantial evidence, demonstrating how the mitigation measures adopted by the agency will actually reduce environmental impacts to a level of insignificance. *See id.*

The proposed findings contained in the staff report do not satisfy this requirement. Many of them lack any explanation of how proposed mitigation measures will reduce Project impacts to a level of insignificance. And there are no findings (much less substantial evidence) to support the conclusion that there are no feasible, less impactful alternatives.<sup>6</sup>

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<sup>5</sup> Moreover, MM 4.11-3, which requires the Project to include certain street lighting on the private street, will do nothing to prevent accidents caused by motorists who cannot see oncoming traffic due to physical obstacles, such as fences and parked cars.

<sup>6</sup> The EIR also impermissibly and artificially limits the environmental advantages of these reduced density alternatives by stating that they, unlike the Project, would not

Finally, if the County wishes to approve the Project despite its significant impacts, it must make and adopt a statement of overriding considerations. *See City of Marina v. Bd. of Trustees of the Cal. State Univ.* (2006) 39 Cal.4th 341, 368 (citing § 21081(b)). No such proposed findings are included in January 28 staff report.

### **III. Approval of This Project Would Violate the Subdivision Map Act.**

The proposed Project requires approval of a tentative subdivision map. *See* DEIR at 3.0-13. As a result, the County must comply with the Subdivision Map Act. This statute requires that a tentative map approval be consistent with the local general plan. *See* Gov't Code §§ 66473.5; 66474; *see also Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 998 (Subdivision Map Act expressly requires consistency with general plan). Approval of a project that is inconsistent with the general plan violates the Subdivision Map Act and may be enjoined on that basis. *See Friends of "B" Street*, 106 Cal.App.3d at 998 ("City approval of a proposed subdivision ... may be enjoined for lack of consistency of the subdivision map with the general plan."); *see also* City of Pittsburg Municipal Code § 17.20.060 (to approve a tentative map, the following findings must be made, among others: 1) the proposed map is consistent with the general plan and any applicable specific plan, or other applicable provisions of [the municipal] code; 2) the site is physically suitable for the proposed density of development; and 3) the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat).

Here, the site is not physically suitable for the proposed density of development given the excessive slopes. In 2009, Baywood submitted expert comments indicating that substantial retaining walls will be needed to build on the up-sloping lots. Many of these lots are still proposed for development. As Baywood has pointed out in previous comments, piecemeal development of these retaining walls could leave certain lots essentially unbuildable. Likewise, the arborist report submitted by Baywood shows that the Tree Protection Zones required to protect existing trees (both on and off the Project Site) could also render portions of these identified building sites unbuildable.

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require improvement of the site's existing drainage issues. *See, e.g.,* RDEIR at 6-4. There is no reason why the alternatives could not include a similar requirement.

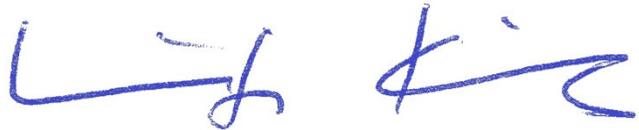
Given these physical constraints on development, the County cannot make the findings required to approve the proposed subdivision map.<sup>7</sup>

#### IV. Conclusion

For all of these reasons, we believe the EIR for the Project fails to comply with CEQA, and the proposed findings included in the January 28 staff report are insufficient to support approval of the Project. As a result, the Planning Commission cannot approve the Project based upon this record. We respectfully urge the County to direct the applicant and the Planning Department to correct the EIR's deficiencies and work with the community to resolve the remaining issues.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



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<sup>7</sup> These inconsistencies between the information on the proposed tentative map and the EIR's description of the Project and potential mitigation measures also render the Project description section of the EIR inadequate.

**From:** Roberta Beeken [mailto:rbeeken@smuhsd.org]  
**Sent:** Friday, October 25, 2013 11:26 AM  
**To:** Stephanie Henderson  
**Subject:** Ascension Heights Subdivision Project-Public Utilities and Services Inquiry

Here is the response to EIR questions for the Ascension Heights project. See attached.

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Roberta Beeken  
Administrative Assistant to the Superintendent  
San Mateo Union High School District  
650 N. Delaware Street  
San Mateo, CA 94401  
[\(650\) 558-2201](tel:6505582201)

1. Please confirm if this is correct or edit as necessary: Aragon High School, located at 900 Alameda de las Pulgas in the City of San Mateo, serves the project site and surrounding area.

Yes, Aragon High School would be the assigned school.

2. What is the current enrollment at Aragon High School (or whichever high school that serves the project area)? Is enrollment below, above, or at capacity?

The current enrollment at Aragon is 1,444 students. The school is at capacity.

2a. If SMHUSD high schools are above capacity, what measures does the District employ to address this issue?

Below is some of the verbiage for Board Policy 5116-School Attendance Boundaries, which addresses what the Superintendent or designee does every year to review the capacity for the district.

The District Board Policy 5116 states "The Superintendent or designee shall periodically review school attendance boundaries and, as necessary make recommendations to the Board for boundary adjustments. When reviewing school attendance boundaries, the Superintendent or designee may consider the following factors to ensure boundaries align with approved facility capacity. 1) School enrollment data 2 ) Facility capacity and design, including potential commercial and residential developments 3 ) School feeder patterns 4) Federal, state, or court mandates 5) Community input 6) Student safety 7) Transportation capacity 8) Community and neighborhood identity 9) Geographic features of the district 10) Educational programs 11) Other factors. In order to alleviate overcrowding, the Superintendent or designee shall place some students in a school outside of their attendance area. Parents/guardians of students who are attending schools outside of their attendance area shall be notified of the school their child will be attending as soon as possible. (To read more on Board Policy 5116-School Attendance Boundaries go to the district website and on the homepage click on "Board Policies."

3. Are there any current plans to upgrade, improve, and/or expand Aragon High School (or whichever high school serves the project area)? Would these plans increase capacity?

Aragon High School, as well as all the district high schools, has had upgrades and improvements. There are no plans to expand Aragon High School.

4. Based on the above description of the proposed project, will serving the residents of the proposed project have a significant impact on the SMUHSD?

No, it will not have significant impact on the San Mateo Union High School District.

5. In addition to addressing project-specific impacts to SMUHSD, the EIR will also address cumulative impacts to SMUHSD. We are in the process of compiling a list of reasonably foreseeable development in the County. Table 1, Related Projects List, includes a list of some of the other major, reasonably-foreseeable approved development in the County in proximity to the proposed project's location. However, additional projects will likely be added to the list as our research continues. Can the Department accommodate the demand for SMUHSD associated with the development of these projects in conjunction with the proposed project?

We are seeing severe growth in the southern part of the district and we are anticipating the growth by expanding three high schools, Burlingame High School, Hillsdale High School and San Mateo High School, to accommodate the increase.

6. Do you have any recommendations that might help reduce any potentially significant impacts to the SMUHSD generated by the proposed project?

No, we do not have any recommendations.

7. Please confirm if this is correct or edit as necessary: As of July 1, 2012, the SMUHSD will collect School Impact (also known as Developer) Fees for the San Mateo-Foster City School District. The fees are \$1.28 per square foot for residential construction.

Yes, this information is correct. The SMUHSD collects Developer Fees for the San Mateo/Foster City School District at \$1.28 per square foot for residential construction.

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March 24, 2015

**Via E-Mail and U.S. Mail**

San Mateo County Planning Commission  
400 County Center  
Board Chambers  
Redwood City, CA 94063  
[planning-commission@smcgov.org](mailto:planning-commission@smcgov.org)

Re: Proposed Denial of Ascension Heights Subdivision Project

Honorable Members of the San Mateo County Planning Commission:

This firm represents Baywood Park Homeowners' Association ("Baywood") with respect to the proposed Ascension Heights Subdivision Project ("Project"). We submit these supplemental comments in support of the Commission's stated intention to deny the Project as it is currently proposed. The issues you raised at the hearings on this Project reflected the community's serious environmental and safety concerns. In response to staff's suggestion that the Commission include findings along with a resolution denying the Project, we have also prepared draft findings, based on evidence in the administrative record, and attach them to this letter.

Environmental Impacts and Safety Concerns. During the February 25 hearing, Commissioners raised a number of fundamental concerns about the Project. For example, several Commissioners noted that the Project is too dense for the site and surrounding community. As Commissioner Hansson noted, the proposed layout fails to conform to the contours of the hillside. Bel Air is not safe under current conditions and would become even more treacherous with the addition of a blind entrance to the new development. And there is inadequate information in the EIR about the availability of water to serve this new development and the existing community. Commissioner Kersteen-Tucker correctly noted that there is far too little detail about the Project design or proposed mitigation measures to judge what the impacts will be or whether mitigation will be effective, and the EIR failed to adequately analyze the Project's impacts to schools. In addition, several Commissioners noted the potential aesthetic impacts of developing 36-ft-high homes on top of a steep hillside. These impacts will undoubtedly

be significant and cannot be mitigated through tree-planting and landscaping alone. Baywood and other members of the community have raised similar concerns and agree with the Commissioners on all of these points.

The EIR Is Inadequate and Cannot Be Certified. Baywood also continues to have serious concerns about the adequacy of the EIR for the Project. Of course, if the Commission moves forward with a denial of the Project, it need not certify the EIR. *See* Pub. Res. Code § 21080(b)(5) (projects that are denied by a lead agency are not subject to California Environmental Quality Act (CEQA)). In this instance, however, the Commission *cannot* legally certify the EIR because that document contains numerous, substantial flaws, including illegal deferral of analysis and mitigation, unsupported conclusions, and a general failure to adequately describe the Project’s significant environmental impacts. *See* Letter from Winter King to Planning Commission (Feb. 24, 2015); Hearing Audio File (Commissioner Simonson noting that the FEIR is lacking basic mitigation measures and adequate analysis, especially in the chapters discussing biological resources and alternatives); *see also* DEIR at 4.3-20 – 21 (analysis of the extent and severity of impacts to special status species and Mission blue butterfly deferred; mitigation measures 4.3-1 and 4.3-2 direct Applicant to perform focused surveys *after* project approval); DEIR at 4.10-27 (stating that the sewer pipelines that would serve the proposed Project are already over capacity; mitigation measure 4.10-3 generically states that the applicant shall offset the increase in sewer flow by reducing the amount of infiltration and inflow (I & I), but fails to provide any details on how this will be accomplished or whether it is feasible).

Inconsistency with Natural Hazards Policies in General Plan. After conducting additional review of the materials presented to the Commission at the February 25 hearing, we have concluded that the Project is also inconsistent with several of the General Plan Policies found in Chapter 15 (Natural Hazards). In 2009, the Commission concluded that an earlier version of the Project was inconsistent with these policies, which direct the County to avoid siting structures “in areas where they are jeopardized by geotechnical hazards, where their location could potentially increase the geotechnical hazard, or where they could increase the geotechnical hazard to neighboring properties.” Policy 15.20 (a). This policy also directs the County to “avoid construction in steeply sloping areas (generally above 30%)” “wherever possible.” Policy 15.20(b).

In its January 28, 2015 report to the Commission, staff reversed course, stating that this conclusion was “incorrect.” Staff Report at 9. Staff now believes that (1) these policies only apply to projects proposed in formally identified “geotechnical hazard

areas” and (2) the Project is not located within such an area because it is not within the Alquist Priolo Hazard Zone. *Id.*

Staff’s new conclusion is inconsistent with the plain meaning of the General Plan. While policies 15.20(a) and (b) are both under the heading “Review Criteria for Locating Development in Geotechnical Hazard Areas,” it does not appear that this heading was intended to preclude the application of these policies outside areas that are formally designated as “Geotechnical Hazard Areas.” In fact, if the County had intended the heading to have such an effect, the language in Policy 15.20(c) specifying that it applies only to roads and trails “into or through geotechnical hazard areas” would be entirely redundant.

Moreover, staff’s suggestion that “geotechnical hazard areas” include only those areas within the Alquist-Priolo Hazard Zone also conflicts with the General Plan. In fact, the General Plan defines “geotechnical hazards” as “non-seismic unstable conditions, including but not limited to landsliding, cliff retrenchment, erosion, subsidence, soil creep . . .”. It then defines “geotechnical hazard areas” as “areas that meet the definition of geotechnical hazards, *including but not limited to* . . . [t]he areas illustrated on the Natural Hazards map as Alquist-Priolo Special Studies Zones, Tsunami and Seiche Flooding Areas, Coastal Cliff Stability Areas and Areas of High Landslide Susceptibility.” General Plan Policy 15.9 (emphasis added).

Reading these policies together, it appears that the County was right the first time: Policies 15.20(a)-(b) *do* apply to the Project because the Project site is subject to geotechnical hazards, including significant erosion, and some of the proposed residences would be located on lots with slopes greater than 30%. In addition, the County’s landslide map depicts several areas of existing landslides in the immediate vicinity of the Project site. *See* San Mateo County Hazards, Existing Landslides, available at <http://planning.smcgov.org/documents/san-mateo-county-hazards-existing-landslides>. The Project’s inconsistency with these policies provides another basis for denying the proposed tentative map.

Denying This Project Does Not Prohibit All Development. Finally, denying this Project as it is currently proposed does not mean that the Commission is prohibiting any and all development on the Project site. This Project first came before the Commission in 2008-2009. At that point, the Commission gave the Applicant clear direction about changes that would have to be made to develop this severely constrained property: “1) provide more moderate-sized housing, 2) address the concerns about avoiding building on the steep south facing slope, and 3) develop a new design that could

minimize negative impacts.” Jan. 28, 2015 Staff Report, Attachment E, p. 2. Additionally, Commissioner Slocum shared a conceptual map with the Applicant, on which she indicated the need for a trail and/or buffer between the proposed development and existing homes on Parrott Avenue.

With the exception of reducing the number of units from 25 to 19, the Applicant has not followed these directions. The proposed Project still has four units on the south-facing slope of the Project site (with three more on the southern edge of the ridgeline); the houses are still 36 feet high and cover up to 40% of each lot;<sup>1</sup> the design continues to force a square-grid layout on top of extremely steep and irregular land, requiring tens of thousands of cubic yards of cut and fill, and; there is no buffer between the proposed development and existing Parrott Avenue homes. The Commission can and should require the Applicant to address these issues.<sup>2</sup>

In sum, Baywood strongly supports the Commission’s stated intention to deny the proposed tentative map for all of the reasons identified by you and the public. To assist the Commission in finalizing its decision, we are attaching proposed findings, based on evidence in the record, that would support Project denial.

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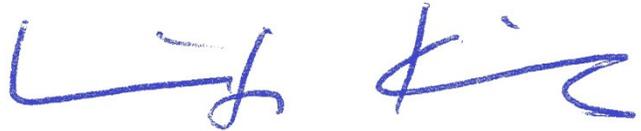
<sup>1</sup> Neither the Project Description chapter of the EIR nor the staff report informs the public of how many square feet each of the proposed houses could be. However, with lots varying in size from 7,500 square to nearly 16,000 square feet, the resulting houses could be enormous. For example, a three story house built on 40% of a 7,500 square foot lot would be close to 9,000 square feet. Performing the same calculation on the 16,000 square foot lot results in a 19,000 square foot residence.

<sup>2</sup> The Applicant also failed to follow the Commission’s clear direction to work with the community to develop a more suitable design. Although there have been public meetings on this Project, the Applicant has made it clear to those in attendance that he had no intention of modifying the Project in response to the community’s concerns.

San Mateo County Planning Commission  
March 24, 2015  
Page 5

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

A handwritten signature in blue ink, consisting of two distinct parts. The first part is a stylized, cursive signature that appears to be 'Winter King'. The second part is a more fluid, cursive signature that appears to be 'Shute, Mihaly & Weinberger LLP'.

Winter King

Attachment

666422.1

## COUNTY COUNSEL

JOHN C. BEIERS

## CHIEF DEPUTIES

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JOHN D. NIBBELIN  
PAUL A. OKADA  
DAVID A. SILBERMAN

## LEAD DEPUTIES

CLAIRE A. CUNNINGHAM  
JUDITH A. HOLIBER



# COUNTY COUNSEL

## COUNTY OF SAN MATEO

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*Please respond to: (650) 363-4456*

April 2, 2015

*Via E-Mail (king@smwlaw.com)*

Winter King  
**SHUTE, MIHALY & WEINBERGER LLP**  
396 Hayes Street  
San Francisco, CA 94102

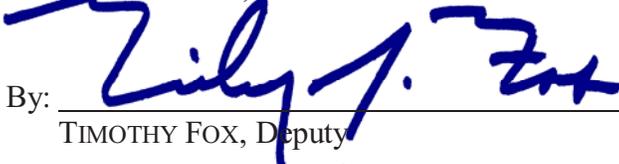
*Re: Public Records Act Request for Ascension Heights Subdivision Project*

Dear Ms. King:

We are in receipt of your letter dated March 24, 2015 and understand it to be a request for records under the California Public Records Act. I am the designee of the head of the agency (in this case, the Department of Planning & Building) for purposes of your request. By this written notice, I am hereby extending the time limit prescribed in Cal. Gov't Code § 6253. The reason for the extension is the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request. *See* Cal. Gov't Code § 6253(c)(2). A determination is expected to be dispatched on or before April 17, 2015.

Very truly yours,

JOHN C. BEIERS, COUNTY COUNSEL

By:   
TIMOTHY FOX, Deputy

JCB:TF/tjf

SHUTE, MIHALY  
& WEINBERGER LLP

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WINTER KING  
Attorney  
king@smwlaw.com

March 24, 2015

**Via E-Mail and U.S. Mail**

Mark Church  
County Clerk  
San Mateo County  
555 County Center, First Floor  
Redwood City, CA 94063-1655  
[countyclerk@smcare.org](mailto:countyclerk@smcare.org)

Re: Public Records Act Request for Ascension Heights Subdivision Project

Dear Mr. Church:

This firm represents Baywood Park Homeowners' Association ("Baywood") with respect to the proposed Ascension Heights Subdivision Project ("Project"), which is currently under consideration by the County Planning Commission. Pursuant to the California Public Records Act,<sup>1</sup> we are seeking to review the County's non-privileged files related to the Project to ensure that Baywood has a complete record of relevant materials. Thus, we hereby request that the City provide us with copies of, or make available for copying, all documents listed below that are not already available on the County's website for the Project (<http://planning.smcgov.org/ascension-heights-subdivision-project>).

1. Any and all correspondence, memoranda, email communications, and other records or writings prepared, owned, used, referenced or retained by the County in connection with the Project. This request includes, but is not limited to, all documents, records or writings presented by the Project applicant to the Planning and Building Department since February 25, 2015. This request also includes, but is not limited to, any draft findings in support of the Planning Commission's denial or approval of the Project that have been presented to the Planning Commission.

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<sup>1</sup> See Gov't Code § 6250 *et seq.*; Cal. Const. art. 1, § 3.

For the purposes of this request, the term “records or writings” includes any “handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.” Gov’t Code § 6252(g). A “record or writing” also includes all appendices and exhibits referred to in the document. The term “or” means “and/or.”

Pursuant to Government Code section 6253(c), please make a determination on and respond to this request within 10 days of your receipt of it. If you determine that any of the information is exempt from disclosure under the Public Records Act, we ask that you ensure that your determination is consistent with Proposition 59, enacted on November 3, 2004. Proposition 59 amended the state Constitution to require that all exemptions from disclosure of public records be “narrowly construed.” Cal. Const. art. I, § 3(b)(2).

If you nonetheless determine that the requested records are subject to an exemption that remains valid after enactment of Proposition 59, we further request that: (1) you exercise your discretion to disclose some or all of the records notwithstanding the exemption; and (2) pursuant to Government Code section 6257, with respect to records containing both exempt and non-exempt content, you redact the exempt content and disclose the rest.

Finally, should you deny part or all of this request, you are required, pursuant to Government Code section 6255, to provide a written response describing the legal authority or authorities on which you rely. If such a response is necessary, please also address how your claim of exemption is consistent with Proposition 59.

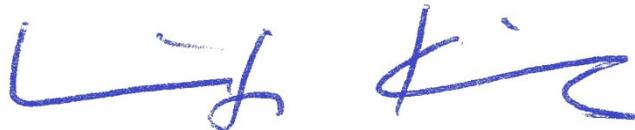
If we can provide any clarification that will help expedite your attention to this request, please contact us at (415) 552-7272. **Please do not perform any duplication before notifying us and allowing us to review the documents, so that our client may decide which records should be copied.** If you maintain any of these documents in an electronic format (e.g., e-mails, PDFs, excel spreadsheets), please provide them to us in that format.

Mark Church  
March 24, 2015  
Page 3

Thank you for your attention to this request.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

A handwritten signature in blue ink, consisting of two distinct parts. The first part is a stylized, blocky signature, and the second part is a more fluid, cursive signature.

Winter King

cc: James Castaneda, San Mateo County Planning and Building Dept.

666290.1



**TO:** Lisa Aozasa, Acting Deputy Director  
James Castañeda, Planner III  
San Mateo County  
Planning & Building Department  
455 County Center  
Redwood City, CA. 94063  
laozasa@smcgov.org  
jcastaneda@smcgov.org

**FROM:** Mr. Trenton Wilson, Senior Project Manager

**DATE:** March 11, 2015

**RE: Cost Estimate for Continued CEQA Compliance Services**

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In accordance with the *Agreement Between the County of San Mateo and Analytical Environmental Services* dated May 7<sup>th</sup>, 2013 (Agreement), AES completed an Environmental Impact Report (EIR) for the Ascensions Heights Subdivision Project (County File number PLN2002-0517) and attended the Planning Commission Hearing on January 28, 2015 for the potential approval of the EIR and other project-related planning considerations. Due to the length of time spend on public comment, the hearing was adjourned and set to reconvene on February 25, 2015. AES Senior Project Manager attended the reconvened Planning Commission Hearing on February 25<sup>th</sup>, 2015; however, no final decision on the EIR or Applicant's requests was made. Based on the Commissioners' comments at the February 25<sup>th</sup> Hearing, AES understands the Applicant has made minor changes to the project and that there now exists an opportunity to address some of the Commissioners' comments in the Final EIR since the document has yet to be certified.

The County has requested AES present a budget to revise the Final EIR (and subsequent revised Draft EIR contained there within) based on comment received from the Planning Commission (subsequently several of the comments are driven by those presented by the General Public). Each issue area is presented as a line item cost to allow the County to determine the exact level of effort for AES to revise the Final EIR. In addition, AES has included line items to attend a future Planning Commission hearing and a Board of Supervisors meeting.

#### **COST ESTIMATE FOR ADDITIONAL CEQA COMPLIANCE SERVICES**

1. Air Quality-AES will revise the discussion of the Health Risk Assessment results to address commenters' concerns regarding the results presented in the discussion in the Draft and Final EIR for a not to exceed time and materials cost of **\$980**.
2. Traffic-AES will revise the discussion of construction traffic to clarify the assumptions utilized in determining the number of construction vehicle trips to address commenters concerns regarding traffic safety. This task will be completed for a not to exceed time and materials cost of **\$555**.
3. Biology-AES will add to the discussion of the history of site surveys conducted on the site as well as include results from recent surveys to address commenters' concerns regarding impacts to biological species presented in the discussion in the Draft and Final EIR. AES will also expand upon the reasoning for the mitigation to clarify that mitigation is not being deferred. These tasks will be completed for a not to exceed time and materials cost of **\$1,080**.
4. Public Services, School Impacts-AES will revise the discussion of impacts to schools emphasizing that the payment of impact fees mitigates the projects impacts in accordance with State law to address commenters' concerns that the significance statement in the discussion of impacts to schools in the

Draft and Final EIR relied on a failed proposition. This task will be completed for a not to exceed time and materials cost of **\$720**.

5. Environmentally Superior Alternative-AES will revise the discussion of the Environmentally Superior Alternative in accordance with comments provided by the Planning Commission for a not to exceed time and materials cost of **\$540**.
6. AES will prepare a Revised Final EIR and submit to the State Clearinghouse to follow the distribution cycle conducted on the previous Final EIR for a not to exceed time and materials cost of **\$1,020**
7. AES will attend a Planning Commission hearing at a time and place to be determined for a not to exceed time and materials cost of **\$1,980**.
8. AES will attend a Board of Supervisors meeting at a time and place to be determined for a not to exceed time and materials cost of **\$1,980**.

#### Assumptions

- The applicant will not alter the site plan in such a manner that would result in a new significant impact that wasn't identified in the Final EIR or increase the severity of a significant impact identified in the Final EIR.
- An attendance requirement of four (4) hours is anticipated for each event.
- Each meeting will be attended by the Senior Project Manager. Additional staff can attend if requested at an additional cost.
- The County will provide AES with a determination of the tasks above to be implemented and AES will provide a final cost estimate based on the selection of tasks.

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WINTER KING  
Attorney  
king@smwlaw.com

February 24, 2015

**Via E-Mail and U.S. Mail**

San Mateo County Planning Commission

E-Mail:

[planning-commission@smcgov.org](mailto:planning-commission@smcgov.org)

Re: Ascension Heights Subdivision Project

Honorable Members of the San Mateo County Planning Commission:

This firm represents the Baywood Park Homeowners' Association ("Baywood") with regard to the Ascension Heights Subdivision Project ("Project"). Baywood is an association of homeowners and residents who live immediately adjacent to the proposed Project. As discussed in Baywood's detailed comment letters on the Draft Environmental Impact Report ("DEIR"), these residents have serious concerns about the proposed Project's potential environmental impacts and consistency with applicable land use regulations, as well as the DEIR's analysis of the Project's impacts. Baywood is also concerned about the Project applicant's failure to follow the specific direction provided by this Planning Commission in 2009—including direction to meet with the community and avoid building on the steep south-facing slope of the Project site.

Our preliminary review of the Final Environmental Impact Report ("FEIR") and Revised Draft EIR ("RDEIR") (together, "EIR") leads us to conclude, as Baywood has in its comments, that these documents contain substantial analytical flaws and informational omissions that render them inadequate under the California Environmental Quality Act.<sup>1</sup> As described below, the EIR repeatedly defers both analysis of impacts and development of mitigation until after Project approval, which is strictly prohibited under CEQA. The EIR and proposed resolutions attached to the January 28 staff report also fail to identify and require adequate mitigation for the Project's identified impacts.

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<sup>1</sup> Public Resources Code § 21000 et seq. (hereinafter "CEQA"); Cal. Code of Regulations, tit. 14, § 15000 et seq. (hereinafter "Guidelines").

Nor do the proposed findings contained in the January 28 staff report support the conclusion that the Project complies with other land use regulations, including the County's General Plan state planning and subdivision laws. *See, e.g.*, Gov't Code § 65000 et seq.; Gov't Code §§ 66473.5 & 66474.

Given these inadequacies, it is our opinion that the County cannot approve the Project as proposed and must, at a minimum, recirculate a revised DEIR that addresses the inadequacies identified in this letter and in the previous comments submitted by Baywood.

**I. The EIR Fails to Adequately Analyze the Project's Potential Environmental Impacts or Identify Adequate Mitigation Measures.**

The discussion of a proposed project's environmental impacts is at the core of an EIR. *See* CEQA Guidelines, § 15126.2(a) (“[a]n EIR shall identify and focus on the significant environmental effects of the proposed project”). An EIR must effectuate the fundamental purpose of CEQA: to “inform the public and responsible officials of the environmental consequences of their decisions before they are made.” *Laurel Heights Improvement Assn. v. Regents of the University of California*, 6 Cal. 4th 1112 at 1123 (1993). To do so, an EIR must contain facts and analysis, not just an agency's bare conclusions. *Citizens of Goleta Valley v. Board of Supervisors*, 52 Cal. 3d 553, 568 (1990).

An EIR must also identify feasible mitigation measures to minimize significant environmental impacts. CEQA Guidelines, § 15126.4. Under CEQA, “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. . . .” Pub. Res. Code § 21002. California courts have made clear that an EIR is inadequate if it fails to suggest feasible mitigation measures, or if the proposed mitigation measures are so undefined that it is impossible to evaluate their effectiveness. *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 79.

Moreover, the formulation of mitigation measures may not properly be deferred until after Project approval. Rather, “[m]itigation measures must be fully enforceable through permit conditions, agreements, or legally binding instruments.” CEQA Guidelines § 15126.4(a). The record must also contain substantial evidence of the measures' feasibility and effectiveness. *Sacramento Old City Assn. v. City Council of*

*Sacramento*, 229 Cal. App. 3d 1011, 1027 (1991); *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 726-29 (1990).

As explained below, the EIR’s environmental impacts analysis is deficient under CEQA because it fails to provide the necessary facts and analysis to allow the County and the public to make informed decisions about the Project and its environmental impacts. The EIR also impermissibly defers analysis and the development of mitigation until after project approval—clear violations of CEQA. Finally, the conclusions drawn in the EIR regarding the significance of Project impacts and the adequacy and efficacy of mitigation are not supported by evidence. For all of these reasons, the RFEIR, like the DEIR and original FEIR, is inadequate under CEQA.

#### **A. Aesthetics**

Under CEQA, it is the State’s policy to “[t]ake all action necessary to provide the people of this state with . . . enjoyment of *aesthetic*, natural, scenic, and historic environmental qualities.” CEQA § 21001(b) (emphasis added). “A substantial negative effect of a project on view and other features of beauty could constitute a significant environmental impact under CEQA.” *Ocean View Estates Homeowners Assn., Inc. v. Montecito Water District* (2004) 116 Cal.App.4th 396, 401. No special expertise is required to demonstrate that the Project will result in significant aesthetic impacts. *Ocean View Estates*, 116 Cal.App.4th at 402 (“Opinions that the [project] will not be aesthetically pleasing is not the special purview of experts.”); *The Pocket Protectors v. City of Sacramento* (2005) 124 Cal.App.4th 903, 937 (“[N]o special expertise is required on this topic.”).

As explained by the court in *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1606, it is “self-evident” that replacing open space with a subdivision will have an adverse effect upon “views and the beauty of the setting.” Here, the EIR concludes that the proposed Project, with its 19 large new residences perched on hillsides, looming over the existing neighborhood, will have potentially significant aesthetic impacts. RDEIR at 4.1-14. And the visual simulations support this conclusion. RDEIR, Figures 4.1-2a and -2b.

The only mitigation measures identified and proposed for adoption, however, are the adoption and implementation of a landscape plan and a tree replacement plan. MM 4.1-1a and -1b. Neither of these plans are presented with the EIR, though. In fact, they need not be developed until after Project approval. RDEIR at 4.1-14. As a

result, there is no way for the public or decisionmakers to know whether these plans will actually reduce the Project's impacts to a level of insignificance.

## **B. Biological Resources**

A fundamental purpose of CEQA is to ensure that decisionmakers and the public are aware of the potential environmental impacts of a proposed project before deciding whether to approve it. *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 449-450. As a result, courts have repeatedly held that an EIR must identify and analyze such impacts; deferring this analysis until after project approval is strictly forbidden. *Id.* at 441.

The EIR's biological resources section repeatedly violates this clear CEQA mandate. Rather than conducting thorough and timely biological surveys *now*, so that the public and decisionmakers know what the Project's impacts will be, the EIR defers this analysis until some future date after the Project is approved. For example:

- Impact 4.3-1: The survey conducted to identify special status plant species “was conducted outside of the evident and identifiable bloom period for . . . seven species.” MM 4.3-1 requires *post-approval* “focused botanical survey during the month of May” to determine whether the Project will impact these seven species.
- Impact 4.3-2: Members of the public observed Mission blue butterfly on the Project site. MM 4.3-2 requires *post-approval* “focused survey” during appropriate identification periods for adults (March-July) or juveniles (wet season).
- Impact 4.3-6: The EIR notes that the Project has the potential to “remove trees protected [by] the [County's] tree preservation ordinance.” However, there is no information in EIR itself about how many protected trees will be affected by the development. Instead, MM 4.3-6 requires a *post-approval* survey “documenting all [protected] trees.” This measure does not specify the survey area, a critical element of analysis, as the proposed Project could harm protected trees on neighboring properties, too.

The County must conduct these studies—and thus identify all potentially significant impacts to biological resources—before considering the proposed Project approvals. *See Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831 (a

lead agency may not simply jump to the conclusion that impacts would be significant without disclosing to the public and decision makers information about how adverse the impacts would be). Any new information resulting from these studies must then be provided to the public in a recirculated DEIR.<sup>2</sup>

The EIR also defers the development of mitigation measures until after these post-approval surveys are complete, in direct violation of CEQA. *See San Joaquin Raptor Rescue Ctr. v. County of Merced* (2007) 149 Cal.App.4th 645, 670; *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 92, 94 (rejecting mitigation measures for greenhouse gas emissions that merely required applicant to create plan after project approval). Many of these yet-to-be-developed mitigation measures are contingent on a future determination of whether mitigation is feasible. For example:

- MM 4.3-1: If post approval survey finds special status plant species, a buffer shall be created “if feasible.” If the buffer is not feasible, a qualified botanist “would” salvage and relocate plants. There is no evidence to support the feasibility or effectiveness of either mitigation measure.
- MM 4.3-2: If Mission blue butterflies are observed and avoidance (through creation of a buffer zone) is infeasible, a qualified biologist will “establish . . . appropriate action following contact with CDFW.”

This deferral of mitigation patently violates CEQA and renders the proposed CEQA findings—which conclude the Project will have no significant impact on biological resources—completely hypothetical and unsupported. *See Sacramento Old City Assn. v. City Council of Sacramento* (1991) 229 Cal.App.3d 1011, 1027 (The record must also contain substantial evidence of the measures’ feasibility and effectiveness).

The EIR also notes that the Project site is suitable raptor foraging habitat and a white-tailed kite was observed foraging over the site during the July 25, 2013 survey. RDEIR at 4.3-22. Nonetheless, the EIR fails to identify any mitigation for the

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<sup>2</sup> It is also unclear from the EIR whether CDFW was consulted as a Responsible or Trustee Agency for the Project. Moreover, as Baywood has noted, a late July survey in 2013 was unlikely to discover Mission blue butterflies, even if they are present on the site, because there was minimal rain that spring, and the lupin bloomed early and peaked in May.

loss of this foraging habitat, focusing instead exclusively on mitigation for the Project's potential impacts to breeding habitat. RDEIR at 4.3-22 through 23.

Several of the biological resource mitigation measures identified in the EIR (and proposed for adoption in the draft resolutions) are also plainly unenforceable and/or do not support the conclusion that the Project's impacts have been mitigated to a level of insignificance. For example, the EIR concludes that the project could have potentially significant impacts on nesting raptors. RDEIR at 4.3-22. At first blush, MM 4.3-4b and -4c appear to require a 250-foot buffer around active raptor nests discovered in pre-construction surveys. These measures contain a blanket exception to this buffer, however, if it is "impractical" or "infeasible." In that event, the only "mitigation" is the statement that "guidance from CDFW will be requested." RDEIR at 4.3-24. Neither the EIR nor the proposed resolutions even require the applicant to comply with CDFW's guidance. *See also* MM 4.3-3a (requiring pre-construction surveys to determine whether there are any active northern harrier, burrowing owl, or white-tailed kite nests in the area. If there are, then "CDFW shall be consulted" to develop avoidance measures. If CDFW determines that a "take" may nonetheless occur, the applicant must obtain a take permit.)

### **C. Geology and Soils**

The EIR concludes that the massive grading and earth-moving activities required to develop the Project could result in "substantial soil erosion and loss of topsoil from the project site." RDEIR at 4.4-12. Yet the EIR once again defers the development of mitigation measures until after Project approval, and provides no performance standards to guide that development. Thus, MM 4.4-1a and 4.4-1b simply require the identification and implementation of unspecified "erosion control BMPs" and the development of an erosion control plan. Because these deferred measures contain no performance standards or other mandatory requirements to ensure that they will sufficiently reduce the Project's impacts, they violate CEQA, and the proposed findings concluding this impact will be reduced to a level of insignificance are unsupported.

### **D. Air Quality and GHG**

The EIR estimates that Project construction would result in 957.68 MT of CO<sub>2</sub>e during the one-year construction period. The EIR then notes that neither CARB nor BAAQMD have established a construction threshold for GHG emissions. Nonetheless, the State has established a goal of reducing GHG emissions "by 26%" through adoption of AB 32. Therefore, the EIR identifies as a mitigation measure the requirement that the Project proponent purchase 249 MT worth of CO<sub>2</sub>e emissions reduction credits

(reflecting “a 26% reduction” in the total construction emissions for the Project) to maintain consistency with AB 32’s goal.

The flaw in this reasoning is that it fails to reveal that AB 32 actually established a goal of *reducing* GHG emissions statewide. Thus, simply offsetting some of the new GHG emissions from the Project does nothing to achieve this goal over overall GHG reduction. *See generally Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2014) 231 Cal.App.4th 1056.

The EIR’s air quality analysis also omits essential analysis and understates the Project’s potential impacts. Baywood commented extensively on these errors and omissions. For example, Baywood noted that the analysis did not take into account impacts on nearby schools, which would be affected by construction emissions due to the particular geography and meteorology in the area. Likewise, neither the EIR nor the findings provides evidence to support the conclusion that the proposed mitigation would reduce construction impacts to a level of insignificance. Instead of providing the missing analysis and information, the FEIR simply attempts to defend the RDEIR’s flawed approach. More is required for adequate responses to comments.

#### **E. Hydrology**

The EIR’s analysis of the Project’s hydrology impacts is similarly flawed. First, the EIR acknowledges that the Project, which would create more than two new acres of impervious surface, would have potentially significant impacts on the area’s water quality if left unmitigated. The EIR then states that these potentially significant impacts will be mitigated to a level of insignificance by “the proposed on-site detention and drainage systems . . . described in Section 3.4.” RDEIR at 4.6-14. Section 3.4, however, includes only the most generic and cursory description of the proposed stormwater treatment measure, making it impossible to evaluate the system’s efficacy.

Moreover, the brief description of the stormwater treatment measure suggests it does not comply with the requirements of the County’s current NPDES permit, Municipal Regional Stormwater NPDES Permit, Order No. R2-2009-0074, NPDES Permit No. CAS612008, adopted October 14, 2009 and revised November 28, 2011 (“MRP”). The C.3 portion of the MRP, which refers to post-construction stormwater management for new development and redevelopment projects, requires Low Impact Development (“LID”). The Project as proposed includes centralized detention basins, which are not LID features.

The goal of LID is to reduce runoff and mimic a site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes. LID also limits disturbance of natural water bodies and drainage systems; minimizes compaction of highly permeable soils; protects slopes and channels; and minimizes impacts from stormwater and urban runoff on the biological integrity of natural drainage systems and water bodies. Here, no LID designs or features appear to be incorporated or required into the Project.

In addition, the EIR does not actually include any supporting analysis for its conclusion that the proposed stormwater treatment measure will reduce the project's runoff impacts to a level of insignificance or comply with the County's NPDES requirements. See *Santa Clarita Organization for Planning the Environment v. County of L.A.* (2003) 106 Cal.App.4th 715, 722 (agency's analysis must be contained in the EIR, not "scattered here and there in EIR appendices").<sup>3</sup> While it appears the County had a hydrology report discussing these measures in more detail, the County was required to include this analysis in the EIR itself. "Decision-makers and the general public should not be forced to sift through obscure minutiae or appendices in order to ferret out the fundamental assumptions that are being used for purposes of the environmental analysis." *San Joaquin Raptor Rescue Center*, 149 Cal.App. 4th at 659; see also *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442 ("The data in an EIR must not only be sufficient in quantity, it must be presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project.") Moreover, the County did not even provide this report to the public until after the first Planning Commission meeting on the revised Project had occurred, thus preventing Baywood from preparing complete comments on this document during the public comment period.

Finally, it appears that the stormwater treatment measures proposed to mitigate the Project's stormwater runoff impacts will only be capable of handling a 10-

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<sup>3</sup> It is also unclear whether the particular treatment measure proposed will work on the steep slopes of the Project site. Baywood repeatedly asked for evidence that this technology had been safely and successfully used in similar topography, but was provided with no evidence that it had.

year storm event. RDEIR at 4.6-16. While MM 4.6-3b requires increasing the size and capacity of two stormwater drainage pipes, the EIR fails to explain how this measure with prevent significant runoff impacts during a more severe storm event.

## F. Noise

The EIR establishes a number of criteria for determining whether the proposed Project's noise impacts would be significant. *See* RDEIR at 4.8-10 through 11. One of these criteria is whether the Project would expose people to noise levels in excess of standards established in the County's general plan or ordinances. RDEIR at 4.8-10. Other, standalone criteria include whether the Project would cause "[a] substantial temporary or periodic increase in ambient noise levels," and whether the Project would expose people to "noise levels in excess of . . . 60 dB Ldn, exterior or 45 dB Ldn, interior." RDEIR at 4.8-11.

The EIR then goes on to demonstrate that the Project would, indeed, cross these significance thresholds by exposing nearby residents to excessive construction noise—reaching 85 dBA Lmax "at the nearest sensitive receptor northeast of the project site." RDEIR at 4.8-12.<sup>4</sup> The EIR also states that there is no feasible noise mitigation available to consistently reduce these construction noise levels below 60 dbA.

Given these facts, the EIR was required to conclude that the Project would have significant, unmitigable noise impacts: The construction noise clearly exceeds one of the County's own significance thresholds and the EIR asserts that there is no feasible mitigation available to prevent this exceedence. Instead, the EIR concludes that the Project is "exempt" from this threshold due to a County Noise Ordinance that exempts certain construction activities from the prohibitions contained in that ordinance. RDEIR at 4.8-12; *see also id.* at 4.8-6 through 8. However, CEQA requires lead agencies to consider more than just a project's consistency with local ordinances. It requires analysis of the project's actual environmental impacts. *See Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1108-09 (2004) (environmental effect may be significant despite compliance with such requirements). Here the noise impacts are admittedly significant (regardless of whether they also violate

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<sup>4</sup> As Baywood pointed out in its previous comments, even these high noise levels appear to understate the Project's true impacts, as they account for noise from only one piece of noisy construction equipment operating at any one time. *See, e.g.*, FEIR at 4.8-1.

the County Noise Ordinance). Thus, the County was required to inform decisionmakers and the public of this significant impact.

### **G. Traffic**

As with noise, the EIR concludes that the Project will have potentially significant transportation and circulation impacts. Specifically, the Project “has the potential to substantially increase hazards due to the design of the new private street and proposed intersection with Bel Aire Drive.” RDEIR at 4.11-10. However, the principal mitigation measure identified to reduce this impact—MM 4.11-4—is neither mandatory nor enforceable. Instead, this measure simply suggests that this hazardous intersection “should” be designed without walls, fences, signs, trees, shrubbery, or parked cars blocking motorists views. Because this measure is not mandatory, there is no basis for the conclusion that it will reduce this transportation impact one bit.<sup>5</sup>

### **II. The Proposed CEQA Findings Are Insufficient.**

Under CEQA, a lead agency cannot approve a project with significant environmental impacts without first finding that there are no feasible mitigation measures or alternatives that could lessen these impacts. *See* CEQA § 21002, 21002.1(b), 21081; Guidelines §§ 15091(a), 15091(b), 15093(b); *see also Uphold Our Heritage v. Town of Woodside*, 147 Ca. App. 4th 587 (2007). Moreover, the agency must make findings, supported by substantial evidence, demonstrating how the mitigation measures adopted by the agency will actually reduce environmental impacts to a level of insignificance. *See id.*

The proposed findings contained in the staff report do not satisfy this requirement. Many of them lack any explanation of how proposed mitigation measures will reduce Project impacts to a level of insignificance. And there are no findings (much less substantial evidence) to support the conclusion that there are no feasible, less impactful alternatives.<sup>6</sup>

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<sup>5</sup> Moreover, MM 4.11-3, which requires the Project to include certain street lighting on the private street, will do nothing to prevent accidents caused by motorists who cannot see oncoming traffic due to physical obstacles, such as fences and parked cars.

<sup>6</sup> The EIR also impermissibly and artificially limits the environmental advantages of these reduced density alternatives by stating that they, unlike the Project, would not

Finally, if the County wishes to approve the Project despite its significant impacts, it must make and adopt a statement of overriding considerations. *See City of Marina v. Bd. of Trustees of the Cal. State Univ.* (2006) 39 Cal.4th 341, 368 (citing § 21081(b)). No such proposed findings are included in January 28 staff report.

### **III. Approval of This Project Would Violate the Subdivision Map Act.**

The proposed Project requires approval of a tentative subdivision map. *See* DEIR at 3.0-13. As a result, the County must comply with the Subdivision Map Act. This statute requires that a tentative map approval be consistent with the local general plan. *See* Gov't Code §§ 66473.5; 66474; *see also Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 998 (Subdivision Map Act expressly requires consistency with general plan). Approval of a project that is inconsistent with the general plan violates the Subdivision Map Act and may be enjoined on that basis. *See Friends of "B" Street*, 106 Cal.App.3d at 998 ("City approval of a proposed subdivision ... may be enjoined for lack of consistency of the subdivision map with the general plan."); *see also* City of Pittsburg Municipal Code § 17.20.060 (to approve a tentative map, the following findings must be made, among others: 1) the proposed map is consistent with the general plan and any applicable specific plan, or other applicable provisions of [the municipal] code; 2) the site is physically suitable for the proposed density of development; and 3) the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat).

Here, the site is not physically suitable for the proposed density of development given the excessive slopes. In 2009, Baywood submitted expert comments indicating that substantial retaining walls will be needed to build on the up-sloping lots. Many of these lots are still proposed for development. As Baywood has pointed out in previous comments, piecemeal development of these retaining walls could leave certain lots essentially unbuildable. Likewise, the arborist report submitted by Baywood shows that the Tree Protection Zones required to protect existing trees (both on and off the Project Site) could also render portions of these identified building sites unbuildable.

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require improvement of the site's existing drainage issues. *See, e.g.,* RDEIR at 6-4. There is no reason why the alternatives could not include a similar requirement.

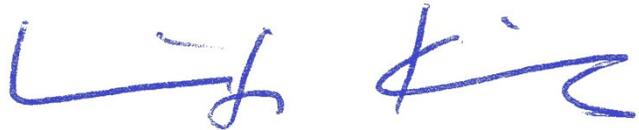
Given these physical constraints on development, the County cannot make the findings required to approve the proposed subdivision map.<sup>7</sup>

#### IV. Conclusion

For all of these reasons, we believe the EIR for the Project fails to comply with CEQA, and the proposed findings included in the January 28 staff report are insufficient to support approval of the Project. As a result, the Planning Commission cannot approve the Project based upon this record. We respectfully urge the County to direct the applicant and the Planning Department to correct the EIR's deficiencies and work with the community to resolve the remaining issues.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Winter King

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<sup>7</sup> These inconsistencies between the information on the proposed tentative map and the EIR's description of the Project and potential mitigation measures also render the Project description section of the EIR inadequate.

**From:** Craig Nishizaki <  
**To:** <planning-commission@smcgov.org>  
**CC:** <jcastaneda@smcgov.org>, "dpine@smcgov.org" <dpine@smcgov.org>, Carole Groom  
<cgroom@smcgov.org>  
**Date:** 2/24/2015 8:20 AM  
**Subject:** No privacy for Parrott homes

Dear Planning Commissioners

In the January 28, 2015 Ascension Heights Development Planning Commission meeting, the developer's engineer said that there are no issues with privacy for the Parrott Drive residents who live adjacent to the northern boundary of the proposed development. He said that sufficient screening already exists with the trees that are currently there. As you can see from this attached photo, that statement is false. The existing trees are 50+ year old Monterey Pines which have really thinned out over time and will not provide any screening at all. For the new trees that will be planted, it could take up to 25 years for them to be big enough to provide adequate screening from a 3-story home that will be built on this slope right above the existing Parrott homes. As was discussed in the January 28th meeting, this would violate CEQA aesthetic requirements as it would be a huge invasion of privacy for the current Parrott Drive residents who live adjacent to the proposed development.

Also, I wanted to follow up on a couple other items that we're discussed in the meeting.

The developer's engineer said that there would be a large truck coming to or from the site once every 20 minutes. This again is an inaccurate statement. The FEIR says that there will be 156 trips per day during the heavy grading period which comes out to one truck every 4.3 minutes over a 30 day period (11 hour work day) Even adjusting for a 45 day period (what the developer stated in the meeting) would yield one truck every 6.3 minutes over an 11 hour workday. (which also would put the truck traffic right in the middle of rush hour traffic with the CSM students).

Finally, one of the residents gave testimony at the meeting regarding asbestos. A soil engineer had confirmed that he had serpentine rock on his property on Rainbow Drive. Although the FEIR states that there was no serpentine rock in the borings that were done, how do we know for sure that there aren't smaller areas of serpentine rock which contains asbestos on the hill. If so, this will present a huge health issue as the asbestos particles are released into the environment.

I'm urging the planning commission to vote no against this proposal. The above three issues are just a fraction of all of the other issues with this development including hillside stability, erosion, risky stormwater drainage system, air pollution, etc.

Thanks,  
Craig Nishizaki  
1474 Parrott Drive  
San Mateo, CA

**From:** Kim Rickett <  
**To:** <Planning-Commission@smcgov.org>, <dpine@smcgov.org>  
**Date:** 2/24/2015 9:37 AM  
**Subject:** Ascension Heights Development

Dear Planning Commission Members,

I am writing to you because I oppose the proposed Ascension Heights subdivision that is up for a vote on Wednesday, although I do support homes being built upon that hill. I have been following the whole process from the beginning, and I feel strongly that this current EIR is still not complete, and that grading and other permits should not be approved on its basis.

The EIR states that the San Mateo County General Plan states a need for more housing to be built. However, the General Plan also warns against building on steep hillsides, and several of the proposed homes would be on extremely steep slopes that would require extensive grading.

This EIR is also failed to consider the most reasonable alternatives. The alternatives of "no project" and "a few large homes" would certainly be favored by many in the neighborhood, but fail to address the need for housing. However, the "build on every other lot" project makes no sense, as it would still result in almost all of the same negative impacts. As I suggested at the initial scoping meeting, a minimal grading approach would greatly reduce the significant negative impacts on the neighborhood, while still allowing the developer to build most of the planned houses. The four houses along Ascension are on the steepest, most heavily eroded slope, and would require the most grading. Simply removing these four houses would greatly reduce the negative impacts to air quality, truck traffic, dust, landslide potential, visual impact, and more.

When the previous Planning Commission decided not to approve the first EIR, they suggested the developer might fit in three rows of homes, while staying off of the steepest part of the hill. If you compare the map drawn that night to the current plan, you will see that not only was there not a fourth row of houses, but that no houses were drawn where those four homes along Ascension are being proposed.

The EIR fails to explain how many of the negative impacts will be minimized, and our questions remain unanswered. An even better alternative than the one I mentioned above would be one that would minimize almost every negative impact brought up by the homeowners association, yet still allow the majority of the homes to be built. By building just two rows of homes and by staying off of the steep part of the hillside, the developer could likely fit about 11 to 13 homes on the site. By simply building the homes where the two roads are proposed, and by placing a road between them, all of the homes will be built on the flattest part of the site. This will further attenuate the negative impacts discussed above, and will additionally provide a buffer zone for the Parrott Drive homes (as was also suggested by the previous Planning Commission, and was in the previous plans), which will help with concerns over privacy, tree roots, dust, and runoff.

As you saw at the previous Planning Commission meeting, hundreds of neighborhood residents are opposed to this current plan. The only one who

will benefit will be the developer. Normally the purchasers of the new homes would also see a benefit, but in this case they will be saddled with undetermined fees to upkeep an untested drainage system, and they will bear full financial responsibility when the slope begins to slide. Even if they sink the houses into bedrock, anything on top of that bedrock will still continue to move. Please look at photos of the site erosion, and "Google Earth" the site itself. Do you see the giant sets of retaining walls built between Parrott Drive and Los Altos Drive, just to the east of the site past Kristin Ct, and on the same hill as the site itself? Those are the walls our homeowners association had to pay to build (this is different from the Rainbow/Polhemus slide in the videos that is just to the west of the site, also on "CSM hill." In fact, both major slides are closer to the site than are any of the buildings at CSM.) And even after our homeowners association had the retaining walls built to current standards, the ground continued to move and the walls required repairs. There are homes on Rainbow Drive that are almost impossible to sell due to land that continues to slide every year. The San Francisco Public Utilities Commission had so little faith in the stability of area soils that they dug a huge tunnel almost 200 feet underground to run water lines past Ascension Drive (Crystal Springs Bypass Tunnel WD-2498). It just doesn't make sense to build on the steep part of that site, and it is the new homeowners who will (literally) pay.

You might be tempted to feel sorry for the developer, because this is the second time he has submitted a proposal for this site. But please keep in mind that he did not take the advice that was given to him last time. He tried to squeeze in an extra row of homes, he has homes planned for the steep southern side he was told to avoid, and he removed the buffer zone along the Parrott Drive homes. He was also told to work with the neighborhood, but has refused to do so. This has unfortunately resulted in a plan that will have significant, unmitigable negative impacts on the neighborhood. Either the plans need to be modified, or he needs to try again. I do feel about a dozen houses could be built on the site with minimal negative impacts, but this plan is just not the right one for this site.

Thank you for your thoughtful questions at the January meeting, and thank you for listening to and considering all of the responses to this project. Please make sure you wait to approve the right project for this site.

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Kim Ricket

**From:** m g <  
**To:** <Planning-Commission@smcgov.org>  
**CC:** <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>, <  
**Date:** 2/24/2015 3:23 PM  
**Subject:** Water Tank Hill Project.

Dear Planning Commissioners:

cc: James Castaneda, Supervisor Dave Pine, Supervisor Carole Groom

I live at 1459 Parrot Drive San Mateo CA 94402 and I have questions for you regarding the continuously proposed development of Ascension Hts. or Watertank Hill. Over the past few years, I have attended multiple meetings, along with hundreds of my neighbors to express concern and dismay at the attempt to build on a piece of property that not only clearly looks like it is eroding rapidly, but is surrounded by 3 recent landslides-the current Rainbow Drive, the former Los Altos Drive, and the huge Polhemus road slide. I am not sure why we are talking about the same issues again and again? I have read portions of the EIR and am amazed at the methods that the county would find acceptable to mitigate some very real and severe issues that will arise with any building on that hill. This entire proposal and process continues to beg the question...WHY???

Specifically, does it make sense to grade a hillside, causing 470% greater air pollution to a thriving neighborhood composed of your constituents that are elderly or have young families, during a time when almost every day is a Spare the Air day? How can a neighbor be fined over \$100 if they burn a wood fire one night, yet a developer can be allowed to increase air pollution by 470% above normal without any consequences over a two year+ timeframe? Are there different standards for different parties in regards to the Bay Area Air Quality Board and it's regulations? Is this development the right thing for our neighborhood, our county, your constituents, and why?

Additionally, it is my understanding that this developer would be allowed to build on slopes as steep as 40 degrees or more for a substantial number of the proposed homes. Why? Where is the logic and who is the structural engineer that would take financial responsibility for any slides on those hillsides? My neighborhood was forced to pay \$6,000 per household (approx. 130 households in total or approx. \$780,000) to the San Mateo Oaks HOA in 1996, in order to analyze and build a huge retaining wall to fix the slope that slipped between homes on Parrott and Los Altos Drive. Thankfully, no one was killed, despite the soil slipping within feet of the home. My neighbor, who tried to act responsibly before he purchased his home, hired a soils engineer before he moved in to assess his hillside. Despite being told everything was good, he had a slide occur years after he moved in. He paid thousands of dollars out of his own pocket to fix his slide and within a few months, the retaining wall had to be re-engineered and rebuilt because it failed. How will 19 home owners be able to pay for fixing multiple or even one potentially large landslide that will occur someday in the future? They will not be able to afford the cost! Why should any homeowner be put through this? Is any development on known, unstable land smart? How will the county label the land--SE for scenic easement or U for unstable and unuseable? Is it good for our county and your constituents? If so, why?

Last, how is it legal (and if it is legal, how is it moral) to establish a Home Owners Association for the real purpose of shifting liability for unstable land from the developer (and the county who authorizes it) to future homeowners? Why is the strategy allowable to saddle unsuspecting homeowners with a substantial future liability? In dry years, people forget about landslide issues. In our case, years before we moved in, the neighborhood had "disbanded" the HOA. They didn't see the point of paying dues--there were no tennis courts, pool, or playgrounds to maintain and all seemed well. Our RE agent and sellers told us that there was no HOA anymore and to disregard it. Six months later, we were receiving notices that we needed to pay dues for the current year and back dues for years past. We sued our sellers and both agents, as no one disclosed the landslides that occurred years earlier. We won our legal battle, but it doesn't make up for the wasted energy, money, and stress to fight it. Sadly, we are fighting the battle for those 19 future homeowners. Why does the county believe that homeowners are best suited to maintain drainage ditches and retaining walls? It is not the norm in other cities. In the Hallmark subdivision in Belmont, I believe the city maintains all water and drainage issues. Why? It is my understanding that the developer would be allowed to pass the landslide liability and maintenance for retaining walls, drainage, and eventually 5 underground water tanks to the 19 homeowners. Why would they be assumed to handle this responsibility over decades? If they do not, it will negatively impact everyone around them. Why would this be acceptable to anyone? I believe that if potential home owners fully understood what buying a home on that hillside entailed, no one in their right mind would purchase a home. Again, WHY???

Please email me back how you see this development benefiting anyone for the long term, I would really appreciate your efforts. I can see no other benefit, than money in the form of future property taxes for the county and, of course, revenue for the developer. In that case, all liability and costs should also rest with the developer and county. A real portion of that money should be kept in a fund for future landslides, flooding, sewer systems that are already at capacity and schools that are also at capacity. It seems unconscionable to do anything else.

Respectfully,  
Marvin Gin  
1459 Parrott Drive  
San Mateo, CA 94402

**From:** Debbie Conliffe <  
**To:** <Planning-Commission@smcgov.org>, <jcastaneda@smcgov.org>, Carole Groom <CGroom@smcgov.org>  
**Date:** 2/24/2015 3:25 PM  
**Subject:** Please don't build!!!

\*To the Members of the Planning Commission:\*

Smart building promotes good health and should be beneficial to the residents of San Mateo County. Your job, while a difficult one, is designed to promote and protect the positive aspects of San Mateo County. Your job is not to insure that one individual makes a profit from a poor business decision to purchase a hillside that is unstable and dangerous to build upon.

The proposed plan to build 19 homes on WaterTank/Cell Tower hill is unwise, unsafe, and fraught with problems that will plague the hillside households, as well as hundreds of homeowners surrounding the proposed site, for decades. It may make sense to wisely build homes on the flat land at the top of the steep hill, but do not cut into the hillside that is already clearly unstable and eroding. The mitigation methods proposed to attempt to reduce resulting air pollution, landslide risk, and serious water run off issues, do not reduce these hazards to manageable levels, especially in the face of continuous drought and resulting air pollution issues that our county is now facing on a daily basis.

In mid January, the SF Chronicle reported on the front page that we are experiencing record number of Spare the Air days and severe air pollution ("Bay Area ties Spare the Air's 11-day record," 1/13/2015). If air quality is so vital that households can be fined \$100+ for 1 fire burnt in a single fireplace, then what is the cost of particulate matter at 470% above allowable standards over 2 years, as noted in the EIR? The proposed development does not meet BAAQB standards that are required of everyone else and cannot be mitigated to normal standards without adding to our already serious water shortage. Mitigating known particulate air pollution from grading the proposed 40,000 yards of hillside soil by wasting hundreds of gallons of water is detrimental to everyone in the Bay Area and does not even address the diesel pollution of trucking the soil through surrounding neighborhoods for months at a time. On this basis alone, the EIR and proposed project should be voted down permanently. Perhaps the developer could build safely and responsibly on the top of the hill where there is more flat land. Grading soil that will cause air pollution, potential asbestos release, landslides, and will create the need for retaining walls and even steeper slopes on a site with visible erosion and crumbling water pipe is insane.

It is not your or our duty to allow anyone to build anything, anywhere. Our county is prosperous and should not be desperate for new property taxes at any cost. With the influx of new businesses like GoPro and Solar City, we are already experiencing outrageous traffic on HWY 92 from 7-9:30am and 4-7pm every day! That alone, is causing severely high air pollution. The additional cost of more households will continue to burden our expensive sewer system and will add to the burden on our local Highlands elementary school and Borel middle school, which are already struggling with how to handle a record number of students in upcoming grades. The proposed WaterTank/Cell Tower hill is not smart development...it is hazardous to too many of your constituents and we respectfully ask you to vote it down for good.

Thank you for your time,  
Debbie Conliffe, M.A., MFT

**From:** m g <  
**To:** <Planning-Commission@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>,  
<  
**Date:** 2/24/2015 3:25 PM  
**Subject:** Fw: Water Tank Hill project.

Please read!!!!

--- On Tue, 2/24/15, m g < > wrote:

> From: m g <  
> Subject: Water Tank Hill project.  
> To: jcastaneda@smcgov.org  
> Date: Tuesday, February 24, 2015, 1:26 PM  
> This is for the record and to be held  
> accountable. Please address this issue. Please  
> pass this along to your boss and his/her bosses.  
>  
> WE HAVE A SERIOUS POTENTIAL HEALTH PROBLEM THAT DIRECTLY  
> AFFECTS OUR FAMILIES.  
>  
> The problem is airborne Asbestos fibers released by the  
> proposed development Water Tank Hill.  
>  
> Naturally occurring asbestos is found in Serpentine rock.  
> The United States Geological Survey clearly shows on its  
> maps of our area the presence of Serpentine rock. We live on  
> top of large deposit of Serpentine rock according to the  
> USGS maps. The soil engineering company that repaired the  
> landslide that occurred on the hill behind our home, states  
> in its report, that Serpentine rock was found at our slide  
> site. We live two blocks from the proposed construction site  
> on WTH. I recently took a walk around the base of WTH and  
> found Serpentine rock lying on top of the ground.  
>  
> The developer tells us that no Serpentine rock is present on  
> WTH.  
>  
> I guess with millions of dollars at stake, and a huge vested  
> interest in seeing the development move forward, that is  
> what they were bound to say.  
>  
> Thank you,  
> Marvin Gin  
> 1459 Parrott Drive  
> San Mateo, CA 94402  
>

**From:** m g <  
**To:** <Planning-Commission@smcgov.org>  
**CC:** <dpine@smcgov.org>, <cgroom@smcgov.org>, <  
**Date:** 2/24/2015 3:26 PM  
**Subject:** Fw: Water Tank Hill project.

Please read!!! There's a lot of information you need to know.

--- On Wed, 2/18/15, m g < wrote:

> From: m g <  
> Subject: Water Tank Hill project.  
> To: jcastaneda@smcgov.org  
> Date: Wednesday, February 18, 2015, 1:04 PM  
> My name is Marvin Gin, I live at 1459  
> Parrott Drive, San Mateo, CA 94402. I oppose the  
> Ascension Heights Subdivision. My children's health is  
> at reason along with all my neighbors that walk up and down  
> the Parrott Drive. This is due to the plan grading of  
> the hillside that will make all of us sick with long term  
> lung problems.  
>  
> Please pass this along to your boss and the Planning  
> commission members.  
>  
> Since we first heard about the stormwater plan to place  
> water on the hill in storage there has been concern. All our  
> concerns and letters seem to meet a wall either at the  
> developers doorstep or the county. The research I have done  
> indicates that it is required for Environmental impact  
> reports to include detailed stormwater system information  
> and to plan for 100 year storm events. An example is the  
> Laurel Way Redwood City project recently turned down. It has  
> an 82 page stormwater report documenting water flow before,  
> the exact system and design and the flow after using  
> detailed models and calculations. All parts of the project  
> were included and it was done for a 100 year storm.  
> In contrast the EIR was missing a critical document from the  
> report referred to in the report at diagram 3.4. It was just  
> missing. Later after the FEIR (final) was produced another  
> report was produced by the staff which described a different  
> system than the FEIR described. Neither had detailed  
> calculations nor was an explanation provided for the  
> differing systems. When we pressed the county for the  
> detailed calculations (for a 2nd time after realizing such  
> calculations were routinely done) we were told it was in the  
> FEIR. When told we couldn't find it in the FEIR we were  
> simply handed over to an engineer who sent us what they sent  
> to the county which was a report for less than half the  
> system (40,000 of the 90,000 sqft of impervious land being  
> created.) All of this additional material should have been  
> in the original EIR but was provided in some cases weeks  
> after the planning commission meeting on the project.  
>  
> The entire system has been designed for 10 year storm. This  
> is what the county has required. This also seems  
> inconsistent with EIR standards and is just plain dangerous.  
>  
> I don't know if this would be considered negligent or even  
> purposeful negligence but it is awfully suspicious that  
> these documents have taken so much work to obtain, were  
> missing from the original EIR and still in the end are  
> incomplete and don't answer the basic questions of the size  
> and whether the project meets the requirements for zero net  
> inflow to the existing storm drainage system. We still don't  
> know how many 10s of thousands or 100s of thousands of  
> gallons of water they are going to store on the hill.  
> One of the big points I raised was that this system had not  
> been tried on a hill like Ascension with the same  
> requirements, i.e. 90,000sqft or more impervious new area

> created, zero net inflow requirement, 40% slopes, class C  
> poor soil, in earthquake area on a hill. The developer has  
> insisted there are many many many such examples. We have  
> asked for them and told it would be no problem. Nonetheless  
> 2 weeks after there are no examples provided. Sure this  
> system may be okay for a single house, for a couple of  
> houses, on a hill. But I have not found a similar scale  
> usage and storage of 100,000 gallons or more on a hill of  
> our type. (That's 5 swimming pools of water!)  
> This is not the only issue that has met with this kind of  
> what appears to be intransigence and incompleteness. The  
> last report in 2009 was woefully incomplete and this one  
> consists of more than 1,000 pages of words that apparently  
> still don't answer the questions we put to them as a  
> community. This is true of the blue butterfly, the air  
> pollution issues, traffic issues, privacy issues, ...  
>  
> In the meeting the developer was very clear and stated for  
> all to hear that he was putting all liability on the  
> homeowners association of the 19 homes he is going to build.  
> These liabilities include the maintenance and liability of  
> the stormwater system, the retaining walls (many and big),  
> any slippage or other concerns, erosion of the hill, all of  
> the common areas, roads and new vegetation with this  
> development are the responsibility of these 19 home owners.  
> The developer wants to take his millions in profit and leave  
> the community with all the liability in years hence. I am  
> not 100% every issue above was stated by the developer but  
> he seemed to be throwing it all on this non-existent  
> organization and hapless homeowners who happen to buy these  
> properties are likely to be surprised by the assessments  
> over time.  
>  
> Thank you,  
> Marvin Gin  
>

**From:** <  
**To:** <planning-commission@smcgov.org>  
**CC:** <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>  
**Date:** 2/24/2015 3:35 PM  
**Subject:** Comments regarding Water Tank Hill proposed development

Dear Planning Commission members,

I'm writing in regards to the Water Tank Hill development. First of all, I want to thank you for your service in regards to this application. It's a contentious and complex issue with a lot of passionate people involved as well as real monetary concerns.

I live at 72 Valley View Ct which is one street down from the proposed development. I'm not usually very sympathetic to the NIMBY crowd that opposes this development as I would probably have been very interested in one of the houses had it been available years earlier.

I have two major concerns. One, I commute with my kids every day back and forth on the proposed truck route while I take them to Highlands Rec Center and Highlands Elementary. The intersection of Ascension and Polhemus is already challenging in the morning with traffic. I'm genuinely worried of the possibility that one of the dump trucks might accidentally knock me into oncoming traffic. It's true that theoretically any vehicle can do that but there is a difference between having my car rammed forward by another car vs. a dump truck. I'm sure the trucks that will be used will be well maintained and staffed by excellent drivers but that is a risky t-section and all it takes is one broken part. Even ignoring myself, I think most trucks will find it difficult to traverse given oncoming traffic and no signal light.

My second concern is more with the developer themselves. I'm guessing that Water Tank Hill probably should be developed and likely will be. At the last meeting, it seemed to me that the developer was a bit vague on the houses that will be actually built and they were quite clear that there is nothing in this development for the rest of the community. I highly doubt that they don't know exactly the floor plans of the houses they will build so that seems like an out and out lie to me. Also, my wife and I would be delighted if there were a series of trails or a small park that we could take our three kids to. None of that appears to be present in the plans. As far as I can tell, they are going to cause all of us major hassle, make a mess of the area, put us at increased danger (however slight) and our community gets nothing out of it.

I would ask that you reject this developer's proposal until someone comes along who is more willing to develop the hill in a more community compatible fashion.

thank you for your time and I'll see you tomorrow morning.

sincerely,

Jotham McMillan  
72 Valley View Ct.  
cell

**From:** Gerard Ozanne <  
**To:** Hardy Heather <hhardy@smcgov.org>  
**CC:** James Castaneda <jcastaneda@smcgov.org>, Nagle Laurel <  
**Date:** 2/24/2015 12:03 PM  
**Subject:** Baywood Park comments 2009 FEIR  
**Attachments:** BPHAResponseAscHtsSep9-2.doc

Hi Heather,  
I just want to ensure our 2009 comments are part of the 2015 FEIR official record since many of them remain relevant today do to the similarities of the EIRs.

Please let me know if you receive this. See you tomorrow,

Thanks,

Jerry Ozanne

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.

*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, 1<sup>st</sup> District  
Mr. David Bomberger, 2<sup>nd</sup> District  
Mr. Chris Ranken, Chairperson 3<sup>rd</sup> District  
Ms. Gail Slocum, 4<sup>th</sup> District  
Mr. Steve Dworetzky, 5<sup>th</sup> 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.

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.

### **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.

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

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

(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?

**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.

## 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<sub>x</sub> 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,**

**nor has the project applicant acknowledged that these measures would be implemented." Page IV.B-20)**

### **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;<sup>21, 22, 23, 24</sup>
  - ii. increased mortality in infants and young children;<sup>25</sup>
  - iii. increased numbers of heart attacks, especially among the elderly and in people with heart conditions;<sup>26</sup>
  - iv. inflammation of lung tissue in young, healthy adults;<sup>27</sup>
  - v. increased hospitalization for cardiovascular disease, including strokes and congestive heart failure;<sup>28, 29, 30</sup>
  - vi. increased emergency room visits for patients suffering from acute respiratory ailments;<sup>31</sup>
  - vii. increased hospitalization for asthma among children;<sup>32, 33, 34</sup> and
  - viii. increased severity of asthma attacks in children.<sup>35</sup>
  
- 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,

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.**

### **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.

### **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.

### **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?

### **15) Wildlife Assessment**

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.

**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.

**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?

**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?

**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.

**20) Maps.**

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. (2009 CEQA Guidelines 15088.5)**

#### **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

#### **23) Additional Concerns.**

The six months of "street construction" following the rough grading is not defined or disclosed with regard to grading, off-site hauling, dust, exhaust, noise, hours of operation.

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.

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)

Erosion control design is inadequate, or non-existent.

Proposed house designs illustrating height of "cripple" walls and total residence height are not included.

## **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.

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

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



**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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330 Village Lane  
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(408) 354-9542 • Fax (408) 354-1852  
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6417 Dogtown Road  
San Andreas, CA 95249-9640  
(209) 736-4252 • Fax (209) 736-1212  
e-mail: cottonshires@starband.net

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.

#### 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 gully 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.

The proposed development plan indicates that the most severe area of site erosion (prominent gully 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**

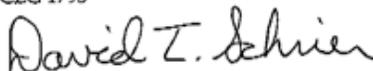
Our evaluation services consist of professional opinions and recommendations made in accordance with generally accepted engineering geology and geotechnical engineering principles and practices. No warranty, expressed or implied, or merchantability of fitness, is made or intended in connection with our 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.



**From:** Marian Sosnick < net>  
**To:** "Planning-Commission@smcgov.org" <Planning-Commission@smcgov.org>  
**Date:** 2/24/2015 5:16 PM  
**Subject:** Water tank hill

To the Planning Commission,

We feel that what you did at the last meeting a few weeks ago was extremely wrong.  
The meeting was cut short and we, the homeowners were not given the opportunity to express our many concerns at the appropriate time,

Why didn't you plan to have the meeting at a place where we didn't have to leave at ten o'clock?  
We had close to 400 homeowners in attendance and a lot of support against this project.  
You then scheduled the remainder of the meeting for Wednesday morning at 9:00 am in Redwood City. This is very inconvenient for our homeowners who have to work, take kids to school or elderly! They want to be at this meeting but can't! Of course the developers can be there since this is their job.

We feel that you are not being fair to our community. You saw how our community is very close from our last meeting and the attendance.

You have made a big mistake by not taking our homeowners into consideration,  
Marian and Jeff Sosnick  
1605 Ascension Drive, San Mateo

Sent from my iPad

**From:** Laurel Nagle <  
**To:** Heather Hardy <hhardy@smcgov.org>, <planning-commission@smcgov.org>  
**Date:** 2/24/2015 5:33 PM  
**Subject:** Nagle Family Letter  
**Attachments:** NaglelettertoCounty24Feb2015updated2.odt

Dear Heather,

Here is the letter Donald and I wrote. I have also sent it to the Planning Commission email. I wasn't sure what was best.

See you tomorrow<  
Laurel

February 24, 2015

James Castaneda and members of the County Planning Commission  
San Mateo County Planning and Building Department  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063

RE: FEIR response to our letter of June 9, 2014 and additional issues with the project

Mr. Castaneda and Members of the Planning Commission:

**1. Major concerns** as a Parrott Drive resident (Re-emphasized here beyond earlier testimony) – As homeowners who live directly adjacent to, downhill, and downwind from the site, we have several significant concerns, which have not been addressed or mitigated. In particular, three stand out among many:

- **Privacy impacts and a sense of being overwhelmed on a daily basis, forever!** Imagine living under 3-story homes that are out of character with the neighborhood and will be looming over us with major privacy impacts. Any landscaping called for by the County as a mitigation will take 15-25 years to grow sufficiently large to serve as a truly effective privacy screen. Additionally, imagine those giant homes only 20 feet away from our backyard fences. The applicant has removed the buffer that he previously included, and has promised since 2001. The new homes will be “right on top of us!”
- **Construction impacts that are unmitigable to those on Parrott adjacent to the site.** Imagine living directly adjacent to a construction site that is above us and upwind. Significant dust, other air pollution, and noise will cascade down upon us and cannot be fully mitigated, or even close. It is very frustrating that the County would even consider subjecting us to these impacts. There are sensitive receptors in nearly every adjacent Parrott house, including 80+-year old residents, children, individuals with documented asthma and allergies, and individuals with documented clinical depression. Imagine subjecting those sensitive receptors to the 85 db, the dust, and the particulates 11 hours per day for three or more years.
- **Living under a permanent threat from the large bodies of water that will be stored above our heads during storms.** The poorly described and not proven stormwater drainage system raises so many concerns. The most basic is that when it fails, it will flood our properties.

**2. New Concerns** --The testimony of the Applicant and his team members during the January 28, 2015, Planning Commission meeting, and further review of the FEIR, revealed new information that has triggered additional concerns related to the proposed Ascension Heights project:

- **Use of non-potable** water to mitigate the spread of construction-generated particulates, including but not limited to dust, dirt, diesel exhaust.
  - Non-potable water by definition is unsafe to drink, or even have on your body; see below for three references (of many) from OSHA and the EPA.
    - OSHA Federal Regulations requires labeling non-potable water as unsafe for drinking, washing or cooking. Specifically, Standard 1926.51(b) ("Sanitation") states "*Outlets for nonpotable water, such as water for industrial or firefighting purposes only, shall be identified by signs meeting the requirements of Subpart G of this part, to indicate clearly that the water is unsafe and is not to be used for drinking, washing, or cooking purposes.*"  
([https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=STANDARDS&p\\_id=10624](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10624))
    - OSHA Federal Regulations also prohibit getting nonpotable water onto individuals or their clothing. Specifically, Standard 1910.141(b)(2)(iii) ("Sanitation") states "*Nonpotable water shall not be used for washing any portion of the person, cooking or eating utensils, or clothing.*"
    - The EPA, even in its literature promoting the appropriate use of water recycling and grey water, clearly refers to non-potable water as "not for drinking".  
(<http://www.epa.gov/region9/water/recycling/>)
  - Yet the Applicant's team, at the January 28, 2015 Planning Commission meeting, described a plan to use of non-potable water to spray down the trucks and construction dust, presumably as an attempt to ward off claims of wasting water during a drought.
    - While this may be admirable creativity upon initial review, and while it may be an appropriate mitigation when the construction site is flat with high solid fencing all around, the proposed site is on a steep hillside with prevailing wind patterns running west to east directly down and toward the homes on Parrott.
  - There is no analysis about the impacts of spraying water that is "unsafe for drinking" so close to our homes, particularly those homes on Parrott.
  - The non-potable water will aerosolize into mist that will be carried downhill and downwind into our yards and onto our homes. ***We, our pets and local fauna will be subjected to this unsafe situation.*** Sensitive receptors among us will be dramatically more impacted.
  - This is a poorly thought through, new mitigation, with zero analysis and deeply concerning implications.
- **Newly stated information** by the applicant's civil engineer during verbal testimony in two specific areas of the project description and impacts or benefits.
  - New claims related to grading truck traffic

- In direct response to a question raised by a Planning Commissioner, the applicant's civil engineer stated that, in fact, grading trucks would only need to leave the site every 20 minutes, and would do so for a period of 45 days to complete the grading off-haul removal.
  - This new information would appear to assuage concerns about the impact on the neighborhood from the grading trucks.
  - Both of these new figures contradict what is stated in the FEIR (which states 30 days as the time duration for removing the graded soil).
  - Additionally, the math does NOT work, and the result would be to remove only ~62% of the soil!
    - The FEIR states that ~40,000 cubic yards of soil will need to leave the site.
    - The FEIR also states that the applicant intends to use grading trucks averaging 17 cubic yards in size.
    - The result of the above two stated assumptions is that 2,353 truck trips will be required to remove the 40,000 cubic yards.
    - Yet 3 loaded trucks per hour (the first new statement), multiplied by 11 hours/day, yields 33 trucks per day removing soil, which multiplied by 45 days (the second new statement) is only 1,485 truck trips, or only ~62% of the required number of trucks.
    - The situation is even worse when you consider that Saturdays will have shorter working hours, so even less than 62% of the soil will have been removed in the 45 days.
    - This new contradictory information clearly does not add up!
  - The only way to make the math work is to increase the number of truck trips per day, or to extend the grading off-haul period beyond 45 days.
  - These trucks will impact our neighborhood, and are a serious safety concern. Given the new confusion and mistakes, however, what are we to believe in order to understand that impact? Is it the plan described in the FEIR? ... or the new information, even though it doesn't add up?
  - With this confusion, this is now one more example in which the FEIR and the process are inadequate.
- o New claims related to public access of the common areas, which was to be a benefit of the project.
- In direct response to a question raised by a Planning Commissioner, the applicant's civil engineer stated that, in fact, the common areas would NOT be accessible by members of the public because those areas are "too steep".

- The FEIR states that the common areas will be open to the public, which has been described as a benefit of the project.
    - Which is it? Will the common areas be public or private?
    - And if “too steep” for members of the public, are the common areas also too steep for the new homeowners?
    - How could decision makers evaluate whether the project as described has inherent dangers (e.g., common areas open to the public even though those areas are “too steep”) or not (e.g., closed areas, and therefore no access benefit may be claimed, either for the public or for the new homeowners)?
    - In either case, with this confusion, this is yet one more example in which the FEIR and the process are inadequate.
  - By extrapolation from these two new sets of information, what else in the FEIR is now considered outdated or incorrect by the applicant?
  - How can the Planning Commission consider approving an FEIR that is now, in part, incorrect in terms of key aspects of the project description and the grading plan?
- Concentration of cell towers near the homes
    - There are now more than 10 cell towers at the top of the hill. This is a large concentration, and may be significantly more than members of the Planning Department and Planning Commission are aware.
    - Additionally, as described during public testimony at the January 28, 2015, Planning Commission meeting, there are posted signs on the property warning about emissions dangers.
    - Such a large concentration of cell towers has not been reviewed or described in the project description as being adjacent to the proposed homes
    - Additionally, there is no analysis about the health impacts of someone living so close to so many cell towers. While skeptics may have argued that one or two cell towers do not pose a danger, this is no longer a question of just one or two towers.
    - What liability will the County assume should it approve an FEIR that does not describe this intense concentration of cell towers as part of the project description and should it approve a subdivision plan with homes that close to so many cell towers?

**3. County responses to our earlier comments --** The EIR Consultant and the County responded in the FEIR Volume 1 Response to Comments to our letter of June 9, 2014, in which we raised specific concerns about the DEIR, including the project description and several of the planned mitigations.

We also included our letter of November 4, 2013, as we believe those comments are still materially relevant, and which the county labeled as P4-13. Unfortunately, the County did not include any formal responses in the FEIR to the comments in this earlier letter (despite assigning it the formal P4-13 label, which we can only assume per the implied process means that there should have been formal responses).

Turning back to the June 9, 2014 letter, for which the County did have responses, we have reviewed the point-by-point responses to our letter. After this review, we are more troubled than ever about the lack of information in the DEIR, and subsequently the FEIR. We are also troubled by an apparent pattern of mostly general, opaque, vague, off-topic and/or irrelevant responses to our concerns, and to the concerns raised by other members of the public, which seems to be indicative of an inconsistent or minimalist approach to following the CEQA process.

Turning specifically to the FEIR's written, formal responses to the eleven concerns that we raised in our June 9, 2014 letter:

- **Summary**

- For only two of the concerns are the formal County responses direct and to the point
  - In both cases, however, the responses claim that additional detail can wait until later in the process or that the concern is temporary and therefore unfounded. We respectfully disagree in both cases.
- For the nine other concerns, the formal County responses are:
  - Non-responsive, even when appearing to be responsive (six cases). The County refers us to other County responses made originally to other comments, and yet when you follow the cookie trail to those other responses, there is nothing written of direct material nature to our specific concerns
  - Argumentative (one case)
  - Incorrect or unbelievable on a prima facie basis (two cases)
- We are concerned that such non-responsiveness seemingly hidden in long answers calls into question the integrity of this portion of the CEQA process.

- **Supporting detail**

- Non-responsive (six cases)
  - (1) Lack of confidence in the bio report due to existence of lupines and raptors (labeled P4-03)
    - The formal County response (p. 3-45) references an earlier and quite lengthy response (P1-4 on p. 3-4).
    - The referenced response, however, does NOT refer directly to our concerns about the timing of the prior biological survey and the lack of observations of what we've seen routinely on the hill. These concerns

about inappropriate timing and poor quality were not formally and directly addressed.

(2) Impact to Significant Trees in Parrott backyards adjacent to the site (labeled P4-04)

- The formal County response (p.3-45) references an earlier response (P1-67 on p. 3-24).
- The referenced response, however, does NOT refer to Significant Trees on adjacent properties, nor does the planned mitigation (Mitigation 4.3-6), and so is non-responsive
  
- Leaving aside the non-responsive nature of the County response for the moment, we commissioned and submitted to the County and the Planning Commission on January 28, 2015, a report by a certified arborist describing harm to our Significant Trees if the project were allowed to be built as planned, and also describing an appropriate Tree Protection Zone (TPZ) to safeguard our Significant Trees. Given the TPZ described in the report that we submitted, it is clear that (a) three lots in the plan (proposed lots 5-7) would need to be altered (i.e., moved up the hill away from the TPZ) and (b) the proposed re-routing of the Cal Water water main adjacent to our property would need to be re-routed further up the hill outside of the TPZ.
- These implications have been known for years, but the County has proposed in the DEIR and the FEIR to postpone examining this issue until after the subdivision as been accepted by the Planning Commission, even though the subdivision would not be buildable as accepted.

(3) Request to use *International Arborist* practices, which are the accepted standard in the US by certified arborists (labeled P4-05)

- The formal County response (p.3-45) references an earlier response (also P1-67 on p. 3-24 as with the above).
- The referenced response, however, does NOT refer to International Arborist standards, nor does the planned mitigation (4.3-6), and so is non-responsive.

(4) Specifics of the stormwater system, including durability, reliability, and longevity (labeled P4-07)

- The formal County response (p.3-46) references two earlier responses (P1-89 on p. 3-28 and P1-92 on p. 3-29).
- Neither of the referenced responses nor the planned mitigation (4.6-2) refers to our stated concerns about the lack of specifics, including related to durability, reliability, and longevity, of this complex system to better allow for understanding and evaluation), and so is non-responsive.

- (5) Engineering difficulties at nearby residences, e.g., on Rainbow Drive (labeled P4-12)
  - The formal County response (p. 3-46) references an earlier response (P1-6 on p. 3-8).
  - The referenced response, however, does not discuss our concern about nearby engineering difficulties at all. Instead, it focuses on “hill stability”, which was not the point of our specific comment. We were questioning what might be learned from other failures at locations where engineers also said “this is buildable”.
  
- (6) No consideration for topsoil as an important resource (labeled P4-10)
  - The formal County response (p. 3-46) states that the public had an earlier opportunity to suggest scoping topics (P4-10 on p. 3-46).
  - This statement suggests that the public has missed its opportunity, and that the County stopped accepting any new information after scoping. This seems fundamentally incorrect from a basic process standpoint, particularly when that information is coming from an expert source (in this case a Certified Master Gardener of San Francisco and San Mateo Counties).
  - The formal response also refers to planned mitigations 4.4-1a and 4.4-1b as reducing impact to soil and erosion.
  - These planned mitigations focus on erosion, however, and do not address the importance of maintaining the health of the topsoil, and the formal County response is therefore non-responsive.
  
- o Argumentative (one case)
  - Mischaracterization of the path behind the Parrott Houses as a “drainage ditch or swale” that would deter water runoff (labeled P4-02).
  - The formal County response (p. 3-45) references an earlier response (P1-99 on p. 3-31) that states “The ditch was delineated by a qualified biologist.”
  - Since when is a biologist qualified to comment on land features? Isn’t that a geologist? And isn’t responding in this manner argumentative rather than searching for the facts?
  - This “naming” of a path as a ditch can only lead us to conclude that this biologist must not have walked the land at that point because otherwise he would have seen that most of the path is flat to sloping downhill!
  
  - The County response goes on to state that the “drainage plan ... does not rely on this ditch to protect nearby residences” (see also P1-99 on p. 3-31).
  - The plans (attachment C-2 in Planning Dept’s report) and public conversations with the applicant, however, consistently show and

have referred to a swale in this location that would help divert water should the storm drainage system fail.

- Without a ditch or a swale, then any runoff from any system failure, including being overcome by “larger than modeled storms” (e.g., storms larger than the 10-year storms used in the modeling), will pour into our yards.
- o Incorrect or unbelievable on prima facie basis (two cases)
- (1) Dust on solar panels and swimming pools of adjacent properties (labeled P4-08)
    - The formal County response (p. 3-46) claims that planned mitigation 4.2-1 will reduce particulates and their off-site movement and “prevent settling and adverse impacts to solar panels, swimming pools, water features”.
    - With the word “prevent”, the county is claiming that there will be zero impacts on our properties, and specifically zero impacts to our solar panels or pools.
    - Such a claim is an absurd on a *prima facie* basis. Of course the solar panels and pools (and houses and yards) for the homeowners on Parrott directly adjacent to the site will be impacted.
    - But because of the claim of zero impact, the County has not conducted any analysis nor created a specific mitigation to reduce the obvious impact.
  - (2) Traffic problems (e.g., blind spots) and potential accidents (labeled P4-11)
    - The formal County response (p. 3-46) references an earlier response (P1-6 on p. 3-8) that claims that planned mitigation 4.11-4 will “ensure a safe sight distance at the proposed new intersection” on Bel Aire.
    - With the word “ensure”, the county claims there will NOT be a blind spot at the proposed new intersection with Bel Aire, and that any future accidents at this new location could not be due to “safe sight distance” issues.
    - Given the topography and curvature of Bel Aire at that location, and given that there is not a plan to reshape Bel Aire itself, the existing blind spot and sight difficulties will remain, and there will be a new hazard imposed on the community by the development.
- o Direct response, but still an issue (two cases)
- (1) Effect on adjacent Parrott properties of trees that may be planted to attempt to reduce privacy impact on those homes (labeled P4-06).
    - The formal County response (p. 3-46 and in an earlier comment to P1-35 on p. 3-17) references a to-be-completed landscaping plan.
    - Given that there is not a formal buffer zone between the new development and the existing homes on Parrott Drive, there is no room for landscaping screening.

- And should the applicant attempt to “squeeze in” landscaping under the current plan, the only location possible would be directly against the Parrott backyard fences (in order to retain legally minimum sized lots in the proposed subdivision plan), which would mean unavoidable root encroachment into our lawns.
  - Both types of impact are material, and the proposed deferral postpones meaningful input until an unspecified future point after plan approval, at which point re-planning the subdivision plan is moot, and the landscaping screen could become a point of irresolvable contention between the Parrott homeowners and the applicant.
- (2) Zero analysis for impact of car lights in hammerhead on our property (labeled P4-09).
- The formal County response (p. 3-46) states that any traffic would be temporary, so the impact is less-than-significant.
  - The plan does not describe, however, how it would mitigate the permanent situation of car lights shining directly into our children’s bedroom windows.

In summary:

- We on Parrott adjacent to the proposed project are deeply and seriously impacted.
- There are new issues that add to the inadequacies of the FEIR.
- The “Public Comment and Response” process, in this instance, is less helpful to decision makers than it should be, due to the mostly general, opaque, vague, off-topic, and/or irrelevant responses to public concerns.

Thank you for your attention to the above,

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

**From:** Gina Blohowiak <  
**To:** <Planning-Commission@smcgov.org>  
**CC:** <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>, <  
**Date:** 2/24/2015 6:03 PM  
**Subject:** Concern over Ascension Heights Project

Dear Members of the Planning Commission:

I hope this email finds you well. I live at 1492 Ascension Dr and have many concerns about the Ascension Heights Project. If this project is approved, my family will be looking for a new home and community. I certainly don't think you want to drive out the residents, but I think that's what this development will do.

In general, I agree with all the concerns that were voiced at the meeting last month at the school. You're well aware of the issues so instead of restating them, I will say that my main concerns are around the health my family. We are expecting a child and are terrified of the harm this project could do to our baby (asbestos, dust, noise) and our general happiness for the many years of development.

I hope you all seriously consider the residents' concerns and reject this proposal.

Thank you,  
Gina Blohowiak

**From:** Winter King <king@smwlaw.com>  
**To:** "planning-commission@smcgov.org" <planning-commission@smcgov.org>, "hhardy@smcgov.org" <hhardy@smcgov.org>, "jcastaneda@smcgov.org" <jcastaneda@smcgov.org>  
**CC:** "Gerard Ozanne ("Gerard Ozanne" <gerard.ozanne@smcgov.org>)" <gerard.ozanne@smcgov.org>, "Laurel Nagle ("Laurel Nagle" <ararayjab@smcgov.org>)" <ararayjab@smcgov.org>, "DonaldNagle ("DonaldNagle" <d.nagle@smcgov.org>)" <d.nagle@smcgov.org>  
**Date:** 2/24/2015 6:34 PM  
**Subject:** Comments on Ascension Heights Subdivision Project  
**Attachments:** Letter to San Mateo County Planning Commission.pdf

Dear Members of the Planning Commission,  
Attached please find our comments on the Ascension Heights Subdivision Project, which are submitted on behalf of Baywood Park Homeowners' Association.  
Thank you,  
Winter

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February 24, 2015

**Via E-Mail and U.S. Mail**

San Mateo County Planning Commission

E-Mail:

[planning-commission@smcgov.org](mailto:planning-commission@smcgov.org)

Re: Ascension Heights Subdivision Project

Honorable Members of the San Mateo County Planning Commission:

This firm represents the Baywood Park Homeowners' Association ("Baywood") with regard to the Ascension Heights Subdivision Project ("Project"). Baywood is an association of homeowners and residents who live immediately adjacent to the proposed Project. As discussed in Baywood's detailed comment letters on the Draft Environmental Impact Report ("DEIR"), these residents have serious concerns about the proposed Project's potential environmental impacts and consistency with applicable land use regulations, as well as the DEIR's analysis of the Project's impacts. Baywood is also concerned about the Project applicant's failure to follow the specific direction provided by this Planning Commission in 2009—including direction to meet with the community and avoid building on the steep south-facing slope of the Project site.

Our preliminary review of the Final Environmental Impact Report ("FEIR") and Revised Draft EIR ("RDEIR") (together, "EIR") leads us to conclude, as Baywood has in its comments, that these documents contain substantial analytical flaws and informational omissions that render them inadequate under the California Environmental Quality Act.<sup>1</sup> As described below, the EIR repeatedly defers both analysis of impacts and development of mitigation until after Project approval, which is strictly prohibited under CEQA. The EIR and proposed resolutions attached to the January 28 staff report also fail to identify and require adequate mitigation for the Project's identified impacts.

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<sup>1</sup> Public Resources Code § 21000 et seq. (hereinafter "CEQA"); Cal. Code of Regulations, tit. 14, § 15000 et seq. (hereinafter "Guidelines").

Nor do the proposed findings contained in the January 28 staff report support the conclusion that the Project complies with other land use regulations, including the County's General Plan state planning and subdivision laws. *See, e.g.*, Gov't Code § 65000 et seq.; Gov't Code §§ 66473.5 & 66474.

Given these inadequacies, it is our opinion that the County cannot approve the Project as proposed and must, at a minimum, recirculate a revised DEIR that addresses the inadequacies identified in this letter and in the previous comments submitted by Baywood.

**I. The EIR Fails to Adequately Analyze the Project's Potential Environmental Impacts or Identify Adequate Mitigation Measures.**

The discussion of a proposed project's environmental impacts is at the core of an EIR. *See* CEQA Guidelines, § 15126.2(a) (“[a]n EIR shall identify and focus on the significant environmental effects of the proposed project”). An EIR must effectuate the fundamental purpose of CEQA: to “inform the public and responsible officials of the environmental consequences of their decisions before they are made.” *Laurel Heights Improvement Assn. v. Regents of the University of California*, 6 Cal. 4th 1112 at 1123 (1993). To do so, an EIR must contain facts and analysis, not just an agency's bare conclusions. *Citizens of Goleta Valley v. Board of Supervisors*, 52 Cal. 3d 553, 568 (1990).

An EIR must also identify feasible mitigation measures to minimize significant environmental impacts. CEQA Guidelines, § 15126.4. Under CEQA, “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. . . .” Pub. Res. Code § 21002. California courts have made clear that an EIR is inadequate if it fails to suggest feasible mitigation measures, or if the proposed mitigation measures are so undefined that it is impossible to evaluate their effectiveness. *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 79.

Moreover, the formulation of mitigation measures may not properly be deferred until after Project approval. Rather, “[m]itigation measures must be fully enforceable through permit conditions, agreements, or legally binding instruments.” CEQA Guidelines § 15126.4(a). The record must also contain substantial evidence of the measures' feasibility and effectiveness. *Sacramento Old City Assn. v. City Council of*

*Sacramento*, 229 Cal. App. 3d 1011, 1027 (1991); *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 726-29 (1990).

As explained below, the EIR’s environmental impacts analysis is deficient under CEQA because it fails to provide the necessary facts and analysis to allow the County and the public to make informed decisions about the Project and its environmental impacts. The EIR also impermissibly defers analysis and the development of mitigation until after project approval—clear violations of CEQA. Finally, the conclusions drawn in the EIR regarding the significance of Project impacts and the adequacy and efficacy of mitigation are not supported by evidence. For all of these reasons, the RFEIR, like the DEIR and original FEIR, is inadequate under CEQA.

#### **A. Aesthetics**

Under CEQA, it is the State’s policy to “[t]ake all action necessary to provide the people of this state with . . . enjoyment of *aesthetic*, natural, scenic, and historic environmental qualities.” CEQA § 21001(b) (emphasis added). “A substantial negative effect of a project on view and other features of beauty could constitute a significant environmental impact under CEQA.” *Ocean View Estates Homeowners Assn., Inc. v. Montecito Water District* (2004) 116 Cal.App.4th 396, 401. No special expertise is required to demonstrate that the Project will result in significant aesthetic impacts. *Ocean View Estates*, 116 Cal.App.4th at 402 (“Opinions that the [project] will not be aesthetically pleasing is not the special purview of experts.”); *The Pocket Protectors v. City of Sacramento* (2005) 124 Cal.App.4th 903, 937 (“[N]o special expertise is required on this topic.”).

As explained by the court in *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1606, it is “self-evident” that replacing open space with a subdivision will have an adverse effect upon “views and the beauty of the setting.” Here, the EIR concludes that the proposed Project, with its 19 large new residences perched on hillsides, looming over the existing neighborhood, will have potentially significant aesthetic impacts. RDEIR at 4.1-14. And the visual simulations support this conclusion. RDEIR, Figures 4.1-2a and -2b.

The only mitigation measures identified and proposed for adoption, however, are the adoption and implementation of a landscape plan and a tree replacement plan. MM 4.1-1a and -1b. Neither of these plans are presented with the EIR, though. In fact, they need not be developed until after Project approval. RDEIR at 4.1-14. As a

result, there is no way for the public or decisionmakers to know whether these plans will actually reduce the Project's impacts to a level of insignificance.

## **B. Biological Resources**

A fundamental purpose of CEQA is to ensure that decisionmakers and the public are aware of the potential environmental impacts of a proposed project before deciding whether to approve it. *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 449-450. As a result, courts have repeatedly held that an EIR must identify and analyze such impacts; deferring this analysis until after project approval is strictly forbidden. *Id.* at 441.

The EIR's biological resources section repeatedly violates this clear CEQA mandate. Rather than conducting thorough and timely biological surveys *now*, so that the public and decisionmakers know what the Project's impacts will be, the EIR defers this analysis until some future date after the Project is approved. For example:

- Impact 4.3-1: The survey conducted to identify special status plant species “was conducted outside of the evident and identifiable bloom period for . . . seven species.” MM 4.3-1 requires *post-approval* “focused botanical survey during the month of May” to determine whether the Project will impact these seven species.
- Impact 4.3-2: Members of the public observed Mission blue butterfly on the Project site. MM 4.3-2 requires *post-approval* “focused survey” during appropriate identification periods for adults (March-July) or juveniles (wet season).
- Impact 4.3-6: The EIR notes that the Project has the potential to “remove trees protected [by] the [County's] tree preservation ordinance.” However, there is no information in EIR itself about how many protected trees will be affected by the development. Instead, MM 4.3-6 requires a *post-approval* survey “documenting all [protected] trees.” This measure does not specify the survey area, a critical element of analysis, as the proposed Project could harm protected trees on neighboring properties, too.

The County must conduct these studies—and thus identify all potentially significant impacts to biological resources—before considering the proposed Project approvals. *See Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831 (a

lead agency may not simply jump to the conclusion that impacts would be significant without disclosing to the public and decision makers information about how adverse the impacts would be). Any new information resulting from these studies must then be provided to the public in a recirculated DEIR.<sup>2</sup>

The EIR also defers the development of mitigation measures until after these post-approval surveys are complete, in direct violation of CEQA. *See San Joaquin Raptor Rescue Ctr. v. County of Merced* (2007) 149 Cal.App.4th 645, 670; *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 92, 94 (rejecting mitigation measures for greenhouse gas emissions that merely required applicant to create plan after project approval). Many of these yet-to-be-developed mitigation measures are contingent on a future determination of whether mitigation is feasible. For example:

- MM 4.3-1: If post approval survey finds special status plant species, a buffer shall be created “if feasible.” If the buffer is not feasible, a qualified botanist “would” salvage and relocate plants. There is no evidence to support the feasibility or effectiveness of either mitigation measure.
- MM 4.3-2: If Mission blue butterflies are observed and avoidance (through creation of a buffer zone) is infeasible, a qualified biologist will “establish . . . appropriate action following contact with CDFW.”

This deferral of mitigation patently violates CEQA and renders the proposed CEQA findings—which conclude the Project will have no significant impact on biological resources—completely hypothetical and unsupported. *See Sacramento Old City Assn. v. City Council of Sacramento* (1991) 229 Cal.App.3d 1011, 1027 (The record must also contain substantial evidence of the measures’ feasibility and effectiveness).

The EIR also notes that the Project site is suitable raptor foraging habitat and a white-tailed kite was observed foraging over the site during the July 25, 2013 survey. RDEIR at 4.3-22. Nonetheless, the EIR fails to identify any mitigation for the

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<sup>2</sup> It is also unclear from the EIR whether CDFW was consulted as a Responsible or Trustee Agency for the Project. Moreover, as Baywood has noted, a late July survey in 2013 was unlikely to discover Mission blue butterflies, even if they are present on the site, because there was minimal rain that spring, and the lupin bloomed early and peaked in May.

loss of this foraging habitat, focusing instead exclusively on mitigation for the Project's potential impacts to breeding habitat. RDEIR at 4.3-22 through 23.

Several of the biological resource mitigation measures identified in the EIR (and proposed for adoption in the draft resolutions) are also plainly unenforceable and/or do not support the conclusion that the Project's impacts have been mitigated to a level of insignificance. For example, the EIR concludes that the project could have potentially significant impacts on nesting raptors. RDEIR at 4.3-22. At first blush, MM 4.3-4b and -4c appear to require a 250-foot buffer around active raptor nests discovered in pre-construction surveys. These measures contain a blanket exception to this buffer, however, if it is "impractical" or "infeasible." In that event, the only "mitigation" is the statement that "guidance from CDFW will be requested." RDEIR at 4.3-24. Neither the EIR nor the proposed resolutions even require the applicant to comply with CDFW's guidance. *See also* MM 4.3-3a (requiring pre-construction surveys to determine whether there are any active northern harrier, burrowing owl, or white-tailed kite nests in the area. If there are, then "CDFW shall be consulted" to develop avoidance measures. If CDFW determines that a "take" may nonetheless occur, the applicant must obtain a take permit.)

### **C. Geology and Soils**

The EIR concludes that the massive grading and earth-moving activities required to develop the Project could result in "substantial soil erosion and loss of topsoil from the project site." RDEIR at 4.4-12. Yet the EIR once again defers the development of mitigation measures until after Project approval, and provides no performance standards to guide that development. Thus, MM 4.4-1a and 4.4-1b simply require the identification and implementation of unspecified "erosion control BMPs" and the development of an erosion control plan. Because these deferred measures contain no performance standards or other mandatory requirements to ensure that they will sufficiently reduce the Project's impacts, they violate CEQA, and the proposed findings concluding this impact will be reduced to a level of insignificance are unsupported.

### **D. Air Quality and GHG**

The EIR estimates that Project construction would result in 957.68 MT of CO<sub>2</sub>e during the one-year construction period. The EIR then notes that neither CARB nor BAAQMD have established a construction threshold for GHG emissions. Nonetheless, the State has established a goal of reducing GHG emissions "by 26%" through adoption of AB 32. Therefore, the EIR identifies as a mitigation measure the requirement that the Project proponent purchase 249 MT worth of CO<sub>2</sub>e emissions reduction credits

(reflecting “a 26% reduction” in the total construction emissions for the Project) to maintain consistency with AB 32’s goal.

The flaw in this reasoning is that it fails to reveal that AB 32 actually established a goal of *reducing* GHG emissions statewide. Thus, simply offsetting some of the new GHG emissions from the Project does nothing to achieve this goal over overall GHG reduction. *See generally Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2014) 231 Cal.App.4th 1056.

The EIR’s air quality analysis also omits essential analysis and understates the Project’s potential impacts. Baywood commented extensively on these errors and omissions. For example, Baywood noted that the analysis did not take into account impacts on nearby schools, which would be affected by construction emissions due to the particular geography and meteorology in the area. Likewise, neither the EIR nor the findings provides evidence to support the conclusion that the proposed mitigation would reduce construction impacts to a level of insignificance. Instead of providing the missing analysis and information, the FEIR simply attempts to defend the RDEIR’s flawed approach. More is required for adequate responses to comments.

#### **E. Hydrology**

The EIR’s analysis of the Project’s hydrology impacts is similarly flawed. First, the EIR acknowledges that the Project, which would create more than two new acres of impervious surface, would have potentially significant impacts on the area’s water quality if left unmitigated. The EIR then states that these potentially significant impacts will be mitigated to a level of insignificance by “the proposed on-site detention and drainage systems . . . described in Section 3.4.” RDEIR at 4.6-14. Section 3.4, however, includes only the most generic and cursory description of the proposed stormwater treatment measure, making it impossible to evaluate the system’s efficacy.

Moreover, the brief description of the stormwater treatment measure suggests it does not comply with the requirements of the County’s current NPDES permit, Municipal Regional Stormwater NPDES Permit, Order No. R2-2009-0074, NPDES Permit No. CAS612008, adopted October 14, 2009 and revised November 28, 2011 (“MRP”). The C.3 portion of the MRP, which refers to post-construction stormwater management for new development and redevelopment projects, requires Low Impact Development (“LID”). The Project as proposed includes centralized detention basins, which are not LID features.

The goal of LID is to reduce runoff and mimic a site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes. LID also limits disturbance of natural water bodies and drainage systems; minimizes compaction of highly permeable soils; protects slopes and channels; and minimizes impacts from stormwater and urban runoff on the biological integrity of natural drainage systems and water bodies. Here, no LID designs or features appear to be incorporated or required into the Project.

In addition, the EIR does not actually include any supporting analysis for its conclusion that the proposed stormwater treatment measure will reduce the project's runoff impacts to a level of insignificance or comply with the County's NPDES requirements. See *Santa Clarita Organization for Planning the Environment v. County of L.A.* (2003) 106 Cal.App.4th 715, 722 (agency's analysis must be contained in the EIR, not "scattered here and there in EIR appendices").<sup>3</sup> While it appears the County had a hydrology report discussing these measures in more detail, the County was required to include this analysis in the EIR itself. "Decision-makers and the general public should not be forced to sift through obscure minutiae or appendices in order to ferret out the fundamental assumptions that are being used for purposes of the environmental analysis." *San Joaquin Raptor Rescue Center*, 149 Cal.App. 4th at 659; see also *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442 ("The data in an EIR must not only be sufficient in quantity, it must be presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project.") Moreover, the County did not even provide this report to the public until after the first Planning Commission meeting on the revised Project had occurred, thus preventing Baywood from preparing complete comments on this document during the public comment period.

Finally, it appears that the stormwater treatment measures proposed to mitigate the Project's stormwater runoff impacts will only be capable of handling a 10-

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<sup>3</sup> It is also unclear whether the particular treatment measure proposed will work on the steep slopes of the Project site. Baywood repeatedly asked for evidence that this technology had been safely and successfully used in similar topography, but was provided with no evidence that it had.

year storm event. RDEIR at 4.6-16. While MM 4.6-3b requires increasing the size and capacity of two stormwater drainage pipes, the EIR fails to explain how this measure will prevent significant runoff impacts during a more severe storm event.

## F. Noise

The EIR establishes a number of criteria for determining whether the proposed Project's noise impacts would be significant. *See* RDEIR at 4.8-10 through 11. One of these criteria is whether the Project would expose people to noise levels in excess of standards established in the County's general plan or ordinances. RDEIR at 4.8-10. Other, standalone criteria include whether the Project would cause "[a] substantial temporary or periodic increase in ambient noise levels," and whether the Project would expose people to "noise levels in excess of . . . 60 dB Ldn, exterior or 45 dB Ldn, interior." RDEIR at 4.8-11.

The EIR then goes on to demonstrate that the Project would, indeed, cross these significance thresholds by exposing nearby residents to excessive construction noise—reaching 85 dBA L<sub>max</sub> "at the nearest sensitive receptor northeast of the project site." RDEIR at 4.8-12.<sup>4</sup> The EIR also states that there is no feasible noise mitigation available to consistently reduce these construction noise levels below 60 dbA.

Given these facts, the EIR was required to conclude that the Project would have significant, unmitigable noise impacts: The construction noise clearly exceeds one of the County's own significance thresholds and the EIR asserts that there is no feasible mitigation available to prevent this exceedence. Instead, the EIR concludes that the Project is "exempt" from this threshold due to a County Noise Ordinance that exempts certain construction activities from the prohibitions contained in that ordinance. RDEIR at 4.8-12; *see also id.* at 4.8-6 through 8. However, CEQA requires lead agencies to consider more than just a project's consistency with local ordinances. It requires analysis of the project's actual environmental impacts. *See Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1108-09 (2004) (environmental effect may be significant despite compliance with such requirements). Here the noise impacts are admittedly significant (regardless of whether they also violate

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<sup>4</sup> As Baywood pointed out in its previous comments, even these high noise levels appear to understate the Project's true impacts, as they account for noise from only one piece of noisy construction equipment operating at any one time. *See, e.g.*, FEIR at 4.8-1.

the County Noise Ordinance). Thus, the County was required to inform decisionmakers and the public of this significant impact.

### **G. Traffic**

As with noise, the EIR concludes that the Project will have potentially significant transportation and circulation impacts. Specifically, the Project “has the potential to substantially increase hazards due to the design of the new private street and proposed intersection with Bel Aire Drive.” RDEIR at 4.11-10. However, the principal mitigation measure identified to reduce this impact—MM 4.11-4—is neither mandatory nor enforceable. Instead, this measure simply suggests that this hazardous intersection “should” be designed without walls, fences, signs, trees, shrubbery, or parked cars blocking motorists views. Because this measure is not mandatory, there is no basis for the conclusion that it will reduce this transportation impact one bit.<sup>5</sup>

### **II. The Proposed CEQA Findings Are Insufficient.**

Under CEQA, a lead agency cannot approve a project with significant environmental impacts without first finding that there are no feasible mitigation measures or alternatives that could lessen these impacts. *See* CEQA § 21002, 21002.1(b), 21081; Guidelines §§ 15091(a), 15091(b), 15093(b); *see also Uphold Our Heritage v. Town of Woodside*, 147 Ca. App. 4th 587 (2007). Moreover, the agency must make findings, supported by substantial evidence, demonstrating how the mitigation measures adopted by the agency will actually reduce environmental impacts to a level of insignificance. *See id.*

The proposed findings contained in the staff report do not satisfy this requirement. Many of them lack any explanation of how proposed mitigation measures will reduce Project impacts to a level of insignificance. And there are no findings (much less substantial evidence) to support the conclusion that there are no feasible, less impactful alternatives.<sup>6</sup>

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<sup>5</sup> Moreover, MM 4.11-3, which requires the Project to include certain street lighting on the private street, will do nothing to prevent accidents caused by motorists who cannot see oncoming traffic due to physical obstacles, such as fences and parked cars.

<sup>6</sup> The EIR also impermissibly and artificially limits the environmental advantages of these reduced density alternatives by stating that they, unlike the Project, would not

Finally, if the County wishes to approve the Project despite its significant impacts, it must make and adopt a statement of overriding considerations. *See City of Marina v. Bd. of Trustees of the Cal. State Univ.* (2006) 39 Cal.4th 341, 368 (citing § 21081(b)). No such proposed findings are included in January 28 staff report.

### **III. Approval of This Project Would Violate the Subdivision Map Act.**

The proposed Project requires approval of a tentative subdivision map. *See* DEIR at 3.0-13. As a result, the County must comply with the Subdivision Map Act. This statute requires that a tentative map approval be consistent with the local general plan. *See* Gov't Code §§ 66473.5; 66474; *see also Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 998 (Subdivision Map Act expressly requires consistency with general plan). Approval of a project that is inconsistent with the general plan violates the Subdivision Map Act and may be enjoined on that basis. *See Friends of "B" Street*, 106 Cal.App.3d at 998 ("City approval of a proposed subdivision ... may be enjoined for lack of consistency of the subdivision map with the general plan."); *see also* City of Pittsburg Municipal Code § 17.20.060 (to approve a tentative map, the following findings must be made, among others: 1) the proposed map is consistent with the general plan and any applicable specific plan, or other applicable provisions of [the municipal] code; 2) the site is physically suitable for the proposed density of development; and 3) the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat).

Here, the site is not physically suitable for the proposed density of development given the excessive slopes. In 2009, Baywood submitted expert comments indicating that substantial retaining walls will be needed to build on the up-sloping lots. Many of these lots are still proposed for development. As Baywood has pointed out in previous comments, piecemeal development of these retaining walls could leave certain lots essentially unbuildable. Likewise, the arborist report submitted by Baywood shows that the Tree Protection Zones required to protect existing trees (both on and off the Project Site) could also render portions of these identified building sites unbuildable.

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require improvement of the site's existing drainage issues. *See, e.g.,* RDEIR at 6-4. There is no reason why the alternatives could not include a similar requirement.

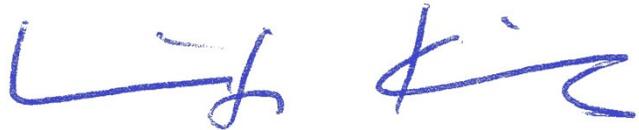
Given these physical constraints on development, the County cannot make the findings required to approve the proposed subdivision map.<sup>7</sup>

#### IV. Conclusion

For all of these reasons, we believe the EIR for the Project fails to comply with CEQA, and the proposed findings included in the January 28 staff report are insufficient to support approval of the Project. As a result, the Planning Commission cannot approve the Project based upon this record. We respectfully urge the County to direct the applicant and the Planning Department to correct the EIR's deficiencies and work with the community to resolve the remaining issues.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Winter King

661833.1

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<sup>7</sup> These inconsistencies between the information on the proposed tentative map and the EIR's description of the Project and potential mitigation measures also render the Project description section of the EIR inadequate.

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**CC:** Lisa Aozasa <LAozasa@smcgov.org>  
**Date:** 12/3/2014 4:01 PM  
**Subject:** RE: Ascension Heights ADFEIR edits

I will shoot for getting you the revised Wed. Shouldn't be a problem!

TRENTON WILSON  
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From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, December 03, 2014 3:52 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: RE: Ascension Heights ADFEIR edits

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With the edits I've given you so far, and with your what suggested intro, what do you anticipate as a turn around time? I'm about to respond to the HOA folks asking when the document will be ready, and I was hoping we could get this Wednesday or Thursday of next week. Ill get from Lisa some of her edits tomorrow and have a few more, so just want to know how quickly things will move on your own so I can plan accordingly.

JAMES

>>> Trenton Wilson 12/03/14 3:39 PM >>>

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Sent: Wednesday, December 03, 2014 1:28 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Ascension Heights ADFEIR edits

Good afternoon Trent,

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**From:** James Castaneda  
**To:** twilson@analyticalcorp.com  
**CC:** Aozasa, Lisa  
**Date:** 12/3/2014 4:19 PM  
**Subject:** RE: Ascension Heights ADFEIR edits

Thanks Trent, Ill get those additional edits as soon as I can, and maybe Ill follow up with a quick call tomorrow afternoon to make sure we're on the same page with timelines.

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**From:** James Castaneda  
**To:**  
**CC:** Burruto, David; Pine, Dave; Hardy, Heather; Aozasa, Lisa; Monowitz, Stev...  
**Date:** 12/3/2014 4:33 PM  
**Subject:** Re: Ascension Heights

Good afternoon Jerry,

We've been providing them comments as we've been reviewing, and now on the final stretch. Our goal in working with the consultant is to have the Final EIR posted online next week. We'll send out a notice as soon as the document is available to download. I don't anticipate a delay, but I certainly will let you know immediately if we foresee the document's availability being delayed. Ill also provide any additional details about the hearing date, which at this point is pretty firm for January 28th.

JAMES

James A. Castañeda, AICP  
Planner III, San Mateo County Planning & Building Department  
Program Coordinator, SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
650.363.1853 | 650.363.4819 FAX  
smcplanning.org | sforoundtable.org  
>>> Gerard Ozanne 12/02/14 9:00 PM >>>  
James,

Thank you for the information this afternoon on the status of the Ascension Heights project and that the Planning Commission meeting is tentatively scheduled for January 28th. Once the EIR consultant receives the final comments from the Planning Department, how long will it be before we receive a copy of the FEIR draft so we can begin our own reviews and neighborhood communications?

Thanks,

Jerry

**From:** James Castaneda  
**To:** Trenton Wilson  
**CC:** Lisa Aozasa  
**Date:** 12/10/2014 10:57 AM  
**Subject:** Fwd: RE: RE: Ascension Heights ADFEIR edits

Trent,

I posted links to download Lisa's notes and edits for the ADFEIR she sent in an email this morning (below), but failed to leave our email server due to the size.

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Lisa

>>> Trenton Wilson <twilson@analyticalcorp.com> 12/10/2014 8:28 AM >>>  
Revised responses

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Sent: Thursday, December 04, 2014 4:57 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Re: RE: Ascension Heights ADFEIR edits

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**To:** James Castaneda <jcastaneda@smcgov.org>  
**CC:** Lisa Aozasa <LAozasa@smcgov.org>  
**Date:** 12/10/2014 11:48 AM  
**Subject:** RE: RE: RE: Ascension Heights ADFEIR edits

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**Date:** 12/10/2014 3:49 PM  
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I should have asked this earlier, but with Lisa's edits we're/are you planning to send me a new/consolidated track change word doc (superseding the one you sent this morning), or did you want me to start approving what you sent anticipating another with Lisa's edits? Guessing the former works better for me, but whatever works better for you. Let me know!

>>> Trenton Wilson <twilson@analyticalcorp.com> 12/10/14 11:48 AM >>>

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TRENTON WILSON

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**Date:** 12/10/2014 6:29 PM  
**Subject:** RE: RE: Ascension Heights ADFEIR edits  
**Attachments:** 3.0 Responses\_Admin Draft\_v2a.doc

rent,  
See attached for accepted changes to my edits/comments (pre-Lisa's comments).

JAMES

>>> Trenton Wilson 12/10/14 8:27 AM >>>  
Revised responses

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-----Original Message-----  
From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Thursday, December 04, 2014 4:57 PM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Re: RE: Ascension Heights ADFEIR edits

Hi Trent, just a quick update: I need to be out of the office tomorrow and Monday, and Lisa will be sending her scanned edits while I'm out. In relation to the edits I provided on my PDF yesterday, they should either echo or supplement them. Feel free to follow up with her. Thanks Trent!

JAMES

>>> Trenton Wilson 12/03/14 15:39 PM >>>  
Got them thanks. We will definitely include a high definition copy of the comments for the public document. Also, I had a thought that we might want to add to the introduction of the Final EIR to clarify that the document was prepared to comply with CEQA and the impact discussion based on the significance criteria established by the CEQA guidelines. Also that the EIR is only part of the decision making process for the Planning Commission. I don't want the public to feel all their concerns were simply dismissed by the County although we often quite have to dismiss some of their comments during the EIR process since they are often out of scope of the analysis.

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From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Wednesday, December 03, 2014 1:28 PM

To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Ascension Heights ADFEIR edits

Good afternoon Trent,  
As I mentioned, here's a few more edits to look at. Nothing terrible substantial, but go ahead and start working on these. I need to sync up with Lisa tomorrow on her notes, so I may have some additional edits. Please let me know if the editing mark ups on the PDF didn't come out.

<https://drive.google.com/file/d/0B3-xGRRxjZbjb3V4cFFuRmZRTEU/view?usp=sharing>

Just a note for the final production- I think we should toss in the higher quality comments. While it'll be large document, having it to download should alleviate any issues while still maintaining a decent, readable document.

Please let me know if you have any questions.

JAMES

**From:** James Castaneda  
**To:** Dave Pine  
**CC:** David Burruto; Heather Hardy; Lisa Aozasa; Steve Monowitz  
**Date:** 12/11/2014 12:28 PM  
**Subject:** Ascension Heights Final EIR

Good afternoon Supervisor Pine,

I just wanted to give you a heads up that the Final EIR for the Ascension Heights Subdivision will go public tomorrow. The Final EIR document is a response to comments received from the Draft EIR that was released back in the spring. Typically the Final EIR is released a couple of weeks in advance of the Planning Commission's consideration at the public hearing, but as we discussed before, with the hearing occurring on January 28th, this puts us at 6 1/2 weeks.

I anticipate the community's reaction to the Final EIR to be negative, as the responses are written in accordance to CEQA Guidelines, which are limited to the environmental scope of the project, and may not answer all the comments satisfactory. In cases where comments were raised that were considered unrelated to environmental concerns per CEQA, non-substantive or statements of opinion, the document indicates that the comment was noted. We'll be explaining on the download page that while the EIR may not necessarily be the appropriate document to address those comments that are outside of the CEQA Guidelines, they are noted for the administrative record, and will be communicated to the Planning Commission. As part of the Planning Department's staff report (releasing in early January), we'll attempt to respond/explain where possible some of those issues.

If you have any questions, please don't hesitate to contact myself or Lisa Aozasa regarding the document or the project.

Regards,  
James

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James A. Castañeda, AICP  
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## 3.0 RESPONSES TO COMMENTS

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The following responses have been prepared for each bracketed comment included in **Chapter 2.0** of this Response to Comments document in accordance with Section 15132 of the CEQA Guidelines which states that the FEIR must contain responses of a lead agency to significant environmental points raised during the review and consultation process.

### **L1 James C. Porter, Director of Public Works, County of San Mateo Department of Public Works**

#### Response to Comment L1-1

Comment noted.

#### Response to Comment L1-2

Comment noted. The Revised Draft Environmental Impact Report (EIR) (included as Volume II of the Final EIR; hereby referenced as Volume II) has been updated to acknowledge that streetlights along private roadways would not be annexed into the Bel Aire Lighting District and that the project applicant, during annexation procedures with Local Agency Formation Commission (LAFCO), will include provisions to ensure all street lighting is consistent with County regulations and properly maintained in a manner similar to Bel Air Lighting District requirements.

#### Response to Comment L1-3

Comment noted. The commenter is correct that the private system will be owned and maintained by the property owners.

#### Response to Comment L1-4

Comment noted. Text was updated in **Section 2.0 of Volume II** to correctly refer to the “Crystal Springs County Sanitation District” (CSCSD).

#### Response to Comment L1-5

Comment noted. Text was updated in **Section 4.10 of Volume II** to state that CSCSD has begun construction of the eight capital improvement projects described in the Sewer Master Plan with an anticipated completion date in the fall of 2014.

#### Response to Comment L1-6

Comment noted. Text was updated in **Appendix B of Volume II** to correctly refer to the “Crystal Springs County Sanitation District.”

Response to Comment L1-7

Comment noted. Text was updated in **Appendix G of Volume II** to correctly refer to the “Crystal Springs County Sanitation District.”

Response to Comment L1-8

Comment noted. Text was updated in **Appendix G of Volume II** to state that CSCSD has begun construction of the eight capital improvement projects described in the Sewer Master Plan with an anticipated completion date in the fall of 2014.

Response to Comments L1-9 and L1-10

Senate Bill (SB) 1322 (Bergeson) titled “Supplement to AB 939 / State Programs” was enacted in union with Assembly Bill (AB) 939 to form the “California Integrated Waste Management Act of 1989.” As summarized by CalRecycle (1997), SB 1322 “Made legislative declarations regarding the high priority of implementing state programs to: change manufacturing and consumption habits; increase the procurement of recycled materials by the state; improve markets for recyclable materials; conduct research and development to improve the manufacturing processes for recycled materials; and inform and educate the public about the integrated waste management hierarchy.” SB 1322 also defined terms used throughout the Integrated Waste Management Act of 1989 and described State-level actions and programs to be developed, such as the Market Development Zone Program and the Plastic Recycling Program (CalRecycle, 1997). Therefore, the reference to SB 1322 provides an accurate background to the Integrated Waste Management Act of 1989 and required diversion rates. No revisions to the Draft EIR are required.

Response to Comments L1-11 through L1-15

The paragraph under the heading “Residential Solid Waste Generation” in Section 4.10.2 and associated text in **Section 4.10.4 of Volume II** have been revised to reflect the waste generation and diversion rates provided by the commenter and Table 4.10-7 has been removed to reduce redundancy in the analysis. However, these updated rates do not change the analysis of impacts presented in Section 4.10.4 of the Draft EIR. Operation of the Proposed Project would result in an additional approximately 0.14 tons of waste per day to be sorted at the Shoreway Environmental Center, which would increase the daily throughput by less than 0.1 percent, as stated in Section 4.10.4 of the EIR. Operation of the Proposed Project would also add approximately 0.8 tons of waste per day to be disposed at the Ox Mountain Sanitary Landfill, which would increase the daily throughput by less than 0.1 percent, as stated in Section 4.10.4 of the Draft EIR. Given the Proposed Project’s minimal contribution to daily throughput at the Shoreway Environmental Center and Ox Mountain Sanitary Landfill, there would be no cumulative significant impact. As stated in Section 4.10.4 of the Draft EIR, environmental impacts resulting from solid waste generation would be less than significant.

The diversion program for solid waste associated with construction of the Proposed Project is discussed in Section 4.10.4 of the Draft EIR. As stated therein:

Construction of the Proposed Project would adhere to the County Green Building Ordinance, which includes striving to conserve natural resources in the construction as well as reduce waste in landfills generated by construction projects. Additionally, construction of the Proposed Project would also adhere to the County Ordinance No 04099, which requires a Waste Management Plan (WMP) be developed to ensure the salvage, reuse, or recycle of 100 percent of inert solids (e.g. concrete, rock, etc.) and of at least 50 percent of the remaining construction and demolition debris generated by the project.

During operation, the Proposed Project would maintain compliance with the current diversion rate of 68.3 percent. This would be accomplished through ensuring adequate space on each residential lot to store recycling carts and containers, including those provided by Recology San Mateo County (RSMC) as mentioned in Section 4.10.2 of the EIR, as well as to store compost carts and containers.

## **P1 Baywood Park Homeowners Association**

### Response to Comment P1-1

Comment noted.

### Response to Comment P1-2

As noted in Sections 2.3 and 3.3 of the Draft EIR, the Proposed Project is a revised, reduced intensity design of the previous project, for which the associated applications for a Major Subdivision and Grading Permit were denied, and the San Mateo County Planning Commission declined to certify the associated Final EIR in 2009. In response, the County facilitated workshops between the applicant and the community to discuss a revised project for reconsideration. In comparison to the previous project, the Proposed Project includes the same 13.25-acre project site but reduces the number of proposed residential lots (19 compared to 25 in the previous project) and increases the proposed open space and recreational area (approximately 7.8 acres compared to approximately 4.9 acres in the previous project). This reduced intensity design of the Proposed Project eliminates residential development on the southwestern portion of the project site, which eliminates several of the geotechnical issues associated with the previous project, and reduces the number of proposed residences and associated residents, thereby reducing impacts related to demands on infrastructure, public services, and public utilities.

The Draft EIR and this Final EIR (collectively, EIR) were prepared in accordance with the California Environmental Quality Act (CEQA, California Public Resources Code § 21000-21178) and the CEQA *Guidelines* (California Code of Regulations [CCR], Title 14) to provide the Lead Agency (San Mateo County) with an informational document to be used in the planning and decision-making process, as stated in Section 1.1 of the Draft EIR. In accordance with CEQA *Guidelines* Section 15082, a Notice of Preparation (NOP) was circulated to the public, local, State, and federal agencies, and other known interested parties for a 30-day public and agency review period which began on October 4, 2013 (included as Appendix A of the Draft EIR). The Lead Agency hosted a scoping meeting for the EIR on October 9, 2013. In accordance with CEQA *Guidelines* Section 15063, the Initial Study (Appendix B of the Draft EIR), in conjunction with comments received during scoping (Appendix A of the Draft EIR), was

used to focus the EIR on effects determined to be potentially significant. Environmental resources determined to have the potential to be significantly affected by the Proposed Project and were therefore addressed in detail in this Draft EIR include: Aesthetics, Air Quality and Greenhouse Gas Emissions, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, Noise and Vibration, Population and Housing, Public Services, Utilities, and Recreation, and Transportation and Circulation. The baseline environmental setting per each resource along with the relevant federal, State, and local regulatory laws, codes, ordinances, and standards are described in Section 4.0 of the Draft EIR. A detailed and complete analysis of potential direct, indirect, and cumulative impacts to each resource that could occur with implementation of the Proposed Project is presented in Section 4.0 of the Draft EIR, and mitigation measures are included where appropriate to reduce impacts to less-than-significant levels, as required by CEQA *Guidelines* Section 15126.4. Pursuant to CEQA *Guidelines* Section 15126.2, discussions regarding cumulative impacts; secondary impacts, including potential impacts resulting from growth inducement; cumulative impacts, and significant irreversible changes to the environment are included in Section 5.0 of the Draft EIR. A range of reasonable alternative projects that could feasibly attain most of the objectives of the Proposed Project and comparative merits of the alternatives are presented in Section 6.0 of the Draft EIR, pursuant to CEQA *Guidelines* Section 15126.6. A list of preparers is provided in Section 7.0 of the Draft EIR, pursuant to CEQA *Guidelines* Section 15129. The Draft EIR was published by the State Clearinghouse on April 25, 2014 (SCH# 2013102009), initiating a 45-day public comment period. This Final EIR includes comments received on the Draft EIR, responses to those comments, and appropriate revisions to the Draft EIR as a result of comments in accordance with CEQA *Guidelines* Section 15132. Collectively, the Draft EIR and Final EIR inform the Lead Agency and public of the potential, significant environmental effects of the Proposed Project and identify measures, methods, and/or practices that can be employed to avoid or significantly reduce environmental damage, pursuant to the General Concepts of CEQA *Guidelines* (Section 15002).

#### Response to Comment P1-3

To warrant a detailed response in the Final EIR, comments must fulfill two minimum requirements: 1) the comments must raise a significant environmental issue, and 2) they must be related to either the decisions to be made by the Lead Agency based on the EIR or to the expected result of these decisions. Responses have not been provided to comments failing to raise significant environmental issues; however, all comments are in the administrative record for the project and will be considered by the County in making its decision.

The commenter is correct that the Proposed Project would require approximately 46,000 cubic yards of grading; however, this is not considered excessive or “massive” as stated by the commenter for such a development in this region of San Mateo County. In addition, approximately 19,970 cubic yards would be used on site as engineered fill requiring 26,510 cubic yards to be exported from the project site.

#### Response to Comment P1-4

The EIR was prepared in accordance with CEQA and the CEQA *Guidelines*, which define a significant impact from a project related to plants, including trees, as the following (as stated in Section 4.3.4 of the Draft EIR):

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW, or USFWS;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

For the purposes of this EIR, special-status has been defined to include those species that meet the definitions of rare or endangered plants under CEQA, including species that are:

- Listed as endangered or threatened (or formally proposed for, or candidates for, listing) under the ESA (50 CFR §17.11 and §17.12);
- Listed as endangered or threatened (or proposed for listing) under the California Endangered Species Act (CESA) (California Fish and Wildlife §2050, et seq.);
- Designated as endangered or rare, pursuant to California Fish and Wildlife Code (§1901);
- Designated as fully protected, pursuant to California Fish and Wildlife Code (§3511, §4700, or §5050); or
- Designated as species of special concern to the CDFW.

A list of regionally occurring special-status plant species for the project site was compiled using the results of scientific database queries including the California Natural Diversity Data Base (CNDDDB) query for the San Mateo USGS 7.5-minute topographic quadrangle and the five surrounding quadrangles located within a 5-mile radius; the California Native Plant Society (CNPS) database query for the San Mateo USGS 7.5-minute topographic quadrangle and the five surrounding quadrangles; and the USFWS query for the San Mateo USGS 7.5-minute topographic quadrangle (Appendix D of the Draft EIR). The habitat requirements of regionally occurring special-status species were compared to the habitat types that exist within the project site as well as the known elevation range or geographical distribution of a species to determine which special-status species have potential to occur onsite. For listed plants, all species identified by the above queries were considered, although special consideration was given for those species with CNDDDB-documented occurrences within a five-mile radius of the project site (CDFW, 2013a). A list of 11 special status plants determined to have the potential to occur on the project site was compiled (Table 4.3-2 of Section 4.3 in the Draft EIR). Consistent with CEQA and the CEQA *Guidelines*, a botanical survey of the project site was conducted on July 25, 2013, which was during the identifiable and evident blooming period of 4 of the 11 species. None of the 11 special status plant species were identified during the survey; the 4 species with a blooming period that included the survey date therefore are not present on the project site (three *Malacothamnus sp.* and *Silene verecunda ssp. verecunda*). However, the other seven special status plant species may be present on the project site (*Amsinckia lunaris*, *Collinsia multicolor*, *Dirca occidentalis*, *Eriophyllum Latilobum*, *Fritillaria liliacea*, *Pedicularis dudleyi*, and *Pentachaeta bellidiflora*), and implementation of the Proposed Project has the potential to have a substantial adverse impact, either directly or through habitat modifications, on those seven special status plants, as stated in Impact 4.3-1 of Section 4.3.4 of the Draft EIR. With the implementation of Mitigation Measure 4.3-1 included in Section 4.3.4 of the Draft EIR, the impact would be less than significant.

As stated in Impact 4.3-6 of Section 4.3.4 of the Draft EIR, construction of the Proposed Project has the potential to remove trees protected within the tree removal ordinance specified in the San Mateo County Significant Tree Ordinance. As stated in the discussion of Impact 4.3-6 in Section 4.3.4 of the Draft EIR, construction of the Proposed Project would require the removal of approximately 43 of the 78 trees (approximately 55 percent) on site. The 78 existing trees on the project site include all trees and are not limited to only significant trees nor does the count exclude smaller trees, as indicated by the commenter. With implementation of Mitigation Measure 4.3-6 included in Section 4.3.4 of the Draft EIR, the impact to protected trees is reduced to less than significant.

As stated in Section 4.3.4 of the EIR, the Initial Study (Appendix B of the Draft EIR) concluded that the Proposed Project would not result in conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plan.

Section 4.3 of the Draft EIR accurately and appropriately assesses the significance of impacts to special status plant species; within the context of local policies or ordinances protecting biological plant resources; and within the context of provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan in compliance with CEQA. The proposed removal of the flora referenced by the commenter is not considered significant under CEQA.

The commenter does not provide explanation or detail as to “the same unanswered questions about endangered fauna... and other biotic concerns.” Potential impacts related to special status species (including wildlife, birds, insects, and plants), riparian habitat or other sensitive natural communities, federally protected wetlands, and migratory wildlife corridors and native wildlife nursery sites along with potential impacts to biological resources within the context of local policies or ordinances protecting biological resources and provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans were analyzed in Section 4.3 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. With implementation of the mitigation measures included in Section 4.3.4 of the Draft EIR, potential impacts to biological resources, including endangered fauna and other biotic concerns, would be reduced to less than significant.

Section 4.3.2 of the Draft EIR discusses informal observations by the general public of the Mission blue butterfly (*Plebejus icarioides*) on the project site and the presence of associated host plants on the project site. As stated therein:

Host plants and an informal observation of this species have been recorded by a member of the general public on the project site. Three biological surveys for the Mission blue butterfly have occurred on the project site in the spring and summer months of 2005, 2008, and 2012, during which 12 adult butterflies were observed. The observed butterflies exhibited characteristics of both the *Plebejus icarioides pardalis* and *Plebejus icarioides missionensis* subspecies but were determined to be more closely akin to the *pardalis* subspecies. Due to the relatively small amount of habitat on the project site, it is not possible to sample

more than a few butterflies in order to make a more confident determination on subspecies (Kobernus, 2014). Therefore, although the project site is outside of the documented geographic distribution and the known elevation range to which this species is suited, the Mission blue butterfly has the potential to occur on the project site.

The Mission blue butterfly was not observed during the July 25, 2013 biological surveys of the project site even though this survey was conducted during the designated identification period. Because the Mission blue butterfly often occurs within an elevation range above the project site and because the project site is south of the documented southernmost distribution of this species, the likelihood of this species occurring on the project site is relatively low. However, as stated in Section 4.3.4 of the Draft EIR, informal observation of this species was made and noted by a member of the general public, and it is therefore concluded that the Mission blue butterfly may occur on the project site and may be significantly impacted by the implementation of the Proposed Project. Hence, Mitigation Measure 4.3-2 was included in Section 4.3.4 of the Draft EIR, and implementation of this mitigation measure, included below, would reduce impacts to a less-than-significant level.

Mitigation Measure 4.3-2: To address potential impacts associated with the Mission blue butterfly, the following measures will be implemented prior to construction of the Proposed Project:

- A qualified biologist shall conduct a focused survey within the nonnative grassland on the project site for the Mission blue butterfly during the appropriate identification periods for adults (March-July) or juveniles (wet season) prior to commencement of construction activities. Should no species be observed, then no additional mitigation is required.
- Should the Mission blue butterfly be observed during the focused survey on the project site, the qualified biologist shall contact CDFW within one day following the focused botanical survey to report the findings. If feasible, a 10-foot buffer shall be established around the species' host plants using construction flagging prior to commencement of construction activities.
- Should avoidance of the Mission blue butterfly be infeasible, the qualified biologist would allow the butterfly to exit the property on its own, or will establish an alternately approved appropriate action following contact with CDFW.

Regarding migratory birds and other birds of prey, including raptors, it stated in Section 4.3.2 of the Draft EIR:

No migratory birds or other birds of prey were observed nesting during the surveys of the project site. Several birds protected under the MBTA [Migratory Bird Treaty Act] were observed foraging within the project site including: red-tailed hawk (*Buteo jamaicensis*), turkey vulture (*Cathartes aura*), and white-tailed kite (*Elanus leucurus*). Migratory birds and other birds of prey have the potential to nest within the project site.

Accordingly, Impact 4.3-4 in Section 4.3.4 of the Draft EIR states that grading and construction activities have the potential to result in the disturbance of nesting habitat for migratory birds and other birds of prey. With implementation of Mitigation Measure 4.3-4a through 4.3-4c, included in Section 4.3.4 of the Draft EIR, impacts to migratory birds and other birds of prey, including raptors, would be less than significant.

#### Response to Comment P1-5

The project will not result in any significant aesthetic impacts in accordance with the significance criteria outlined in Appendix G of the CEQA *Guidelines* (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387) nor would the Proposed Project be in conflict with the policies contained within Chapter 4 Visual Quality of the San Mateo County General Plan (County General Plan). The final project design (i.e., residential homes and lighting plans) will comply with all applicable General Plan Policies, Subdivision Regulations and Zoning Ordinance Regulations, as well as Bel Aire Lighting District standards, and will be required to undergo County approval prior to issuance of building permits to ensure that the proposed homes, roadways, streetlights, and associated lighting plans will be designed and constructed to be compatible with the surrounding area.

#### Response to Comment P1-6

Potential impacts associated with steepness of the proposed residential lots and the soil stability on the project site and vicinity were addressed in Section 4.4 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. The existing site topography, geology, seismicity and fault zones, and soils, including a discussion of deep-seated and shallow landslide hazards, are described in Section 4.4.2 of the Draft EIR. The relevant federal, State, and local regulatory laws, codes, ordinances, and standards are described in Section 4.4.3 of the Draft EIR. As stated in Impact 4.4-3 in Section 4.4.4 of the Draft EIR, the Proposed Project could potentially result in shallow landslides due to the depth of unconsolidated colluvium on the project site but is at low risk for deep-seated landslides. As further stated in the discussion under Impact 4.4-3 in Section 4.4.4 of the Draft EIR:

The underlying sandstone bedrock of the Franciscan formation is very stable underneath the project site, meaning there is a low probability of deep-seated bedrock landslides. The unconsolidated colluvial material above the bedrock can be very deep in areas (at least 5 foot depth on average and up to a maximum of 15 feet). Deep, unconsolidated material combined with the steep slopes on the flanks of the knoll can create a shallow landslide hazard. Shallow landslides are typically caused by improper grading and placement of structural fill, loading of the top of a slope, seismic activity, and changes in pore pressure of the soil caused by increased drainage in the slope. Implementation of the mitigation measures [4.4-1a, 4.4-1b, and 4.4-2a through 4.4-2c] described above for site grading and engineered fill will reduce the risk of shallow landslides. With the additional measures [mitigation measures 4.4-3a and 4.4-3b] described below, impacts will be less than significant.

The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately and accurately addresses impacts associated with steepness and soil stability within the context of applicable federal, State, and local laws, codes, ordinances, and standards. Concerns related to the standards and codes for houses in the vicinity of the project site are beyond the scope of this EIR.

As stated in Section 4.11.1 of the Draft EIR, criteria for determining the significance of impacts to traffic and circulation were developed based on Appendix G of the CEQA *Guidelines* and relevant agency guidelines. As stated in Impact 4.11-4 of Section 4.11.4 of the Draft EIR, implementation of the Proposed Project has the potential to substantially increase hazards due to the design of the new private street and proposed intersection with Bel Aire Drive. The discussion under Impact 4.11-4 of Section 4.11.4 of the Draft EIR goes on to state that the proposed private street and intersection would be developed in accordance with applicable County standards. Mitigation Measure 4.11-4 is included in Section 4.11.4 of the Draft EIR to ensure a safe sight distance at the proposed new intersection. With the proposed mitigation, the potential of the Proposed Project to result in a substantial increase in hazards is less than significant.

#### Response to Comment P1-7

Impacts associated with noise during construction of the Proposed Project are addressed in Section 4.8 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. The existing environmental noise setting was determined by measurement of noise levels at the project site on October 23 through October 24, 2013; the maximum ambient noise measurement was 51.7 A-weighted decibels (dBA) Day-Night Average Level (Lnd). Construction noise levels associated with the Proposed Project would be consistent with typical residential construction of which there is no precedent established in that such levels would result in acute or long-term adverse impacts to residents' health. Section 4.8.4 presents the significance criteria established using the CEQA *Guidelines* for the determination of a significant noise impact from the Proposed Project. Impacts from noise emissions attributable to the Proposed Project were presented within Section 4.8 and were evaluated based on an examination of the project site and published information regarding noise in the vicinity of the project site. These factors were then compared to the significance criteria listed in Section 4.8.4 of the Draft EIR. As stated in Impact 4.8-1 of Section 4.8.4 of the Draft EIR, construction of the Proposed Project has the potential to generate a substantial temporary or periodic noise level greater than existing ambient levels in the project vicinity and cause an exceedance of the County's land use compatibility maximum level of 60 dBA for exterior residential land uses. The loudest activities associated with construction would be 85 dBA, maximum sound level (Lmax) at 50 feet from the construction equipment which would impact both existing and future sensitive receptors (residences). Implementation of Mitigation Measure 4.8-1 included in Section 4.8.4 of the Draft EIR would ensure, among other measures, construction activities are limited to times consistent with those allowed under County Noise Ordinance 4.88.360, which exempts noise sources associated with construction of any real property from County Noise Ordinances 4.88.330 and 4.88.340 provided said activities do not take place between the hours of 6:00 P.M. and 7:00 A.M. weekdays, 5:00 P.M. and 9:00 A.M. on Saturdays or at any time on Sundays, Thanksgiving and Christmas. With mitigation, construction of the Proposed Project would result in a less-than-significant impact to the noise environment.

Construction of the Proposed Project also has the potential to expose existing sensitive noise receptors to construction traffic noise in excess of the County's noise standards, as stated in Impact 4.8-2 of Section

4.8.4 of the Draft EIR. Project-related traffic noise impacts on existing and proposed residences were evaluated by estimating the project traffic noise levels for each of the project-area roadways using project-related traffic counts, which are provided in Appendix H of the Draft EIR, and guidance provided in Caltrans's 2009 Technical Noise Supplement. The equation used to determine traffic noise in the vicinity of the Proposed Project is as follows:

**Eq4.8-1:** Increase in noise level =  $10\log_{10}(\text{existing traffic} + \text{project traffic}/\text{existing traffic})$  (Caltrans, 2009).

The results of the project-related traffic counts were compared to estimated baseline and predicted 2030 traffic noise levels. During construction of the Proposed Project, a maximum of 20 worker round trips per day would occur and an average of 156 soil and material hauling trips per day would occur during the 30-day period of grading activities on the project site. Because trucks are louder than passenger cars, a passenger car equivalence (PCE) multiplier of 8 cars per truck was used (TRB, 2000). For a worst case scenario analysis, the addition of all 20 vehicle trips and 156 truck trips (equivalent to 1,268 vehicle trips) per day were assumed to be added to the peak hour traffic volume on Bel Aire Road, as discussed in Section 4.8.4 of the Draft EIR. The resulting, increased noise level would be 55.8 dBA, Ldn, which is less than the 60 dBA, Ldn County noise significance threshold. With implementation of Mitigation Measure 4.8-1 in Section 4.8.4 of the Draft EIR, noise from the construction vehicle traffic associated with the Proposed Project would result in a less-than-significant impact.

Construction noise levels would be consistent with typical residential construction of which there is no precedent established in that such levels would result in acute or long-term adverse impacts to residents' health. Section 4.8.4 presents the significance criteria established using the CEQA *Guidelines* for the determination of a significant noise impact from the Proposed Project. Impacts from noise emissions attributable to the Proposed Project were presented within Section 4.8 and were evaluated based on an examination of the project site and published information regarding noise in the vicinity of the project site. These factors were then compared to the significance criteria listed in Section 4.8.4 of the Draft EIR.

Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. The existing environmental air quality setting is described in Section 4.2.2 of the Draft EIR, and the relevant regulatory context is presented in Section 4.2.3 of the Draft EIR. The California Emissions Estimator Model 2013.2.2 (CalEEMod) was used to estimate emissions from all construction-related sources associated with the Proposed Project. As discussed in Impact 4.2-1 in Section 4.2.4 of the Draft EIR, construction of the Proposed Project has the potential to generate emissions of reactive organic gas (ROG), nitrogen oxides (NOx), and particulate matter (PM) 2.5 and 10 microns in size (PM<sub>2.5</sub>, and PM<sub>10</sub>) and exceed the Bay Area Air Quality Management District (BAAQMD) threshold for NOx. With implementation of Mitigation Measures 4.2-1a and 4.2-1b, project related emissions during construction would be reduced below significance threshold for NOx and emissions of criteria air pollutants (CAPs) from construction are a less-than-significant impact.

Construction of the Proposed Project also has the potential to generate toxic air contaminants (TACs) from construction equipment exhaust, with diesel particulate matter (DPM) a particular concern given the close proximity of State Route (SR) 92, as discussed in Impact 4.2-2 in Section 4.2.4 of the Draft EIR. To analyze the human health risks associated with this impact, a health risk assessment was performed

using a stochastic Monte Carlo analysis to determine reasonable exposure parameters for a specified set of residential receptors. Cancer risk and chronic and acute health indices (HI) were calculated by using the California Office of Environmental Health Hazard Assessment (OEHHA) risk factors associated with reasonable exposure assessment, as discussed in Section 4.2.4 of the Draft EIR. The Lakes American Meteorological Society/ Environmental Protection Agency Regulatory Model (AERMOD) View, Version 8.2.0 dispersion model was used to determine the dispersion pattern of DPM given the local meteorology (as modeled by Lakes American Meteorological Data Preprocessor for AERMOD (AERMET), Version 8.2.0). To determine cancer, chronic, and acute risk from exposure to DPM on site and near roadways where project-related vehicles would operate, the Hotspots Analysis Reporting Program (HARP) on-ramp, Version 1 model processed AERMOD output data so it can be imported into HARP, Version 1.4f risk assessment model to determine the potential impact emissions from on and off site emissions of DPM would have on sensitive receptors in the vicinity of the project site (refer to Methodology Section of Section 4.2.4 of the Draft EIR for more detailed description). Figure 4.2-1 in Section 4.2.4 of the Draft EIR shows the dispersion of DPM emitted at the project site by on-site construction equipment and by haul vehicles near the proposed haul truck route along Bel Aire Road and Ascension Drive. The maximum unit concentration of DPM is 224.96 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) and occurs west of the intersection of Bel Aire Road and Ascension Drive. The receptors showing the greatest cancer and chronic HI are located near the east boarder and center of the project site. Cancer risk and Chronic HI at these receptors do not exceed the BAAQMD TAC thresholds of 10 in 1,000,000 ( $1.0\text{E}-5$ ) cancer risk and a chronic HI of 1.0, as shown in Table 4.2-6 of Section 4.2.4 of the Draft EIR. Accordingly, the Draft EIR appropriately considered potential impact to air quality and human health and determined this to be a less-than-significant impact under CEQA as the particulate levels are not anticipated to cause adverse affects to residents in the immediate vicinity of the construction areas. Further analysis and future monitoring are not required.

Concerns related to the County ordinances related to noise and air quality are beyond the scope of this EIR and the CEQA process. However, the commenter can work with the County outside of the CEQA process to address these concerns.

#### Response to Comments P1-8 and P1-9

In accordance with CEQA and CEQA *Guidelines*, the Draft EIR appropriately describes the existing environmental setting per each resource area within Section 4.0 as it existed at the time the notice of preparation was published (October 2013) to establish the baseline physical conditions by which the Lead Agency (County) determines whether an impact is significant. Impacts associated with soil stability and shallow landslides were assessed utilizing the environmental baseline as it existed in the early fall of 2013; refer to the **Response to Comment P1-6** for further discussion. During the early fall of 2013, it had not yet been established that a third year of drought would occur in California, and the Governor of California did not declare a drought State of Emergency until January 17, 2014. Regardless, the Draft EIR considered drought conditions where applicable and appropriate for determining environmental impacts. For example, the inability of the San Francisco Public Utilities Commission (SFPUC) to meet all the demands of its retail and wholesale customers during droughts is discussed in Section 4.10.2 of the Draft EIR as part of the environmental setting and impacts of the Proposed Project to water supplies within the context of this setting is discussed in Section 4.10.4 of the Draft EIR. Use of watering for dust mitigation purposes, as required by Mitigation Measure 4.2-1a included in Section 4.2.4 of the Draft EIR,

would be a short term and not constitute a new water demand. The Proposed Project does not propose to remove nearly all existing vegetation, as stated by the commenter; as shown in Figure 3-7 in Section 3.4.2 of the Draft EIR, grading would be limited to the area including and immediately surrounding the development footprint of 5.5 acres (approximately 42 percent of the project site). As stated in Section 3.4.2 of the Draft EIR, the landscaping of the dedicated open space, 7.35 acres (approximately 55 percent of the project site), is not determined at this time but the intent is to utilize drought-tolerant native vegetation in order to restore the area to a natural habitat and minimize water needs. As part of the Proposed Project, the existing on-site drainage improvements within a 0.45-acre (approximately 3 percent of the project site) undisturbed and protected area will be removed, which would require minimal disturbance and some reestablishment of vegetation.

#### Response to Comment P1-10

As discussed in Section 3.4.2, the residences, including all stormwater drainage components, would be constructed in accordance with all County zoning guidelines and regulations, including those that relate to seismic concerns. As further discussed in Impact 4.4-2 in Section 4.4.4 of the Draft EIR, all structures and utilities would be designed to withstand seismic forces per California Building Code (CBC) requirements. Pursuant to County General Plan Policy 15.21, the applicant of the Proposed Project must submit a detailed Geotechnical Investigation to the County building department before a building permit can be issued for any structure. The recommendations of the qualified engineering geologist in the geotechnical investigation will be incorporated into the project design of the Proposed Project, as discussed in Section 4.4.4 of the Draft EIR. With implementation of Mitigation Measures 4.4-2a through 4.4-2c, the project design would reduce all potential impacts associated with seismic activity to a less-than-significant level.

#### Response to Comment P1-11

The commenter does not provide substantial details, data, or analysis in this comment to support their assertion that the Draft EIR “is incomplete and inadequate” and that “nothing material has changed over the past five years,” except to state “to summarize.” It is therefore assumed supportive substantial details, data, and/or analysis are presented by the commenter in other comments within this letter; consequently, a more substantial response is not provided here and readers are referred to **Responses to Comments P1-1 through P1-10 and P1-12 through P1-126**.

#### Response to Comment P1-12

The background of the Proposed Project as relevant to the environmental analysis presented in the EIR is discussed in Sections 2.3 and 3.3 of the Draft EIR; public opposition to the previous project is noted. Refer to the **Response to Comment P1-2** regarding the purpose of the EIR. The contents of the applicant’s application for the Proposed Project, and its perceived failure by the commenter to incorporate issues raised by the community, are beyond the scope of the EIR.

#### Response to Comment P1-13

Comment noted. The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately concludes impacts of the Proposed Project would be less than significant to environmental

resources; refer to **Response to Comment P1-2** for further discussion. The commenter does not provide substantial details, data, or analysis in this comment that elaborates on their “concern about the impact of the project on its [community] members and on the environment.” Accordingly, a more detailed response cannot be provided. Refer to the **Response to Comment P1-12** regarding the scope of the EIR. In accordance with CEQA *Guidelines* Section 15097, the County has established a program to report on and monitor measures adopted as part of this environmental review process to mitigate or avoid significant effects on the environment. **Section 4.0** of this Final EIR is a Mitigation Monitoring and Reporting Plan (MMRP) that is designed to ensure that the mitigation measures identified in the EIR for the Proposed Project are fully implemented, which would include requiring specific language in contractual agreements as specified by an individual mitigation measure. The MMRP, as presented **Table 4-1** in **Section 4.0**, describes the timing/frequency of mitigation implementation responsibilities and standards, and verification of compliance for the mitigation measures identified in the Proposed Project EIR. As the Lead Agency, the County will ensure mitigation measures are implemented and will serve as a point of contact for the public.

#### Response to Comment P1-14

Comment noted. Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

#### Response to Comment P1-15

Comment noted.

#### Response to Comment P1-16

Comment noted. The Draft EIR accurately provides a background of the Proposed Project in Section 3.3 including a summary of the community engagement actions conducted by the County.

#### Response to Comment P1-17

Generally, “reduced intensity” refers to anything that is comparatively less than something else in concentration, density, size, or another measurement. Since the Proposed Project considered in the EIR proposes fewer houses, fewer future residents, fewer tiers of houses, and a smaller development footprint compared to the previous project, it is a “reduced intensity” project compared to the previous project. Refer to the **Response to Comment P1-2** regarding the reduction of impacts of the Proposed Project compared to the previous proposal, including development on the hill sides. As “reduced intensity” is a qualitative term, quantitative numbers, such as percents discussed by the commenter, cannot be definitively applied.

#### Response to Comment P1-18

The project applicant determines the project objectives in coordination and consultation with the Lead Agency prior to initiation of the environmental review process for a project. Public input on project objectives is not required under CEQA. CEQA *Guidelines* Section 15126.6 requires an EIR “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 comparative merits of the alternatives.” The Lead Agency determines a reasonable range of alternatives to be evaluated in an EIR and, consistent with CEQA, considers these alternatives within the context of achieving project objectives.

#### Response to Comments P1-19 through P1-21

The comment is correct that portions of the designated open space on the project site are too steep for structural development. However, this area is not too steep for passive recreation and walking trails constructed with due consideration given to soil erosion and geological concerns. As stated in Section 3.4.2 of the Draft EIR, the nature trail would be a five-foot wide path with a three-foot high retaining wall on the upslope and three-foot high fence on the down slope (Figure 3-6 [Conceptual Trail Cross Section] in Section 3.4.2 of the Draft EIR). As the Proposed Project is still in the planning stages, final siting of the proposed nature trail has yet to be completed. Access to the designated open space would generally be consistent with existing access. However, the impacts of such trails are considered throughout the environmental analysis included in Section 4.0 of the Draft EIR as appropriate; for example, Mitigation Measures 4.6-2b and 4.6-2c are included to reduce potential impacts to water quality associated with stormwater runoff from urban land uses, including the proposed nature trail.

#### Response to Comment P1-22

The text on page 3-10 of Section 3.4.2 of the Draft EIR is not intended to state the number of rows running northeast to southwest (referred to as “laterally” by the commenter) across the project site; it is intended to state the number of blocks of houses proposed for the project site—which is three, as clearly shown on Figure 3-4 in Section 3.4.2 of the Draft EIR. The project description included in Section 3.0 of the Draft EIR makes no mention of “tiers” of houses.

#### Response to Comment P1-23

The site plan included as Figure 3-4, project component cross sections included as Figure 3-6, and grading and drainage plan included as Figure 7 in Section 3.4.2 of the Draft EIR provide to appropriate details project components, including entry from Bel Aire Road, to allow for analysis of impacts to environmental resources consistent with CEQA and CEQA *Guidelines*.

#### Response to Comment P1-24

As the Proposed Project is still in the planning stages, final siting of the proposed houses has yet to be completed. Applicable County General Plan policies and zoning regulations related to slope steepness are listed in Section 4.5.3 of the Draft EIR. As discussed in Section 4.5.4 of the Draft EIR, buildings will be designed and constructed according to guidelines and/or objectives of the California Building Code, including the CALGreen Code; the County General Plan, including County land use and zoning designations; the County LAFCO policies; and the City of San Mateo General Plan. Grading will be completed on individual lots as necessary to comply with appropriate standards and minimize potential impacts associated with steep slopes. A table providing the slope (referred to as “steepness” by the commenter) of each lot is not necessary to evaluate potential environmental impacts. State and local laws, ordinances, and codes cap the slope at which development can occur on.

Response to Comment P1-25

The Geotechnical Report prepared for the Proposed Project (included as Appendix E of the Draft EIR) considered the entire project site, including the northeastern slope along Parrot Drive, and appropriately proposed recommendations to reduce significant impacts associated with soils, slope, and geology of the project site. Mitigation Measure 4.4-2c included in Section 4.4.4 of the Draft EIR ensures all recommendations contained within the site-specific Geotechnical Investigation will be implemented. Specific mention of the slope along the northeastern edge of the project site along Parrot Drive is not necessary to facilitate analysis of potential impacts.

Response to Comment P1-26

Comment noted; text has been updated in **Section 3.4.2 of Volume II** to reflect that no parking would be allowed in the hammerhead cul-de-sac to ensure emergency vehicle access.

Response to Comment P1-27

Comment noted. Except for the access road, no development is planned along Bel Aire Road or Ascension Drive that would constitute a necessity to develop sidewalks along the two roadways.

Response to Comment P1-28

Comment noted. The appropriate information is included within the grading plan to allow an assessment by County Planning staff in determining if the development of the project site meets the appropriate regulations, codes, and associated requirements for site development.

Response to Comment P1-29

The applicant and Lead Agency have been working with California Water Service Company (Cal Water) since receipt of the Cal Water letter dated November 17, 2013 from Cal Water in regards to Item Number 3. Implementation of the Proposed Project would comply with all applicable rules and regulations regarding existing easements on the project site.

Response to Comment P1-30

Refer to **Response to Comment P1-6** regarding analysis of the safety of the proposed intersection.

Response to Comment P1-31

Refer to **Response to Comment P1-6** regarding compliance with County roadway codes and analysis of the safety of the proposed intersection. The commenter's recommendations for other locations of the access roadway are noted. As there are no significant impacts associated with the proposed new roadway and impacts were analyzed consistent with the CEQA *Guidelines*, an alternative location for the proposed roadway was not considered.

### Response to Comment P1-32

As stated in Section 3.4.3 of the Draft EIR, the first phase of grading, utility installation, and roadway development is anticipated to occur over a nine month period. The second phase would include construction of all residential structures and is anticipated to occur over an 18 month period. Based on available information to date, the applicant is confident in the proposed timelines for construction phases and providing a range of time is not necessary. The total construction time for the Proposed Project is therefore 27 months *but may not be continuous* (emphasis added). The commenter misunderstands that the 27 months is simply the sum of 9 and 18 months; the entire span of construction of the Proposed Project is not limited to 27 months. However, the analysis of impacts from construction is conservatively limited to 27 months as increasing the length of time of construction would reduce the intensity of impacts. For example, construction of the Proposed Project would emit a finite amount of DPM. The concentration of DPM emissions per day is greater if the timeframe is limited to 27 months as compared to the concentration of DPM emissions that would occur per day if construction were spread across a longer time period. The previous project was likely planned to be developed as needed as residential lots were sold over a four to nine year period; if all residences of the previous project were developed at the same time, the timeframe would have likely been less.

As stated Impact 4.4-1 in Section 4.4.4 of the Draft EIR, earth-moving activities associated with construction of the Proposed Project have the potential to result in soil erosion or the loss of topsoil. Implementation of Mitigation Measures 4.4-1a and 4.4-1b would require construction contractors to install erosion and sediment control measures in accordance with the Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) construction general permit regulations and to implement an Erosion and Sediment Control Plan in accordance with San Mateo County Ordinance Code (Section 8600 et seq.). After implementation of these measures, potential impacts associated with soil erosion, including via stormwater and wind would be reduced to less than significant. Mitigation Measures 4.4-1a and 4.4-1b would be implemented throughout construction, including during any delays. As construction of the Proposed Project would be temporary, the potential aesthetic impacts associated with a graded and bare project site would also be temporary and not constitute a significant impact under CEQA. A penalty bond to cover stabilizing and landscaping the hill during any delays in construction is therefore not necessary.

### Response to Comment P1-33

Refer to the **Response to Comment P1-32** regarding the potential for impacts to air, soil, and aesthetics during any delays in construction.

### Response to Comment P1-34

Consistent with Mitigation Measure 4.8-1 included in Section 4.8.4 of the Draft EIR, construction activities shall be limited to occur between the hours of 7:00 A.M. to 6:00 P.M. Monday through Friday, and 9:00 A.M. to 5:00 P.M. on Saturdays. Construction activities shall not occur on Sundays, Thanksgiving, or Christmas. **Section 3.4.3 of Volume II** has been updated accordingly.

### Response to Comment P1-35

As construction of the Proposed Project would be temporary, the potential aesthetic impacts associated with construction equipment and workers on the project site would also be temporary and not constitute a significant impact under CEQA.

The commenter's recommendations regarding a landscaping plan are noted. The commenter's recommendations are consistent with Mitigation Measure 4.1-1a included in Section 4.1.4 of the Draft EIR, which requires the project applicant submit a landscape plan for review and approval by the San Mateo County Planning Department (County Planning Department). The landscape plan shall include the location, size, and species of any proposed landscaping and shall include, but not be limited to, hedges or other appropriate vegetation that will provide opaque screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive.

### Response to Comment P1-36

The EIR was prepared in accordance with CEQA and the CEQA *Guidelines*, which define a significant impact from a project related to aesthetics as the following (as stated in Section 4.1.4 of the Draft EIR):

- Result in the substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views.

To allow for an objective baseline assessment of the visual environment and subsequent visual impacts of the Proposed Project, the visual experience within each view is comprised of the following constituent elements:

1. Clarity in Line of Sight—the overall visibility of the object within the viewshed, influenced by such factors as trees, buildings, topography or any other potential visual obstruction.
2. Duration of Visibility—the amount of time the object is exposed to viewers within the viewshed. For example, a passing commuter will experience a shorter period of viewing time than a resident within the viewshed.
3. Proximity of the Viewer—the effects of foreshortening due to the distance of the viewer from the object will influence the dominance of the object in the perspective of the viewer.
4. Number of Viewers—the number of viewers anticipated to experience the visual character of the object.

As discussed in Section 4.1.4, the primary views of the project site are experienced by residents along Parrott Drive, Bel Aire Road, Ascension Drive, Los Altos Drive, Polhemus Road, and Bunker Hill Drive. In addition the site is visible from the College of San Mateo, and I-280. Figures 4.1-2a and 4.1-2b in Section 4.1.4 consist of an aerial view of the project site with representative views of the project site from the roadways and neighborhoods directly adjacent to the site and from the College of San Mateo. In addition, visual representations of the likely residential structures that would be developed for the Proposed Project were added to Figures 4.1-2a and 4.1-2b and are shown in pink and blue (refer to the **Response to**

**Comment P1-41** regarding updates to Figures 4.1-2a and 4.1-2b). The representative residential structures were assumed to occupy the maximum building footprint shown in Figure 3-4, which assumes 40 percent of the square footage of each lot would be developed with 20-foot setbacks for the front and rear and 5-foot setbacks for the sides of structures. The height of the representative residential structures is conservatively shown as approximately 36 feet tall, does not include any adjustments for grading or fill, and assumes that all of the development footprint would be at the maximum height. Further, landscaping has not been added. This conservative approach was used to display the worst case scenario of potential impacts of the Proposed Project on aesthetic resources. The visual experience is presented in Figures 4.1-2a and 4.1-2b were compared to the visual experience presented in Figures 4.1-1a and 4.1-1b, which displayed the exact same views but without the representative residential structures of the Proposed Project; a detailed discussion of each view is included in Section 4.1.4 of the Draft EIR.

As stated in Impact 4.1-1, the Proposed Project could have a substantial adverse effect on a scenic vista; could substantially damage scenic resources, including trees; and could substantially degrade the existing visual character or quality of the site and its surroundings. While the Proposed Project would convert approximately 40 percent of an area that is currently valued as natural scenery in an urban setting to an urban development and thereby change the amount of open space and associated visual resources, the Proposed Project does not constitute a change in the visual character or quality of the area given that the surrounding area is primarily single-family residential neighborhoods and would be consistent with existing surroundings. However, some of the proposed residences are visible from portions of Parrot Drive, and reducing the vegetation located along the rear of existing residences may increase views of the proposed residences and therefore change the visual character and quality of the project site as viewed from Parrot Drive, which would constitute a significant impact. Construction of the Proposed Project would also result in the removal of approximately 43 of the 78 trees on the project site (approximately 55 percent). However, with the implementation of Mitigation Measures 4.1-1a and 4.1-1b, which require a landscaping plan to develop opaque screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive and tree replacement plan that includes maintenance of trees, the impact would be reduced to less than significant under CEQA and CEQA *Guidelines*.

Additionally, the potential impact of the Proposed Project related to light and glare were analyzed in Section 4.1.4 of the Draft EIR. As stated therein, the Proposed Project would introduce new sources of light on the property mainly through street lights, exterior lighting at residences, and cars driving along residential streets. The exterior and interior lighting associated with the residences would be designed not to infringe on adjacent properties or people traveling on roadways. These types of light sources that would be introduced as a result of the Proposed Project are frequent in the neighboring residential developments and would not constitute a significant new source of light; therefore, the impact of such lighting on these areas would be negligible. Street lighting would be limited to the proposed new roadway; only exterior residential lighting emanating from the backyards of the proposed residences would be adjacent to the backyards of existing houses on Parrot Drive. The opaque landscape screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive required by Mitigation Measure 4.1-1a would further shield and reduce the light perceived in the backyards of residences. These light sources are considered common and necessary light sources for residential areas by the County and frequent in the neighboring residential developments and would not constitute a significant new source of light; therefore, the impact of such lighting on these areas would be

negligible and not constitute a significant impact under CEQA and CEQA *Guidelines*. Views of adjoining properties and associated privacy cannot be guaranteed and is not enforceable as a code violation and, because the development would comply with all existing zoning and development requirements, therefore does not constitute a significant impact under CEQA.

Refer to the **Response to Comment P1-5** for further discussion regarding the Proposed Project's compliance with applicable aesthetic regulations and ordinances.

#### Response to Comment P1-37

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics. The photos are representative of the sightlines of the project site and not every sightline can or is required to be analyzed in the EIR. The major sightlines, such as the sightlines from Ascension Drive, Bel Aire Road, and Parrot Drive, are assessed and provide an adequate number of representative sightlines to assess impacts of the Proposed Project in accordance with the significance criteria derived from the CEQA *Guidelines*.

#### Response to Comment P1-38

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics in accordance with the CEQA *Guidelines*.

#### Response to Comment P1-39

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics in accordance with the CEQA *Guidelines*.

#### Response to Comment P1-40

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics. The use of "story poles" is not necessary.

#### Response to Comment P1-41

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics. The views included in Figures 4.1-1a, 4.1-1b, 4.1-2a, and 4.1-2b are representative of views in the area. Including a snapshot in the Draft EIR of the project site from every single individual viewpoint that the project site is visible would not help further or improve the analysis of impacts related to aesthetics and would not be consistent with the goals of CEQA.

Some confusion seems to be arising from the representative structures shown in Figures 4.1-2a and 4.1-2b in the Draft EIR, as evidenced by the commenter's emphasis that "ALL proposed houses on the hill" be shown in the photos. All proposed residences are shown in Figures 4.1-2a and 4.1-2b; however, the different blocks of proposed residences may be difficult to decipher in the representative photos. For clarity, Figures 4.1-2a and 4.1-2b were updated in **Section 4.1.4 of Volume II** to show each block of houses as a separate color.

Response to Comment P1-42

As discussed in Table 4.1-1 in Section 4.1.4 of the Draft EIR, the Proposed Project would be consistent with County Land Use Plan Policy 4.27 because, although the Proposed Project would be partially visible along an existing open ridgeline that is part of a public view, given the topography of the project site, no alternative building sites exist on the project site aside from the areas along the ridgeline (County Land Use Plan Policy 4.27(b)). Refer to the **Response to Comment P1-36** for the appropriateness of analysis of impacts associated with aesthetics within the context of CEQA.

Response to Comments P1-43 and P1-44

Refer to the **Response to Comment P1-36** for the appropriateness of analysis of impacts associated with aesthetics within the context of CEQA. Shadow affects and speculation concerning invasive growth are not required nor typically assessed in CEQA documents.

Response to Comment P1-45

Comment noted. The Proposed Project is consistent with the zoning of the site and therefore complies with the County General Plan which governs land use and growth within the unincorporated areas of the County. Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics.

Response to Comment P1-46

Impact 4.11-1 in Section 4.11.4 of the Draft EIR states that the largest volume and frequency of traffic would result from large trucks transporting excavated soil off site during the grading phase of construction. An estimated 26,510 cubic yards of soil will be removed from the project site, which equates to approximately 40,000 bulk cubic yards of soil. Assuming 30 working days for off haul and an average of 17 bulk cubic yards per truck, the number of truck trips per day to and from the project site would be 156. These truck trips would likely be on Bel Aire Road, to Ascension Drive east of Bel Aire Road to Polhemus Road. Therefore, construction of the Proposed Project would add approximately 176 vehicles per day during the soil hauling phase of construction; this represents the worst case scenario. Given the existing volume of traffic on Bel Aire Road and Ascension Drive, the addition of 176 vehicle trips to these roadways would not result in an increase of greater than 0.1 Traffic Infusion on Residential Environment (TIRE) Index rating, which is defined as a noticeable increase in traffic on the street, for either for Bel Aire Road or Ascension Drive

Response to Comment P1-47

Comment noted. The applicant will work with the County to obtain all appropriate and necessary approvals for large truck traffic prior to initiating construction of the Proposed Project. As discussed in Section 4.11.4 of the Draft EIR, environmental impacts associated with construction traffic would be less than significant per the criteria put forth in CEQA and CEQA *Guidelines*.

### Response to Comment P1-48

Comment noted. As stated in Section 4.11.4 of the Draft EIR, an *estimated* 26,510 cubic yards of soil will be removed from the project site, which equates to *approximately* 40,000 bulk cubic yards of soil (emphasis added). Given the estimation and approximation of the numbers, using standard methods of rounding down from 78.43 to 78 loaded trucks is acceptable. Even if an additional two truck trips per day were added, construction traffic from the Proposed Project would not result in an increase of greater than 0.1 TIRE Index, which is defined as a noticeable increase in traffic on the street, for either for Bel Aire Road or Ascension Drive and therefore still constitutes a less-than-significant impact.

### Response to Comment P1-49

The applicant would strive to use the most efficient and least impactful equipment as feasible and practical when constructing the Proposed Project, including the trucks used to haul excavated soil. Therefore, 20-yard trucks are preferred but 15-yard trucks may be necessary during a portion of the process to navigate the turning angles depending on the location of excavation on the project site. As both trucks may be used, a 17-yard truck was used in the calculation to give a realistic estimate of the overall impact of truck traffic associated with construction. The actual size of the haul truck is unknown at this time as the project has yet to be approved and the availability of a certain size cannot be ascertained.

### Response to Comment P1-50

Comment noted. Recommendations regarding limiting truck travel times will be considered by the County outside of the CEQA process as the analysis presented in Section 4.11.4 of the Draft EIR that is prepared consistent with CEQA and CEQA *Guidelines* concludes the construction truck traffic impacts would be less than significant even during peak hours (refer to the **Response to Comment P1-47** for further discussion).

### Response to Comment P1-51

Concerns are noted. Construction trucks and equipment would be selected to ensure navigation of local streets is achievable as access to the project site is critical to construction and development; animated modeling of construction equipment entry/exit from the project site is not necessary to assess the environmental impacts in accordance with CEQA guidelines. Further, construction traffic would be temporary in nature and would not constitute a long term effect. Refer to the **Response to Comment P1-47** regarding the appropriateness and adequacy of the analysis of construction traffic impacts presented in the Draft EIR.

### Response to Comment P1-52 and 53

The statement that the added truck traffic would not significantly change the TIRE Index ratings on the street segments accurately depicts the potential impact from hauling trucks. No further analysis is required. Because traffic impacts can be perceived differently from person to person, traffic engineers utilize various indexes to quantify impacts. One of those indexes is the TIRE Index, which is a way to determine the impact of a project's traffic on the surrounding street system. This index is based on the idea that increases in traffic volume have a greater impact on the residential environment on a lower

volume street than along a street with a much higher level of baseline traffic. The TIRE index is a representation of the effects of traffic on safety, pedestrians, bicyclists, children playing near the street and the ability to freely maneuver into and out of driveways. A change in the TIRE index of 0.1 or more would be a noticeable increase in traffic on the street, and, therefore, an impact upon the residential environment. Based on the anticipated number of truck trips, the TIRE index indicates that haul traffic would have a less than significant impact on the study roadway network. In addition, the conclusion was substantiated by conducting the additional LOS analysis on the study roadway network as requested by San Mateo County Public Works.

#### Response to Comment P1-54

The applicant will adhere to all County regulations regarding construction traffic, including as related to special traffic control if necessary. Refer to the **Response to Comment P1-47** regarding the appropriateness and adequacy of the analysis of construction traffic impacts presented in the Draft EIR.

#### Response to Comment P1-55

Although unlikely, the possibility of equipment malfunction, including break failure, exists during construction of the Proposed Project consistent with the risks associated with construction of other residential projects in hilly terrain. Standard precautions will be taken, such as ensuring all construction equipment is maintained in best working order and all appropriate insurance policies are in place, to minimize such risks. Refer to the **Response to Comment P1-47** regarding the appropriateness and adequacy of the analysis of construction traffic impacts presented in the Draft EIR.

#### Response to Comment P1-56

Comment noted. Physical impacts to roadways are not anticipated to occur and would be the responsibility of the County to fix. The potential for damage is not considered an impact under CEQA; however, the County may address the issue outside of the CEQA process.

#### Response to Comment P1-57

The TIRE index for existing traffic on Bel Aire Road is 2.88 for 760 vehicle trips per day. The addition of 156 earth-haul truck trips would increase the daily traffic volume to 916 for the one month haul period. That will raise the TIRE Index to 2.96, a change of 0.08. According to the TIRE Index a change of 0.1 would be a noticeable change in traffic. The TIRE Index is for a 24 hour period and cannot be used for time periods of less than 24 hours.

#### Response to Comment P1-58

Bel Aire Road is 32 feet curb-to-curb and parking on both sides would allow for two 9-ft. travel lanes in each direction. To improve the travel lane width, construction worker vehicles could be directed to park partially off-road as there is no sidewalk along the easterly side of that street. By doing so, the travel lanes could be increased to 10-11 feet wide, sufficient for two large vehicles to pass safely.

Response to Comment P1-59

Refer to the **Responses to Comments P1-51** and **P1-55** regarding construction vehicle access to the site.

Response to Comment P1-60

Refer to the **Response to Comment P1-46** regarding the analysis of construction traffic impacts during peak hours.

Response to Comment P1-61

Refer to the **Responses to Comments P1-06** regarding steepness of proposed residential streets.

Response to Comment P1-62

The project alternatives presented in Section 6.0 of the Draft EIR were developed in accordance with CEQA and CEQA *Guidelines*, Section 15126.6. The level of detail provided on the project alternatives allows for appropriate analysis of potential impacts. For example, Alternative B is described in Section 6.4.2 of the Draft EIR as consisting of the subdivision of 6 parcels into 21 lots, 10 of which would be developed as single-family residences, which is 9 less than the Proposed Project. This description allows for the conclusion that short-term construction impacts resulting from Alternative B associated with traffic, noise, and air quality would be proportionately less (a reduction of approximately 47 percent) than impacts from the Proposed Project because less construction would be required, as stated in Section 6.4.2 of the Draft EIR. Site maps are not necessary to include in the Draft EIR as the purpose of presenting project alternatives is to include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the Proposed Project. Because the alternative were selected, mainly, to reduce impacts associated with air quality and traffic (construction and operational impacts), the descriptions of each alternatives were written to provide enough detail to allow comparison of the impacts of these environmental resources to those of the Proposed Project.

Response to Comment P1-63

Refer to the example provided in the **Response to Comment P1-62** for an example of the specific details of project alternatives provided in the Draft EIR.

Response to Comment P1-64

As discussed in Section 6.2 of the Draft EIR, 13 lots would be developed instead of 19 under the Minimal Grading Alternative. The number of lots selected was based on analysis of the amount of grading that would be required per each lot on the project site. It is acknowledged that the term "minimal" is subjective. As CEQA requires a project alternative to achieve the majority of the project objectives, it was determined that only the steepest lots that required the most grading would be excluded under the Minimal Grading Alternative therefore still allowing for construction of enough residences (13 residences) to be an economically viable alternative.

Response to Comment P1-65

Refer to the **Response to Comment P1-17** regarding the definition of "reduced intensity." The Reduced Intensity Alternatives analyzed in Section 6.4.2 of the Draft EIR includes only 10 residential lots compared to 19. Text has been updated in **Section 6.3 of Volume II** to clarify that 10 is more than half of 19.

Response to Comment P1-66

The Reduced Intensity Alternative (Alternative B) would result in a similar level of impact to ridgeline and skyline from surrounding views compared to the Proposed Project. As stated in Section 6.4.2 of the Draft EIR, impacts to aesthetic resources would be similar to the Proposed Project, as development of Alternative B would result in construction of new homes on a previously unimproved lot and would inherently change the viewshed.

Response to Comment P1-67

As discussed in Section 4.3.4 of the Draft EIR, implementation of Mitigation Measure 4.3-6 would ensure compliance with the San Mateo County Significant Tree Ordinance and reduce impacts to protected trees to less than significant as the mitigation measure requires a certified arborist or registered professional forester shall conduct an arborist survey that shall specify, at a minimum, that the project proponent shall plant replacement tree species recommended by the County at a 1:1 ratio within the project site. No trees will be removed on the project site without prior approval from the County Planning Department. This will minimize the removal of vegetative resources, ensure protection of vegetation which enhances microclimate to the extent feasible, and ensure protection of historic and scenic trees, as required by Sections 1.10, 1.24, 1.25, and 1.26 of the County General Plan.

Response to Comment P1-68 through P1-70

In accordance with CEQA *Guideline* Section 15004 (a) and (b), the EIR is a planning level document. The specific number of trees to be removed and/or impacted by development of the Proposed Project, including the proposed new roadway and associated off-site infrastructure (e.g. pipelines), is not known at this time. The San Mateo County Significant Tree Ordinance requires the applicant notify the County of any significant trees which may be affected (removed or impacted) by the Proposed Project and that all appropriate County permits will be considered by the Planning Commission in conjunction with the request for Subdivision by the applicant. Therefore, the tree removal application will include the number of significant trees that may be affected.

Response to Comment P1-71

Comment noted. Per CEQA and CEQA *Guidelines*, the replacement trees will be sized in compliance with the requirements of the San Mateo County Significant Tree Ordinance and Section 12,000 of the County Ordinance Code and as required by the County Planning Department's for the landscape plan (required by Mitigation measure 4.1-a). The County is available to discuss imposing more stringent requirements on the Proposed Project outside of the CEQA process.

Response to Comment P1-72

The text in **Section 4.3.4 of Volume II** has been updated to reflect that replacement significant and/or indigenous tree species shall be planted at a ratio of 3:1. Refer to the **Response to Comment P1-71** regarding the size of replacement trees.

Response to Comment P1-73

In accordance with CEQA *Guideline* Section 15004 (a) and (b), the EIR is a planning level document. A landscape plan is required by Mitigation Measure 4.1-1a in Section 4.1.4 of the Draft EIR and will include location, size, and species of any proposed landscaping and shall include, but not be limited to, hedges or other appropriate vegetation that will provide opaque screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive.

Response to Comment P1-74

Refer to the **Response to Comment P1-4** regarding the Mission blue butterfly.

Response to Comment P1-75

Lupine as a food source for the Mission blue butterfly is discussed in Section 4.3.2 of the Draft EIR. Plant species identified on the project site by qualified biologists are included as Appendix D of the Draft EIR. As no species of lupine are listed as a special status species, lupine was not further discussed in the Draft EIR in accordance with CEQA and CEQA *Guidelines*. Refer to the **Response to Comment P1-4** regarding the discussion of informal observations by the public of lupines (host plants) in the Draft EIR.

Response to Comment P1-76

Refer to the **Response to Comment P1-4** regarding the adequacy and completeness of the biological surveys performed on the project site.

Response to Comment P1-77

Refer to the **Response to Comment P1-4** regarding the adequacy and completeness of the analysis of impacts to migratory birds included in the Draft EIR.

Response to Comment P1-78

The replanting of significant and/or indigenous trees at a 3:1 ratio required by Mitigation Measure 4.3-6 in **Section 4.3.4 of Volume II** will ensure future habitat is available for migratory birds and other birds of prey.

Response to Comment P1-79

As discussed in Impact 4.3-7 of Section 4.3.4 of the Draft EIR, the primary effects of the Proposed Project, when considered with other projects in the region under a cumulative scenario, would be the cumulative direct loss of sensitive or special-status wildlife species and their habitat, loss of migratory

birds, and conflicts with local plans or policies protecting biological resources. The conversion of plant and wildlife habitat on a regional level as a result of cumulative development would potentially result in a significant cumulative impact on special-status species and their habitats. Despite that the project site contains ruderal disturbed plant and wildlife habitat and is isolated from many other areas of similar habitat by urban development, the Proposed Project would contribute to a loss of regional biological resources through the conversion of habitat for special-status species to human use and thus limit the availability and accessibility of remaining natural habitats to regional wildlife. Accordingly, Mitigation Measure 4.3-7 requires that Mitigation Measures 4.3-1 through 4.3-6 are implemented to ensure the Proposed Project's contribution to regional impacts to biological resources would not be cumulatively considerable and, with mitigation, impacts of the Proposed Project would be less than significant

#### Response to Comment P1-80

The potential impacts to botanical species are assessed in Impact 4.3-1 of the Draft EIR. As discussed there within, impacts would be potentially significant because although a site survey was conducted and no special-status plant species were observed, seven of the plant species could not be assessed during the evident and identifiable bloom period. Accordingly, Mitigation Measure 4.3-1 requires pre-construction surveys to again survey the area for the seven plant species to finalize the significance of the project. Pre-construction surveys are commonly used as mitigation for biological resources due to the difficulty in the identification of the presence of such species and are readily accepted by the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS). Accordingly, the County has accepted pre-construction surveys (to be conducted during the evident and identifiable bloom period for the seven plant species) as appropriate mitigation to ensure impacts are minimized to the extent feasible prior to construction.

#### Response to Comment P1-81

A passenger car equivalence (PCE) multiplier of eight cars per truck was used in accordance with the Federal Highway Administration, Highway Capacity Manual (2000), which is acceptable under and consistent with CEQA and CEQA *Guidelines* for analysis of impacts associated with large truck traffic noise.

#### Response to Comment P1-82

Comment noted. Refer to the **Response to Comment P1-7** regarding the adequacy and completeness of the analysis of impacts associated with construction noise contained in Section 4.8 of the Draft EIR. A noise contour map is beyond what is required by CEQA.

#### Response to Comment P1-83

Mitigation Measure 4.8-1 adequately reduces the potential impact associated with construction noise to a less-than-significant level in accordance with CEQA and CEQA *Guidelines*; refer to the **Response to Comment P1-7** for further discussion. As the potential impact is less than significant with mitigation, a noise reduction plan is not necessary under CEQA.

### Response to Comment P1-84

The analysis contained in the Draft EIR presents a worst case scenario so as to analyze the greatest impact. For example, maximum noise values used in the construction noise impact analysis in Section 4.8.4 of the Draft EIR are measured at 50 feet of distance from the source (refer to Table 4.8-6 in Section 4.8.4 of the Draft EIR). Since implementation of Mitigation Measure 4.8-1 would reduce construction noise impacts at the nearest receptor to a less-than-significant level, further analysis of impacts to receptors farther from the project site is not necessary as those impacts would also be less than significant. Emissions associated with construction activities presented in Table 4.2-5 of Section 4.2.4 of the Draft EIR are the maximum amount that would be emitted at the source and therefore depict the maximum amount of air pollutants a receptor could be exposed to due to construction of the Proposed Project. Since implementation of Mitigation Measures 4.2-1a and 4.2-1b would reduce air quality impacts at the nearest receptor to a less-than-significant level, further analysis of impacts to receptors farther from the project site is not necessary as those impacts would also be less than significant. The Proposed Project would not result in significant impacts related to noise and air quality during operation, as discussed in Section 4.8.4 and 4.2.4, respectively. Analysis of impacts associated with aesthetics during operation of the Proposed Project in Section 4.1 of the Draft EIR also took into consideration the worst case scenario. Figures 4.1-2a and 4.1-2b show several near views of the project site; two of the eight views used in the analysis are from Bel Aire Road and three of the eight views are from Parrot Drive. With implementation of Mitigation Measures 4.1-1a and 4.1-1b included in Section 4.1.4 of the Draft EIR, the impact to aesthetics would be less than significant, including for those residents along Parrot Drive and Bel Air Road. Further discussion to characterize the degree of aesthetic impact farther from the project site is not necessary. Construction of the Proposed Project would result in temporary impacts to aesthetics; as these impacts would not be long term, they are not significant.

### Response to Comment P1-85

Refer to the **Response to Comments P1-8 and P1-9** regarding use of water during construction.

### Response to Comment P1-86

As stated in Section 4.10.4 of the Draft EIR and the Analysis of Water and Sewer Utilities Technical Memorandum prepared for the Proposed Project (Appendix G of the Draft EIR), the water demand for the Proposed Project was determined from the per capita water demand for single-family residences in 2010 in the California Water Service Company (Cal Water) Bayshore District (BSD) and is estimated at 260 gallons per day (gpd) per residence and therefore approximately 4,940 gpd [0.005 million gallons per day (mgd)] for the entire Proposed Project. As discussed in Section 4.10.4 of the Draft EIR, the increase in population due to the Proposed Project is consistent with population projections contained in the 2010 Urban Water Management Plan. Water supply for the BSD is projected to be able to accommodate existing customers and population projects in normal years but to fall short of water demand in single and multiple dry years. The BSD anticipates meeting water demands in dry years by implementing its Water Shortage Contingency Plan, which is a series of procedures and outreach strategies designed to reduce customer demand. Therefore, Mitigation Measure 4.10-2a was included to ensure the Proposed Project would comply with the Water Shortage Contingency Plan, which would thereby reduce the impact of the Proposed Project to less than significant.

### Response to Comment P1-87

As construction activities are limited, at most, to between 7:00 A.M. and 6:00 P.M. per Mitigation Measure 4.8-1, it is unlikely that significant lighting at the project site would be required during construction. At most, lighting may be required during the winter season for the first one hour of construction (7:00 A.M. to 8:00 A.M.) and the last one hour of construction (5:00 P.M. to 6:00 P.M.). As the lighting would be intermittent and short term, it would not constitute a significant impact per CEQA regulations.

### Response to Comment P1-88

Refer to the **Response to Comment P1-36** regarding that analysis of lighting impacts associated with the Proposed Project.

### Response to Comment P1-89

Refer to the **Response to Comment P1-32** regarding impacts associated with stormwater runoff during construction.

As stated in Impact 4.6-3 in Section 4.6.4 of the Draft EIR, development of the Proposed Project would substantially alter the existing drainage patterns and may cause flows to exceed the capacity of existing stormwater drainage systems, result in substantial pollution on or off site, or result in flooding on or off site. Assuming the maximum allowable development footprint would be developed, the Proposed Project will create approximately 2.1 acres of impervious surfaces through construction of residences, driveways, roads, and sidewalks. As discussed in Section 4.6.4 of the Draft EIR, since the Proposed Project would exceed 10,000 square feet of impervious surface, it must comply with C.3 Provisions of the NPDES general permit. The proposed on-site detention and drainage systems as described in Section 3.4 of the Draft EIR (individual lot retention systems and bioretention treatment system) serves to meet C.3 Provisions and is designed and sized such that runoff from the Proposed Project will be released at pre-development rates. Incorporation of Mitigation Measure 4.6-2a ensures proper installation and maintenance of the detention and drainage systems, all of which will reduce the potential impact of stormwater flows. Implementation of Mitigation Measures 4.6-2b and 4.6-2c, although designed primarily to improve the water quality of stormwater discharge leaving the site, would also serve to reduce the amount and rate stormwater runoff. Additionally, as discussed in Section 3.4.2 of the Draft EIR, the open space component of the Proposed Project will be landscaped with drought-tolerant native vegetation in order to restore the area to a natural habitat, increase infiltration rates, and decrease stormwater runoff. Accordingly, the stormwater runoff during operation of the Proposed Project would not exacerbate the existing erosion on the hillside or result in any other significant impact related to off-site drainage.

### Response to Comment P1-90

As discussed under Impact 4.6-3, the drainage system was designed in accordance with the County's Guidelines for Drainage Review utilized the 10-year design storm as the base design criteria. In Order No. 99-059, adopted July 21, 2004, the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) amended the San Mateo Countywide Water Pollution Prevention Program (SMCWPPP) NPDES Permit to incorporate specific new development and redevelopment requirements (SFBWQCB, 2004). 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, including 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, as described in C.3 Provisions of the NPDES permit. 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. The proposed on-site detention and drainage systems as described in **Section 3.4** (individual lot retention systems and bioretention treatment system) serve to meet C.3 Provisions.

#### Response to Comment P1-91

As stated in Section 4.4.4, all new structures of the Proposed Project would be designed in compliance with the CBC, which specifies that all proposed structures on the project site should be able to: resist minor earthquakes without damage; resist moderate earthquakes without structural damage but with some nonstructural damage; and resist major earthquakes without collapse but with some structural as well as nonstructural damage. These construction standards would minimize the seismic ground shaking effects on developed structures; therefore, impacts related to ground shaking are less than significant and no mitigation is required. Additionally, a detailed Geotechnical Investigation is required to be submitted by the applicant to the County Building Department (County General Plan Policy 15.21) prior to issuance of a building permit. Mitigation Measures 4.4-2a, 4.4-2b, and 4.4-2c ensure the building designs will be consistent findings of the geotechnical investigation, the California Code of Regulations, and the CBC and the Proposed Project will comply with all recommendations contained within the site-specific Geotechnical Investigation conducted by Michelucci & Associates (2013) (Appendix E of the Draft EIR). Further, as discussed in Section 3.4.2 of the Draft EIR, each individual lot will have its own separate stormwater retention system which could be insured under the individual home owner’s earthquake insurance should damage occur.

#### Response to Comment P1-92

The project description included in Section 3.0 of the Draft EIR was developed in accordance with CEQA and CEQA *Guidelines* to provide an adequate level of detail to assess the potentially significant impacts that could result to baseline conditions as a result of the implementation of the Proposed Project. The project description provides the necessary level of detail required to assess the potential environmental impacts and includes such details as a description of the project location and existing setting; the project objectives; the project components, including a description of the proposed residential development including the proposed roadway and parking, open space, water supply, sewer service and wastewater treatment, utilities, emergency services, grading and drainage, and green building; and the construction schedule, activities, and equipment. Section 3.0 of the EA also includes details regarding the ancillary development projects that would support the proposed development, such as public safety and fire protection, water and wastewater demands, circulation, grading and drainage, project construction, and best management practices (BMPs) that would be incorporated into project design to reduce the

environmental impact of development. Regarding the design of the proposed stormwater detention system, adequate detail is provided to allow for analysis of potential environmental impacts related to water quality; for example, the bioretention treatment system is described as a continuous deflective separation (CDS) hydrodynamic separator runoff treatment device that contains chambers designed to remove as many pollutants as possible in Section 3.4.2 of the Draft EIR.

#### Response to Comment P1-93

The comment provides case studies from the Washington State Department of Ecology regarding storm water systems on coastal bluffs. The project site geology is different from a coastal bluff and therefore the presented case studies do not apply to the project area. As stated in Section 3.4 and 4.6, drainage features would be designed in accordance with State and County requirements and, given the long retention time of the proposed storm water retention systems per each individual lot, impacts to the existing system during peak flows will be minimized. The systems would not be installed on steep slopes as the individual systems would be installed on the graded lots thereby minimizing the potential issues raised by the commenter. Furthermore, these types of underground detention systems are promoted for use by the United States Environmental Protection Agency (USEPA) at residential sites where detention space is limited (USEPA, 2001). As discussed in the fact sheet, these systems are ideal for highly urbanized areas and ensure that there is no net increase in peak runoff and that receiving waters (which would be the existing municipal collection system) are not adversely impacted by high flows from the site.

#### Response to Comment P1-94

The Draft EIR adequately addresses the potential grading and drainage issues associated with the implementation of the Proposed Project and the mitigation presented to maintain the system adequately addresses concerns regarding development of the Proposed Project in accordance with CEQA requirements. Requiring proof of annual inspection and cleaning of each of the 19 individual lot storm drainage systems adequately addresses potential impacts from operation of the storm system and can readily be implemented through contractual arrangements between the Home Owners Association (HOA) or equivalent entity and an inspector. Speculation in regards to the ability for the HOA or equivalent entity to maintain the drainage system is outside of the scope of CEQA.

#### Response to Comment P1-95

As discussed in Section 4.6.2 of the Draft EIR, runoff from the northeastern and eastern portion of the project site currently drains into the yard areas of the houses on Parrott Drive and CSM Drive. The Draft EIR addresses the location of the drainage while the commenter addresses the direction of the flow. The existing drainage setting described in Section 4.6.2 of the Draft EIR accurately and adequately assessing the existing conditions at enough detail to provide a pre and post-development analysis of impacts.

#### Response to Comment P1-96

As stated in the Draft EIR, due to the slopes of the existing streets, water would choose the path of least resistance should the regional storm water systems become inundated during a severe storm exceeding that of a 10-year storm and follow the streets past the existing housing lots in into Polhemus Creek, south of the project site.

Response to Comment P1-97

Runoff is treated on each individual lot via swales adjacent to each inlet of each individual lot's storm water detention system. The discharge of four lots into the County drainage system would not adversely affect the County's ability to meet the permitting requirements for the County's drainage and associated storm water discharge systems. Additionally, the Proposed Project includes several BMPs to address drainage from the property during construction and long-term operation. BMPs related to storm water drainage during construction are guided by the California C.3 storm water quality program. Other BMPs, such as grassy-lined swales and smart landscaping, will address storm water drainage in the long term.

Response to Comment P1-98

Swales are considered standard BMPs and would be sized and positioned according to the final design of the residential lots. The exact construction methodologies, siting, dimensions, and volume and speed of flow will be determined with the final building plans as these project specific features are typically determined after a project is approved. The Draft EIR contains an adequate level of detail to assess the potential drainage impacts associated with the Proposed Project in accordance with the significance criteria presented in Section 4.6.4 of the Draft EIR.

Response to Comment P1-99

The ditch was delineated by a qualified biologist. The map referenced by the commenter adequately depicts the existing habitats on the project site. As presented in Section 4.6, the drainage runs along the northeast side of the project site, behind a row of houses on the south side of Parrott Drive, and flows west towards Bel Aire Road. This feature is fairly linear and may be man-made, or may have been more thoroughly channelized to facilitate drainage from adjacent housing. The drainage plan for the project does not rely on this ditch to protect nearby residences from the runoff generated by the Proposed Project. As discussed above, storm water runoff generated by the Proposed Project would be diverted to newly installed storm water conveyance facilities that would discharge into the existing County storm water system located beneath Bel Aire Road.

Response to Comment P1-100

Comment noted. Seepage is not anticipated to result in adverse impacts in accordance with the significance criteria presented in Section 4.6.4 of the Draft EIR.

Response to Comment P1-101

Comment noted. Implementation of the Proposed Project would be required to apply for coverage under the State's General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ (CGP). As discussed under Impact 4.6-1 of the Draft EIR, compliance with the permit mandates the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Mitigation Measure 4.4-1a outlines the BMPs that shall be incorporated, at a minimum, into the SWPPP prepared in accordance with regulatory requirements. Additionally, implementation of the Proposed Project requires obtaining a San Mateo County Grading

Permit, which includes the development of a site-specific Erosion and Sediment Control Plan. Mitigation Measure 4.4-1b specifies items and control measures that shall be included, at a minimum, in the Erosion and Sediment Control Plan.

#### Response to Comment P1-102

In accordance with the CEQA *Guidelines*, the Draft EIR assesses impacts to the noise environment from the Proposed Project; and in particular, if the Proposed Project would result in exposure of persons to or generation of excessive groundborne vibration. Assessment of the construction activities determined that groundborne vibration events at 25 feet (the reference distance for determination of groundborne vibration utilizing peak particle velocity [PPV]) were below the threshold for structures of 0.5 PPV; with the event with the most vibration being 34 percent of the threshold. Accordingly, structures related to the pool are approximately 17 feet from the access road. With a PPV at 25 feet being 34 percent of the threshold for damage to structures, the pool structures at 17 feet would not experience a PPV above the 0.5 PPV threshold.

#### Response to Comment P1-103

Comment noted. As discussed in the 2013 Supplemental Geotechnical Investigation, records searches and site inspections were conducted to determine if conditions had changed since the 2002 report was compiled. The results indicated that conditions have not changed since the completion of the previous report and many of the previous findings are still relevant to the Proposed Project. Also noted in the report were that the recommendations from the 2002 report were updated to reflect current geotechnical requirements for development that were not required at the time the 2002 report was compiled. New boreholes are not required as the geologic conditions of the site have not change in accordance with the site inspections conducted by the geotechnical specialist.

#### Response to Comment P1-104

Comment noted. The commenter presents a comment on County standards; however, the purpose of the Draft EIR is to assess compliance with current County standards. Accordingly, the Proposed Project would comply with all applicable standards concerning development on the project site.

#### Response to Comment P1-105

Comment noted. Refer to the **Response to Comment P1-6** regarding the analysis of shallow landslide hazards. As stated above, development of the Proposed Project would be required to comply with all County building requirements.

#### Response to Comment P1-106

Comment noted. Construction of the Proposed Project requires a San Mateo County Grading Permit which includes the requirement of an Erosion and Sediment Control Plan. This Erosion and Sediment Control Plan shall be prepared by a licensed civil engineer or certified professional soil erosion and sediment control specialist. The plan shall show the location of proposed vegetative erosion control measures, including landscaping and hydroseeding, and the location and details of all proposed drainage

systems. The plan shall include sufficient engineering analysis to show that the proposed erosion and sediment control measures during preconstruction, construction, and post-construction are capable of controlling surface runoff and erosion, retaining sediment on the project site, and preventing pollution of site runoff in compliance with the CWA.

#### Response to Comment P1-107

Refer to the **Response to Comment P1-106** regarding soil stability. In addition, requirements of the SWPPP to be prepared in accordance with obtaining coverage under the CGP would further reduce impacts associated with erosion. Tree removal would occur in areas where grading, compacting, and development are required. Such development requires erosion control provisions or such development (such as streets) would itself create soil stability.

#### Response to Comment P1-108

As stated above, construction requires a grading permit from the County and SWPPP for coverage under the CGP. A provision of these permits is that uncovered soils must be protected from erosion. Such BMPs as hydroseeding are often used to prevent erosion for soils that would be exposed for a longer period of time. For example, Mitigation Measure 4.6-1 of the Draft EIR requires the SWPPP to revegetate any disturbed areas after the completion of construction activities. Accordingly, no revisions to the Draft EIR are required to assess impact to soils from construction.

#### Response to Comment P1-109

The commenter is correct: the Health Risk Assessment (HRA) in the EIR does not provide an acute health risk analysis. Due to the size of the project, number of residence being constructed (19), the intermittent nature of construction, and lack of DPM and toxic air contaminants (TAC) sources within 1,500 feet of the project site, in accordance with the BAAQMD CEQA Guidelines, Risk and Hazard Screening Analysis Process Flow Chart, DPM and TAC concentration would not be substantial. Because the area surrounding the project site does not have any significant sources of TAC or DPM emissions (see Impact 4.2-5, Section 4.2 of the EIR), an acute health risk analysis is not warranted as outlined in the BAAQMD CEQA Guidelines, Risk and Hazard Screening Analysis Process Flow Chart.

#### Response to Comment P1-110

Sensitive receptors are defined in Section 4.2.2 of the EIR. Specific air and noise impact to the unique neighborhood is provided in Section 4.2.3 and 4.8 of the EIR, respectively. The commenter provides a description of their residence and the potential health issues due to construction and operation of the Proposed Project; this comment is noted. Section 3.2.3 of the EIR provides a health risk analysis which includes 400 receptors spread out in a one mile square grid pattern thought-out the project area. The health risk analysis provides an assessment of possible injuries to sensitive receptors from the exposure to construction DPM which is defined by the California Air Resource Board as a TAC. No further analysis is warranted.

### Response to Comment P1-111

The commenter is correct: the dispersion modeling analysis was completed for the construction phase of the Proposed Project only. As shown in Impact 3.2.5 in the EIR, the BAAQMD provides specific screening criteria for TACs and DPM. In accordance with the BAAQMD screening criteria operation of the Proposed Project is not considered a significant contributor of TACs or DPM and since the nearest significant source of TACs or DPM is greater than 500 feet from the nearest sensitive receptor no operational dispersion modeling is required. No further dispersion modeling is warranted in accordance with the BAAQMD 2010 CEQA Guidelines.

### Response to Comment P1-112

The commenter is correct: the most appropriate and available local meteorology is required to be used in the health risk analysis. The most appropriate and available local meteorology was used to determine dispersion pattern of DPM by the Lakes AERMOD dispersion model. The meteorology used in the Lakes AERMOD dispersion model was chosen in collaboration with the BAAQMD. As noted by the BAAQMD, there is no meteorology data for the immediate area surrounding the project site. Meteorology used in the dispersion model was from the nearest climate station approved by the BAAQMD with the appropriate climate data for the model, which is located at the San Francisco International Airport. No further modeling is warranted.

### Response to Comment P1-113

The commenter is correct: the EIR states that construction emissions of DPM are temporary and intermittent and would not create long-term health risk to sensitive receptors. Refer to **Response to Comment P1-7**, which discusses the long-term health risk to sensitive receptors. As shown in Table 4.2-6 of Section 4.2 of the Draft EIR, the neighborhood is not covered by excessively high concentration of DPM, as stated by the commenter. The inhalation EPA Reference Concentration (RfC) is not a project specific significance level and therefore, is not an appropriate significance level to compare project-related DPM concentration. The inhalation RfC considers toxic effects for both the respiratory system (portal-of-entry) and systems peripheral to the respiratory system. In general, the RfC is an estimate (with uncertainty spanning perhaps an order of magnitude) of a daily inhalation exposure of the human population (including sensitive subgroups) that is likely to be without an appreciable risk of deleterious effects during a lifetime (70 years).

### Response to Comment P1-114

The commenter is correct: the Draft EIR states that DPM would be reduced with the implementation of Mitigation Measure 4.2-1b. Mitigation Measure 4.2-1b includes the use of DPM filters on all heavy construction equipment. DPM filters were not included in the dispersion modeling; therefore, implementation would further reduce DPM emissions. It should be noted that impacts from project-related DPM emissions were found less than significant (refer to Impact 4.2.2 of the EIR); therefore, no explanation of addition reduction measures is warranted.

### Response to Comment P1-115

DPM emissions near sensitive receptors would not occur along truck routes when construction vehicles are not operating along those routes. Construction vehicle would only operate during construction hours; refer to **Response to Comment P1-7** for hours of operation during the construction phase. The dispersion modeling results shows the worst case scenario. As shown in Table 4.2-6 of Section 4.2 of the Draft EIR, the results did not exceed the BAAQMD cancer and chronic HI thresholds; therefore, no additional analysis is warranted.

### Response to Comment P1-116

Comparison of dispersion modeling DPM concentrations to the State and federal PM<sub>2.5</sub> ambient air quality standards is inappropriate. State and federal PM<sub>2.5</sub> thresholds are ambient air quality standards, which are calculated for the entire region. The commenter calculated the ratio between the dispersion models highest DPM concentration and the 24-hour PM<sub>2.5</sub> ambient air quality standard. Construction DPM emissions would occur intermittently and in different areas of the construction site or along haul routes, not over the entire San Francisco Bay Area Air Basin. In accordance with the California Air Resource Board, DPM is designated as a TAC; therefore, analyzing the health risk of DPM is in conformance with the BAAQMD CEQA Guidelines. Project related PM<sub>10</sub> and PM<sub>2.5</sub> emissions are estimated in Section 4.2 of the EIR. In accordance with the BAAQMD CEQA Guidelines, if a project's PM<sub>10</sub> and/or PM<sub>2.5</sub> emissions do not exceed the BAAQMD thresholds of 82 pounds per day (lb/day) and 54 lb/day, respectively, the project would not cause and exceedance of the NAAQS or CAAQS. No further analysis is warranted.

### Response to Comment P1-117

The Proposed Project would result in the greatest emission of criteria pollutants as well as TACs and DPM. The location of alternatives is the same as that of the Proposed Project; therefore, the meteorology, topography, and other factors would be the same as those provided in the Proposed Project. Since the Proposed Project would emit the greatest TACs and DPM concentrations when compared to the alternatives, dispersion modeling of the Proposed Project provides a worst-case scenario. As shown in Table 4.2-6 of Section 4.2 of the Draft EIR, the cancer and chronic HI do not exceed the BAAQMD thresholds of 10 in one million and 1, respectively. Therefore, no additional alternative analysis is warranted.

### Response to Comment P1-118

The commenter is correct: the Draft EIR only analyzes DPM. During the construction phase of the Proposed Project, DPM emissions provides the greatest health risk; therefore, DPM emissions were considered a worst-case-scenario for TACs (DPM is designated by the California Air Resource Board as a TAC). DPM emissions were found to be below the BAAQMD health risk threshold; therefore, no other TAC emitted during construction would be above the BAAQMD health risk threshold. No further analysis is warranted. In accordance with the BAAQMD CEQA Guidelines, Risk and Hazard Screening Analysis Process Flow Chart, the Proposed Project is not a significant emitter of TACs. Therefore, no operational analysis is warranted.

#### Response to Comment P1-119

The commenter is correct: Appendix G of the CEQA *Guidelines* states impacts to air quality would be significant if the Proposed Project exposed sensitive receptors to substantial pollutant concentrations. As shown in Tables 4.2-5, 4.2-6, and 4.2-7 of Section 4.2 of the Draft EIR, no substantial pollutant concentration in the area of the Proposed Project was identified; refer to **Response to Comment P1-7** for results of air quality analysis. The pollutant concentrations provided in the EIR are those required under the BAAQMD CEQA Guidelines; no further analysis is required. Given this is a California environmental document prepared in compliance with CEQA, USEPA level analysis is not warranted. It should be noted that California significance thresholds are generally more stringent than USEPA thresholds.

#### Response to Comment P1-120

As shown in Table 4.2- of the Draft EIR, the metrics required for analysis under the BAAQMD CEQA Guidelines are provided. Additional metrics are not warranted to determine if the Proposed Project would impact the area surrounding the project site. Cancer and chronic HI at sensitive receptors on Parrot Drive and CSM Drive would be less than those shown in Table 4.2-6 of the EIR due to the distance of these sensitive receptors to the project site. No additional health risk assessment is needed.

#### Response to Comment P1-121

Refer to **Response to Comment P1-7** regarding dispersion modeling results. No mitigation measures are warranted given the results of the DPM dispersion modeling were below the BAAQMD cancer and chronic HI thresholds. As shown in Table 4.2-6 of the Draft EIR, the construction phase of the Proposed Project would not produce levels of TACs in exceedance of significance criteria. No additional mitigation is warranted because project-related TAC emissions are below the BAAQMD thresholds.

#### Response to Comment P1-122

Comment noted. The commenter contends the neighborhood will be unduly hardship for two to four years. Refer to the **Response to Comment P1-32** regarding the timeline and schedule of construction of the Proposed Project. Refer to **Response to Comment P1-7** regarding the analysis of impacts associated with noise and air quality during construction of the Proposed Project.

#### Response to Comment P1-123

Comment noted. The purpose of a Draft EIR is to present mitigation measures to the Planning Commission that are recommended for incorporation into project approvals. These measures are included in the Final EIR within the required MMRP. Refer to **Section 4.0** of Volume I of the Final EIR.

#### Response to Comment P1-124

Impacts of construction are adequately addressed throughout Section 4.0 of the Draft EIR as necessary in accordance with the significance criteria established in accordance with the CEQA *Guidelines*.

### Response to Comment P1-125

Comment noted. There are no precedents established that residential construction within an existing residential neighborhood of this size (19 units) would result in acute impacts to sensitive receptors. Emissions associated with the construction of the Proposed Project are far less than those from the nearby freeways and from the traffic associated with the College of San Mateo. Furthermore, because the area surrounding the project site does not have any significant sources of TAC or DPM emissions (refer to Impact 4.2-5 in Section 4.2 of the Draft EIR); an acute health risk analysis is not warranted as outlined in the BAAQMD CEQA Guidelines, Risk and Hazard Screening Analysis Process Flow Chart.

### Response to Comment P1-126

The Draft EIR assess both long-term and short-term impacts that may result from the implementation of the Proposed Project in accordance with the CEQA *Guidelines* and corresponding significance criteria presented for each resource discussion in Section 4.0 of the Draft EIR. The Draft EIR, and associated Final EIR, adequately meets County requirements as established by CEQA. No further analysis or mitigation beyond what is established by the approval of the Final EIR is required.

## **P2 John Mathon**

### Response to Comment P2-1

Comment noted. Responses are provided below.

### Response to Comment P2-2 through P2-5

Refer to **Response to Comment P1-93** and **P1-94** regarding drainage of the project site.

### Response to Comment P2-6 through P2-9

Refer to **Response to Comment P1-06** regarding the slope of the project site.

### Response to Comment P2-10 through 17

As stated in Section 3.4.2 of the Draft EIR street grades would range from 11 to 19 percent; any street with a slope greater than 15 percent would be constructed of concrete whereas all other streets would be asphalt. The street design is consistent with County regulations and would not require a variance. Refer to **Response to Comment P1-04** regarding tree removal. Retaining walls will be developed for Common Lot C adjacent to the access roadway and would be developed entirely on the project site and would not interfere with adjacent properties. Refer to the **Response to Comment P1-06** regarding the safety of the intersection of the private roadway with Bel Aire Drive.

### Response to Comment P2-18

Impacts to water resources, including impacts to the municipal water supplies is addressed under Impact 4.10-2, which takes into account shortfalls in water supply during dry years. Mitigation Measure 4.10-2a

ensures compliance with the Water Shortage Contingency Plan to reduce the impact of the Proposed Project to less than significant.

Response to Comment P2-19

Refer to Response to **Comment P1-108** regarding erosion control.

Response to Comment P2-20

Impacts to biological resources, including the mission blue butterfly and raptors, are addressed in Section 4.3 f the Draft EIR and are further addressed in **Response to Comment P1-04**.

Response to Comments P2-21 through 23

Air quality and noise impacts of the Proposed Project are assessed in Sections 4.2 and 4.8, respectively. Refer to **Responses to Comment P1-109** through **P1-222** for responses to similar comments concerning air quality and noise impacts of the Proposed Project. There are no indications based on existing information concerning the extent and duration of construction that impacts would result in adverse physical impacts to residents or cause nearby residences to be uninhabitable.

Response to Comments P2-24 through 26

Comment noted. The EIR process provides the Planning Commission with a summary of potential impacts and proposed mitigation measures to reduce identified environmental impacts of the Applicant's Proposed Project. The EIR and associated documentation provides additional information for the Planning Commission to process during the approval or denial process of the Proposed Project. The Applicant's removal of units from the southern portion of the project addresses many of the concerns presented on the previous project (25 residential lots). In addition, the 19 homes and lot arrangements are consistent with existing zoning regulations for the project site (20 foot buffers from property lines and maximum height of residences of 3 stories or 36 feet).

Response to Comments P2-27 through 34

Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with noise in the Draft EIR.

Response to Comments P2-35 through P2-41

Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with air quality in the Draft EIR.

Response to Comments P2-42 through 45

Water demands of the Proposed Project are presented in Section 4.10 under impact discussion 4.10-2. Impacts to water supplies are addressed in **Response to Comment P2-18**.

### Response to Comment P2-46

Comment noted. The analyses within the Draft EIR are conservative by utilizing the nearest sensitive receptor to evaluate the potential impacts. For example, noise impacts are evaluated using a distance of 50 feet, which is the distance from construction activities to the nearest residence (industry standards indicates that noise assessments utilize the interior of a residence as the receptor and not the property lines). By utilizing the nearest sensitive receptor, impacts to other receptors are assumed to be reduced by comparison.

### Response to Comments P2-47 through 53

Impacts associated with the roadway are assessed in accordance with the significance criteria established by the CEQA *Guidelines*. Refer to **Response to Comment P1-6** regarding compliance with County roadway codes and analysis of the safety of the proposed intersection. Refer to the **Response to Comment P1-31** regarding the commenter's recommendations for other locations of the access roadway.

### Response to Comments P2-54 through 58

Refer to the **Response to Comment P1-6** concerning impacts related to the topography of the site. There are no anticipated adverse impacts to tax revenue or housing prices associated with the Proposed Project, and these issues are not considered environmental impacts by the CEQA *Guidelines*.

### Response to Comments P2-59 through 69

Refer to the **Response to Comment P1-93** regarding the utilization of underground retention for storm water control. Refer to the **Response to Comment P1-90** regarding utilization of the 10-year storm to design the storm water system for the Proposed Project. Refer to the **Response to Comment P1-91** regarding seismic stability of the installed systems. Refer to the **Response to Comment P1-96** regarding impacts from storms with intensities greater than the 10-year design storm. Refer to the **Response to Comment P1-94** regarding the adequacy of the drainage analysis to meet CEQA requirements. All retaining walls would be built to code as required.

### Response to Comments P2-70 through 75

Impacts to biological resources and associated mitigation, including the mission blue butterfly and raptors are addressed in Section 4.3 of the Draft EIR and are further addressed in **Response to Comment P1-04**. As discussed in Section 3.4.2 of the Draft EIR, the Proposed Project would include an on-site stormwater drainage system designed and sized such that runoff from the Proposed Project will be released at pre-development rates. Each individual lot will have its own separate storm water retention system that will meter discharge from each individual lot. The new off-site storm drain lines will 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. Therefore, runoff would not increase erosion on the project site.

Response to Comments P2-76 through 78

The residences would be constructed in accordance with all County zoning guidelines and regulations. This zoning establishes a limit of lot coverage of 40 percent and requires setbacks of 20 feet (front and back yards) and 5 feet (side yards). The maximum height limit for buildings on the project site is 3 stories or 36 feet (refer to the **Response to Comment P1-41** regarding the updated viewshed analysis). Lot sizes range from a minimum of 7,500 sf to a maximum of approximately 16,000 sf. One single-family house would be developed per each lot. House development footprints are no more than 40 percent of the square footage of each lot, leaving at least 60 percent for yard coverage. Setbacks for houses are 20 feet for front and back yards and 5 feet for side yards. Houses do not exceed 36 feet in height or 3 stories. As discussed above, all residential structures would be designed to be consistent with surrounding neighborhoods, to minimize erosion, to maximize soil stability, and to screen existing viewsheds from the new development to the extent feasible. However, maximum privacy cannot be guaranteed and is not enforceable as a code violation.

Response to Comments P2-79 through 81

Refer to the **Response to Comment P1-05** regarding project lighting.

Response to Comments P2-82 and 83

Comment noted. The commenter presents a comment on County standards; however, the purpose of the Draft EIR is to assess compliance with current County standards. Accordingly, the Proposed Project would comply with all applicable standards concerning development on the project site.

Response to Comments P2-84 through 86

The commenter provides a list of the comments previously presented. Refer to the **Responses to Comments P2-1** through **P2-83**.

Response to Comment P2-87

Comment noted. As disclosed in Section 5.3 of the Draft EIR, mitigation has been identified to reduce identified impacts to less-than-significant levels and no significant and unavoidable impacts were identified. No further mitigation is required.

Response to Comments P2-88 through 98

Refer to **Response to Comment P2-46** regarding the analysis of impact to the nearest sensitive receptor to determine the significance of an impact. Implementation of the mitigation outlined within the EIR, especially those for air quality and noise emissions, would reduce health risks to baseline conditions associated with living within a residential neighborhood. The commenter reiterates comments previously addressed above. Refer to the responses above to each specific comment.

### Response to Comments P2-99 through 108

Comment noted. Refer to the **Responses to Comments P2-1** through **P2-98** to specific comments concerning the Proposed Project and subsequent responses addressing the EIR compliance with CEQA requirements.

## **P3 Donald Munakata**

### Response to Comment P3-1

Refer to the **Response to Comment P1-2** regarding the content and volume of material discussed in the Draft EIR.

### Response to Comment P3-2

Project objectives are discussed in Section 3.4.1 of the Draft EIR. A side-by-side qualitative comparison of the severity of environmental impacts among the Proposed Project and project alternatives is provided in Table 6-1 in Section 6.5 of the Draft EIR. Refer to the **Response to Comment P1-62** regarding the adequacy and completeness of the description and analysis of alternatives.

### Response to Comment P3-3

As stated by the commenter, one of the objectives of the Proposed Project is to “Provide sufficient housing supply *jointly with the cities* located in the County that meets San Mateo County’s projected housing needs” (emphasis added). The purpose of the Proposed Project is not to provide all of the housing supply to meet the County’s projected housing needs. Further, another objective of the Proposed Project is to “Provide residential development consistent with economic and social needs and environmental constraints,” as stated in Section 4.1 of the Draft EIR. The size, topography, and geography of the project site as well as the County land use designations and ordinances limit the Proposed Project to 19 residences.

### Response to Comment P3-4

As stated in Section 6.1 of the Draft EIR, the purpose of the alternative analysis, according to the CEQA *Guidelines* Section 15126.6(a), is to describe a range of reasonable alternative projects that could feasibly attain most of the objectives of the Proposed Project and to evaluate the comparative merits of the alternatives. An assessment of the availability of other future housing developments within the County as well reducing the present vacancy rate in the unincorporated area of the County are both beyond the scope of this EIR.

As discussed in Section 6.3, development of the Proposed Project by the project applicant on another site is infeasible as the applicant does not own an alternate site with similar requirements (zoning, acreage, and infrastructure). Thus, alternative site locations were not selected for detailed analysis as a site could not be identified that would reasonably accomplish the stated objectives of the project while reducing the environmental effects. Analysis of the environmental impacts of developing housing on another site by a developer other than the project applicant is beyond the scope of this EIR.

Response to Comment P3-5

Refer to the **Response to Comment P1-62** regarding the adequacy and completeness of the description and analysis of alternatives pursuant to CEQA.

Response to Comment P3-6

As discussed in Section 6.4.3 of the Draft EIR, Alternative C (Alternative [Large Lot] Design) would accomplish some of the project objectives, however to a lesser degree than the Proposed Project. Alternative C would result in the addition of single-family homes. However, the proposed low density construction would not meet the objectives, which require sufficient housing supply to meet County projected housing needs. Maximizing the use of all zoned residential areas in the County ensures the County and City of San Mateo will be able to meet the projected housing needs as stated and required by the County General Plan Housing Element.

As discussed in Section 6.4.2 of the Draft EIR, Alternative B (Reduced Intensity) would generally accomplish the project objectives identified by the County and project applicant, however to a lesser extent than the Proposed Project. Development of Alternative B would result in lesser impacts than the Proposed Project in five issue areas, similar impacts to the Proposed Project in four issue areas, and greater impacts than the Proposed Project in two issue areas.

Refer to **Response to Comment P1-62** regarding the purpose of analysis of alternatives in a Draft EIR as required by CEQA.

Response to Comment P3-7

Comment noted. The County Planning Commission (“decision making body”) will consider requiring the project applicant to incorporate aspects of the project alternatives analyzed in the Draft EIR consistent with County rules and regulations and as the County Planning Commission deems is necessary.

Response to Comment P3-8

Comment noted. The request that an alternatives analysis to identify what components of the alternatives presented in the Draft EIR need to be incorporated in to the final selected project is beyond the scope of the EIR. The “decision making body” is the County Planning Commission.

Response to Comment P3-9

Refer to the **Response to Comment P1-62** regarding the adequacy and completeness of the description and analysis of alternatives pursuant to CEQA.

Response to Comment P3-10

Comment noted. Mitigation measures will be incorporated through contractual agreements as necessary and appropriate, and the contracts will include “breach of contract” clauses as necessary and appropriate

Response to Comment P3-11

Refer to the **Response to Comment P1-13** regarding the MMRP, which is the County's program to report on and monitor measures adopted as part of the environmental review process to mitigate or avoid significant effects on the environment. As the Lead Agency, the County will ensure mitigation measures are implemented and will serve as a point of contact for the public.

Response to Comment P3-12

Refer to the **Response to Comment P1-13** regarding the MMRP, which is the County's program to report on and monitor measures adopted as part of the environmental review process to mitigate or avoid significant effects on the environment. As the Lead Agency, the County will ensure mitigation measures are implemented and will serve as a point of contact for the public.

Response to Comment P3-13

Refer to the **Responses to Comments P3-10** through **P3-12** regarding the request for an environmental compliance monitor and point of contact for ensuring incorporation of mitigation measures.

Response to Comment P3-14

Refer to the **Response to Comment P1-32** regarding construction timelines and a discussion as to how increasing the length of time of construction would reduce the intensity of impacts, including impacts related to dust emissions.

Response to Comment P3-15

Comment noted. The County will conduct periodic site inspections to verify compliance with air quality Mitigation Measures 4.2-1a and 4.2-1b during construction, as required by the MMRP included as **Table 4-1** in **Section 4.0**. Mitigation Measures 4.2-1a and 4.2-1b are designed to reduce emissions during construction to a less-than-significant level. Accordingly, real time monitoring of air quality would not be necessary.

Response to Comment P3-16

The Proposed Project will comply with all BAAQMD regulations. As discussed in Section 4.2.4 of the Draft EIR, Mitigation Measure 4.2-1a requires the applicant ensure through the enforcement of contractual obligations that construction contractors implement a fugitive dust abatement program during construction, which shall include elements consistent with the Basic Construction Mitigation Measures recommended by the BAAQMD. No permits from the BAAQMD are required to implement the Proposed Action.

Response to Comment P3-17

Refer to **Response to Comment P3-12** regarding enforcement of mitigation measures.

Response to Comment P3-18

The technical reports required by mitigation measures shall be submitted to the County per the MMRP presented in **Table 4-1** of **Section 4.0** of this Final EIR. Although not required by CEQA, the reports may be requested from the County.

Response to Comment P3-19

Michelucci & Associates prepared a Supplemental Geotechnical Investigation (Michelucci, 2013) to the 2002 Geotechnical and Engineering Geologic Investigation, Proposed Ascension Heights Subdivision, San Mateo County, California report, which was included Appendix E of the Draft EIR. Results of Supplemental Geotechnical Investigation indicated that additional borings were not necessary as geotechnical site conditions had not changed since the borings were conducted in 2002. A map of the soil borings taken during the 2002 Michelucci & Associates investigation can be found in the corresponding report, for which the full reference is provide in Section 8.0 of the Draft EIR and shown below:

Michelucci & Associates (Michelucci), 2002. Geotechnical and Engineering Geologic Investigation, Proposed Ascension Heights Subdivision, San Mateo County, California. Prepared by Michelucci & Associates, Inc. December 16, 2002

Refer to the **Response to Comment P1-6** regarding the analysis of potential erosion to residences on Parrot Drive.

Response to Comment P3-20

Refer to the **Response to Comment P1-46** regarding the proposed construction truck traffic route.

Response to Comment P3-21

Traffic counts were conducted during peak hours while the College of San Mateo was in session. Refer to the **Response to Comment P1-47** regarding the appropriateness and adequacy of the analysis of construction traffic impacts presented in the Draft EIR.

Response to Comment P3-22

Refer to the **Response to Comment P3-16** regarding BAAQMD permits. It is unclear why the Commenter believes permits are required from California Department of Transportation (Caltrans) and the California Department of Public Health for the Proposed Project; permits are not required from these State agencies for the Proposed Project.

Response to Comment P3-23

As discussed in Section 3.4.2 of the Draft EIR, the Proposed Project includes an open space component and several permanent BMPs to address drainage existing drainage issues from the property during long-term operation, both of which would protect and enhance the character of the existing single family areas. Additionally, the Proposed Project is consistent with existing single-family land uses. Development of the

Proposed Project would protect the existing single-family areas from incompatible land uses which would degrade the environmental quality and economic stability of the area.

#### Response to Comments P3-24 and P3-25

Comments noted. Refer to the **Responses to Comments P3-1** through **P3-23** regarding historic comments submitted on the previous EIR.

### **P4 Laurel and Donald Nagle**

#### Response to Comment P4-1

Comment noted.

#### Response to Comment P4-2

Refer to the **Response to Comment P1-99** regarding the drainage feature along the northeastern edge of the project site.

#### Response to Comment P4-3

Refer to the **Response to Comment P1-4** regarding the adequacy and completeness of the analysis of potential impacts to biological resources.

#### Response to Comment P4-4 and P4-5

Refer to the **Response to Comment P1-67** regarding the potential impact to trees and proposed mitigation.

#### Response to Comment P4-6

Comment noted. The effects of the required vegetation along the northeastern border of the project site will be considered in the required landscaping plan; refer to the **Response to Comment P1-35** for further discussion.

#### Response to Comment P4-7

Refer to the **Responses to Comments P1-89** and **P1-92** regarding the proposed stormwater drainage system and level of detail provided in the Draft EIR.

#### Response to Comment P4-8

Mitigation Measures 4.2-1a and 4.2-1b in Section 4.2.4 of the Draft EIR would reduce the emissions of particulate matter and dust to less-than-significant level. In addition, Mitigation Measures 4.2-1a and 4.2-1b would also reduce the off-site movement of these particles, which would in turn prevent settling and adverse impacts to solar panels, swimming pools, water features, etc.

Response to Comment P4-9

As no parking would be allowed in the hammerhead cul-de-sacs (refer to the **Response to Comment P1-26** for further discussion), the only traffic in the cul-de-sacs would be temporary and intermittent. Accordingly, traffic in the cul-de-sacs would not create a new source of substantial light or glare which would adversely affect day or nighttime views, and the aesthetic impact is less-than-significant under the provisions of CEQA. Additional community concerns may be considered by the Planning Commission outside of the CEQA process..

Response to Comment P4-10

Comment noted. As discussed in Section 1.2.2, agencies and members of the public were invited to attend a public scoping meeting and provide input on the scope of the EIR. Comments from agencies and the public provided at the scoping meeting and in written comments submitted in response to the NOP are included within Appendix A of the Draft EIR. All comments were reviewed and considered in development of the Draft EIR. Mitigation Measures 4.4-1a and 4.4-1b in Section 4.4.4 of the Draft EIR were included to reduce the impacts related to soil and erosion to a less-than-significant level.

Response to Comment P4-11

Refer to **Response to Comment P1-6** regarding analysis of the safety as related to traffic and the transportation system.

Response to Comment P4-12

Refer to the **Response to Comment P1-6** regarding the analysis of shallow landslide hazards.

## **P5 Frederick Hansson, Commissioner, 2nd District, San Mateo County Planning and Building Department Planning Commission**

Response to Comment P5-1

Comment noted. The water supply and associated shortages are acknowledged in Section 4.10.2 of the Draft EIR. Accordingly, Mitigation Measure 4.10-2a was included in the Draft EIR to ensure the Proposed Project would comply with California Water Service Company's Water Shortage Contingency Plan and reduce the impact of the Proposed Project to less than significant

Response to Comments P5-2 through P5-4

Comment noted. Limitations established by the Raker Act are acknowledged; however, the water supply analysis includes provisions for water supply shortages and a discrete discussion of the potential reductions of water supply through Raker Act limitations is unnecessary to assess the impact of the Proposed Project on regional water supplies. Refer to **Response to Comment P5-1** regarding impacts to the water supply during years of supply shortages.

## P6 David and Laura Ditlevsen

### Response to Comment P6-1

Comment noted. Responses to specific comments presented by the commenter are provided below.

### Response to Comment P6-2

Comment noted. While completion of the project could take 10 years, construction would be intermittent as the houses would be constructed as lots are purchased. Furthermore, the air quality analysis presented in Section 4.2 of the Draft EIR adequately addresses CEQA requirements as outlined in the *CEQA Guidelines*.

### Response to Comment P6-3

Noise impacts are addressed in Section 4.8. Impacts and noise levels are compared to regulatory standards and code requirements as implemented by the County. The Proposed Project is consistent with the zoning of the site and therefore implementation of the Proposed Project does not constitute loss of open space from a CEQA and planning perspective.

### Response to Comment P6-4

Traffic impacts are assessed in Section 4.11 of the Draft EIR. As stated therein, implementation of the Proposed Project would adversely impact traffic operations within the neighborhood and traffic impacts are considered less than significant.

### Response to Comment P6-5

Refer to the **Response to Comment P1-06** regarding stability of the slopes of the project site and impacts from the implementation of the Proposed Project.

### Response to Comment P6-6

Refer to the **Response to Comment P1-36** regarding privacy.

### Response to Comment P6-7

Refer to the **Response to Comment P1-05** regarding visual impacts assessed under CEQA

### Response to Comment P6-8

Comment noted. The County General Plan land use designation for the project site is Medium Low Density Residential (2.4 to 6.0 dwelling units [du]/acre). The project site is zoned R-1/S-8 (single-family residential/7,500 square foot [sf] minimum lot size). This zoning establishes a limit of lot coverage of 40 percent and requires setbacks of 20 feet (front and back yards) and 5 feet (side yards). The maximum height limit for buildings on the project site is 3 stories or 36 feet. The residences would be constructed in accordance with these County zoning guidelines and regulations. Lot sizes would range from a minimum

of 7,500 sf to a maximum of approximately 16,000 sf. One single-family house would be developed per lot. House development footprints would be no more than 40 percent of the square footage of each lot, leaving at least 60 percent for yard coverage. Setbacks for houses would be 20 feet for front and back yards and 5 feet for side yards. Houses would not exceed 36 feet in height or 3 stories. As discussed above, all residential structures would be designed to be consistent with surrounding neighborhoods, to minimize erosion, to maximize soil stability, and to screen existing viewsheds from the new development while still minimizing obstruction of solar access per each residence. Therefore, the Proposed Project is consistent with planning rules and regulations.

## **P7 Dave Kong**

### Response to Comment P7-1

Comment noted. In accordance with CEQA requirements and corresponding significance criteria, noise and air quality impacts are addressed in Sections 4.8 and 4.2, respectively. While “damage” is a general impact used by the commenter without referencing a specific resource, assessment of potential damage to environmental resources from the implementation of the Proposed Project are addressed throughout Section 4.0 of the Draft EIR.

### Response to Comment P7-2

Refer to the **Response to Comment P1-06** concerning the slopes on the project site and subsequent impacts from implementation of the Proposed Project.

## **P8 Carmen and Ted Glasgow**

### Response to Comment P8-1

Comment noted. The air quality analysis was conducted in accordance with industry standards to determine the potential to impact human health as required under CEQA. Refer to **Response to Comment P1-7** regarding the methodology utilized to assess air quality impacts.

## **P9 Anee Pitkin**

### Response to Comments P9-1 and P9-2

Comment noted. Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with air quality in the Draft EIR. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*.

## **P10 – Ashleigh Evans and Dan Hager**

### Response to Comment P10-1

Comment noted. Refer to the responses to **Comment Letter P1** for a complete discussion of the Baywood HOA’s comments referred to in this comment.

Response to Comment P10-2

Refer to the **Response to Comment P1-6** regarding potential impacts associated with steepness of the proposed residential lots and the soil stability on the project site and vicinity, which were addressed in Section 4.4 of the Draft EIR.

Response to Comment P10-3

Refer to the **Response to Comment P1-36** regarding privacy.

Response to Comment P10-4

Comment noted. Refer to the **Response to Comment P2-35** regarding air quality and potential health issues. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. Refer to the **Response to Comment P1-7** regarding the adequacy and completeness of the analysis of impacts associated with construction noise contained in Section 4.8 of the Draft EIR. Refer to the **Response to Comment P1-47** regarding impacts associated with traffic during construction, which are addressed in Section 4.11 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*.

Response to Comment P10-5

Comment noted. The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately concludes impacts of the Proposed Project would be less than significant to environmental resources; refer to the **Response to Comment P1-2** for further discussion. Refer to the **Response to Comment P1-46** regarding the assessment of the construction truck haul routes.

## **P11 Ronald and Arlene Johnson**

Response to Comments P11-1 through P11-2

Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

Response to Comment P11-3

Refer to the **Response to Comment P1-6** regarding potential impacts associated with steepness of the proposed residential lots and the soil stability on the project site and vicinity, which were addressed in Section 4.4 of the Draft EIR.

Response to Comment P11-4

Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

A bond for the unlikely event that project applicant chooses not to finish the development is not a reasonably foreseeable effect and is beyond what is required to be addressed in accordance with CEQA.

### Response to Comment P11-5

Refer to the **Response to Comment P1-56** regarding impacts to roadways. Refer to the **Response to Comment P1-06** regarding the steep slopes on the project site.

## **P12 Ray Razavi**

### Response to Comment P12-1

As stated in Section 4.11.1 of the Draft EIR, criteria for determining the significance of impacts to traffic and circulation were developed based on Appendix G of the CEQA *Guidelines* and relevant agency guidelines. Concerns related to existing speeding on roads in the vicinity of the project site are beyond the scope of this EIR. Additional “traffic calming” mitigation measures, as requested by the commenter, are beyond what is required to be addressed in accordance with CEQA. Additional provisions to address community concerns may be considered by the Planning Commission outside of the CEQA process..

## **P13 Ruth Ciranni**

### Response to Comment P13-1

Comment noted. Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR.

### Response to Comment P13-2

Refer to the **Response to Comment P1-6** regarding potential impacts associated with steepness of the proposed residential lots and the soil stability on the project site and vicinity, which were addressed in Section 4.4 of the Draft EIR. The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately and accurately addresses impacts associated with steepness and soil stability within the context of applicable federal, State, and local laws, codes, ordinances, and standards. Concerns related to the standards and codes for houses in the vicinity of the project site, as well as retaining walls and other construction methods in the vicinity, is beyond the scope of this EIR.

### Response to Comment P13-3

Comment noted. Refer to the **Response to Comment P2-35** regarding air quality and potential health issues. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. Refer to the **Response to Comment P1-7** regarding the adequacy and completeness of the analysis of impacts associated with construction noise contained in Section 4.8 of the Draft EIR.

## **P14 Ines Malardino**

### Response to Comment P14-1

Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

### Response to Comment P14-2

Refer to the **Response to Comment P1-36** regarding aesthetics and privacy concerns.

Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR. As discussed in Section 4.6.2 and Impact 4.6-5 of Section 4.6.4 of the Draft EIR, the hilltop project site does not have a high groundwater table. Due to the slopes and soil types, groundwater moves down-gradient and accumulates at the toe of the hill in the surrounding neighborhood. No free groundwater or underground springs were encountered onsite during test borings. The Proposed Project would be constructed in accordance with all County guidelines and regulations, as well as all CBC requirements. As such, all potential impacts associated with seismic activity and groundwater table are reduced to a less-than-significant level.

## **P15 Ellen Fisher**

### Response to Comment P15-1

Comment noted. Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

## **P16 Bob and Rosemarie Thomas**

### Response to Comment P16-1

Refer to the **Response to Comment P2-35** regarding air quality and potential health issues. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*.

Comment noted. Refer to the **Response to Comment P1-2** regarding the history of the project site, previously-proposed projects on the property, and how such projects relate to the current Draft EIR and CEQA process.

### Response to Comment P16-2

Refer to the **Response to Comment P1-47** regarding impacts associated with traffic during construction, which are addressed in Section 4.11 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. As discussed in Impact 4.11-1, the Draft EIR uses the following methodology to assess the number of truck trips:

Construction worker vehicles would park on the project site and/or on the east side of Bel Aire Road. It is estimated that workers would generate approximately 20 round trips per day. The largest volume and frequency of traffic would result from large trucks transporting excavated soil off site during the grading phase of construction. An estimated 26,510 cubic yards of soil will be removed from the project site, which equates to approximately 40,000 bulk cubic yards of soil. Assuming 30 working days for off haul and an average of 17 bulk

cubic yards per truck, the number of truck trips per day to and from the project site would be 156. These truck trips would likely be on Bel Aire Road, to Ascension Drive east of Bel Aire Road to Polhemus Road. Therefore, construction of the Proposed Project would add approximately 176 vehicles per day during the soil hauling phase of construction; this represents the worst case scenario.

#### Response to Comment P16-3

Comment noted. Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR.

#### Response to Comment P16-4

As discussed in Section 3.4.2 of the Draft EIR, “each roadway would have a hammerhead cul-de-sac with enough space to accommodate turnaround of emergency vehicles and single unit delivery trucks (20 feet wide by 85 feet long).” This exceeds the San Mateo County Fire Marshal’s Office requirements of 20 foot wide roadways for adequate emergency access and turnaround. Refer to the **Response to Comment P1-36** regarding impacts to aesthetics and the adequacy of the EIR analysis of visual impacts.

#### Response to Comment P16-5

Refer to the **Response to Comment P1-6** regarding potential impacts associated with steepness of the proposed residential lots and the soil stability on the project site and vicinity, which were addressed in Section 4.4 of the Draft EIR. The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately and accurately addresses impacts associated with steepness and soil stability within the context of applicable federal, State, and local laws, codes, ordinances, and standards. Concerns related to the standards and codes for houses in the vicinity of the project site, as well as retaining walls built in other areas in the vicinity, is beyond the scope of this EIR. Similar to the bond requested in **Comment P11-4**, a contingency plan for the unlikely event that project applicant chooses not to finish the development is not a reasonably foreseeable effect and is beyond what is required to be addressed in accordance with CEQA.

### **P17 Mary Wales Loomis**

#### Response to Comment P17-1

Comment noted. Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR. Refer to the **Response to Comment P1-24** regarding the applicability of City, County, and State laws and ordinances. As discussed in Section 4.5.4 of the Draft EIR, buildings will be designed and constructed according to guidelines and/or objectives of the CBC, including the CALGreen Code; the County General Plan, including County land use and zoning designations; the County LAFCO policies; and the City of San Mateo General Plan.

## P18 Joe and Niki Manske

### Response to Comment P18-1

Comment noted. Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR. Refer to the **Response to Comment 16-4** regarding emergency vehicle access and fire safety.

### Response to Comment P18-2

The applicant's financial considerations for the Proposed Project, and the perceived failure by the applicant to account for low profit margins, are beyond the scope of the EIR.

## P19 Craig Nishizaki

### Response to Comment P19-1

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics. The use of "story poles" is not necessary.

### Response to Comment P19-2

Refer to the **Response to Comment P2-35** regarding air quality and potential health issues. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*.

### Response to Comment P19-3

Refer to the **Responses to Comments P1-46** and **P1-47** regarding impacts associated with traffic during construction of the Proposed Project.

### Response to Comment P19-4

Comment noted. All comments are in the administrative record for the project and will be considered by the County in making its decision.

## P20 Carl and Lois Pileri

### Response to Comment P20-1

Comment noted.

### Response to Comment P20-2

Comment noted. Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR. Refer to the **Response to Comment P14-2** regarding underground springs

Response to Comment P20-3

Refer to the **Response to Comment P1-6** regarding potential impacts associated with steepness of the proposed residential lots and the soil stability on the project site and vicinity, which were addressed in Section 4.4 of the Draft EIR. The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately and accurately addresses impacts associated with steepness and soil stability within the context of applicable federal, State, and local laws, codes, ordinances, and standards. Concerns related to the standards and codes for houses in the vicinity of the project site, as well as retaining walls built in other areas in the vicinity, are beyond the scope of this EIR.

Responses to Comment P20-4 and P20-5

Comments noted.

**P21 Ian Withrow**

Response to Comment P21-1

Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with air quality in the Draft EIR. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*.

Impacts associated with traffic during construction of the Proposed Project are addressed in Section 4.11 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. Additional mitigation for large trucks due to safety concerns for small children is beyond what is required to be in accordance with CEQA.

Response to Comment P21-2

Refer to the **Response to Comment P1-2** regarding the history of the project site, previously-proposed projects on the property, and how those projects relate to the current Draft EIR and CEQA process.

**P22 Marilyn Haithcox**

Response to Comment P22-1

Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

The commenter does not provide explanation or detail as to how the Draft EIR is “inadequate, incorrect in many ways, and lacking in its approach.” The EIR was prepared in accordance with CEQA and CEQA *Guidelines* and appropriately and accurately addresses environmental impacts throughout Section 4.0. A more detailed response cannot be provided.

## P23 Suzanne Kennedy

### Response to Comments P23-1 and P23-2

Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with air quality and potential health issues in the Draft EIR. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*.

### Response to Comments P23-3 and P23-4

Comment noted. Refer to the **Response to Comment P1-7** regarding air quality and potential health issues. Impacts associated with air quality during construction of the Proposed Project are addressed in Section 4.2 of the Draft EIR in accordance with CEQA and CEQA *Guidelines*. Refer to the **Responses to Comments P1-8** and **P1-9** regarding the short-term use of water for construction dust mitigation.

## P24 Andrew Quon, MD and Shelia Shea, PhD

### Response to Comment P24-1

Comment noted.

### Response to Comment P24-2

Comment noted. Refer to the **Response to Comment P1-6** regarding the adequacy and completeness of the analysis of impacts associated with geologic stability contained in Section 4.4 of the Draft EIR.

### Response to Comment P24-3

Comment noted. Refer to the **Response to Comment P1-47** regarding traffic impacts and **Responses to Comments P1-7** and **P1-84** regarding pollution.

## T1 Meeting Transcript from May 14, 2014 Planning Commission Meeting

### Response to Commissioner Hansson

Comments regarding the mission blue butterfly are noted.

The water demand defined in Section 4.10.4 of the Draft EIR is referring to the amount of water that would be required to service the Proposed Project. Refer to the **Response to Comment P1-86** regarding the amount of the water demand and how this fits within the BSD's projected future service demands including in dry years. This demand is not yet approved by the BSD as the Proposed Project is not yet approved. A water supply analysis for the County and City of San Mateo are beyond the scope of this EIR.

Response to Comment T1-1

Comment noted. Impacts of the Proposed Project associated with erosion are discussed in Section 4.4 of the Draft EIR.

Response to Comments T1-2 through T1-4

Comments noted.

Response to Comment T1-5

Refer to the **Response to Comment P1-7** regarding the analysis of air quality impacts during construction presented in the Draft EIR.

Response to Comment T1-6

Refer to the **Response to Comment P1-3** regarding non-substantive comments or statements of opinion.

Response to Comments T1-7 through T1-14

Refer to the **Response to Comment P1-36** regarding the analysis of impacts to aesthetic resources included within the Draft EIR.

Response to Comment2 T1-15 and T1-16

Refer to the **Response to Comment P1-36** regarding the maintenance of trees required by the landscaping plan within Mitigation Measure 4.1-1b of the Draft EIR. Refer to the **Response to Comment P1-4** regarding the analysis of impacts to biological resources included within the Draft EIR. Refer to the **Response to Comment P1-67** regarding the tree replacement ratio.

Response to Comment T1-17 through T1-21

Refer to the **Response to Comment P1-06** regarding shallow landslide hazards analyzed within the Draft EIR and potential impacts associated with steepness of the proposed residential lots and the soil stability. Refer to the **Response to Comment P1-32** regarding impacts associated with erosion analyzed within the Draft EIR.

Response to Comment T1-22

Refer to **Response to Comment P1-96** regarding impacts from storms with intensities greater than the 10-year design storm.

Response to Comment T1-23

Refer to the **Response to Comment P1-32** regarding impacts associated with stormwater runoff during construction. Swales included as BMPs will be designed so as to prevent standing water.

Response to Comment T1-24

Refer to the **Response to Comment P1-99** regarding the drainage ditch along the northeastern boundary of the project site. Refer to the **Response to Comment P1-4** regarding the date of biological surveys on site. Refer to the **Response to Comment P1-7** regarding the date of noise level measurements on site. Both surveys included general site reconnaissance (e.g. aesthetic resources assessment).

Response to Comment T1-25

Refer to the **Response to Comment P1-89** regarding the analysis of stormwater drainage from the project site during operation in the Draft EIR.

Response to Comment T1-26

Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project.

Response to Comment T1-27

Refer to the **Response to Comment P1-06** regarding the steepness of the proposed residential lots.

Response to Comment T1-28

Refer to the **Response to Comment P1-46** regarding the proposed construction truck traffic route and volume of construction truck traffic. Refer to the **Response to Comment P1-47** regarding steepness of construction traffic route.

Response to Comments T1-29 through T1-33

Refer to the **Response to Comment P1-7** regarding impacts associated with noise analyzed within the Draft EIR. Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project.

Response to Comments T1-34 and T1-35

Refer to the **Response to Comment P1-36** regarding loss of privacy concerns.

Response to Comment T1-36

Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with air quality included within the Draft EIR.

Response to Comment T1-37

Refer to the **Response to Comment P1-36** regarding the analysis of impacts associated with lighting included within the Draft EIR.

Response to Comment T1-38

Refer to the **Response to Comment P1-7** regarding the analysis of impacts associated with air quality included within the Draft EIR. Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project.

Response to Comments T1-39 through T1-41

Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project. Impacts associated with geotechnical issues and erosion were analyzed within Section 4.4 of the Draft EIR. Refer to the **Response to Comment P1-06** regarding shallow landslide hazards analyzed within the Draft EIR.

Response to Comment T1-42

Refer to the **Response to Comment P1-06** regarding shallow landslide hazards analyzed within the Draft EIR.

Response to Comment T1-43

Refer to the **Response to Comment P1-4** regarding the analysis of impacts to biological resources included within the Draft EIR.

Response to Comment T1-44

Refer to the **Response to Comment P1-67** regarding impacts to trees analyzed within the Draft EIR.

Response to Comment T1-45

Refer to the **Response to Comment P4-8** regarding analysis of potential impacts to solar panels and pools. **Response to Comment P4-9** regarding the hammerhead cul-de-sacs.

Response to Comment T1-46

Refer to the **Response to Comment P1-4** regarding the analysis of impacts to biological resources included within the Draft EIR.

Response to Comment T1-47

Refer to the **Response to Comment P1-99** regarding the drainage ditch along the northeastern boundary of the project site.

Response to Comment T1-48

Impacts associated with geotechnical issues and erosion were analyzed within Section 4.4 of the Draft EIR. Refer to the **Response to Comment P1-06** regarding shallow landslide hazards analyzed within the Draft EIR.

Response to Comment T1-49

Comment noted.

Response to Comments T1-50 and T1-51

Impacts associated with geotechnical issues and erosion were analyzed within Section 4.4 of the Draft EIR; refer to the **Response to Comment P1-06** for further discussion regarding deep-seated landslides.

Response to Comments T1-52 and T1-53

Impacts associated with traffic during operation of the Proposed Project were analyzed in Section 4.11 of the Draft EIR. As stated therein, impacts to the existing transportation network would be considered significant if the Proposed Project would:

- Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.
- Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways;

In addition, a change in the TIRE index of 0.1 or more would be a noticeable increase in traffic on the street and would therefore result in a significant impact upon the residential environment.

As stated in Impact 4.11-2, operation of the Proposed Project would not increase traffic on roadway segments in the vicinity of the project site beyond acceptable capacities and therefore would not conflict with any applicable plan, ordinance, or policy establishing measures of effectiveness and would not conflict with an applicable congestion management program. The background traffic conditions are those that would occur immediately prior to the completion and occupancy of the Proposed Project; the background traffic conditions are based on existing traffic conditions and include an assumed 1.5 percent per year increase in traffic until Proposed Project completion in 2017. With the addition of traffic from operation of the Proposed Project, no roadway segment would experience an increase in the TIRE Index greater than 0.1, as shown in Table 4.11-5 of Section 4.11.4 of the Draft EIR. The impact of traffic during operation of the Proposed Project would be less than significant. Refer to the **Response to Comment P1-6** regarding analysis related to traffic safety in the Draft EIR.

Response to Comment T1-54

Comment noted.

Response to Comments T1-55 through T1-59

Refer to the **Response to Comment P1-7** regarding the analysis of air quality and noise impacts during construction presented in the Draft EIR. Refer to the **Response to Comment P1-46** regarding traffic during construction of the Proposed Project, and refer to the **Response to Comments T1-52 and T1-53**

regarding traffic during operation of the Proposed Project. Impacts associated with geotechnical issues and erosion were analyzed within Section 4.4 of the Draft EIR; refer to the **Response to Comment P1-06** for further discussion regarding landslides and soil stability.

Response to Comment T1-60

Comment noted. The safety concerns associated with accidental downhill movement of debris from the Proposed Project is noted but is very unlikely and does not constitute a significant impact within the provisions of CEQA. Additional concerns from the community may be considered by the Planning Commission outside of the CEQA process.

Response to Comment T1-61

Comment noted.

Response to Comments T1-62 and T1-63

Refer to the **Response to Comment P1-36** regarding the analysis of impacts to aesthetic resources included within the Draft EIR.

Response to Comment T1-64

Refer to the **Response to Comments P1-43 and P1-44** regarding shading and shadow effects.

Response to Comment T1-65

Refer to the **Response to Comment P1-46** regarding the proposed construction truck traffic route.

Response to Comment T1-66

Refer to the **Response to Comment P1-4** regarding the analysis of impacts to biological resources included within the Draft EIR.

Response to Comment T1-67

Refer to the **Response to Comment P1-06** regarding shallow landslide hazards analyzed within the Draft EIR.

Response to Comment T1-68

Refer to the **Response to Comments P1-19 through P1-21** regarding plans for the designated open space discussed in the Draft EIR.

Response to Comments T1-69 through T1-72

Impacts associated with geotechnical issues and erosion were analyzed within Section 4.4 of the Draft EIR; refer to the **Response to Comment P1-06** for further discussion regarding deep-seated landslides.

Refer to the **Response to Comment P1-89** regarding impacts associated with stormwater drainage from the project site during operation.

Response to Comment T1-73

Refer to the **Response to Comment P1-7** regarding the analysis of air quality impacts during construction presented in the Draft EIR. Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project.

Response to Comment T1-74

Refer to **Response to Comment P1-51**, **Response to Comments P1-52** and **P1-53**, and **Response to Comment P1-54** regarding concerns related to construction truck traffic safety.

Response to Comment T1-75

Comment noted.

Response to Comment T1-76

Potential impacts of the Proposed Project to public utilities, including public sewer, were analyzed in Section 4.10 of the Draft EIR. With incorporation of Mitigation Measure 4.10-3 included in Section 4.10.4 of the Draft EIR, which requires applicant shall offset the increase in sewer flow generated by the Proposed Project by reducing the amount of existing I&I into the CSCSD sewer system, the impact of the Proposed Project to the sewer system would be less than significant.

Response to Comments T1-77 and T1-78

Comment noted.

Response to Comment T1-79

Refer to **Response to Comment P1-6** regarding analysis of the safety of the proposed intersection. The potential for a northwest-bound vehicle on the proposed private roadway to lose control and crash into residences located along the western edge of Bel Aire Road is very low and does not constitute a significant impact under CEQA.

Response to Comment T1-80

Refer to the **Response to Comment P1-36** for the adequacy of analysis of impacts associated with aesthetics, including lighting.

Response to Comment T1-81

Refer to the **Response to Comment T1-79** regarding safety concerns of the vehicles on the proposed private roadway.

Response to Comment T1-82

Comment noted.

Response to Comments T1-83 and T1-84

Refer to the **Response to Comment P1-7** regarding the analysis of air quality impacts during construction presented in the Draft EIR. Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project. Refer to the **Response to Comment P1-06** regarding landslide hazards analyzed within the Draft EIR.

Response to Comment T1-85

Comment noted. Refer to the **Response to Comment P1-32** regarding the construction timeline for the Proposed Project.

Response to Comment T1-86

Refer to the **Response to Comment P1-10** regarding the analysis of impacts related to seismicity included in the Draft EIR. Refer to the **Response to Comment P1-06** regarding erosion and soil stability concerns during construction of the Proposed Project, and refer to the **Response to Comment P1-89** regarding erosion concerns during the operation of the Proposed Project. Refer to the **Response to Comment P1-2** regarding the open space to be preserved as part of the Proposed Project.

Response to Comment T1-87

Refer to the **Response to Commissioner Hansson P5** regarding water concerns.

Response to Comment T1-88

Refer to the **Response to Comment P1-46** regarding the analysis of construction traffic impacts related to the volume of construction traffic, including construction worker vehicles.

## References

California Department of Resources Recycling and Recovery (Calrecycle), 1997. History of California Solid Waste Law, 1985-1989. Updated January 1, 1997. Available online at: <http://www.calrecycle.ca.gov/Laws/Legislation/CalHist/1985to1989.htm>. Accessed September 24, 2014.

United States Environmental Protection Agency (USEPA), 2001. Storm Water Technology Fact Sheet: On-Site Underground Retention/Detention, September 2001. Available online at:

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**CC:** Lisa Aozasa <LAozasa@smcgov.org>  
**Date:** 12/12/2014 10:32 AM  
**Subject:** RE: Ascension Heights FEIR, Ready to Go  
**Attachments:** Clearinghouse delivery.pdf; AscensionDEIR\_MailingList.xlsx

NOC attached!

The only notification requirement is "The lead agency shall provide a written proposed response to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report".

Quite interesting that the CEQA guidelines make such a show for getting out the Draft EIR and involving the public (NOP, Scoping Hearing, NOA), then the guidelines are pretty silent on the Final EIR. I attached a copy of the mailing list for your reference in case you wanted to send out a notice.

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

From: James Castaneda [mailto:jcastaneda@smcgov.org]  
Sent: Friday, December 12, 2014 10:22 AM  
To: Trenton Wilson  
Cc: Lisa Aozasa  
Subject: Ascension Heights FEIR, Ready to Go

Good morning Trent,

We're all posted on this side, just wanted to check if you've guys have delivered it to the clearing house yet. Also, can you remind me of what our notification obligation (if any) there is for the FEIR? I just want to make sure we can get working on a mailing if we need to on Monday when I get back into the office. Thanks for your work Trent.

JAMES

James A. Castañeda, AICP  
Planner III, San Mateo County Planning & Building Department  
Program Coordinator, SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
650.363.1853 | 650.363.4819 FAX  
smcplanning.org | sforoundtable.org

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2013102009

Project Title: Ascension Heights Subdivision Project

Lead Agency: County of San Mateo Contact Person: James Castañeda, AICP
Mailing Address: 455 County Center, 2nd Floor Phone: (650) 363-4161
City: Redwood City Zip: 94063 County: San Mateo

Project Location: County: San Mateo City/Nearst Community: Baywood Park Community

Cross Streets: Bel Aire Road and Ascension Drive Zip Code:

Longitude/Latitude (degrees, minutes and seconds): 37 ° 31 ' 49.1 " N / -122 ° 20 ' 31.4 " W Total Acres: 13.32

Assessor's Parcel No.: 41-111-130,-160,-270,-280,-320,-366 Section: S6 Twp.: T5S Range: R4W Base: Mt Diablo

Within 2 Miles: State Hwy #: I-280, SR-92 Waterways: Crystal Spring Reservoir

Airports: none Railways: none Schools: College of San Mateo

Document Type:

- CEQA: [ ] NOP [ ] Draft EIR [ ] Joint Document
[ ] Early Cons [ ] Supplement/Subsequent EIR [ ] Final Document
[ ] Neg Dec (Prior SCH No.) [ ] Draft EIS [ ] Other:
[ ] Mit Neg Dec Other: Final EIR [ ] FONSI [ ] Other:

Local Action Type:

- [ ] General Plan Update [ ] Specific Plan [ ] Rezone [ ] Annexation
[ ] General Plan Amendment [ ] Master Plan [ ] Prezone [ ] Redevelopment
[ ] General Plan Element [ ] Planned Unit Development [ ] Use Permit [ ] Coastal Permit
[ ] Community Plan [ ] Site Plan [ ] Land Division (Subdivision, etc.) [ ] Other: County permits

Development Type:

- [x] Residential: Units 19 Acres 13.3 [ ] Transportation: Type
[ ] Office: Sq.ft. Acres Employees Mineral
[ ] Commercial: Sq.ft. Acres Employees Power: Type MW
[ ] Industrial: Sq.ft. Acres Employees [ ] Waste Treatment: Type MGD
[x] Recreational: 7.8 acres of open space [ ] Hazardous Waste: Type
[ ] Water Facilities: Type MGD Other:

Project Issues Discussed in Document:

- [x] Aesthetic/Visual [ ] Fiscal [x] Recreation/Parks [x] Vegetation
[ ] Agricultural Land [x] Flood Plain/Flooding [x] Schools/Universities [x] Water Quality
[x] Air Quality [x] Forest Land/Fire Hazard [x] Septic Systems [x] Water Supply/Groundwater
[ ] Archeological/Historical [x] Geologic/Seismic [x] Sewer Capacity [x] Wetland/Riparian
[x] Biological Resources [x] Minerals [x] Soil Erosion/Compaction/Grading [x] Growth Inducement
[ ] Coastal Zone [x] Noise [x] Solid Waste [x] Land Use
[x] Drainage/Absorption [x] Population/Housing Balance [x] Toxic/Hazardous [x] Cumulative Effects
[ ] Economic/Jobs [x] Public Services/Facilities [x] Traffic/Circulation [ ] Other:

Present Land Use/Zoning/General Plan Designation:

Designated Medium Low Density Residential: Zoned R-1/S-8

Project Description: (please use a separate page if necessary)

APNs 041-111-130, -160, -270, -280, -320, -360. The project would subdivide 6 parcels on 13.3 acres into 21 lots for 19 single-family residences with the remaining 2 lots (+/- 7.8 acres) maintained as open space. Potable water would be provided by connection to the Bayshore District of Cal Water, and wastewater collection would be provided by the Crystal Springs Sanitation District with treatment at the City of San Mateo Wastewater Treatment Plant. The project is a re-design of a previous project, which proposed a subdivision of the project site into 27 parcels, 25 of which would have been developed; the previous project was denied by the San Mateo County Planning Commission in 2009. The applicant and County have since engaged the community in a discussion of the project and the revised project for reconsideration as a reduced intensity project.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

## Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".  
 If you have already sent your document to the agency please denote that with an "S".

<input checked="" type="checkbox"/>	Air Resources Board	<input type="checkbox"/>	Office of Historic Preservation
<input type="checkbox"/>	Boating & Waterways, Department of	<input type="checkbox"/>	Office of Public School Construction
<input type="checkbox"/>	California Emergency Management Agency	<input type="checkbox"/>	Parks & Recreation, Department of
<input type="checkbox"/>	California Highway Patrol	<input type="checkbox"/>	Pesticide Regulation, Department of
<input checked="" type="checkbox"/>	Caltrans District #4	<input type="checkbox"/>	Public Utilities Commission
<input type="checkbox"/>	Caltrans Division of Aeronautics	<input checked="" type="checkbox"/>	Regional WQCB #2
<input type="checkbox"/>	Caltrans Planning	<input type="checkbox"/>	Resources Agency
<input type="checkbox"/>	Central Valley Flood Protection Board	<input type="checkbox"/>	Resources Recycling and Recovery, Department of
<input type="checkbox"/>	Coachella Valley Mtns. Conservancy	<input type="checkbox"/>	S.F. Bay Conservation & Development Comm.
<input type="checkbox"/>	Coastal Commission	<input type="checkbox"/>	San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/>	Colorado River Board	<input type="checkbox"/>	San Joaquin River Conservancy
<input type="checkbox"/>	Conservation, Department of	<input type="checkbox"/>	Santa Monica Mtns. Conservancy
<input type="checkbox"/>	Corrections, Department of	<input type="checkbox"/>	State Lands Commission
<input type="checkbox"/>	Delta Protection Commission	<input type="checkbox"/>	SWRCB: Clean Water Grants
<input type="checkbox"/>	Education, Department of	<input type="checkbox"/>	SWRCB: Water Quality
<input checked="" type="checkbox"/>	Energy Commission	<input type="checkbox"/>	SWRCB: Water Rights
<input checked="" type="checkbox"/>	Fish & Game Region #3	<input type="checkbox"/>	Tahoe Regional Planning Agency
<input type="checkbox"/>	Food & Agriculture, Department of	<input type="checkbox"/>	Toxic Substances Control, Department of
<input checked="" type="checkbox"/>	Forestry and Fire Protection, Department of	<input type="checkbox"/>	Water Resources, Department of
<input type="checkbox"/>	General Services, Department of	<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Health Services, Department of	<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Housing & Community Development	<input type="checkbox"/>	_____
<input type="checkbox"/>	Native American Heritage Commission	<input type="checkbox"/>	_____

### Local Public Review Period (to be filled in by lead agency)

Starting Date N/A Ending Date N/A

### Lead Agency (Complete if applicable):

Consulting Firm: Analytical Environmental Services Applicant: County of San Mateo  
 Address: 1801 7th Street, Suite 100 Address: 455 County Center, 2nd Floor  
 City/State/Zip: Sacramento, CA 95811 City/State/Zip: Redwood City, California 94063  
 Contact: Trent Wilson Phone: (650) 363-4161  
 Phone: 916-447-3479

Signature of Lead Agency Representative:  Date: 2/11/14

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

**Comments Received During NOP Comment Period**

<b>ID No.</b>	<b>Name</b>	<b>Agency</b>	<b>Address</b>
1	Inez Malardino	Caldwell Banker, Broker	28 Valley View Ct
2	Linda Ottoboni	Homeowner	1435 Enchanted Way
3	Lucas Ottoboni	Residence of Neighborh	1435 Enchanted Way, San Mateo, CA
4	Suzanne Simms	San Mateo Oaks	1879 Los Altos Dr, San Mateo
5	Yasamin Guechi		1512 Ascension Dr
6	Geraldine Landers	Baywood Park HOA	1348 Enchanted Way, San Mateo, 94402
7	Erik Alm, District Branch Chief	Caltrans	PO Box 23660, MS-10, Oakland, CA 94623
8	Alissa Reindel		1735 Parrott Drive, San Mateo, CA 94402
9	Gail Held		1417 Rainbow Dr., San Mateo, CA 94402
10	Dr. and Mrs. Stephen Mikulic		132 CSM Drive
11	Shelia Shea		Parrot Drive, San Mateo, CA
12	Marie and Tom O'Rourke		
13	Laurel and Donald Nagle		1538 Parrott Drive, San Mateo, CA 94402
14	Gerri Roach		1456 Bel Aire Rd, San Mateo, CA 94402
15	Survey Results		
16	Baywood Park Homeowners Associati	Baywood Park Homeowners Association	
17	Elizabeth S.R. Cullinan, AICP, Director	Town of Hillsborough	

<b>Phone</b>	<b>Date Received</b>	<b>Notes (submission method)</b>
	10/9/2013	Scoping Hearing
	10/15/2013	Mail/email
	10/17/2013	Mail/email
	10/28/2013	Mail/email
	11/3/2013	Mail/email
	10/31/2013	Mail/email
	11/1/2013	Mail/email
	11/3/2013	Mail/email
	11/4/2013	Mail/email
	11/5/2013	Mail/email
		NA
	11/5/2013	Mail/email
	11/21/2013	Mail/email

RESOLUTION NO. \_\_\_\_\_

PLANNING COMMISSION, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

\* \* \* \* \*

EXHIBIT A  
MITIGATION MONITORING AND REPORTING PLAN PROCEDURES

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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 and Reporting Plan (MMRP).

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 MMRP 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:

- Timing/frequency of Action: Phase of the project during which the mitigation measure shall be monitored:
- Responsible for Implementing: Party responsible for implementing the mitigation measure.
- Responsible for Implementing: Party to which reports involving feasibility, compliance, implementation and development are made.
- Standards for Compliance: Action to ensure implementation of mitigation measure
- Verification of Compliance: To be completed by the party responsible of monitoring completion of the mitigation measure.

The MMRP 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 MMRP 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 MMRP.

RESOLUTION NO. \_\_\_\_\_

PLANNING COMMISSION, COUNTY OF SAN MATEO, STATE OF  
CALIFORNIA

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STATEMENT OF FINDINGS AND FACTS

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The findings and determinations contained herein are prepared in accordance with CEQA and the state CEQA Guidelines. The findings are based on the competent and substantial evidence, both oral and written, contained in the entire record of proceeding relating to the proposed project and EIR. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole. Any findings made herein must be deemed made, regardless of where it appears in this document. All of the language included in this document constitutes findings. If a finding fails to cross-reference or incorporate by reference any other part of these findings, it must be deemed to have been made if it appears in any portion of these findings or elsewhere in the record. These findings are only a summary of information in the record which supports the findings and all other information in support of the findings are incorporated herein by reference.

Pursuant to CEQA and the CEQA Guidelines, no findings are required for those impacts which are identified as less than significant in the Initial Study or EIR (Pub Res Code § 21081; CEQA Guidelines § 15091). So, these findings only address significant impacts of the proposed Project.

Under CEQA, lead agencies must adopt findings before approving a Project for which an EIR is required. (See Pub. Resources Code, § 21081; CEQA Guidelines, § 15091.) For each significant environmental effect identified in an EIR for a proposed Project, the approving agency must issue a written finding reaching one or more of three permissible conclusions: (1) that “[c]hanges or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).); (2) that “[s]uch 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.” (CEQA Guidelines, § 15091, subd. (a)(2).); or (3) that “[s]pecific 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 final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).) Public Resources Code section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines section 15364 adds another factor: “legal” considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565.)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a Project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) “[F]easibility” under CEQA encompasses desirability “to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental,

social, and technological factors.” (Id.; see also Sequoyah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal.App.4th 704, 715.) CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the Project lies with some other agency. (CEQA Guidelines, § 15091, subd. (a), (b).)

With respect to a Project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the Project if the agency adopts a Statement of Overriding Considerations setting forth the specific reasons why the agency found that the Project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).) The California Supreme Court has stated, “[t]he wisdom of approving . . . any development Project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (Goleta II, 52 Cal.3d at p. 576.)

The analysis and conclusions of the EIR, including but not limited to the responses to comments, are modified as set forth herein. As modified, the EIR and responses to comments are incorporated herein by this reference, and are hereby adopted as part of the findings. These findings constitute the best efforts to set forth the evidentiary and policy bases for the Planning Commission’s decision to approve the Project in a manner consistent with the requirements of CEQA. Below are the required findings under CEQA for each significant environmental impact of the proposed Project.

## **SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE REDUCED TO LESS- THAN-SIGNIFICANT LEVELS**

The analysis of the Proposed Project did not identify any significant and unavoidable impacts. All potential impacts would be either less than significant or would be reduced to a less-than-significant level with incorporation of proposed mitigation measures pursuant to the criteria contained in Appendix G of the CEQA Guidelines and relevant agency thresholds.

## **SIGNIFICANT IMPACTS REDUCED TO LESS THAN SIGNIFICANT THROUGH MITIGATION**

### **AESTHETICS**

#### **Impact 4.1-1**

The proposed project would result in a significant aesthetics impact if it would substantially damage scenic resources, including, but not limited to trees, rock outcroppings, or historic buildings within a State Scenic Highway. The Proposed Project would result in a visual change to the project site by converting approximately 5.5 acres of a 13.3-acre area to a residential development. This includes 19 single-family residential units, a new street, and associated infrastructure. Approximately 7.8 acres would remain as dedicated open space and would include foot trails and approximately 0.45 acres of protected area in the west corner of the project site. Construction of the Proposed Project would result in the removal of approximately 43 of the 78 trees on the project site (approximately 55 percent). Tree removal could damage scenic resources and degrade a scenic vista. Further, tree removal constitutes degradation of a community of trees under Section 12,016 of the County Ordinance Code and could result in a thinning of the dense vegetation located along the northeastern edge of the project site between the project site and the existing residences along the southern side of Parrot Drive. Presently, some of the proposed residences are visible from portions of Parrot Drive, and reducing the vegetation located along the rear of existing residences may increase views of the proposed residences and therefore change the visual character and

quality of the project site as viewed from Parrot Drive.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.1-1a:

Prior to recordation of the Final Map, the project applicant shall submit a landscape plan for review and approval by the San Mateo County Planning Department (County Planning Department). The landscape plan shall include the location, size, and species of any proposed landscaping and shall include, but not be limited to, hedges or other appropriate vegetation that will provide opaque screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive. In addition, all proposed landscaping shall be of native, non-invasive species. Areas used for the storage of landscape maintenance or other equipment, supplies, or debris shall be shielded from view by fencing, landscaping or other means. Prior to final approval of the Final Map, a site inspection shall be required by the County Planning Department to verify that all approved landscaping has been implemented or bonds posted for performance and maintenance. All perimeter landscaping shall serve to screen and/or enhance views of the project site from surrounding roadways and neighborhoods.

Mitigation Measure 4.1-1b:

The project applicant shall submit an application for a permit to remove trees consistent with Section 12,000 of the County Ordinance Code. The application shall include a tree replacement plan that shall not exceed the following specifications:

- For each loss of a significant indigenous tree, there shall be a replacement with three or more trees, as determined by the Planning Director, of the same species using at least five gallon size stock.
- For each loss of a significant exotic tree there shall be a replacement with three or more trees, as determined by the Planning Director that the substitute tree can survive and flourish in the regional climatic conditions.
- Replacement trees for trees shall require a surety deposit for both performance (installation of tree, staking, and providing an irrigation system) and maintenance. Maintenance shall be required for no less than two and no more than five years as determined by the Planning Director.

Facts in Supporting of the Findings:

The final project design would comply with all applicable General Plan policies, Subdivision Regulations and County Ordinance Codes and would be required to undergo County approval prior to issuance of building permits to ensure that the proposed homes and landscaping would be designed and constructed to be compatible with or contribute to the appearance and visual character of the surrounding area. Further, a majority (approximately 59 percent) of the project site would remain as dedicated open space and would include foot trails and approximately 0.45 acres of protected area in the west corner of the project site. While the Proposed Project would convert approximately 40 percent of an area that is currently valued as natural scenery in an urban setting to an urban development and thereby change the amount of open space and associated visual resources, the Proposed Project does not constitute a change in the visual character or quality of the area given that the surrounding area is primarily single-family residential neighborhoods. Through compliance with aforementioned regulations, the project would consist of development similar if visual context to the surrounding neighborhoods. Thus, project impacts on scenic resources would be less than significant.

**AIR QUALITY AND GREENHOUSE GAS EMISSIONS**

**Impact 4.2-1**

Construction of the proposed project would result in a significant air quality impact if emissions are greater

than 54 pounds per day for ozone precursors [reactive organic gasses (ROG) and nitrides of oxygen (NOx)] or PM<sub>2.5</sub> and/or 82 pounds per day for PM<sub>10</sub>. Emissions generated from construction activities associated with grading and building resulting from implementation of the Proposed Project would be short-term, intermittent, and temporary in nature. However, these construction emissions have the potential to represent a significant air quality impact. The grading and construction of the Proposed Project would result in the generation of ROG, NOx, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions. PM emissions are generally the direct result of site grading, excavation, road paving, and exhaust associated with construction equipment. PM emissions are largely dependent on the amount of ground disturbance associated with site preparation activities. Emissions of NOx and ROG are generally associated with employee vehicle trips, delivery of materials, and construction equipment exhaust. Mitigated and unmitigated emissions from construction activities were modeled using the California Emissions Estimator Model (CalEEMod) and were presented in Section 4.2.4 of the EIR. These emissions were then compared to the Bay Area Air Quality Management District's (BAAQMD's) thresholds to determine if the construction emissions of the Proposed Project would have a significant impact on regional air quality. As shown in Section 4.2.4 of the EIR, without mitigation the Proposed Project would exceed the BAAQMD threshold for NOx, resulting in a potentially-significant impact.

#### Findings:

The incorporation of BAAQMD Guidelines and CalEEMod mitigation measures would minimize the identified significant effect from NOx resulting from construction activities. The reduction in construction emissions resulting from implementation of specific mitigation measures was estimated using CalEEMod and the results indicated that project-related emissions during construction would be reduced below significance threshold for NOx. Therefore, emissions from construction would be a less-than-significant impact.

#### Mitigation Measure 4.2-1a:

The Applicant shall ensure through the enforcement of contractual obligations that construction contractors implement a fugitive dust abatement program during construction, which shall include the following elements consistent with the Basic Construction Mitigation Measures recommended by the BAAQMD:

- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- Cover all exposed stockpiles.
- Water all exposed roadway and construction areas two times a day.
- Sweep paved streets three times daily (with water sweepers) if visible soil material is carried onto adjacent streets.
- Limit traffic speeds on unpaved roads to 15 miles per hour (mph).
- After grading is complete, construction of paved surfaces (e.g. roadways, driveways, sidewalks, building pads) should be completed as soon as possible unless protected by seeding, soil binders, or other similar measures.
- Limit idling time to a maximum of five minutes and turn off equipment when not in use; clear signage indicating this shall be displayed at the project site access point.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall be checked by a certified visible emissions evaluator.
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- Any burning of cleared vegetation shall be conducted according to the rules and regulations of the BAAQMD's Regulation 5 (BAAQMD, 2008). Prior notification to BAAQMD shall be made by submitting an Open Burning Prior Notification Form to BAAQMD's office in San Francisco.
- A publicly visible sign shall be posted with the telephone number and person to contact at the County regarding dust complaints. A response and corrective action shall occur within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

#### Mitigation Measure 4.2-1b:

The applicant shall ensure through contractual obligations with construction contractors that the following Best Management Practices (BMPs) shall be implemented during all stages of construction:

- All heavy duty construction equipment be equipped with a diesel particulate matter filters.
- Only low ROG coatings shall be utilized.
- The applicant shall use only Tier 2 or better heavy duty construction equipment.

#### **Impact 4.2-8**

Construction and operation of the Proposed Project has the potential to result in cumulatively considerable emissions of greenhouse gasses (GHGs). CalEEMod was used to estimate project-related construction GHG emissions. As shown in Section 4.2.4 of the EIR, estimated direct construction emissions would be 957.68 MT of CO<sub>2</sub>e over the construction period. Neither the California Air Resources Board (CARB) nor BAAQMD have a construction threshold for GHG emissions; therefore, a 26 percent or greater reduction in construction-related GHG emissions (the overall state reduction goal implement by AB 32) would result in a less-than-significant impact to global climate change. With the implementation of Mitigation Measure 4.2-8, construction CO<sub>2</sub>e emissions from the Proposed Project would be reduced by 26 percent and would comply with the significance criteria for GHG construction emissions. Therefore, construction of the Proposed Project would not generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Construction emissions associated with the Proposed Project would not be cumulatively considerable in relation to global climate change

#### Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

#### Mitigation Measure 4.2-8:

The applicant shall purchase CO<sub>2</sub>e emissions reduction credits in the amount of 249 MT prior to the start of construction. GHG CO<sub>2</sub>e emissions reduction credits are generated by projects that reduce their GHG emissions by the use of technology or a reduction in business over business as usual. The CO<sub>2</sub>e emission reduction credits must be permanently retired by the project applicant, thereby reducing annual emissions for the lifetime of the Proposed Project.

#### Facts in Supporting of the Findings:

The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures 4.2-1a and b and 4.2-8. The rationale for the above finding is set forth in Section 4.2.4, Air Quality and Greenhouse Gas Emissions, of the EIR. In summary, implementation of these mitigation measures would ensure that construction-related emissions of ozone precursors and particulate matter are mitigated below the significant thresholds established by the responsible agency (BAAQMD) and emissions GHGs are consistent with applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of GHGs. Accordingly, air quality impacts would be less than significant.

## **BIOLOGICAL RESOURCES**

#### **Impact 4.3-1**

The Proposed Project has the potential to have a substantial adverse impact, either directly or through habitat modifications, on special-status plants. Four species were not identified during the survey conducted on July 25, 2013, which was within the corresponding evident and identifiable bloom period; therefore, they do not have the potential to occur on the Proposed Project site. Because the survey was conducted outside of the evident and identifiable bloom period for the remaining seven species, these species have the potential to occur on the Proposed Project site. As a result, implementation of the Proposed Project could result in direct

impacts to these identified vegetative resources.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.3-1:

To address potential impacts associated with special status plant species, the following measures will be implemented prior to construction of the Proposed Project:

- A qualified biologist/botanist shall conduct a focused botanical survey during the month of May, which corresponds to the overlapping evident and identifiable bloom periods for the remaining seven species, and prior to commencement of construction. Should no special status plant species be observed, then no additional mitigation is required.
- Should one or more of these special status plants be found during the focused botanical survey on the project site, the qualified biologist/botanist shall contact CDFW within one day following the focused botanical survey to report the findings. If feasible, a 10-foot buffer shall be established around the species using construction flagging prior to commencement of construction activities.
- Should avoidance of special status plant species be infeasible, the qualified botanist would salvage and relocate the individuals in an area comprised of suitable habitat in the vicinity of the project site that would not be impacted by the Proposed Project. Prior to the attempted relocation, seeds shall be gathered from the identified plants for use in the area identified for relocation.

**Impact 4.3-2**

The Proposed Project has the potential to have a substantial adverse impact, either directly or through habitat modifications, on one special-status invertebrate. The project site contains 7.44 acres of non-native brome grassland, including potential host plants which provide potential habitat for the Mission blue butterfly. The Mission blue butterfly was not observed during the July 25, 2013 biological surveys of the project site even though this survey was conducted during the designated identification period. Because the Mission blue butterfly often occurs within an elevation range above the project site and because the project site is south of the documented southernmost distribution of this species, the likelihood of this species occurring on the project site is relatively low. However, an informal observation of this species was made and noted by a member of the general public. Therefore, the Mission blue butterfly may occur on the project site and may be significantly impacted by the implementation of the Proposed Project.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.3-2:

To address potential impacts associated with the Mission blue butterfly, the following measures will be implemented prior to construction of the Proposed Project:

- A qualified biologist shall conduct a focused survey within the nonnative grassland on the project site for the Mission blue butterfly during the appropriate identification periods for adults (March-July) or juveniles (wet season) prior to commencement of construction activities. Should no species be observed, then no additional mitigation is required.
- Should the Mission blue butterfly be observed during the focused survey on the project site, the qualified biologist shall contact CDFW within one day following the focused botanical survey to report the findings. If feasible, a 10-foot buffer shall be established around the species' host plants using construction flagging prior to commencement of construction activities.
- Should avoidance of the Mission blue butterfly be infeasible, the qualified biologist would allow the butterfly to exit the property on its own, or will establish an alternately approved appropriate action following contact with CDFW.

### **Impact 4.3-3**

Construction activities have the potential to result in the disturbance of nesting or foraging habitat for northern harrier, burrowing owl, and white-tailed kite. Although unlikely, white-tailed kite have the potential to nest within the project site in the eucalyptus grove in the southeastern region of the property and in the Oak woodland in the north-central region of the property. Northern harrier has the potential to nest on the ground in non-native grassland habitat, as does the burrowing owl. Construction activities could result in disturbance of potential nest sites through the removal of the potential nest locations, and the temporary increases in ambient noise levels and increased human activity on the project site. This is a potentially-significant impact. The mitigation measures identified below would ensure that impacts to listed nesting birds are reduced to less-than-significant levels through identification and avoidance of active nests or burrows.

CDFW considers 5 or more vacant acres within 10 miles of an active nest to be significant foraging habitat for raptor foraging, and the conversion to urban uses is a significant impact. The project site occurs within four miles of documented burrowing owl habitat/occurrence. No occurrences of Northern harrier have been documented within five miles of the project site. One white-tailed kite was observed foraging over the project site during the July 25, 2013 survey, but no other occurrences have been documented within five miles of the project site. The project site contains 7.44 acres of non-native brome grassland, 1.26 acres of oak woodland, and 1.17 acres of Knobcone Pine Forest which provide potential habitat for these species.

#### **Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

#### **Mitigation Measure 4.3-3a:**

Prior to the commencement of construction activities on the project site during the nesting season, a qualified biologist shall conduct a minimum of two protocol level preconstruction surveys for listed bird species during the recommended survey periods for the nesting season that coincides with the commencement of construction activities:

- Northern harrier: Present year-round, breeds March through August;
- Burrowing owl: Present year-round breeds primarily March through August, but can be February-December; and
- White-tailed kite: Present year-round, breeding occurs in autumn. Nesting season begins in February and ends in August.

These surveys will occur in accordance with the USFWS Division of Migratory Bird Management *Guidelines for Raptor Conservation in the United States* (2008). The qualified biologist shall conduct surveys within 14 days of commencement for Northern harrier, burrowing owl, and white-tailed kite in the project site and within 0.25 miles of construction activities where legally permitted. The biologist will use binoculars to visually determine whether nests occur beyond the 0.25-mile survey area if access is denied on adjacent properties. If no active nests are identified on or within 0.25 miles of construction activities within the recommended survey periods, a letter report summarizing the survey results shall be submitted to the County and the CDFW within 30 days following the survey, and no further mitigation for nesting habitat is required. Evidence, in the form of a letter report documenting the results of the survey, shall be submitted to the County prior to the issuance of any grading or building permits within the project site.

#### **Mitigation Measure 4.3-3b:**

If active listed bird nests are found within 0.25 mile of construction activities, the biologist shall contact the County and CDFW within one day following the pre-construction survey to report the findings. For purposes of this mitigation requirement, construction activities are defined to include heavy equipment operation associated with construction (use of cranes or draglines, new rock crushing activities) or other

project-related activities that could cause nest abandonment or forced fledging within 0.25 mile of a nest site during the identified nesting period. Should an active nest be present within 0.25 mile of construction areas, then CDFW shall be consulted to establish an appropriate noise buffer, develop take avoidance measures, and implement a monitoring and reporting program prior to any construction activities occurring within 0.25 mile of the nest/burrow. The monitoring program would require that a qualified biologist shall monitor all activities that occur within the established buffer zone to ensure that disruption of the nest/burrow or forced fledging does not occur. Should the biologist determine that the construction activities are disturbing the nest/burrow, the biologist shall halt construction activities until CDFW is consulted. The construction activities shall not commence until the CDFW determines that construction activities would not result in abandonment of the nest/burrow site. If the CDFW determines that take may occur, the applicant would be required to obtain a CESA take permit. Should the biologist determine that the nest/burrow has not been disturbed during construction activities within the buffer zone, then a letter report summarizing the survey results will be submitted to the County and CDFW and no further mitigation for nesting habitat is required.

#### **Impact 4.3-4**

Grading and construction activities have the potential to result in the disturbance of nesting habitat for migratory birds and other birds of prey. Nesting habitat for migratory birds and other birds of prey protected under the MBTA may include eucalyptus woodland and annual grassland within the project site and vicinity. Potential disruption of nesting migratory birds and other birds of prey during construction could result in nest abandonment or mortality. Likewise, increased human activity and traffic, elevated noise levels, and operation of machinery could also impact birds if their nests are located within the vicinity of development areas. These impacts are significant.

#### **Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

#### **Mitigation Measure 4.3-4a:**

A qualified biologist shall conduct a pre-construction bird survey for nesting within 14 days prior to commencement of construction activities if anticipated to commence during the appropriate nesting season (between February 1 and August 31). The qualified biologist shall document and submit the results of the pre-construction survey in a letter to CDFW and the County within 30 days following the survey. The letter shall include: a description of the methodology including dates of field visits, the names of survey personnel, a list of references cited and persons contacted, and a map showing the location(s) of any bird nests observed on the project site. If no active nests are identified during the pre-construction survey, then no further mitigation is required. Evidence, in the form of a letter report documenting the results of the survey, shall be submitted to the County Planning Department prior to the issuance of any grading or building permits within the project site.

#### **Mitigation Measure 4.3-4b:**

If any active nests are identified during the pre-construction survey within the project site, a buffer zone will be established around the nests. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist will delimit the buffer zone with construction tape or pin flags within 250 feet of the active nest and maintain the buffer zone until the end of the breeding season or until the young have fledged. Guidance from CDFW will be requested if establishing a 250-foot buffer zone is impractical. Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed.

#### **Mitigation Measure 4.3-4c:**

Trees anticipated for removal should be removed outside of the nesting season (February 1 and August 31). If trees are anticipated to be removed during the nesting season, a pre-construction survey shall be

conducted by a qualified biologist. If the survey shows that there is no evidence of active nests, then the tree shall be removed within ten days following the survey. If active nests are located within trees identified for removal, a 250-foot buffer shall be installed around the tree. Guidance from CDFW will be requested if the 250-foot buffer is infeasible.

### **Impact 4.3-6**

Construction of the Proposed Project has the potential to remove trees protected within the tree preservation ordinance specified in the San Mateo County Significant Tree Ordinance. The County tree ordinance protects “significant” trees, being identified as any live tree which has a circumference measuring at or greater than 38 inches at a height of 4.5 feet above the ground or immediately below the lowest branch, whichever is lower. “Community of Trees” refers to an aesthetic grouping of trees, the removal of which would cause significant ecological, aesthetic, or environmental impact in the immediate area. An “Indigenous Tree” is one known to be native to the County including any native willow, box elder, buckeye, madrone, oak, or laurel tree. Construction of the Proposed Project would require the removal of approximately 43 of the 78 trees (approximately 55 percent) on site. This impact is significant.

### **Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

### **Mitigation Measure 4.3-6:**

Prior to the issuance of grading permits and removal of any trees, a certified arborist or registered professional forester shall conduct an arborist survey documenting all trees with trunk circumferences of 38 inches or greater and their location, as well as any Tree Communities or Indigenous Trees regardless of size. The report shall be submitted to the County Planning Department. The applicant shall not remove any trees without prior approval from the County Planning Department. All recommendations of the arborist report shall be implemented prior to the issuance of building permits for development on the project site. The arborist report shall specify measures including, but not limited to the following:

- To the extent feasible, trees anticipated for removal shall be removed outside of the nesting season for birds. Taking into account the nesting season for the white tailed kite, the nesting season shall be defined as February 1 to August 31. .
- The project proponent shall plant replacement tree species recommended by the County at a 1:1 ratio within the project site.

### **Facts in Support of the Findings:**

The potentially significant effects would be reduced to less-than- significant levels through implementation of the Mitigation Measures 4.3-1; 4.3-2; 4.3-3a and b; 4.3-4a, b, and c; and 4.3-6 . The rationale for the above finding is set forth in 4.3.4, Biological Resources, of the EIR. In summary, implementation of these mitigation measures would ensure that impacts to vegetation, wildlife, special-status species, and sensitive natural communities as a result of development of the proposed Project would be less than significant.

## **GEOLOGY AND SOILS**

### **Impact 4.4-1**

Earth-moving activities associated with construction of the Proposed Project have the potential to result in soil erosion or the loss of topsoil. Construction of the Proposed Project would involve grading, clearing, and landscaping activities associated with the development of residential units, roadways, and corresponding infrastructure (including potable water lines and storm water and sewage conveyance lines). Construction would result in the temporary disturbance of soil and would expose disturbed areas to potential storm events, which could generate accelerated runoff, localized erosion, and sedimentation of local waterways.

Vegetation clearing associated with the Proposed Project could remove obstacles to sediment transport and expose new soils. In addition, construction activities could expose soil to wind erosion effects that could adversely affect both on-site and nearby soils and the re-vegetation potential of the area. Soils at the project site are characterized as having moderate erosion hazards. Without implementation of erosion control measures and BMPs, there could be substantial soil erosion and loss of topsoil from the project site.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.4-1a:

Implement **Mitigation Measure 4.6-1 (Section 4.6;** Hydrology and Water Quality) to identify and implement erosion control BMPs within the SWPPP prepared for construction activities in accordance with the State's Clean Water Act NPDES general permit for construction activities. Implementation of these BMPs would ensure that temporary and short-term construction-related erosion impacts under the Proposed Project would be reduced to a less-than-significant level.

Mitigation Measure 4.4-1b:

The applicant shall obtain a San Mateo County Grading Permit which includes the requirement of an Erosion and Sediment Control Plan. This Erosion and Sediment Control Plan shall be prepared by a licensed civil engineer or certified professional soil erosion and sediment control specialist. The plan shall show the location of proposed vegetative erosion control measures, including landscaping and hydroseeding, and the location and details of all proposed drainage systems. The plan shall include sufficient engineering analysis to show that the proposed erosion and sediment control measures during preconstruction, construction, and post-construction are capable of controlling surface runoff and erosion, retaining sediment on the project site, and preventing pollution of site runoff in compliance with the Clean Water Act.

**Impact 4.4-2**

The Proposed Project has the potential to result in structural damage and injury from seismic activity and related geologic hazards. Based on USGS mapping, there is a 90 percent probability that within the next 50 years, a magnitude 6.0 or greater earthquake will affect the project site (USGS, 2009). Richter magnitude 6.0 earthquakes correspond to MMI values of VII to VIII, which would result in slight damage to specially designed structures, and moderate damage to buildings not designed for seismically active areas. Although potential damage to people or structures from seismic ground shaking could be a concern, compliance with the CBC would require the site's seismic-design response spectrum to be established and incorporated into the design of all new structures. Structures and utilities would be designed to withstand seismic forces per CBC requirements. The CBC specifies that all proposed structures on the project site should be able to: resist minor earthquakes without damage; resist moderate earthquakes without structural damage but with some nonstructural damage; and resist major earthquakes without collapse but with some structural as well as nonstructural damage. These construction standards would minimize the seismic ground shaking effects on developed structures; therefore, impacts related to ground shaking are less than significant and no mitigation is required.

It is anticipated that approximately 46,500 cubic yards of soil and bedrock will be excavated within the site, and approximately 20,000 cubic yards may be used as engineered fill on-site. If this fill material is determined to be unsuitable for use on-site, soils from other sources in the project vicinity would be utilized. With the incorporation of mitigation, fill materials would be tested to ensure their stability for use on the project site and placement of fill would be monitored to ensure compliance with all State and local requirements. Before a building permit can be issued for any structure, the Project applicant must submit a detailed Geotechnical Investigation to the building department (County General Plan Policy 15.21). The recommendations of the qualified engineering geologist in the geotechnical investigation will be

incorporated into the project design. In addition, the applicant will comply with the San Mateo regulations for excavating, grading, filling, and clearing (San Mateo County Ordinance Code Section 8600 et seq.) by applying for a Grading Permit and implementing the BMPs therein.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.4-2a:

Grading and building designs, including foundation requirements, shall be consistent with the findings of the geotechnical investigation, the California Code of Regulations, and the California Building Code.

Mitigation Measure 4.4-2b:

The project applicant shall comply with all recommendations contained within the site-specific Geotechnical Investigation conducted by Michelucci & Associates (2013) and attached as Appendix E to the Draft EIR.

Mitigation Measure 4.4-2c:

The applicant shall retain a qualified engineering geologist. All grading and installation of fill shall be performed under the observation of the qualified engineering geologist.

**Impact 4.4-3**

The Proposed Project could potentially result in shallow landslides due to the depth of unconsolidated colluvium on the project site. The underlying sandstone bedrock of the Franciscan formation is very stable underneath the project site, meaning there is a low probability of deep-seated bedrock landslides. The unconsolidated colluvial material above the bedrock can be very deep in areas (at least 5 foot depth on average and up to a maximum of 15 feet). Deep, unconsolidated material combined with the steep slopes on the flanks of the knoll can create a shallow landslide hazard. Shallow landslides are typically caused by improper grading and placement of structural fill, loading of the top of a slope, seismic activity, and changes in pore pressure of the soil caused by increased drainage in the slope.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.4-3a:

Implement **Mitigation Measure 4.6-2 (Section 4.6;** Hydrology and Water Quality) to ensure that the site storm water drainage system (including individual systems for each residence) shall not allow discharge of uncontrolled runoff onto the site slopes. Concentrated runoff shall not be allowed to flow over graded slopes or areas of thick soil, colluviums, or fill.

Mitigation Measure 4.4-3b:

Implement **Mitigation Measure 4.4-2c** to ensure the recommendations of the Geotechnical Investigation regarding subdrains and surface drainage are included in the project design.

Facts in Support of the Findings:

The potentially significant effects would be reduced to less-than- significant levels through implementation of the Mitigation Measures 4.4-1a and b; 4.4-2a, b, and c; and 4.4-3a and b. The rationale for the above finding is set forth in Section 4.4, Geology & Soils, of the EIR. In summary, implementation of these mitigation measures would ensure that geotechnical impacts as a result of development of the proposed Project would be less than significant.

## **HYDROLOGY & WATER QUALITY**

### **Impact 4.6-1**

Construction activities could substantially degrade surface water and/or groundwater quality, which could violate water quality standards. Construction of the Proposed Project would involve grading, clearing, and landscaping activities associated with the development of residential units, roadways, and corresponding infrastructure (including potable water lines and storm water and sewage conveyance lines). Construction would result in the temporary disturbance of soil and would expose disturbed areas to potential storm events, which could generate accelerated runoff, localized erosion, and sedimentation of local waterways. Disturbed areas and stockpiled soils exposed to winter rainfall could lead to sediment discharge into surface waters, resulting in a degradation of water quality. In addition, construction equipment and materials have the potential to leak, thereby discharging additional pollutants into local waterways. Pollutants potentially include particulate matter, sediment, oils, and greases and construction supplies such as concrete, paints and adhesives. Changes to drainage patterns resulting from construction activities could result in discharge of these pollutants into surface waterways causing an exceedance of water quality objectives, which could adversely impact beneficial uses of downstream water resources. The Proposed Project is required to comply with the most recent version of the California NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ), which mandates the development and implementation of a SWPPP. Additionally, implementation of the Proposed Project requires obtaining a San Mateo County Grading Permit, which includes the development of a site-specific Erosion and Sediment Control Plan.

### **Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

### **Mitigation Measure 4.6-1:**

The applicant shall comply with the SWRCB NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Permit). The SWRCB requires that all construction sites have adequate control measures to reduce the discharge of sediment and other pollutants to streams to ensure compliance with Section 303 of the Clean Water Act. To comply with the NPDES permit, the applicant will file a Notice of Intent with the SWRCB and prepare a SWPPP prior to construction, which includes a detailed, site-specific listing of the potential sources of stormwater pollution; pollution prevention measures (erosion and sediment control measures and measures to control non-stormwater discharges and hazardous spills) to include a description of the type and location of erosion and sediment control BMPs to be implemented at the project site, and a BMP monitoring and maintenance schedule to determine the amount of pollutants leaving the Proposed Project site. A copy of the SWPPP must be current and remain on the project site. Control measures are required prior to and throughout the rainy season. Water quality BMPs identified in the SWPPP shall include, but are not limited to, the following:

- Temporary erosion control measures (such as silt fences, staked straw bales, and temporary revegetation) shall be employed for disturbed areas. No disturbed surfaces will be left without erosion control measures in place during the winter and spring months.
- Sediment shall be retained onsite by detention basins, onsite sediment traps, or other appropriate measures.
- A spill prevention and countermeasure plan shall be developed which would identify proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used onsite. The plan would also require the proper storage, handling, use, and disposal of petroleum products.
- Construction activities shall be scheduled to minimize land disturbance during peak runoff periods and to the immediate area required for construction. Soil conservation practices shall be completed

during the fall or late winter to reduce erosion during spring runoff. Existing vegetation will be retained where possible. To the extent feasible, grading activities shall be limited to the immediate area required for construction.

- Surface water runoff shall be controlled by directing flowing water away from critical areas and by reducing runoff velocity. Diversion structures such as terraces, dikes, and ditches shall collect and direct runoff water around vulnerable areas to prepared drainage outlets. Surface roughening, berms, check dams, hay bales, or similar devices shall be used to reduce runoff velocity and erosion.
- Sediment shall be contained when conditions are too extreme for treatment by surface protection. Temporary sediment traps, filter fabric fences, inlet protectors, vegetative filters and buffers, or settling basins shall be used to detain runoff water long enough for sediment particles to settle out.
- Construction materials, including topsoil and chemicals, shall be stored, covered, and isolated to prevent runoff losses and contamination of groundwater.
- Topsoil removed during construction shall be carefully stored and treated as an important resource. Berms shall be placed around topsoil stockpiles to prevent runoff during storm events.
- Establish fuel and vehicle maintenance areas away from all drainage courses and design these areas to control runoff.
- Disturbed areas shall be revegetated after completion of construction activities.
- All necessary permits and approvals shall be obtained.
- Provide sanitary facilities for construction workers.

#### **Impact 4.6-2**

Urban runoff resulting from the development of impervious surfaces and urban land uses on the project site has the potential to degrade water quality and violate water quality standards or waste discharge requirements. The Proposed Project has the potential to violate water quality standards during operation. The conversion of land would increase the amount of impervious surfaces, which would alter the existing drainage pattern of the project site and could result in increased runoff flows that could lead to increased soil erosion or sedimentation to local surface waters. During storm events, rainwater collects atmospheric pollutants and, upon surface impact, gathers roadway contaminant deposits including oxygen-consuming constituents, suspended solids/particulates, nutrients, heavy metals, trace organics, and microorganisms. The increase in vehicular traffic and roadway surfaces on the project site would increase the level of contaminants in stormwater run-off. In addition, residential land uses typically result in the use of various household products that often are deposited into the drainage system both directly by pouring oil down a storm drain or indirectly by fertilizer and pesticide runoff into storm drains. Landscaped areas typically result in the use of pesticides, herbicides, and fertilizers. Urban runoff might include waste associated with typical residential uses including: motor oil; grease; paints; solvents; trace metals from pavement runoff; nutrients and bacteria from pet wastes; and landscape maintenance debris that may be mobilized in wet-season storm runoff from housing and roadway areas, parking areas, and in dry-season “nuisance flows” from landscape irrigation. Potential adverse impacts to local surface waters include an exceedance of surface water quality objectives resulting in sedimentation, eutrophication, and accumulation of pollutants in sediments and benthic organisms, and harm to native species.

In Order No. 99-059, adopted July 21, 2004, the SFBWQCB amended the SMCWPPP NPDES Permit to incorporate specific new development and redevelopment requirements (SFBWQCB, 2004). 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, including 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, as described in C.3 Provisions of the NPDES permit. 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.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.6-2a:

Upon acceptance of the design concept, a maintenance agreement shall be developed between the County and the Homeowners Association (HOA) or equivalent entity requiring the HOA or equivalent entity to complete the following tasks and provide the following information on a routine basis. These requirements apply only to the bioretention treatment system area of the project site and are as follows:

- Maintenance of soils and plantings, including routine pruning, mowing, irrigation, replenishment of mulch, weeding, and fertilizing with a slow-release fertilizer with trace elements;
- Removal of obstructions and trash from bioretention areas;
- Use of only pesticides and fertilizers that are accepted within the integrated pest management approach for use in the bioretention areas;
- Repair of erosion at inflow points;
- Monthly review and inspection of bioretention areas for the following:
  - Obstruction of trash,
  - If ponded water is observed, the surface soils shall be removed and replaced and subdrain systems inspected, and
  - Condition of grasses;
- Distribution of the following:
  - A copy of the storm water management plans shall be made available to personnel in charge of facility maintenance and shall be distributed to the subcontractor representative engaged in the maintenance or installation of the bioretention system, and
  - Material presented in the integrated pest management program will be made available to personnel in charge of facility maintenance and shall be distributed to the subcontractor representative engaged in the maintenance or installation of the bioretention system.

Mitigation Measure 4.6-2b:

Upon acceptance of the design concept, a maintenance agreement shall be developed between the County and the HOA or equivalent entity requiring the HOA or equivalent entity to complete the following tasks and provide the following information on a routine basis. These requirements apply to all common areas of the project site and are as follows:

- Drainage inlets shall be inspected monthly and kept clean of any trash that may have accumulated. It is the responsibility of the property manager/owner to have those inspections performed, documented, and any repairs made.
- Landscape areas shall be covered with plants or some type of ground cover to minimize erosion. No areas are to be left as bare dirt that could erode. Mounding slopes shall not exceed two horizontal to one vertical.
- Pesticides and fertilizers shall be stored as hazardous materials and in appropriate packaging, over spraying onto paved areas shall be avoided when applying fertilizers and pesticides. Pesticides and fertilizers shall be prohibited from storage outside.
- Landscape areas shall be inspected and all trash picked up and obstruction to the drainage flow removed on a monthly basis minimum. The project site shall be designed with efficient irrigation

and drainage to reduce pesticide use. Plants shall be selected based on size and situation to reduce maintenance and routine pruning.

- Integrated pest management information shall be provided to the building management.

**Mitigation Measure 4.6-2c:**

Infiltration systems shall be designed in accordance with the following procedures outlined in the California Storm Water Best Management Practice Handbooks to reduce runoff and restore natural flows to groundwater:

- Biofilters and/or vegetative swale drainage systems will be installed at roof downspouts for all buildings on the project site, allowing sediments and particulates to filter and degrade biologically.
- Structural source controls, such as covers, impermeable surfaces, secondary containment facilities, runoff diversion berms, sediment, and grease traps in parking areas will be installed.
- Designated trash storage areas will be covered to protect bins from rainfall.

**Impact 4.6-3**

Development of the Proposed Project would substantially alter the existing drainage patterns and may cause flows to exceed the capacity of existing stormwater drainage systems, result in substantial pollution on or off site, or result in flooding on or off site. Assuming the maximum allowable development footprint would be developed, the Proposed Project will create approximately 2.1 acres of impervious surfaces through construction of residences, driveways, roads, and sidewalks. The existing drainage system on the project site is able to accommodate the current pre-development runoff, with two exceptions. During rainfall events, discharge exceeds the capacity of the stormwater drain pipe that cross Ascension Drive at Enchanted Way (15 inch diameter, 2 percent slope) and the outfall stormwater drain pipe that crosses Polhemus Road (30-inch, 1.3 percent slope). This conclusion was based on hydrological calculations performed using the Rational Method ( $Q=C*I*A$ ) for 10-year storm events, as required by the County's "Guidelines for Drainage Review". The Proposed Project would include an on-site stormwater drainage system designed and sized such that runoff from the Proposed Project will be released at pre-development rates. Each individual lot will have its own separate stormwater retention system that will be oversized to accommodate runoff from the on-site private street. The system will meter discharge from each individual lot to the collective on-site storm drainage system, which consists of underground pipes, inlets, drainage structures and retention systems, concrete valley gutters, and a bioretention treatment system. The bioretention treatment system is a CDS hydrodynamic separator runoff treatment device designed to remove as many pollutants as possible, including small sedimentation particles. Given the long retention time of the proposed stormwater retention systems per each individual lot, impacts to the existing system during peak flows will be minimized. However, the system requires regular maintenance to ensure proper performance.

Given the capacity of the proposed stormwater drainage system and ability to delay peak flows, the Proposed Project would have a minimal impact to the existing stormwater drain system. However, the systems are designed for a 10-year event. Should the rainfall exceed that of a 10-year event or should the system become intermittently clogged, the slope of the project site and surrounding areas is such that water will run as over land flow and will drain into the nearby creek and thereby would neither pond on the project site nor flood adjacent properties.

**Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

**Mitigation Measure 4.6-3a:**

Upon acceptance of the design concept, a maintenance agreement shall be developed between the County and the HOA or equivalent entity requiring the HOA or equivalent entity to complete and provide the documentation of annual inspection and cleaning of each of the 19 individual lot storm

drainage systems. The inspection shall be performed during the dry season and shall include removal of all trash and obstructions from area drains, cleanouts, and catch basins.

**Mitigation Measure 4.6-3b:**

The 15-inch diameter stormwater drain pipe flowing at 2 percent that crosses Ascension Drive at Enchanted Way shall be replaced with a 21-inch diameter pipe. The 30-inch diameter stormwater drain pipe flowing at 1.3 percent shall be replaced with a 36-inch diameter pipe sloped at 2 percent. Stormwater drain pipe infrastructure improvements shall adhere to all applicable regulations and ordinances.

**Impact 4.6-5**

Implementation of the Proposed Project would neither degrade groundwater quality nor substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. As stated in Section 4.6.2 of the Draft EIR, the project site does not contain a high groundwater table, as evidenced by project site surveys and test borings conducted on the project site. The soils on the project site are well-drained with a high runoff potential, which reduces the ability of the project site to contribute to groundwater recharge of the underlying basin. Increasing impervious surfaces on the project site as a result of implementation of the Proposed Project would not result in a significant decrease in groundwater infiltration. There are no aquifers below the site or in the vicinity of the project site. No pumping activities or drilling of groundwater wells are proposed with Proposed Project. Potable water demands created by the project would be served by Cal Water, which is ultimately supplied by the Hetch Hetchy Reservoir.

**Mitigation Measures 4.6-1, 4.6-2a, and 4.6-2b**, which are protective of surface water quality, would also protect groundwater from potential contamination by pollutants. The Proposed Project would not impact groundwater quality.

**Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

**Facts in Support of the Findings:**

The potentially significant effects would be reduced to less-than- significant levels through implementation of the Mitigation Measures 4.6-1; 4.6-2a, b, and c; and 4.6-3a and b. The rationale for the above finding is set forth in Section 4.6, Hydrology & Water Quality, of the EIR. Best Management Practices and a Stormwater Pollution Prevention Plan would reduce the amount of pollution from storm water runoff at Project sites throughout the project site, and impacts to hydrology and water quality would be less than significant.

**HAZARDS AND HAZARDOUS MATERIALS**

**Impact 4.7-1**

Construction of the Proposed Project would include the routine transport, storage, and handling of hazardous materials, which has the potential to result in a public health or safety hazard from the accidental release of hazardous materials into the environment. During grading and construction activities, it is anticipated that limited quantities of miscellaneous hazardous substances, such as gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. would be brought onto the site. Temporary storage units (bulk above-ground storage tanks, 55-gallon drums, sheds/trailers, etc.) would likely be used by various contractors for fueling and maintenance purposes. As with any liquid and solid, the handling and transfer between one container to another has the potential for an accidental release. Construction contractors will be required to comply with applicable federal and State environmental and workplace safety laws. Adherence to these regulatory requirements would ensure that this impact is less than significant.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.7-1:

The project applicant shall ensure through the enforcement of contractual obligations that all contractors transport, store, and handle construction-required hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by the San Mateo County Planning and Building Department, Office of Environmental Health Services Division, and Office of Emergency Services. Recommendations may include, but are not limited to, transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using approved protocols.

**Impact 4.7-2**

Construction of the Proposed Project has the potential to release hazardous materials into the environment through reasonably foreseeable upset or accident conditions, which may create a significant hazard. Underground utilities, such as water, sewer, electrical, and gas lines, may be located in the construction area of the project site. During the initial phases of construction of the Proposed Project, underground utilities could be encountered. Ground disturbance and excavation activities in areas with underground utilities could result in damage to those utilities, increasing the risk for explosion or release of hazardous materials into the environment. This is considered a potentially-significant impact

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.7-2:

The project applicant shall require through contractual obligations that the construction contractor(s) marks the areas planned to be disturbed in white paint and notify Underground Service Alert (USA) one week prior to the beginning of excavation activities. This will be completed so the entire construction area is properly surveyed in order to minimize the risk of exposing or damaging underground utilities. USA provides a free "Dig Alert" service to all excavators (contractors, homeowners and others), in northern California, and will automatically notify all USA Members (utility service providers) who may have underground facilities at their work site. In response, the USA Members will mark or stake the horizontal path of their underground facilities, provide information about, or give clearance to dig. This service protects excavators from personal injury and underground facilities from being damaged. The utility companies will be responsible for the timely removal or protection of any existing utility facilities located within construction areas.

**Impact 4.7-3**

The Proposed Project has the potential to expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

*Construction*

Equipment used during grading and construction activities may create sparks, which could ignite dry grass on the project site. During construction, the use of power tools and acetylene torches may also increase the risk of fire hazard. This risk, similar to that found at other construction sites, is considered potentially significant.

*Operation*

The project site is located within the San Mateo County (County) Local Responsibility Area (LRA) produced

by the California Department of Forestry and Fire Protection (CAL FIRE). The CAL FIRE map designates the project site in a Very High Fire Hazard Severity Zone (VHFHSZ). Any buildings and infrastructure associated with the Proposed Project would be required to meet all applicable fire standards relating to construction quality, equipment access, and fire flow requirements. The County, the Uniform Building Code, and current CAL FIRE regulations adequately address issues related to wildland fires.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.7-3a:

The applicant shall ensure through the enforcement of contractual obligations that the following measures are implemented by contractors during project construction:

- Staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a fire break.
- Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.

Mitigation Measure 4.7-3b:

The building plans of the Proposed Project shall be reviewed by a representative from County Fire/CAL FIRE to ensure that regulations in the County's Fire Ordinance are met and the project complies with County Fire/CAL FIRE requirements. The development of the Proposed Project shall be in compliance with Chapter 15 of the County General Plan with respect to residential uses adjacent to open space areas where wildfire is a threat.

Facts in Support of the Findings:

The potentially significant effects would be reduced to less-than- significant levels through implementation of the Mitigation Measures 4.7-1; 4.7-2, and 4.7-3a and b. The rationale for the above finding is set forth in Section 4.7, Hazards and Hazardous Materials, of the EIR. Best Management Practices would prevent the dispersion of hazardous materials on the project site during construction and would prevent wildfires, and impacts related to hazards and hazardous materials would be less than significant.

## **NOISE AND VIBRATION**

### **Impact 4.8-1**

Construction of the Proposed Project has the potential to generate a substantial temporary or periodic noise level greater than existing ambient levels in the project vicinity. Noise levels as a result of construction would cause an exceedance of the County's land use compatibility maximum level of 60 dBA for exterior residential land uses. Because of the nature of construction activities of the Proposed Project and the location of the project site, feasible noise mitigation for consistently reducing the noise levels below the 60 dBA threshold is unavailable. As a result, temporary substantial noise increases associated with project construction would be considered potentially significant. However, in accordance with the County Noise Ordinance 4.88.360, noise from construction activities occurring during the hours specified in Mitigation Measure 4.8-1 is exempt from the 60 dB noise threshold.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

#### Mitigation Measure 4.8-1:

The project applicant shall ensure through contractual agreements that the following measures are implemented during construction:

- Construction activities shall be limited to occur between the hours of 7:00 A.M. to 6:00 P.M. Monday through Friday, and 9:00 A.M. to 5:00 P.M. on Saturdays. Construction activities shall not occur on Sundays, Thanksgiving, or Christmas. The intent of this measure is to prevent construction activities during the more sensitive time period and minimize the potential for effects.
- Stationary equipment and staging areas shall be located as far as practical from noise-sensitive receptors.
- All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and acoustical shields or shrouds, in accordance with manufacturers' recommendations.
- Construction activities shall conform to the following standards: (a) there shall be no start-up of machines or equipment, no delivery of materials or equipment, no cleaning of machines or equipment and no servicing of equipment except during the permitted hours of construction; (b) radios played at high volume, loud talking and other forms of communication constituting a nuisance shall not be permitted.
- The general contractors for all construction activities shall provide a contact number for citizen complaints and a methodology for dealing with such complaints such as designating a noise disturbance coordinator. This noise disturbance coordinator shall receive all public complaints about construction-related noise and vibration, shall be responsible for determining the cause of the complaint, and shall implement any feasible measures to be taken to alleviate the problem. All complaints and resolution of complaints shall be reported to the County weekly.

#### Facts in Support of the Findings:

The potentially significant effects would be reduced to less-than- significant levels through implementation of the Mitigation Measure 4.8-1. The rationale for the above finding is set forth in Section 4.8, Noise and Vibration, of the EIR. Best Management Practices would reduce exempt construction noise impact to the extent feasible and reasonable.

## **PUBLIC SERVICES, UTILITIES, AND RECREATION**

### **Impact 4.10-2**

The Proposed Project would require the construction of new and relocation of existing water supply facilities, the construction of which could cause significant environmental effects. The increase in population due to the Proposed Project is consistent with population projections contained in the 2010 Urban Water Management Plan. As discussed in Section 4.10.2 of the Draft EIR, water supply is projected to fall short of water demand in single and multiple dry years. The California Water Service Company (Cal Water) Bayshore District (BSD) (also known as Mid-Peninsula District) anticipates meeting water demands in dry years by implementing its Water Shortage Contingency Plan, which is a series of procedures and outreach strategies designed to reduce customer demand. Mitigation Measure 4.10-2a is included below to ensure the Proposed Project would comply with the Water Shortage Contingency Plan.

Water from the existing storage tank would be used to supply the proposed development. However, the existing water system does not have adequate pressure to supply peak day and peak hour water demands of the Proposed Project. Additionally, the existing water mains and associated Cal Water easements are located in areas proposed for development of individual residential lots.

#### Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or

substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.10-2a:

Residents of the Proposed Project shall comply with all requirements of Cal Water's Water Shortage Contingency Plan as mandated by Cal Water and BSD. These requirements may include, but are not limited to the following:

- Voluntarily reduce water consumption at single-family residences;
- Adhere to the minimum allocation given to single-family residential customers or pay penalty rate applied to service bill for use that is in excess of customer's allocation; and/or
- Comply with orders prohibiting the use of water for specific activities, such as a prohibition of potable water use for landscape irrigation.

Mitigation Measure 4.10-2b:

Pumping facilities shall be installed at the existing water tank owned by Cal Water to provide adequate water pressure for residential and fire protection uses. Cal Water shall be contacted to review pumping facilities design and ensure compliance with applicable standards. The project applicant shall fund the development of these facilities.

Mitigation Measure 4.10-2c:

Two existing water mains shall be relocated such that they are within the right-of-way of the proposed private street or at the property boundary so as to allow ease of maintenance of the water mains. New Cal Water easements shall be established on the project site to replace the existing Cal Water easements. The two water mains include an 8-inch diameter water main connecting the water tank to the water main located on Parrot Drive and a 10-inch diameter water main connecting the water tank to the water main located on Bel Aire Drive.

**Impact 4.10-3**

The Proposed Project would exceed the wet weather capacity of the wastewater conveyance system and would require upgrades to existing wastewater treatment facilities, the construction of which could cause significant environmental effects. Sewer pipelines within the Town of Hillsborough and the City of San Mateo that would serve the Proposed Project have capacity issues during wet weather events. The additional wastewater generated by the Proposed Project would exacerbate these issues. Additionally, the Proposed Project cannot connect to the sewer system and associated wastewater treatment plant (WWTP) unless the project applicant commits to and completes construction of improvements to reduce inflow and infiltration to the sanitary sewer system such that the new project would result in a zero net increase of in flow during wet weather events

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.10-3:

The applicant shall offset the increase in sewer flow generated by the Proposed Project by reducing the amount of existing I&I into the CSCSD sewer system. The offset amount shall achieve a zero net increase in flow during wet weather events with implementation of the Proposed Project. This shall be achieved through the construction of improvements to impacted areas of the sewer system, with construction plans subject to CSCSD approval and required to be in compliance with applicable regulatory requirements. Construction of improvements, as approved by the CSCSD, shall be completed prior to the start of the construction of the residences.

#### **Impact 4.10-4**

The Proposed Project would require the expansion of existing stormwater drainage facilities, the construction of which would cause significant environmental effects. Development of the Proposed Project would substantially alter existing drainage patterns and may cause flows to exceed the capacity of existing stormwater culverts. The existing drainage system on the project site is able to handle the current pre-development runoff, with two exceptions. During rainfall events, discharge exceeds the capacity of the stormwater drain pipe that crosses Ascension Drive at Enchanted Way (15 inch diameter, 2 percent slope) and the outfall stormwater drain pipe that crosses Polhemus Road (30-inch diameter, 1.3 percent slope). Mitigation Measure 4.6-3b is included to increase the capacity of the existing stormwater drainage system and ensure the construction of such infrastructure upgrades would not result in a significant environmental effect. Furthermore, as discussed in Section 4.6.4 of the Draft EIR, the Proposed Project would include an on-site stormwater drainage system designed and sized such that runoff from the Proposed Project will be released at pre-development rates. Each individual lot will have its own separate stormwater retention system that will meter discharge from each individual lot to the collective on-site storm drainage system. Mitigation Measure 4.6-3a is included to ensure proper maintenance of each lot's individual stormwater retention system. In the cumulative scenario, the amount of stormwater drainage from the Proposed Project would not increase and other cumulative development projects would be subject to local, State, and federal regulations designed to minimize cumulative impacts, including those impacts related to stormwater drainage.

#### **Findings:**

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

#### **Impact 4.10-5**

The Proposed Project would generate a demand for fire protection services, which could require the construction of new or expanded facilities that may cause significant environmental impacts.

#### *Construction*

Construction of the Proposed Project would introduce additional potential sources of fire to the project site that could result in the need for fire-fighting services. Construction activities would be temporary in nature and are anticipated to occur periodically over a 27-month period. Equipment used during grading and periodic construction activities may create sparks, which could ignite dry grass on the project site. During construction, the use of power tools and acetylene torches may also increase the risk of fire hazard. In addition, medical emergencies could result from construction related-accidents, which could result in a response from fire protection services. Strict fire and personnel safety requirements and standards, typical of the industry, would be included in the construction contractor's contract. Additionally, implementation of Mitigation Measure 4.7-3 would reduce the risk of wildland fires during construction to a less-than-significant level. Therefore, construction of the Proposed Project would not strain the San Mateo City Fire Department or County Fire/ CAL FIRE such that the construction of new or expanded facilities would be required and the potential impact would be less-than-significant with mitigation.

#### *Operation*

The Proposed Project includes a residential community that would be constructed on a project site that is currently uninhabited and undeveloped open space. Residential uses require a higher level of fire protection services compared to open space, due to the increased number of emergency calls and higher associated fire risk. Increased calls for service could decrease area response times as well as strain fire protection resources, which could result in the need to construct new or expanded facilities to meet demands. The Proposed Project would be designed to minimize service demands on the San Mateo City Fire Department and County Fire/CAL FIRE; these design features include the installation of fire hydrants, access roads without physical barriers, and water service to provide adequate fire flow. Mitigation Measure 4.10-2a, discussed above, would ensure adequate water pressure for fire protection services. All buildings would be built to current

California Building Code and California Fire Code. Additionally, per the alternate materials and methods request of County Fire/CAL FIRE, fire sprinklers for all structures within the proposed development would have a higher discharge thereby further alleviating impacts to fire protection services; Mitigation Measure 4.10-5 is included to ensure installation of this type of fire sprinkler.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.10-5:

The applicant shall ensure that fire sprinklers with appropriate flow rates are installed for all structures that would be developed as a part of the Proposed Project, per County Fire/CAL FIRE's alternate materials and methods request.

Facts in Support of Findings:

The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures 4.10-2a, b, and c; 4.10-3 and 4.10-5. The rationale for the above finding is set forth in Section 4.10, Public Services, of the EIR. In summary, implementation of these mitigation measures would ensure that impacts of public services as a result of development of the proposed Project would be less than significant.

## **TRANSPORTATION AND CIRCULATION**

### **Impact 4.11-3**

Implementation of the Proposed Project would not conflict with adopted policies, plans, or programs, including those related to safety and performance, regarding public transit, bicycle, and pedestrian facilities but does have the potential develop unsafe pedestrian and bicycle facilities. The Proposed Project would result in an increase in bicycle and pedestrian trips in the vicinity of the project site by residents and visitors. The Proposed Project may also result in an increase in demand for mass transit service. However, the Proposed Project is not anticipated to hinder and would not eliminate any existing bikeways or pedestrian way or interfere with the implementation of the planned bicycle and pedestrian improvements in the project study area. Likewise, the Proposed Project would not interfere with mass transit systems, and the level of transit usage generated by the Proposed Project is not anticipated to exceed the capacity of the available and planned transit system in the project study area and the region. The Proposed Project would provide off-street sidewalks along all new roadways. Such provisions would result in enhanced pedestrian connectivity between the existing neighborhoods to the north and west of the project site. The project is not anticipated to result in unsafe condition for pedestrians and bicyclists; to ensure pedestrians' and bicyclists' safety at night on the project site, Mitigation Measure 4.11-3 is provided.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.11-3:

Either provide street lighting on the private streets to a level of 0.4 minimum maintained average foot-candles with a uniformity ratio of 6:1, average to minimum or ensure street lighting is consistent with safety standards of the County-governed Bel Aire Lighting District.

### **Impact 4.11-4**

Implementation of the Proposed Project has the potential to substantially increase hazards due to the design of the new private street and proposed intersection with Bel Aire Drive. The Proposed Project includes development of a new private street on the project site to provide access to all proposed residences. The

private street would connect with Bel Aire Road at the northern corner of the project site via a new intersection. The paved area of the private street would be approximately 36 feet wide, providing 22 feet for two travel lanes (11 feet per lane) and 14 feet for parallel parking spaces (7 feet per side). Street grades would range from 11 to 19 percent; any street with a slope greater than 15 percent would be constructed of concrete whereas all other streets would be asphalt. Figure 3-6 of the Draft EIR (Private Street Cross Sections) provides a diagram. The private street and intersection would be developed in accordance with applicable County standards. Mitigation Measure 4.11-4 is included to ensure a safe sight distance at the proposed new intersection.

Findings:

Changes or alterations have been required in, or incorporated into, the Project which would avoid or substantially lessen the significant environmental effects identified in the EIR.

Mitigation Measure 4.11-4:

Within the corner sight triangles at the new street intersection there should be no walls, fencing, or signs that would obstruct visibility. Trees should be planted so as to not create a “wall” effect when viewed at a shallow angle. The type of shrubbery planted within the triangles should be such that it will grow no higher than three feet above the adjacent roadway surface. Trees planted within the sight triangle areas should be large enough that the lowest limbs are at least seven feet above the surface of the adjacent roadway. Street parking should be prohibited within the bounds of the sight triangle.

Facts in Support of Findings:

The potentially significant effects would be reduced to less-than-significant levels through implementation of the Mitigation Measures 4.11-3 and 4.11-4. The rationale for the above finding is set forth in Section 4.11, Transportation and Circulation, of the Draft EIR. In summary, implementation of these mitigation measures would ensure that traffic impacts as a result of development of the Proposed Project would be less than significant.

Mitigation Monitoring and Reporting Plan

	Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<b>4.1 AESTHETICS</b>						
<b>4.1-1a</b>	<p>Prior to recordation of the Final Map, the project applicant shall submit a landscape plan for review and approval by the San Mateo County Planning Department (County Planning Department). The landscape plan shall include the location, size, and species of any proposed landscaping and shall include, but not be limited to, hedges or other appropriate vegetation that will provide opaque screening between the northeastern edge of the project site and the residences along the southern side of Parrott Drive. In addition, all proposed landscaping shall be of native, non-invasive species. Areas used for the storage of landscape maintenance or other equipment, supplies, or debris shall be shielded from view by fencing, landscaping or other means. Prior to final approval of the Final Map, a site inspection shall be required by the County Planning Department to verify that all approved landscaping has been implemented or bonds posted for performance and maintenance. All perimeter landscaping shall serve to screen and/or enhance views of the project site from surrounding roadways and neighborhoods.</p>	Prior to the approval of each phase of the Final Map	Applicant	PBD	Site inspection to verify compliance with mitigation measure	
<b>4.1-1b</b>	<p>The project Applicant shall submit an application for a permit to remove trees consistent with Section 12,000 of the County Ordinance Code. The application shall include a tree replacement plan that shall not exceed the following specifications:</p> <ul style="list-style-type: none"> <li>• For each loss of a significant indigenous tree, there shall be a replacement with three or more trees, as determined by the Planning Director, of the same species using at least five gallon size stock.</li> <li>• For each loss of a significant exotic tree there shall be a replacement with three or more trees, as determined by the Planning Director that the substitute tree can survive and flourish in the regional climatic conditions.</li> </ul>	Prior and during construction	Applicant	PBD/CDFW	Site inspection to verify compliance with mitigation measures during construction; and subsequent monitoring as stipulated in the measure	

PBD = County of San Mateo Planning and Building Department    CDFW = California Department of Fish and Wildlife    USFWS = United State Fish and Wildlife Service    SWRCB = State Water Resources Control Board    EHS = County of San Mateo Office of Environmental Health Services Division    OES = County of San Mateo Office of Emergency Services    Cal Water BSD = California Water Service Company Bayshore District    CSCSD = Crystal Springs County Sanitation District    BALD = Bel Aire Lighting District    County Fire = County of San Mateo Fire Department    CAL FIRE = California Department of Forestry and Fire Protection    BAAQMD = Bay Area Air Quality Management District    HOA = Home Owners Association

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<ul style="list-style-type: none"> <li>Replacement trees for trees shall require a surety deposit for both performance (installation of tree, staking, and providing an irrigation system) and maintenance. Maintenance shall be required for no less than two and no more than five years as determined by the Planning Director.</li> </ul>					
<b>4.2 AIR QUALITY AND GHG</b>					
<p><b>4.2-1a</b> The Applicant shall ensure through the enforcement of contractual obligations that construction contractors implement a fugitive dust abatement program during construction, which shall include the following elements consistent with the Basic Construction Mitigation Measures recommended by the BAAQMD:</p> <ul style="list-style-type: none"> <li>Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.</li> <li>Cover all exposed stockpiles.</li> <li>Water all exposed roadway and construction areas two times a day.</li> <li>Sweep paved streets three times daily (with water sweepers) if visible soil material is carried onto adjacent streets.</li> <li>Limit traffic speeds on unpaved roads to 15 miles per hour (mph).</li> <li>After grading is complete, construction of paved surfaces (e.g. roadways, driveways, sidewalks, building pads) should be completed as soon as possible unless protected by seeding, soil binders, or other similar measures.</li> <li>Limit idling time to a maximum of five minutes and turn off equipment when not in use; clear signage indicating this shall be displayed at the project site access point.</li> <li>All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications and shall be checked by a certified</li> </ul>	During construction	Applicant	PBD/Construction Contractors/ BAAQMD	Site inspection to verify compliance with mitigation measures during construction; applicable forms submitted to BAAQMD	

PBD = County of San Mateo Planning and Building Department    CDFW = California Department of Fish and Wildlife    USFWS = United State Fish and Wildlife Service    SWRCB = State Water Resources Control Board    EHSD = County of San Mateo Office of Environmental Health Services Division    OES = County of San Mateo Office of Emergency Services    Cal Water BSD = California Water Service Company Bayshore District    CSCSD = Crystal Springs County Sanitation District    BALD = Bel Aire Lighting District    County Fire = County of San Mateo Fire Department    CAL FIRE = California Department of Forestry and Fire Protection    BAAQMD = Bay Area Air Quality Management District    HOA = Home Owners Association

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<p>visible emissions evaluator.</p> <ul style="list-style-type: none"> <li>Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.</li> <li>Any burning of cleared vegetation shall be conducted according to the rules and regulations of the BAAQMD's Regulation 5 (BAAQMD, 2008). Prior notification to BAAQMD shall be made by submitting an Open Burning Prior Notification Form to BAAQMD's office in San Francisco.</li> <li>A publicly visible sign shall be posted with the telephone number and person to contact at the County regarding dust complaints. A response and corrective action shall occur within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</li> </ul>					
<p><b>4.2-1b</b> The Applicant shall ensure through contractual obligations with construction contractors that the following Best Management Practices (BMPs) shall be implemented during all stages of construction:</p> <ul style="list-style-type: none"> <li>All heavy duty construction equipment be equipped with a diesel particulate matter filters.</li> <li>Only low ROG coatings shall be utilized.</li> <li>The applicant shall use only Tier 2 or better heavy duty construction equipment.</li> </ul>	During construction	Applicant	PBD/Construction Contractors	Site inspection to verify compliance with mitigation measures during construction	
<b>4.4 BIOLOGICAL RESOURCES</b>					
<p><b>4.3-1</b> To address potential impacts associated with special status plant species, the following measures will be implemented prior to construction of the Proposed Project:</p> <ul style="list-style-type: none"> <li>A qualified biologist/botanist shall conduct a focused botanical survey during the month of May, which corresponds to the overlapping evident and identifiable bloom periods for the remaining seven species, and prior to commencement of construction. Should no special status plant species be observed, then no additional mitigation is required.</li> <li>Should one or more of these special status plants be</li> </ul>	Prior to the commencement of construction	Applicant/PBD	PBD/CDFW	Verify completion of surveys and additional stipulated mitigation if necessary	

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Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<p>found during the focused botanical survey on the project site, the qualified biologist/botanist shall contact CDFW within one day following the focused botanical survey to report the findings. If feasible, a 10-foot buffer shall be established around the species using construction flagging prior to commencement of construction activities.</p> <ul style="list-style-type: none"> <li>Should avoidance of special status plant species be infeasible, the qualified botanist would salvage and relocate the individuals in an area comprised of suitable habitat in the vicinity of the project site that would not be impacted by the Proposed Project. Prior to the attempted relocation, seeds shall be gathered from the identified plants for use in the area identified for relocation.</li> </ul>					
<p><b>4.3-2</b> To address potential impacts associated with the Mission blue butterfly, the following measures will be implemented prior to construction of the Proposed Project:</p> <ul style="list-style-type: none"> <li>A qualified biologist shall conduct a focused survey within the nonnative grassland on the project site for the Mission blue butterfly during the appropriate identification periods for adults (March-July) or juveniles (wet season) prior to commencement of construction activities. Should no species be observed, then no additional mitigation is required.</li> <li>Should the Mission blue butterfly be observed during the focused survey on the project site, the qualified biologist shall contact CDFW within one day following the focused botanical survey to report the findings. If feasible, a 10-foot buffer shall be established around the species' host plants using construction flagging prior to commencement of construction activities.</li> <li>Should avoidance of the Mission blue butterfly be infeasible, the qualified biologist would allow the butterfly to exit the property on its own, or will establish an alternately approved appropriate action</li> </ul>	Prior to construction	PBD/CDFW	PBD/CDFW	Verify completion of surveys and additional stipulated mitigation if necessary	

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Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<p>following contact with CDFW.</p> <p><b>4.3-3a</b> Prior to the commencement of construction activities on the project site during the nesting season, a qualified biologist shall conduct a minimum of two protocol level preconstruction surveys for listed bird species during the recommended survey periods for the nesting season that coincides with the commencement of construction activities:</p> <ul style="list-style-type: none"> <li>• Northern harrier: Present year-round, breeds March through August;</li> <li>• Burrowing owl: Present year-round, breeds primarily March through August, but can be February-December; and</li> <li>• White-tailed kite: Present year-round, breeding occurs in autumn. Nesting season begins in February and ends in August.</li> </ul> <p>These surveys will occur in accordance with the USFWS Division of Migratory Bird Management <i>Guidelines for Raptor Conservation in the United States</i> (2008). The qualified biologist shall conduct surveys within 14 days of commencement for Northern harrier, burrowing owl, and white-tailed kite in the project site and within 0.25 miles of construction activities where legally permitted. The biologist will use binoculars to visually determine whether nests occur beyond the 0.25-mile survey area if access is denied on adjacent properties. If no active nests are identified on or within 0.25 miles of construction activities within the recommended survey periods, a letter report summarizing the survey results shall be submitted to the County and the CDFW within 30 days following the survey, and no further mitigation for nesting habitat is required. Evidence, in the form of a letter report documenting the results of the survey, shall be submitted to the County prior to the issuance of any grading or building permits within the project site.</p>	<p>Prior to issuance of grading building permits</p>	<p>PBD/CDFW</p>	<p>PBD/CDFW</p>	<p>Verify completion of surveys and submittal of letter reports</p>	
<p><b>4.3-3b</b> If active listed bird nests are found within 0.25 mile of</p>	<p>Prior to construction</p>	<p>PBD/CDFW</p>	<p>PBD/CDFW</p>	<p>Verify completion of</p>	

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<p>construction activities, the biologist shall contact the County and CDFW within one day following the pre-construction survey to report the findings. For purposes of this mitigation requirement, construction activities are defined to include heavy equipment operation associated with construction (use of cranes or draglines, new rock crushing activities) or other project-related activities that could cause nest abandonment or forced fledging within 0.25 mile of a nest site during the identified nesting period. Should an active nest be present within 0.25 mile of construction areas, then CDFW shall be consulted to establish an appropriate noise buffer, develop take avoidance measures, and implement a monitoring and reporting program prior to any construction activities occurring within 0.25 mile of the nest/burrow. The monitoring program would require that a qualified biologist shall monitor all activities that occur within the established buffer zone to ensure that disruption of the nest/burrow or forced fledging does not occur. Should the biologist determine that the construction activities are disturbing the nest/burrow, the biologist shall halt construction activities until CDFW is consulted. The construction activities shall not commence until the CDFW determines that construction activities would not result in abandonment of the nest/burrow site. If the CDFW determines that take may occur, the applicant would be required to obtain a CESA take permit. Should the biologist determine that the nest/burrow has not been disturbed during construction activities within the buffer zone, then a letter report summarizing the survey results will be submitted to the County and CDFW and no further mitigation for nesting habitat is required.</p>				<p>surveys and additional stipulated mitigation if necessary</p>	
<p><b>4.3-4a</b> A qualified biologist shall conduct a pre-construction bird survey for nesting within 14 days prior to commencement of construction activities if anticipated to commence during the appropriate nesting season (between February 1 and August 31). The qualified biologist shall document</p>	<p>Prior to construction</p>	<p>PBD/CDFW</p>	<p>PBD/CDFW</p>	<p>Verify completion of surveys and submittal of letter reports</p>	

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<p>and submit the results of the pre-construction survey in a letter to CDFW and the County within 30 days following the survey. The letter shall include: a description of the methodology including dates of field visits, the names of survey personnel, a list of references cited and persons contacted, and a map showing the location(s) of any bird nests observed on the project site. If no active nests are identified during the pre-construction survey, then no further mitigation is required. Evidence, in the form of a letter report documenting the results of the survey, shall be submitted to the County Planning Department prior to the issuance of any grading or building permits within the project site.</p>					
<p><b>4.3-4b</b> If any active nests are identified during the pre-construction survey within the project site, a buffer zone will be established around the nests. A qualified biologist will monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist will delimit the buffer zone with construction tape or pin flags within 250 feet of the active nest and maintain the buffer zone until the end of the breeding season or until the young have fledged. Guidance from CDFW will be requested if establishing a 250-foot buffer zone is impractical. Guidance from CDFW will be requested if the nestlings within the active nest appear disturbed.</p>	Prior and during construction	PBD/CDFW	PBD/CDFW	Verify completion of weekly surveys contingent on results of survey detailed in <b>Mitigation Measure 4.3-4a</b>	
<p><b>4.3-4c</b> Trees anticipated for removal should be removed outside of the nesting season (February 1 and August 31). If trees are anticipated to be removed during the nesting season, a pre-construction survey shall be conducted by a qualified biologist. If the survey shows that there is no evidence of active nests, then the tree shall be removed within ten days following the survey. If active nests are located within trees identified for removal, a 250-foot buffer shall be installed around the tree. Guidance from CDFW will be requested if the 250-foot buffer is infeasible.</p>	Prior to construction	PBD/CDFW	PBD/CDFW	Verify completion of survey	
<p><b>4.3-6</b> Prior to the issuance of grading permits and removal of</p>	Prior to issuance of grading	Applicant/PBD	PBD	Verify completion of	

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<p>any trees, a certified arborist or registered professional forester shall conduct an arborist survey documenting all trees with trunk circumferences of 38 inches or greater and their location, as well as any Tree Communities or Indigenous Trees regardless of size. The report shall be submitted to the County Planning Department. The applicant shall not remove any trees without prior approval from the County Planning Department. All recommendations of the arborist report shall be implemented prior to the issuance of building permits for development on the project site. The arborist report shall specify measures including, but not limited to the following:</p> <ul style="list-style-type: none"> <li>To the extent feasible, trees anticipated for removal shall be removed outside of the nesting season for birds. Taking into account the nesting season for the white tailed kite, the nesting season shall be defined as February 1 to August 31.</li> <li>The project proponent shall plant replacement significant and/or indigenous tree species recommended by the County at a 3:1 ratio within the project site.</li> </ul>	permits			surveys and submittal of letter reports	

**4.4 GEOLOGY AND SOILS**

<b>4.4-1a</b>	Implement <b>Mitigation Measure 4.6-1</b> (Section 4.6; Hydrology and Water Quality) to identify and implement erosion control BMPs within the SWPPP prepared for construction activities in accordance with the State's Clean Water Act NPDES general permit for construction activities. Implementation of these BMPs would ensure that temporary and short-term construction-related erosion impacts under the Proposed Project would be reduced to a less-than-significant level.	See <b>Mitigation Measure 4.6-1</b>			
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4.4-1b	The applicant shall obtain a San Mateo County Grading Permit which includes the requirement of an Erosion and Sediment Control Plan. This Erosion and Sediment Control Plan shall be prepared by a licensed civil engineer or certified professional soil erosion and sediment control specialist. The plan shall show the location of proposed vegetative erosion control measures, including landscaping and hydroseeding, and the location and details of all proposed drainage systems. The plan shall include sufficient engineering analysis to show that the proposed erosion and sediment control measures during preconstruction, construction, and post-construction are capable of controlling surface runoff and erosion, retaining sediment on the project site, and preventing pollution of site runoff in compliance with the Clean Water Act.	Prior to issuance of a grading permit	Applicant/PBD	PBD	Verify that site-specific erosion control and sediment plans and post construction plans have been prepared and implemented	
4.4-2a	Grading and building designs, including foundation requirements, shall be consistent with the findings of the geotechnical investigation, the California Code of Regulations, and the California Building Code.	Prior to issuance of grading and building permits	Applicant/PBD	PBD	Project design review/grading and building standards	
4.4-2b	The project applicant shall comply with all recommendations contained within the site-specific Geotechnical Investigation conducted by Michelucci & Associates (2013) (FEIS; Appendix E).	Prior to issuance of grading and building permits	Applicant/PBD	PBD	Project design review/grading and building standards	
4.4-2c	The applicant shall retain a qualified engineering geologist. All grading and installation of fill shall be performed under the observation of the qualified engineering geologist.	During grading/construction	Applicant/PBD	PBD	Verify site-specific grading standards	
4.4-3a	Implement <b>Mitigation Measure 4.6-2</b> (Section 4.6; Hydrology and Water Quality) to ensure that the site storm water drainage system (including individual systems for each residence) shall not allow discharge of uncontrolled runoff onto the site slopes. Concentrated runoff shall not be allowed to flow over graded slopes or areas of thick soil, colluviums, or fill.	See <b>Mitigation Measure 4.6-2</b>				
4.4-3b	Implement <b>Mitigation Measure 4.4-2c</b> to ensure the recommendations of the Geotechnical Investigation	See <b>Mitigation Measure 4.4-2c</b>				

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regarding subdrains and surface drainage are included in the project design.					
<b>4.6 WATER</b>					
<p><b>4.6-1</b> The applicant shall comply with the SWRCB NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Permit). The SWRCB requires that all construction sites have adequate control measures to reduce the discharge of sediment and other pollutants to streams to ensure compliance with Section 303 of the Clean Water Act. To comply with the NPDES permit, the applicant will file a Notice of Intent with the SWRCB and prepare a SWPPP prior to construction, which includes a detailed, site-specific listing of the potential sources of stormwater pollution; pollution prevention measures (erosion and sediment control measures and measures to control non-stormwater discharges and hazardous spills) to include a description of the type and location of erosion and sediment control BMPs to be implemented at the project site, and a BMP monitoring and maintenance schedule to determine the amount of pollutants leaving the Proposed Project site. A copy of the SWPPP must be current and remain on the project site. Control measures are required prior to and throughout the rainy season. Water quality BMPs identified in the SWPPP shall include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Temporary erosion control measures (such as silt fences, staked straw bales, and temporary revegetation) shall be employed for disturbed areas. No disturbed surfaces will be left without erosion control measures in place during the winter and spring months.</li> <li>• Sediment shall be retained onsite by detention basins, onsite sediment traps, or other appropriate measures.</li> <li>• A spill prevention and countermeasure plan shall be</li> </ul>	Prior to and during Construction	Applicant	Applicant/SWRCB	Submit NOI to SWRCB. Verify that a SWPPP has been prepared and implemented	

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<p>developed which would identify proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used onsite. The plan would also require the proper storage, handling, use, and disposal of petroleum products.</p>					
<ul style="list-style-type: none"> <li>• Construction activities shall be scheduled to minimize land disturbance during peak runoff periods and to the immediate area required for construction. Soil conservation practices shall be completed during the fall or late winter to reduce erosion during spring runoff. Existing vegetation will be retained where possible. To the extent feasible, grading activities shall be limited to the immediate area required for construction.</li> <li>• Surface water runoff shall be controlled by directing flowing water away from critical areas and by reducing runoff velocity. Diversion structures such as terraces, dikes, and ditches shall collect and direct runoff water around vulnerable areas to prepared drainage outlets. Surface roughening, berms, check dams, hay bales, or similar devices shall be used to reduce runoff velocity and erosion.</li> <li>• Sediment shall be contained when conditions are too extreme for treatment by surface protection. Temporary sediment traps, filter fabric fences, inlet protectors, vegetative filters and buffers, or settling basins shall be used to detain runoff water long enough for sediment particles to settle out.</li> <li>• Construction materials, including topsoil and chemicals, shall be stored, covered, and isolated to prevent runoff losses and contamination of groundwater.</li> <li>• Topsoil removed during construction shall be carefully stored and treated as an important resource. Berms shall be placed around topsoil stockpiles to</li> </ul>					

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<p>prevent runoff during storm events.</p> <ul style="list-style-type: none"> <li>• Establish fuel and vehicle maintenance areas away from all drainage courses and design these areas to control runoff.</li> <li>• Disturbed areas shall be revegetated after completion of construction activities.</li> <li>• All necessary permits and approvals shall be obtained.</li> <li>• Provide sanitary facilities for construction workers.</li> </ul>	During Project operations	PBD/HOA	PBD/HOA	Project design review/Project operations	
<p><b>4.6-2a</b> Upon acceptance of the design concept, a maintenance agreement shall be developed between the County and the Homeowners Association (HOA) or equivalent entity requiring the HOA or equivalent entity to complete the following tasks and provide the following information on a routine basis. These requirements apply only to the bioretention treatment system area of the project site and are as follows:</p> <ul style="list-style-type: none"> <li>• Maintenance of soils and plantings, including routine pruning, mowing, irrigation, replenishment of mulch, weeding, and fertilizing with a slow-release fertilizer with trace elements;</li> <li>• Removal of obstructions and trash from bioretention areas;</li> <li>• Use of only pesticides and fertilizers that are accepted within the integrated pest management approach for use in the bioretention areas;</li> <li>• Repair of erosion at inflow points;</li> <li>• Monthly review and inspection of bioretention areas for the following:               <ul style="list-style-type: none"> <li>○ Obstruction of trash,</li> <li>○ If ponded water is observed, the surface soils shall be removed and replaced and subdrain systems inspected, and</li> <li>○ Condition of grasses;</li> </ul> </li> <li>• Distribution of the following:</li> </ul>	During Project operations	PBD/HOA	PBD/HOA	Project design review/Project operations	

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<ul style="list-style-type: none"> <li>○ A copy of the storm water management plans shall be made available to personnel in charge of facility maintenance and shall be distributed to the subcontractor representative engaged in the maintenance or installation of the bioretention system, and</li> <li>○ Material presented in the integrated pest management program will be made available to personnel in charge of facility maintenance and shall be distributed to the subcontractor representative engaged in the maintenance or installation of the bioretention system.</li> </ul>					
<p><b>4.6-2b</b> Upon acceptance of the design concept, a maintenance agreement shall be developed between the County and the HOA or equivalent entity requiring the HOA or equivalent entity to complete the following tasks and provide the following information on a routine basis. These requirements apply to all common areas of the project site and are as follows:</p> <ul style="list-style-type: none"> <li>● Drainage inlets shall be inspected monthly and kept clean of any trash that may have accumulated. It is the responsibility of the property manager/owner to have those inspections performed, documented, and any repairs made.</li> <li>● Landscape areas shall be covered with plants or some type of ground cover to minimize erosion. No areas are to be left as bare dirt that could erode. Mounding slopes shall not exceed two horizontal to one vertical.</li> <li>● Pesticides and fertilizers shall be stored as hazardous materials and in appropriate packaging, over spraying onto paved areas shall be avoided when applying fertilizers and pesticides. Pesticides and fertilizers shall be prohibited from storage outside.</li> <li>● Landscape areas shall be inspected and all trash</li> </ul>	During Project operations	PBD/HOA	PBD/HOA	Project design review/Project operations	

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<p>picked up and obstruction to the drainage flow removed on a monthly basis minimum. The project site shall be designed with efficient irrigation and drainage to reduce pesticide use. Plants shall be selected based on size and situation to reduce maintenance and routine pruning.</p> <ul style="list-style-type: none"> <li>• Integrated pest management information shall be provided to the building management.</li> </ul>					
<p><b>4.6-2c</b> Infiltration systems shall be designed in accordance with the following procedures outlined in the California Storm Water Best Management Practice Handbooks to reduce runoff and restore natural flows to groundwater:</p> <ul style="list-style-type: none"> <li>• Biofilters and/or vegetative swale drainage systems will be installed at roof downspouts for all buildings on the project site, allowing sediments and particulates to filter and degrade biologically.</li> <li>• Structural source controls, such as covers, impermeable surfaces, secondary containment facilities, runoff diversion berms, sediment, and grease traps in parking areas will be installed.</li> <li>• Designated trash storage areas will be covered to protect bins from rainfall.</li> </ul>	During Project design phase and during construction activities	Applicant/PBD	PBD	Verify that infiltration systems are designed accordingly and that construction BMPs are implemented	
<p><b>4.6-3a</b> Upon acceptance of the design concept, a maintenance agreement shall be developed between the County and the HOA or equivalent entity requiring the HOA or equivalent entity to complete and provide the documentation of annual inspection and cleaning of each of the 19 individual lot storm drainage systems. The inspection shall be performed during the dry season and shall include removal of all trash and obstructions from area drains, cleanouts, and catch basins.</p>	During Project operations	PBD/HOA	CDD/HOA	Project design review/Project operations	
<p><b>4.6-3b</b> The 15-inch diameter stormwater drain pipe flowing at 2 percent that crosses Ascension Drive at Enchanted Way shall be replaced with a 21-inch diameter pipe. The 30-inch diameter stormwater drain pipe flowing at 1.3 percent shall be replaced with a 36-inch diameter pipe sloped at 2</p>	During construction	Applicant/PBD	PBD	Site inspection to verify compliance	

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percent. Stormwater drain pipe infrastructure improvements shall adhere to all applicable regulations and ordinances.					
<b>4.7 HAZARDS AND HAZARDOUS MATERIALS</b>					
<b>4.7-1</b> The project applicant shall ensure through the enforcement of contractual obligations that all contractors transport, store, and handle construction-required hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by the San Mateo County Planning and Building Department, Office of Environmental Health Services Division, and Office of Emergency Services. Recommendations may include, but are not limited to, transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using approved protocols.	During construction	Applicant/PBD/OEHSD/OES	Applicant/PBD/OEHSD/OES		Site inspection to verify compliance with mitigation measures during construction
<b>4.7-3a</b> The applicant shall ensure through the enforcement of contractual obligations that the following measures are implemented by contractors during project construction: <ul style="list-style-type: none"> <li>Staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a fire break.</li> <li>Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.</li> </ul>	During construction	PBD	PBD		Site inspection to verify compliance with mitigation measure during construction
<b>4.7-3b</b> The building plans of the Proposed Project shall be reviewed by a representative from County Fire/CAL FIRE to ensure that regulations in the County's Fire Ordinance are met and the project complies with County Fire/CAL FIRE requirements. The development of the Proposed Project shall be in compliance with Chapter 15 of the	Prior to issuance of building permits	Applicant/PBD/County Fire/CAL FIRE	Applicant/PBD/County Fire/CAL FIRE	Project design review/Chapter 15 County General Plan	

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	County General Plan with respect to residential uses adjacent to open space areas where wildfire is a threat.					
<b>4.8 NOISE</b>						
<b>4.8-1</b>	<p>The project applicant shall ensure through contractual agreements that the following measures are implemented during construction:</p> <ul style="list-style-type: none"> <li>• Construction activities shall be limited to occur between the hours of 7:00 A.M. to 6:00 P.M. Monday through Friday, and 9:00 A.M. to 5:00 P.M. on Saturdays. Construction activities shall not occur on Sundays, Thanksgiving, or Christmas. The intent of this measure is to prevent construction activities during the more sensitive time period and minimize the potential for effects.</li> <li>• Stationary equipment and staging areas shall be located as far as practical from noise-sensitive receptors.</li> <li>• All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and acoustical shields or shrouds, in accordance with manufacturers' recommendations.</li> <li>• Construction activities shall conform to the following standards: (a) there shall be no start-up of machines or equipment, no delivery of materials or equipment, no cleaning of machines or equipment and no servicing of equipment except during the permitted hours of construction; (b) radios played at high volume, loud talking and other forms of communication constituting a nuisance shall not be permitted.</li> <li>• The general contractors for all construction activities shall provide a contact number for citizen complaints and a methodology for dealing with such complaints such as designating a noise disturbance coordinator. This noise disturbance coordinator shall receive all</li> </ul>	During construction	Applicant	PBD	Site inspection to verify compliance with mitigation measures during construction	

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public complaints about construction-related noise and vibration, shall be responsible for determining the cause of the complaint, and shall implement any feasible measures to be taken to alleviate the problem. All complaints and resolution of complaints shall be reported to the County weekly.					
<b>4.10 PUBLIC SERVICES, UTILITIES, AND RECREATION</b>					
<b>4.10-2a</b> Residents of the Proposed Project shall comply with all requirements of Cal Water's Water Shortage Contingency Plan as mandated by Cal Water and BSD. These requirements may include, but are not limited to the following: <ul style="list-style-type: none"> <li>• Voluntarily reduce water consumption at single-family residences;</li> <li>• Adhere to the minimum allocation given to single-family residential customers or pay penalty rate applied to service bill for use that is in excess of customer's allocation; and/or</li> <li>• Comply with orders prohibiting the use of water for specific activities, such as a prohibition of potable water use for landscape irrigation.</li> </ul>	Project operations	Cal Water BSD	Cal Water BSD	Cal Water Shortage Contingency Plan	
<b>4.10-2b</b> Pumping facilities shall be installed at the existing water tank owned by Cal Water to provide adequate water pressure for residential and fire protection uses. Cal Water shall be contacted to review pumping facilities design and ensure compliance with applicable standards. The project applicant shall fund the development of these facilities.	During construction	Applicant/Cal Water BSD	Cal Water BSD		Site inspection to verify compliance with mitigation measures during construction

PBD = County of San Mateo Planning and Building Department    CDFW = California Department of Fish and Wildlife    USFWS = United State Fish and Wildlife Service    SWRCB = State Water Resources Control Board    EHSD = County of San Mateo Office of Environmental Health Services Division    OES = County of San Mateo Office of Emergency Services    Cal Water BSD = California Water Service Company Bayshore District    CSCSD = Crystal Springs County Sanitation District    BALD = Bel Aire Lighting District  
 County Fire = County of San Mateo Fire Department    CAL FIRE = California Department of Forestry and Fire Protection    BAAQMD = Bay Area Air Quality Management District  
 HOA = Home Owners Association

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<b>4.10-2c</b> Two existing water mains shall be relocated such that they are within the right-of-way of the proposed private street or at the property boundary so as to allow ease of maintenance of the water mains. New Cal Water easements shall be established on the project site to replace the existing Cal Water easements. The two water mains include an 8-inch diameter water main connecting the water tank to the water main located on Parrot Drive and a 10-inch diameter water main connecting the water tank to the water main located on Bel Aire Drive.	During construction	Applicant/Cal Water BSD	Cal Water BSD	Site inspection to verify compliance with mitigation measures during construction	
<b>4.10-3</b> The applicant shall offset the increase in sewer flow generated by the Proposed Project by reducing the amount of existing I&I into the CSCSD sewer system. The offset amount shall achieve a zero net increase in flow during wet weather events with implementation of the Proposed Project. This shall be achieved through the construction of improvements to impacted areas of the sewer system, with construction plans subject to CSCSD approval and required to be in compliance with applicable regulatory requirements. Construction of improvements, as approved by the CSCSD, shall be completed prior to the start of the construction of the residences.	Prior to construction	Applicant/CSCSD	CSCSD	Approval of sewer system construction improvements	
<b>4.10-5</b> The applicant shall ensure that fire sprinklers with appropriate flow rates are installed for all structures that would be developed as a part of the Proposed Project, per County Fire/CAL FIRE's alternate materials and methods request.	During construction	County Fire/CAL FIRE	County Fire/CAL Fire	Site inspection to verify compliance with mitigation measures during construction	
<b>4.11 TRANSPORTATION AND CIRCULATION</b>					
<b>4.11-3</b> Either provide street lighting on the private streets to a level of 0.4 minimum maintained average foot-candles with a uniformity ratio of 6:1, average to minimum or ensure street lighting is consistent with safety standards of the County-governed Bel Aire Lighting District.	During construction	Applicant/BALD	BALD	Site inspection to verify compliance with mitigation measures during construction	
<b>4.11-4</b> Within the corner sight triangles at the new street intersection there should be no walls, fencing, or signs that would obstruct visibility. Trees should be planted so	During construction	Applicant	PBD	Project design review	

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 HOA = Home Owners Association

Mitigation Measure	Timing/Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Standards for Compliance	Verification of Compliance
<p>as to not create a “wall” effect when viewed at a shallow angle. The type of shrubbery planted within the triangles should be such that it will grow no higher than three feet above the adjacent roadway surface. Trees planted within the sight triangle areas should be large enough that the lowest limbs are at least seven feet above the surface of the adjacent roadway. Street parking should be prohibited within the bounds of the sight triangle.</p>					

PBD = County of San Mateo Planning and Building Department    CDFW = California Department of Fish and Wildlife    USFWS = United State Fish and Wildlife Service    SWRCB = State Water Resources Control Board    EHSD = County of San Mateo Office of Environmental Health Services Division    OES = County of San Mateo Office of Emergency Services    Cal Water BSD = California Water Service Company Bayshore District    CSCSD = Crystal Springs County Sanitation District    BALD = Bel Aire Lighting District  
 County Fire = County of San Mateo Fire Department    CAL FIRE = California Department of Forestry and Fire Protection    BAAQMD = Bay Area Air Quality Management District  
 HOA = Home Owners Association

Several things to consider.

The project description includes a discussion of the stormwater system with an adequate level of detail to assess the environmental impacts in accordance with the significance criteria presented in Appendix G of the CEQA Guidelines:

1) Project description requirements per Section 15124 of the CEQA Guidelines:

The description of the project shall contain the following information **but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.**

(a) The precise location and boundaries of the proposed project shall be shown on a detailed map, preferably topographic. The location of the project shall also appear on a regional map.

(b) A statement of the objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.

(c) A general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals if any and supporting public service facilities.

(d) A statement briefly describing the intended uses of the EIR.

(1) This statement shall include, to the extent that the information is known to the lead agency,

(A) A list of the agencies that are expected to use the EIR in their decision-making, and

(B) A list of permits and other approvals required to implement the project.

(C) A list of related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies. To the fullest extent possible, the lead agency should integrate CEQA review with these related environmental review and consultation requirements.

(2) If a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed, preferably in the order in which they will occur. On request, the Office of Planning and Research will provide assistance in identifying state permits for a project.

2) Secondly, the CEQA guidelines reference that the EIR is only a portion of the information that the Lead Agency utilizes to make a decision on a proposed project: Section 15121(a)

An EIR is an informational document which will inform public agency decisionmakers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along **with other information which may be presented to the agency.**

Therefore, all information provided by an applicant is not required to be included within the EIR.

3) Adequacy: Section 15151 of the CEQA Guidelines:

An EIR should be prepared with a sufficient degree of analysis to provide decisionmakers 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 the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

SAN MATEO COUNTY  
GUIDELINES FOR DRAINAGE REVIEW

The following is intended to summarize the San Mateo County Policy on Storm Drainage to guide the applicant and the civil engineer when preparing a drainage analysis as a required “Condition of Approval” for proposed development.

SAN MATEO COUNTY DRAINAGE POLICY:

1. Post-development peak flow (runoff) and velocity must be less than or equal to pre-development peak flow and velocity in areas where there are no existing down stream storm drain systems. No additional runoff, caused by development, can cross property lines. In areas where there are existing storm drain systems, those systems must be of adequate size to accept the increased runoff, or, mitigation procedures must be taken. Mitigation procedures may include on-site storm drain detention or off-site storm drain improvements.
2. If permanent structures are to be built over existing drainage courses or drainage facilities courses or drainage facilities.
  - a. adequate drainage facilities must be provided to protect the proposed development and existing downstream development.
  - b. A means of adequate access must be provided for maintenance
  - c. An alternate system for drainage must be provided in the event the primary system becomes plugged or otherwise inoperable.
3. The use of dry wells to dispose of surface runoff may be allowed.
4. Drainage systems that are designed to rely on pumps may not be allowed.

To comply with County Policy, the applicant’s civil engineer must submit a drainage report, hydrologic study, hydraulic calculations, and drainage improvement plans. The following sections present general guidelines for these items.

DRAINAGE REPORT:

A drainage report (written narrative) must be submitted to the County for review and include the following:

1. Delineation of drainage basins and subbasins.
2. Description of proposed drainage system.
3. Discussion of rationale used to design system
4. Discussion of methods and/or calculations.
5. Description of how excess drainage will be detained.
6. Description of how discharge will be controlled to comply with County Policy.

## HYDROLOGIC ANALYSIS:

The hydrologic calculations must be based on an appropriate design storm for the specific site conditions and project. For projects located within a floodplain or bounding an existing drainage course located on or adjacent to the property, the design shall be based upon a design storm of no less than a 100 year recurrence interval may be used.

The hydrologic analysis must include the following:

1. ANALYSIS/CALCULATIONS MUST BE SIGNED AND STAMPED BY A REGISTERED CIVIL ENGINEER. WITHOUT THIS REQUIREMENT BEING MET, NO FURTHER REVIEW OF THE DRAINAGE ANALYSIS WILL BE PERFORMED.
2. All drainage basins and/or subbasins clearly shown on a map plan.
3. A clear description of the method used to determine peak flows.
4. If the rational method ( $Q = C I A$ ) is used;
  - a. provide a clear statement of the basis for the runoff coefficient, ( C ) rainfall intensity ( I ), time of concentration ( T ), and duration, etc., and
  - b. a clear description showing the areas used in the formula.
5. If another method is used, provide a statement of method, a clear description of the basis for all assumptions and the source of all information used in the particular method.
6. Calculations for pre-development peak flow AND velocity.
7. Calculations for post-development peak flow AND velocity.
8. Calculations for detention basin design and a determination of the required volume of storage to comply with a County Policy.

## HYRAULIC ANALYSIS:

ANALYSIS/CALCULATIONS MUST BE SIGNED AND STAMPED BY A REGISTERED CIVIL ENGINEER. WITHOUT THIS REQUIREMENT BEING MET, NO FURTHER REVIEW OF THE DRAINAGE ANALYSIS WILL BE PERFORMED.

The hydraulic analysis must include calculations that clearly demonstrate:

1. that the post-development discharge will be controlled, and peak flow and velocity will not exceed pre-development values

2. that all storm drainage facilities have sufficient capacity to carry the anticipated peak flows. These facilities include, but are not necessarily limited to:
  - a. pipes
  - b. culverts
  - c. swales
  - d. ditches
  - e. valley gutters, etc.

PLANS:

The plans must incorporate the following items:

1. PLANS MUST BE SIGNED AND STAMPED BY A REGISTERED CIVIL ENGINEER. WITHOUT THIS REQUIREMENT BEING MET, NO FURTHER REVIEW OF THE DRAINAGE ANALYSIS WILL BE PERFORMED.
2. All proposed storm drainage contours and/or spot elevations clearly indicated.
3. Existing and proposed contours and/or spot elevations clearly indicated.
4. All flow patterns clearly shown.
5. Profiles of all storm drain lines including all crossings of other utilities. A minimum one ( 1 ) foot clearance between utility lines is required.
6. Construction details must be shown, including but not necessarily limited to:
  - a. specific locations of all storm drainage facilities specified (i.e. stations, dimensions from property lines, etc.),
  - b. dimensions of all storm drainage facilities, including Standard County Drawings where applicable,
  - c. pipe/swale slopes, pipe sizes, etc.,
  - d. invert elevations, and
  - e. construction materials must be specified (i.e. RCP, PVC, DIP, etc.).

SUMMARY:

The above is intended only to provide the applicant and the applicant's civil engineer with minimum guidelines when preparing a drainage analysis. The County does not specify the design method that the applicant's engineer uses to prepare the drainage analysis. It is incumbent on the engineer to select a design method that is appropriate for the specific project and site accepting responsibility for the design. The County reviews the design as to concept and to see that the design adequately reflects County policy. The County's review does not include checking the calculations for accuracy nor making assumptions regarding the analysis.

It is to the applicant's advantage to clearly show what is being recommended for construction. Mistakes, ambiguities, incomplete information, and poor preparation of the analysis only serve to delay the review and approval process.

# RAINFALL RUNOFF DATA

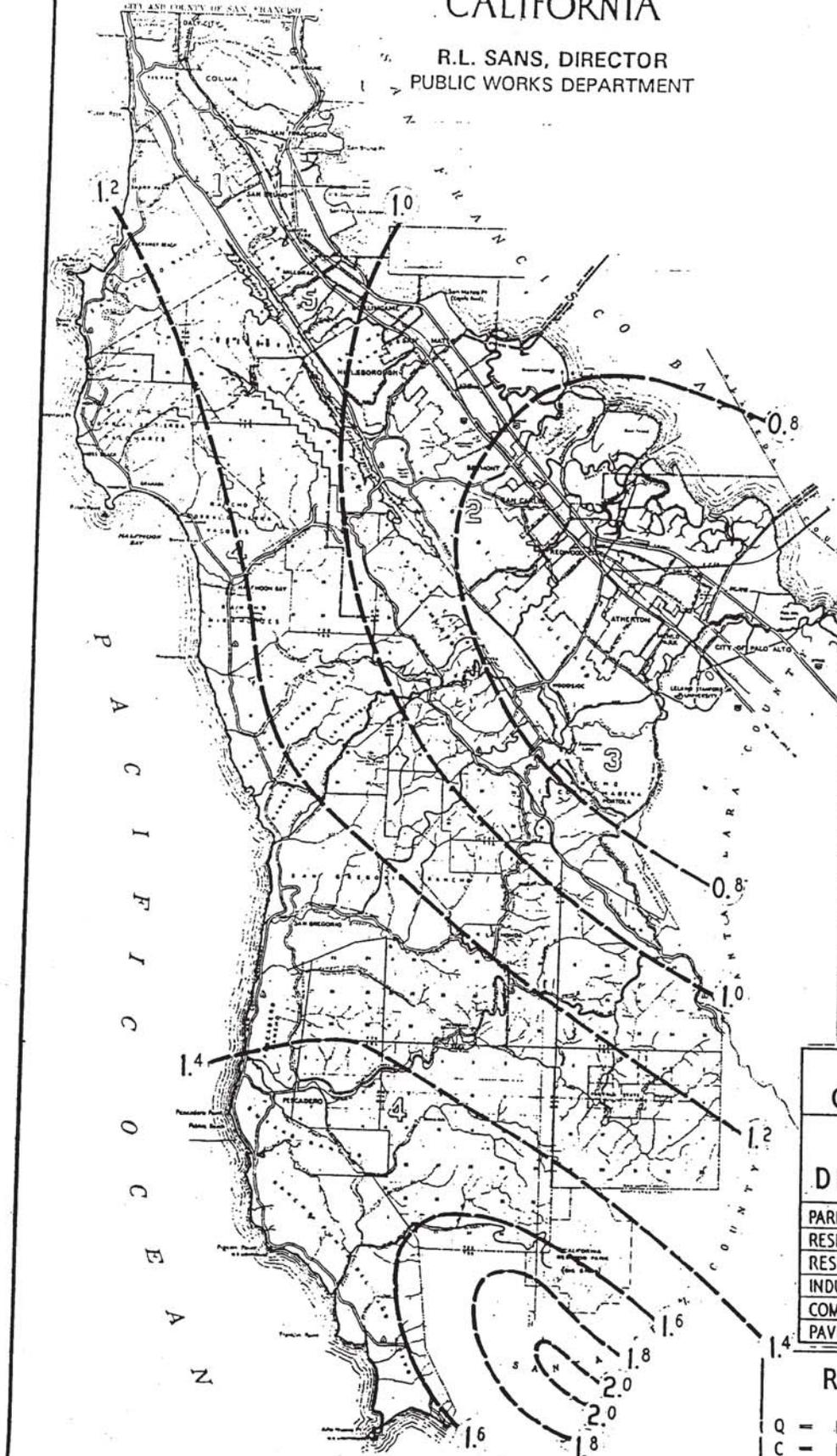
## SAN MATEO COUNTY

### CALIFORNIA

R.L. SANS, DIRECTOR  
PUBLIC WORKS DEPARTMENT



SCALE - MILES  
0 1 2



RAINFALL		
TIME OF CONCENTRATION	INTENSITY INCHES PER HOUR	
HRS. MIN.	10 YR.	100 YR.
0-10	2.45	3.60
0-15	2.05	3.00
0-20	1.73	2.55
0-25	1.50	2.22
0-30	1.33	1.95
0-35	1.20	1.75
0-40	1.10	1.61
0-45	1.02	1.49
0-50	0.95	1.37
0-55	0.90	1.28
1-00	0.86	1.21
1-15	0.75	1.07
1-30	0.67	0.95
1-45	0.61	0.87
2-00	0.56	0.80
2-30	0.49	0.70
3-00	0.44	0.63
3-30	0.40	0.57
4-00	0.37	0.53
4-30	0.34	0.49
5-00	0.32	0.45
6-00	0.29	0.41
7-00	0.26	0.38
8-00	0.24	0.35
9-00	0.23	0.33
10-00	0.21	0.30
12-00	0.19	0.27
24-00	0.13	0.18

RUNOFF COEFFICIENTS	
TYPE OF DEVELOPMENT	COEF.
PARKS AND CEMETERIES	0.30
RESIDENTIAL - ACRES	0.40
RESIDENTIAL - REGULAR	0.50
INDUSTRIAL	0.65
COMMERCIAL	0.75
PAVED AREAS	0.85

**RATIONAL FORMULA**  
 $Q = C \cdot I \cdot A \cdot F$   
 Q - RUNOFF - CUBIC FEET PER SECOND  
 C - RUNOFF COEFFICIENT - PERCENT  
 I - RAINFALL INTENSITY - INCHES PER HOUR  
 A - DRAINAGE AREA - ACRES  
 F - INTENSITY FACTOR (FROM MAP)

Dr. 22-1846

### Stormwater Submittal Checklist

The following information shall be shown on the grading and stormwater plans:

P = Pass F= Fail N/A = not applicable

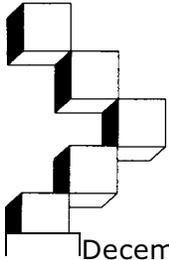
P	F	N/A	Requirements
			Project Address, Property Owner's name, address, phone and email
			Civil Engineer, Name, address, phone, email license number, expiration date
			Plan Title: (eg: Grading and Drainage Plan)
			Vicinity Map, Location Map; North Arrow, scale, abbreviations, legends
			Fully dimensioned property lines. Show existing survey monuments, pipes, cross marks, etc.
			Location of existing driveways within 100 feet of the corners of the property.
			Locations of existing improvements, sidewalks, utilities, structures etc.
			Locations of existing trees, pools, landscaping, etc.
			Existing ground elevation, runoff flow directions, flow, and velocity, including the right of way along the property frontage and estimated flows onto this property from adjoining properties
			Proposed ground elevation, runoff flow directions, flow, and discharge velocity (in report)
			Proposed building pad, elevations, and downspouts
			Location of proposed stormwater improvements, elevations of rim and invert, location and elevation of drain inlets in right of way if any.
			Locate sanitary sewer cleanout away from or downstream of stormwater inlets. Show inlet elevations.
			Details of stormwater improvements and maintenance responsibilities
			Written report identifying the drainage areas, coefficients of runoff, slopes, pre and post runoff values, soil types, direction of flow, on a plan. Include in the package pipe profile with HGL/ EGL, detention times, depth to ground water, hydraulic sizing calculations, pollution source controls, vector controls, etc. Identify if preliminary or final calculations and plans. Sign and Stamp final Calculations.
			For projects with stormwater piping please submit hydraulic calculations and/or StormCAD/ AutoCAD storm files and specifications for pipe and apputenances
			Show driplines for existing and proposed trees
			Landscaping with deep root systems shall not be placed on stormwater improvements unless they are an integral part of the stormwater pollution prevention measures. Verify that landscaping does not impact storage volumes in stormwater basins, swales, or other hydraulic structure. <a href="http://www.flowstobay.org/bs_new_development.php">http://www.flowstobay.org/bs_new_development.php</a>
			<b>Site specific</b> Erosion and Sediment Control measures shall be on a separate sheet(s) from the permanent stormwater plan(s) REF: <a href="http://www.dot.ca.gov/hq/construc/stormwater/details.htm">http://www.dot.ca.gov/hq/construc/stormwater/details.htm</a>
			Grading plan shall identify, amount of cut and fill; identify grades of proposed slopes over 15% and check for erosion potential
			Driveway profile shall not exceed 20% combined slope. Elevation at property line = elevation at center line of road. Lower or raise garage as needed.
			Identify all proposed improvements in the public right of way along the frontage of the property, if any. Provide detail of conform at dwy to road
			Complete the appropriate C.3-C.6 checklists for the project.
			BAHM file <a href="http://www.bayareahydrologymodel.org/">http://www.bayareahydrologymodel.org/</a> for projects involving more than 1 acre of impervious surface.

**Maintenance and Operation  
Submittal Checklist**

The following information shall be shown on the Maintenance and Operations plans:

P = Pass F= Fail N/A = not applicable

<b>P</b>	<b>F</b>	<b>N/A</b>	<b>Requirements (Black and White for recording)</b>
			Part A: Maintenance Agreement (8.5x11)
			Part B: Legal Description (8.5x11)
			Part C: Maintenance and Operations Plan (8.5x11 preferred 8.5x14 accepted)
			Exhibits for Part C:
			Project Address, Property Owner's name, address, phone and email
			Plan Title: (Permanent Stormwater Drainage Plan)
			Vicinity Map, Location Map; North Arrow, scale, abbreviations, legends
			Fully dimensioned property lines relative to where permanent stormwater systems are installed.
			Proposed ground elevation, runoff flow directions
			Proposed building pad, elevations, and downspouts
			Location of proposed stormwater improvements, elevations of rim and invert, location and elevation of drain inlets if any.
			Locate sanitary sewer cleanout away from or downstream of stormwater inlets. Show inlet elevations or add note about protecting the stormwater facility from sanitary system discharges during cleaning events.
			Details of stormwater improvements and maintenance requirements
			Landscaping with deep root systems shall not be placed on stormwater improvements unless they are an integral part of the stormwater pollution prevention measures. Verify that landscaping does not impact storage volumes in stormwater basins, swales, or other hydraulic structure.
			Maintenance checklists for each item
			Equipment maintenance requirements from vendor/manufacturer if applicable.



**Michelucci & Associates, Inc.**  
Geotechnical Consultants

Joseph Michelucci, G.E.

Daniel S. Caldwell, G.E.

Richard Quarry

December 16, 2002  
Job No. 01-3186

Mr. Dennis Thomas

San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, California 94402

Re: Geotechnical and Engineering Geologic Investigation  
Proposed Ascension Heights Subdivision  
San Mateo County, California

Dear Mr. Thomas:

As authorized, we have completed a geotechnical and engineering geologic investigation of the site of a proposed residential development located along Ascension Drive and Bel Aire Road in unincorporated San Mateo County, California.

It is our basic conclusion that the sloping site, which is composed primarily of dense sandstone bedrock, is suitable for the proposed development, provided that the recommendations contained within this report are incorporated into the final plans and followed during construction.

We are pleased to have been of service to you on this project, and will be available to review our findings with you and your other consultants at the earliest convenience.

Very truly yours,

-----  
David Hoexter Certified Engineering  
Geologist #1158  
(ex res 11/30/03)

Joseph Michelucci  
c Geotechnical Engineer #593  
(expires 3/31/03)

cc: Lea & Sung Engineering

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**GEOTECHNICAL AND ENGINEERING GEOLOGIC INVESTIGATION  
PROPOSED ASCENSION HEIGHTS SUBDIVISION  
SAN MATEO COUNTY, CALIFORNIA**

INTRODUCTION.

This report covers our investigation of the soil and bedrock conditions that occur at the site of the proposed 14.5 acre residential development located adjacent to Ascension Drive and Bel Aire Road, near San Mateo, in unincorporated San Mateo County, California. The location of the site is shown on the Site Location Map, included as Figure 1 of this report. The regional geologic setting is illustrated on Figure 2. An overview of the planned development, including the location of test borings from a previous study and test borings and exploration pits associated with this study, is included on the attached Site Plan/Engineering Geology Map, Figure 3A. Ground surface profiles showing subsurface geologic features are shown on Figure 3B.

The purpose of our study was to evaluate the soil and bedrock conditions that occur at the site, and to provide recommendations and design criteria pertaining to building foundations, site grading, retaining walls, drainage, erosion, and other items that relate to the site soil and geologic conditions.

### **DESCRIPTION OF PROJECT**

The hillside project site is located along the sides of a knoll and is currently unimproved with the exception of a large cylindrical water tank, which is owned by the California Water Service and a paved road that services the tank. We understand that future development plans will call for the construction of about 25 building lots that will eventually be improved with single-family dwellings. Access to the subdivision will be from Ascension Drive as shown on Figure 3A. The roadway leading to the water tank is to be abandoned, and access to the 0.52 acre Water Service property will be from a new driveway to the east of the tank as shown on Figure 3A.

Current plans call for excavating on the order of 93,000 cubic yards of soil and bedrock and the placement of about 7000 cubic yards of engineered fill. Thus on the order of 86,000 cubic yards of material will be removed from the site. The project will also feature improvement of site drainage and the repair of previous erosional features along existing cut slopes associated with the original development of Ascension Drive and Bel Aire Road, between 1955 and 1961.

### **SCOPE OF SERVICES**

Our study included:

1. Detailed site inspections by our geotechnical and engineering geologic personnel and mapping of site features;
2. A review of about a dozen files for other projects our firm has completed in the site vicinity, including nearby projects on Ascension Drive, Bel Aire Road and Valley View Court;

3. The review of a previous soil investigation on the subject property prepared by Terrasearch, Inc. in 1979. The report included the logs of 8 test borings which are appended to this report. We also reviewed a subsequent 1981 feasibility geotechnical investigation (no additional subsurface information) by R.C. Harlan and Associates;
4. The review of Tentative Subdivision Map Preliminary Grading and Drainage Plan, prepared by Lea & Sung Engineering, Inc., dated August 23, 2002;
5. Discussions with representatives of Lea & Sung Engineering, meeting with representatives of Lea & Sung, San Mateo County, and neighborhood groups;
6. A review of available published geologic maps and literature;
7. Stereoscopic examination of aerial photographs taken between 1946 and 2000;
8. The excavation of 19 exploratory test borings excavated with various types of drilling and sampling equipment;
9. The recovery of samples from the borings, and the performance of a variety of engineering tests upon the various soil and bedrock layers encountered;
10. The excavation of 16 test pits utilizing a track-mounted backhoe, and geologic logging of the materials exposed in the pits;
11. The performance of geotechnical engineering analysis utilizing the above items; and,

12. The preparation of this report.

### FIELD INVESTIGATION AND LABORATORY TESTS

In order to evaluate the geotechnical engineering characteristics of the soil and bedrock layers which underlie the site, 19 borings were drilled at the approximate locations indicated on the attached Site Plan/Engineering Geology Map, Figure 3A. The borings were drilled under the supervision of our staff geologist and geotechnical engineer during November and December 2002, with track-mounted, portable "Minuteman", and hand augering equipment. Relatively undisturbed samples were recovered from the borings at selected intervals with free-falling, 70- to 140-pound hammers (with 30 inch drops) and a hydraulic hammer advancing modified California drive and standard penetration samplers 18 inches into the subsurface soil and rock layers.

As the borings were excavated, logs of the materials encountered were prepared based upon an inspection of the recovered samples and auger cuttings. The final boring logs, as presented on the attached Figures 4 through 22, are based upon the field logs with occasional modifications made upon further laboratory examinations of the recovered samples and laboratory test results.

Laboratory tests performed included the determinations of moisture content, dry density and unconfined compressive strength of selected samples. The results of these tests, along with the resistance to penetration of the sampler, are listed opposite the corresponding sample location on the final boring logs, Figures 4 through 22.

We also logged the excavation of 16 test pits that were made with a backhoe. Logs of the test pits are included on the attached Figures 23 through 38. The approximate locations of the test pits are included on Figure 3A.

In addition, we performed a plasticity index test upon a representative sample of the near surface soils. The results of this test, which is useful in evaluating the shrink-swell characteristics of the material tested, are included on the attached Figure 39.

### SITE CONDITIONS

The hillside property is located along an elongated knoll; the primary axis of the knoll is in a southeast/northwest direction. A water tank is located at the top of the knoll and the lands around the tank are owned by California Water Service, and are not a part of the proposed subdivision. The topography in the areas to be developed slopes generally downward from the water tank pad at an average inclination that is on the order of 2 horizontal to 1 vertical. The upper portions of the site are more gently sloping than the downhill areas, especially along the existing benched cut slopes along Ascension Drive and Bel Aire Road, which slope at an average of 1.9 horizontal to 1 vertical above Ascension Drive and 1.6 horizontal to 1 vertical above Bel Aire Road. The maximum site elevation is approximately 714 feet, at the base of the water tank. The lowest elevation is approximately 502 feet, at the intersection of Ascension Drive and Bel Aire Road.

The property is covered with a growth of seasonal grass and bushes, along with scattered pines and a prominent grove of eucalyptus trees. An access road leading to the water tank from Bel Aire Road is paved, and a few unpaved roadways and trails exist along the uphill portion of the property. The water tank access road reportedly overlies one of two buried water lines feeding or leading from the tank. The other line is located along a utility easement on the northeast-facing slope of the knoll.

Extensive soil erosion has occurred on portions of the site. There are four primary areas where erosion has affected the existing cut/benched slopes above Ascension Drive and Bel Aire Road. These areas are shown on Figure 3A. These areas are almost entirely located within the areas of earlier excavated cuts, or originate along abandoned bulldozer tracks located at higher elevations. Areas of erosion occur broadly along the excavated slope cuts, and below or along surface drainage channels. One relatively small, additional, area of erosion is located along the southeastern slope, below the water tank. This area appears to be a natural slope. The erosion reportedly occurred following a sudden large volume release from the water tank in the 1960s. It is not apparent on the 1961 aerial photos, but appears fresh on 1969 photos (see discussion of air photos in subsequent section of this report).

A small abandoned rock quarry is located southeast of the water tank. A few yards of rock was removed from this location at some time in the past.

### SOIL AND BEDROCK CONDITIONS

The surface soil conditions encountered at the site consisted generally of a thin layer of brown to tan brown sandy to silty clay (colluvium/residual soil). This material was commonly less than 3 feet thick, and tested very low in expansion potential (Figure 39). The surface soil was primarily underlain by dense to very dense tan to yellow brown sandstone bedrock. It should be noted that the sandstone encountered in our exploratory borings and pits generally became less weathered, and thus stronger and more cemented with depth. It should also be noted that none of the borings or test pits encountered shale or sheared rocks, which have been mapped elsewhere in the area. (As will be discussed in the "geology" section of this report, it is our opinion that the site is primarily underlain by Franciscan sandstone).

The sandstone was commonly fractured at shallow depth. - Fracture orientations were variable, with no prominent out of slope fracturing. The fractures were observed at the ground surface within the slope cuts, and within test pits, although decreasing in number with depth. We did not observe indications of bedding within test pits or surficial rock exposures.

Groundwater was not encountered in any of the borings at the time of drilling. Groundwater levels, however, tend to fluctuate seasonally, and could rise to the 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. We observed groundwater seepage from the base of weathered rock and above the less pervious rock along Ascension Drive.

For a more complete description of the soil and bedrock layers encountered in the borings and test pits, refer to the Boring and Test Pit Logs, included as Figures 4 through 38.

### REGIONAL GEOLOGIC SETTING

The site is located within the central region of the Coast Ranges Geomorphic Province, which extends from the Oregon border south to the Transverse Ranges. The general topography is characterized by subparallel, northwest trending mountain ranges and intervening valleys. The region has undergone a complex geologic history of sedimentation, volcanic activity, folding, faulting, uplift and erosion. The relatively flat-lying, alluviated San Francisco Bay Plain is situated to the east of the site; the uplifted Santa Cruz Mountains are located to the west of the site.

Based on Pampeyan (1981, 1994), the general site vicinity is mapped to be underlain by Cretaceous age Franciscan Complex Rocks (Figure 2, Regional Geology Map). These rocks in the site vicinity are primarily shale, chert, sandstone and greenstone. These rocks are commonly sheared and distorted by past tectonic activity. Based on the geologic references, the site is underlain by the Franciscan "Sheared Rock" unit (often referred to as Franciscan "Melange"), described as predominantly sheared shale, siltstone and graywacke

sandstone, containing various inclusions of other Franciscan rock types. The bedrock is overlain by younger unconsolidated residual and colluvial soil deposits. The unit commonly erodes to "badlands-type" topography.

Pampeyan does not identify definitive bedding, shears, faults or landslides in the immediate vicinity.

### SITE GEOLOGY

The site has been mapped to be underlain by Franciscan Complex "Sheared Rocks", which on a regional basis primarily consists of sheared shale, siltstone and sandstone. Based on our geologic mapping, the site is primarily underlain by generally dense to very dense sandstone.

There are no indications of extensive shearing, although two shear zones are noted by R.C. Harlan and Associates (1981). The locations are not identified within the Harlan report, although they are possibly shown on a site plan which is absent from the report copy supplied to our office.

There are no indications of deep-seated soil or bedrock landsliding at the site. Shallow soil slumps appear on pre-development air photos, but are of limited extent, and were largely removed by the late 1950s site grading. A relatively broad, shallow bowl-shaped area occurs on the southwest slope (see Figure 3A). We placed test pits and exploratory borings within this area, and observed shallow bedrock within a few feet of the ground surface, and no indications of landsliding.

There are no indications on the air photos or during our geologic mapping of debris flow scars or deposits.

The soil on the northeast facing slope is relatively richer in clay and silt than elsewhere on the property. This has resulted in a thicker soil horizon and increased water content within the soil.

As noted elsewhere in this report, extensive soil erosion and gullying has occurred above Ascension Drive and Bel Aire Road. Gullies approach 10 feet in depth, although most erosion is on the order of 2 to 3 feet deep. The erosion has occurred in residual soil and in highly weathered sandstone. The deepest gullies are primarily located within former bulldozer tracks and where benches and v-ditches discharge. Some areas of erosion, particularly along the eastern area of the southeast slope above Ascension Drive, appear to have developed in conjunction with shallow soil slumping on the order of one to two feet in depth.

There are no surface features that are indicative of active faulting at the site. The site does not lie within a State of California Earthquake Fault Zone (CDMG, 1974). The closest mapped active fault to the site is the San Andreas located approximately 1.1 miles (1.75 kilometers) to the southwest. The San Andreas, and numerous other active and potentially active Bay Area faults, are capable of producing moderate to major earthquakes that could cause severe ground shaking at the subject site in the future. This hazard is shared in some degree by all land and structures in the San Francisco Bay Area.

We conducted a portion of our field investigation shortly following a rainfall period of approximately 2 days with precipitation on the order to 2 to 3 inches. We 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. It appears that the erosion occurs primarily within this zone, and that groundwater, except possibly as relatively slow seepage, does not penetrate to greater depth.

### AIR PHOTO INTERPRETATION

We interpreted 9 sets of air photo stereo pairs, taken from 1946 through 2000. The specific photo pairs are listed in the References section of this report, which includes specific dates and scales. The photos provided a clear indication of the pre- and post-grading conditions of the site.

#### 1946

The 1946 images pre-date grading in the vicinity. Although few of the existing cultural features, including the water tank, are present, the site location is easily discerned. Polhemus Road is the only road in the site vicinity. Random cattle paths and jeep tracks are located across the site and surrounding area. The site is a prominent isolated hill with a steep slope to the southwest and northwest, and lesser slopes in the other directions.

The slope is relatively uniform from the top of the hill to the current Ascension Drive location. The lower half of this slope exhibits apparent shallow soil slumping. The overall appearance of the site is of relatively shallow soil, with indications of near surface bedrock. There is a broad swale from near the crest of the hill down towards Ascension Drive (see Figure 3A). There are no indications of deep-seated landsliding or soil movement within this area or on other portions of the site. However, slopes below Ascension Drive (southwest of the site) are hummocky and have the appearance of landslides (landslides have occurred on these off-site slopes in recent years).

### 1955

The 1955 images pre-date the extensive subsequent grading in the site vicinity. Parrott Drive and adjacent residences have been constructed. There are erosion gullies on the slopes below Ascension Drive, off-site, but none on the site. This suggests a thicker soil profile downslope of the site.

### 1961

Ascension Drive and BelAire Road have been constructed, in conjunction with grading of the on-site slopes above the roads. Narrow benches have been constructed on the cuts, with v-ditches along the benches. Several ditches and equipment tracks are visible; these subsequently are the locations of soil erosion gullies.

### 1969

Extensive soil rill erosion is apparent on much of the cut faces. Current (2002), deep erosion gullies are located within or immediately below the dozer trails noted in the 1961 imagery. There is no significant erosion on natural (ungraded) slopes within the site, with the exception of one area southeast of the tank. This is the area of the reported earlier water release from the tank, although there is no apparent continuation of the erosion upslope to the tank in the 1969 images.

1975-2000

The site is effectively unchanged during this 25 year period. Vegetation matures over the years, but there are no indications of landsliding or additional significant erosion areas. The previously noted erosion continues to be evident and on-going, with some areas remaining barren of vegetation.

CONCLUSIONS

Based upon our study, it is our opinion that the project can be developed as planned, provided that the recommendations contained within this report are followed. Our subsurface exploration program, coupled with our geologic mapping, laboratory testing, and research indicate that the site is typically composed of very dense sandstone bedrock. The site topography is in the shape of a resistant knoll which reflects the dense and resistant nature of the bedrock. Such material will support the proposed improvements with minimal settlement.

We did not observe any evidence of deep seated previous slope instability, and, in our opinion, the risk of future deep seated landsliding is low. In fact, the planned removal of material from the top of the site, along with a significant reduction in the amount of water that will seep into the ground during rainfall (due to paved surfaces, roofs, and area drains that will collect water) will significantly increase the factor of safety of the hillside with respect to slope stability. A primary geotechnical consideration will involve repairing the existing erosional features, and improving site drainage in these areas. We have provided recommendations for such repair and drainage improvements in this report.

## RECOMMENDATIONS

The following recommendations are contingent upon our firm being retained to review the development plans and to observe the geotechnical aspects of construction.

### A. Grading

All grading should be performed under the observation of a representative from our firm and in accordance with the attached "Guide Specifications for Engineered Fill". Prior to the commencement of grading, the areas to be graded should be stripped to remove all grass, weeds, and other deleterious materials. In addition, brush and trees should be removed, along with their root systems. In areas to receive fill where trees are removed, it will be necessary to carefully backfill the stump excavations with engineered fill.

After the site has been stripped to our satisfaction, a key should be excavated at the toe of any planned fill slope. Actual key widths should be determined when grading commences, as it will slightly depend upon the width of the compaction equipment. Generally, a 12 to 15 foot wide key will accommodate compaction equipment. Fill can then be brought into the key in thin lifts, moistened or aerated as required, mixed, and compacted. All fills should be compacted to a minimum degree of compaction of 95 percent based upon ASTM D1557, latest revision.

As the level of the fill rises, horizontal benches should be excavated into the hillside, so that a strong bond is maintained between the newly placed engineered fill and strong rock.

The downhill side of the key excavation should have a minimum depth of 18 inches into strong bedrock. This will probably require that the keyways have overall depths on the order of 2 to 3 feet measured at the downslope edge of the key. All horizontal benches should remove the surface soil and extend into strong residual soil or dense bedrock as approved by our representative. The maximum finished fill slope inclination should not exceed 2 horizontal to 1 vertical (with the exception of areas where geogrid slope reinforcing material is used. In these areas steeper slopes may be considered). All fill slopes should be somewhat overbuilt and then trimmed to expose strong compacted soil. Any cut slopes should also not exceed 1 1/2 horizontal to 1 vertical in bedrock, and the upper portion of cuts where any soil is exposed should be trimmed to 2 horizontal to 1 vertical in the upper 2 feet. All be inspected by our engineering geologist. If bedding or joint planes are encountered in the additional recommendations may be necessary.

It may be necessary to place subdrainage beneath fills that have a thickness greater than 4 feet, or in areas where seepages are encountered. All subsurface drainage should be constructed in accordance with the attached "Guide Specifications for Subsurface Drains".

The dense nature of the sandstone bedrock will require heavy grading equipment to successfully excavate. As noted, the density and cementation of the bedrock was found to increase with depth.

The above recommendations are illustrated in profile view on the attached Figure 40.

B. Repair of Erosional Features

As noted, several areas of erosion have occurred on the existing steep cut slopes above Bel Aire and Ascension Drive. There are a number of options that may be considered to stabilize these erosion features. The borings that we excavated in these areas encountered very strong, resistant sandstone bedrock at relatively shallow depths and this rock may be used as a "foundation" for various repair options.

One option would involve excavation and removal of the material affected by erosion (in areas where the topography allows a cut to "daylight" at acceptable inclinations). This option could be considered in the prominent gully above the Bel Aire/Ascension intersection.

Another option would involve excavation of a "keyway" at the base of the slope in the erosion areas (or in some cases where resistant rock is exposed at the base of the erosion area). The slope could then be rebuilt with compacted and drained engineered fill with a geogrid to allow slope reconstruction at a steep inclination (The manufacturer's specifications could be used to design grid type and grid spacing for various finished slope inclinations). We have included a typical detail for slope reconstruction utilizing geogrid on the attached Figure 41.

A third option would involve construction of structural retaining walls or terrace walls in the erosion areas. Consideration could be given to constructing a wall at the top of the eroded area and then trimming the erosional features away from below the wall.

Whatever options are chosen, it is essential that the finished slopes be planted with erosion resistant vegetation (and lined with a jute type mesh). Improvement of surface drainage above the repair areas and subsurface drainage (if regrading takes place) is important.

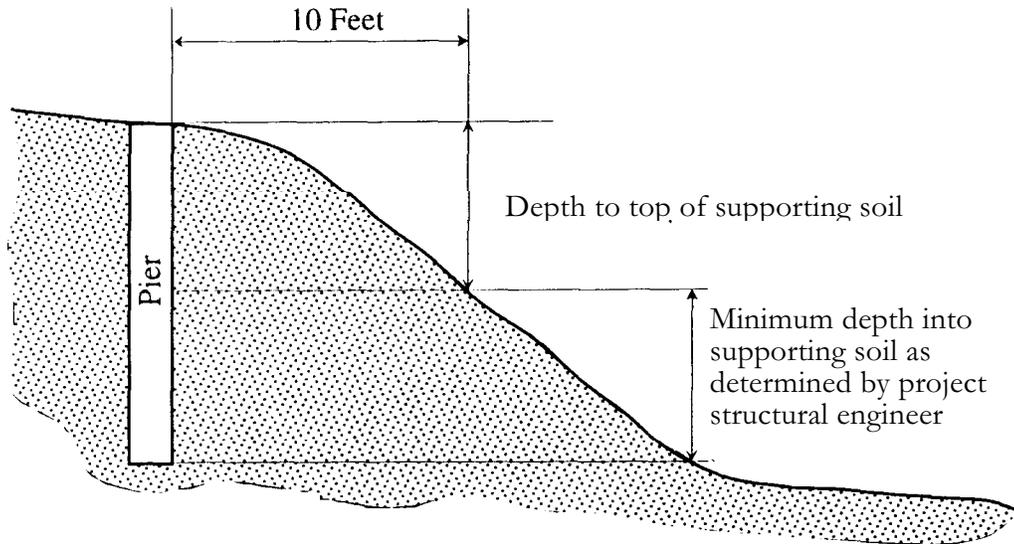
### C. Foundations

In our opinion, the proposed residences may be constructed upon drilled, cast-in-place, reinforced concrete pier and grade beam foundations, or spread footings, whichever proves appropriate for the minimum depth criteria presented below. The chosen foundation system should anchor the proposed structures into strong bedrock. Based upon our current understanding of the project, we anticipate that spread footings may be best suited for the uphill lots with drilled piers on the downhill lots.

#### C1. Drilled Piers

The bedrock at the site is very dense and drilling equipment capable of drilling through hard rock should be used. Drilled piers should be designed on the basis of a skin friction value of 500 psf beginning at the top of supporting material. In this case, the top of supporting material should be assumed to begin at a depth of 2 feet, 1 foot below the top of bedrock, or as defined by the "Rule of Ten" criteria illustrated below, whichever is deeper. The depth may be modified by our representative during construction, especially if very dense bedrock areas are encountered.

## DRILLED PIER FOUNDATIONS



Pier depths should be based upon actual design loads at each pier location. However, as a minimum, the piers should extend 6 feet below the top of supporting material. Therefore, it is anticipated that average pier depths will be on the order of 8 to 11 feet below existing grades.

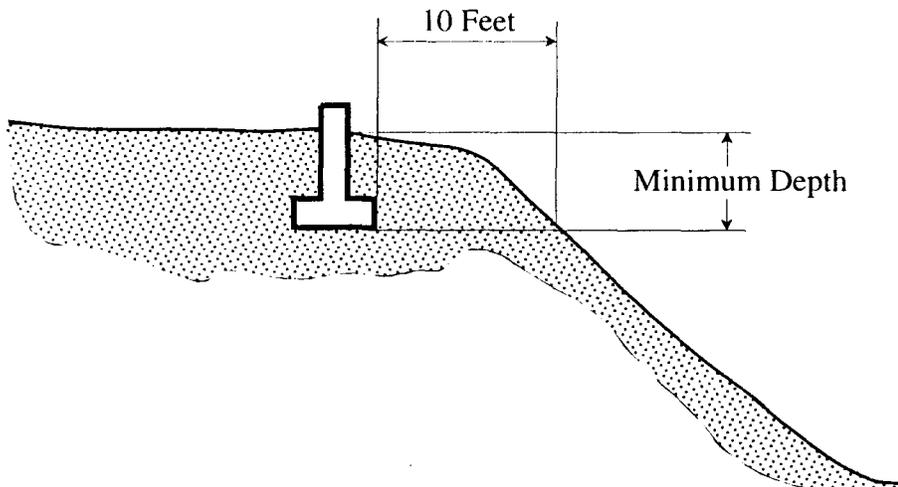
In addition to vertical loading, the piers should be designed to resist a horizontal "creep" load equal to a fluid weighing 50 pounds per cubic foot, which should be projected over 2 1/2 pier diameters. This lateral load should be designed to extend to a depth of 2 feet below finished grade. The piers can resist the lateral load through a passive resistance of 350 pounds per cubic foot, projected over 2 pier diameters. The passive value begins at the top of supporting material, as defined above. The creep load will not apply in areas that the upper few feet of soil has been excavated, or in areas that piers are to extend through engineered fill, as any weak surface soil will have been removed. It is suggested that the structural engineer contact us during the design phase, so that a specific lateral load criteria can be developed for each pier location.

Reinforcing for the piers should be determined by the structural engineer based upon anticipated loading.

## C2. Spread Footings

Spread footings may be used if the footings extend to a minimum depth of 18 inches, 12 inches into strong bedrock, or as illustrated by the "Rule of Ten" criteria presented below, whichever is deeper. The "Rule of Ten" takes into account the reduction in bearing capacity that shallow foundations experience when located on or near sloping terrain.

### SPREAD FOOTING FOUNDATIONS



At the recommended minimum depth the footings can be designed for an allowable bearing pressure of 3000 psf for dead loads and 3250 for dead plus live loads. This value may be increased by 33 per cent to account for all loads, including wind and seismic.

D. Seismic Design Parameters

The State of California has adopted the 1997 Uniform Building Code (UBC) and 2001 California Building Code (CBC) with respect to seismic design considerations. Due to the very dense nature of the bedrock encountered during our study, it is our opinion that the site may be classified as "SB" (Rock Profile) for the purpose of structural engineering and as defined in Section 1636 of the 1997 UBC and 2001 CBC.

The site, as well as the entire Bay Area, is located within Seismic Zone 4. Thus, a Seismic Zone Factor,  $Z$ , of 0.40 applies to the site. From Tables 16-Q and 16-R of the 1997 UBC and 2001 CBC, Seismic Coefficients " $C_a$ " and " $C_v$ " of  $0.40N_a$  and  $0.40N_v$ , respectively, can be used for a Seismic Zone Factor,  $Z$ , of 0.40 and a soil profile of "SB".

The International Conference of Building Officials (ICBO) published a set of maps titled "Maps of Known Active Fault Near-Source Zones in California and Adjacent Portions of Nevada" that are to be used in conjunction with the above-referenced UBC. Based upon these maps, the San Andreas Fault, which is located about 1.75 kilometers to the southwest, is considered a Seismic Source Type A. Thus, Tables 16-S and 16-T of the 1997 UBC and 2001 CBC can be used to determine Near-Source Factors " $N_a$ " and " $N_v$ " based upon the above information. A Near-Source Factor " $N_a$ " of 1.5 and a Near Source Factor " $N_v$ " of 2.0 can be used in the design.

E. Retaining Walls

Retaining walls should be constructed upon foundations designed in accordance with Section B above. All retaining walls should be designed to resist the active equivalent fluid pressures tabulated below.

<u>WALL BACKSLOPE INCLINATION (H:V)</u>	<u>EQUIVALENT FLUID PRESSURE (pcf)</u>
Level	35
4h:1v	40
3h:1v	45
2h:1v	50

When walls are to be rigidly restrained from rotation, a uniform surcharge pressure of 75 psf should be added to the design values. Interpolation can be used to determine pressures for intermediate inclinations.

Passive resistance can begin at the top of supporting material, as defined above, and can be taken as a value of 350 pcf. If drilled piers are used to support the wall, this value can be projected over 2 pier diameters. In areas where spread footings are appropriate, a friction factor of 0.35 can be incorporated into the design.

It is important that adequate subdrainage be constructed behind retaining walls. We have included a Typical Subdrain Detail on Figure 42. The subdrains should also be constructed in accordance with the attached "Guide Specifications for Subsurface Drains." In addition, moisture proofing should be provided in areas where moisture migration through retaining walls would be undesirable. Moisture proofing details are the responsibility of the project architect.

F. Slab-On-Grade Construction

It is anticipated that the only slab-on-grade construction will be for the garage floors of uphill lots. The slabs should be reinforced with steel bars and cast upon firm natural soil, rock, or engineered fill. It is recommended that some type of moisture prevention be provided beneath the slabs. We have included a minimum, but commonly used treatment on the attached Figure 43. We also recommend that a network of "finger drains" be constructed in areas to receive slabs to mitigate the potential of water affecting the slabs. Finger drains should be constructed in accordance with Figure 44.

G. Surface Drainage

We recommend that the site be fine-graded to direct surface water to flow away from the building foundations. As a general requirement, stormwater should not be allowed to pond or flow in concentrated streams or channels on the site. Such ponding or flows and the resulting saturation can weaken the soils and perhaps cause some minor site erosion.

It is further recommended that all roof downspouts be led into tightline disposal pipes that deposit water well away from building foundations and into a suitable disposal area. Rigid PVC pipe should be used. In no case should corrugated flex type pipe be used.

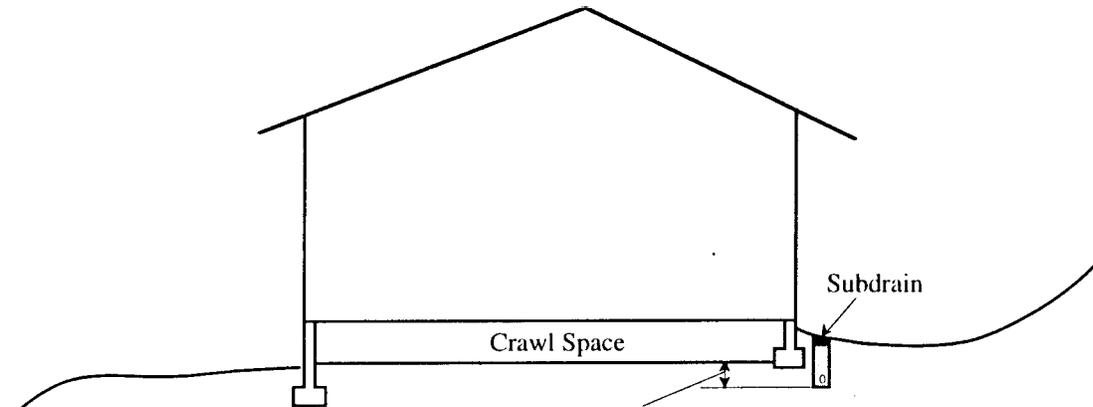
It will also be necessary to construct concrete "v" ditches at strategic locations to protect slopes. The civil engineer should locate such drains and provisions to maintain the drains will be important. Failure of "v" ditches is a common problem at similar sites. Therefore, due to the steep slopes and history of erosion, it is recommended that the design be particularly 'conservative.

#### H. Subdrainage

All subdrainage should be constructed in accordance with the attached "Guide Specifications for Subsurface Drains". As noted, subdrainage should be constructed behind retaining walls as illustrated on Figure 42. Subdrains should also be placed beneath engineered fills that have depths greater than 4 feet and in areas where any seepage zones (or potential seepage zones) are encountered.

In order to reduce the potential for water to seep into the building "crawl areas", it is also important that a foundation drain be constructed along the uphill and sidehill sides of the structures as is illustrated below. If the uphill foundation wall is a retaining wall, the wall subdrain will serve this purpose.

## **FOUNDATION SUBDRAIN AT UPHILL SIDES OF STRUCTURE**



Subdrain to extend at least 6 inches below elevation of adjacent crawl space.

The above subdrain should be constructed in accordance with the specifications for retaining wall subdrainage included on Figure 42. In our opinion, it would also be prudent to construct an "outlet" through the footing or grade beam at a low point within the crawl space. Such an outlet would allow any moisture that entered the subfloor area to be dissipated. The crawl space soil or rock surface should be graded to slope to the outlet, with no isolated low areas that could trap water.

### I. Pavements

Final pavement design will be dependent upon the anticipated traffic and the materials exposed at the subgrade levels. For preliminary design purposes, a pavement section of 3 inches of asphaltic concrete underlain by 8 inches of Class 2 aggregate base material can be anticipated for the roadway. When traffic indexes (T.I.) become available, we will be able to provide additional input regarding pavements.

J. Review of Plans and Construction Observations

It is recommended that all of the plans related to our recommendations be submitted to our office for review. The purpose of our review will be to verify that our recommendations are understood and reflected on the plans, and to allow us to provide supplemental recommendations, if necessary.

It is important that we be retained to provide observation and testing services during construction. Our observations and tests will allow us to verify that the materials encountered are consistent with those found during our study, and will allow us to provide supplemental, on-site recommendations, as necessary.

**LIMITATIONS**

The conclusions and opinions expressed in this report are based upon the exploratory borings and test pits that were excavated on the site, spaced as shown on the Site Plan/Engineering Geology Map, Figure 3A. While in our opinion these exploration borings and pits adequately disclose the soil and bedrock conditions across the site, the possibility exists that abnormalities or changes in the soil conditions, which were not discovered by this investigation, could occur between borings.

This study was not intended to disclose the locations of any existing utilities, hazardous wastes, or other buried structures. The contractor or other people should locate these items, if necessary.

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December 16, 2002  
Job No. 01-3186

The passage of time may result in significant changes in technology, economic conditions, or site variations that could render this report inaccurate.

This report was prepared to provide engineering opinions and recommendations only. It should not be construed to be any type of guarantee or insurance.

## REFERENCES

### Aerial Photographs

Pacific Aerial Surveys (PAS) black and white stereo pairs:

<u>Film I.D.</u>	<u>Scale</u>	<u>Date</u>
PAS-AV-9-16-7/8/9	1:23,600	7/29/46"
PAS-AV-170-10-10/11	1:10,000	5/10/55*
PAS-AV-432-10-17/08	1:12,000	6/20/61 *
PAS-AV-933-10-06/07	1:12,000	6/30/69*
PAS-AV-1188-08-14/15	1:12,000	5/12/75
PAS-AV-2265-09-06/07	1:12,000	6/6/83
PAS-AV-2670-9-7/8	1:12,000	10/15/85
PAS-AV-4916-309-9/10	1:12,000	9/7/95
PAS-AV-6600-10-7/8	1:12,000	8/16/00*

\* These photos were most-utilized in interpreting the site geologic conditions.

### Publications

Brabb, E.E, and Pampeyan, E.H, 1972, Preliminary Map of Landslide Deposits in San Mateo County, California: USGS Miscellaneous Field Studies Map MF-344, scale 1:62,500.

California Division of Mines and Geology, 1974, San Mateo 7.5' Quadrangle, Special Studies Zones, Official Map, July 1, 1974; Scale 1:24,000.

International Conference of Building Officials, April, 1997, 1997 Uniform Building Code, Volume 2 Structural Engineering Design Provisions.

International Conference of Building Officials, February, 1998, Maps of Known Active Fault Near- Source Zones in California and Adjacent Portions of Nevada. (To be used with 1997 Uniform Building Code)

Leighton and Associates, 1976, Geotechnical Hazard Synthesis Map of San Mateo County, California: geotechnical consultant's December maps to the County of San Mateo Planning Department, Sheet 2, scale 1:24,000.

Pampeyan, Earl H., 1981, "Geology and Former Shoreline Features of the San Mateo 7.5-Minute Quadrangle, San Mateo County, California", USGS Open file Report 81-839, Scale 1: 12,000.

....., 1994, "Geologic Map of the Montara Mountain and San Mateo 7 - 1/2' Quadrangles, San Mateo County, California", USGS Miscellaneous Investigations Series Map I-2390, Scale 1:24,000.

#### Unpublished Maps and Reports

(R.C.) Harlan and Associates, 1981, "Feasibility Geotechnical Investigation, Ascension/Bel Aire P.U.D, San Mateo, California", report dated July 8, 1981.  
Lea & Sung Engineering, Inc. 2002, "Tentative Subdivision Map, Preliminary Grading and Drainage Plan, Ascension Heights Subdivision, San Mateo, California (Unincorporated) San Mateo County", Sheet C-3, August 23, 2002, Scale 1 " = 40'.

Terrasearch, Inc, 1979, "Soil Investigation on Proposed Subdivision, Northeast Corner of Ascension Drive and Bel Aire Road, San Mateo County, California", report dated November 12, 1979 revised February 15, 1980.

RE: Ascension/Watertank Hill Project

February 19, 2015

Dear Planning Commission

I am the homeowner at 1450 Parrott Dr.

I have 11 trees that are considered significant trees by San Mateo County and protected by law. Each of these trees is 60 feet tall or more and is between 19 and 28 inches in diameter or 58 to 88 inches in circumference well in excess of county requirements for significant trees. The trees are located precisely on my back property line.



***Seven mature Monterey cypress trees at the rear of 1450 Parrott Drive.***



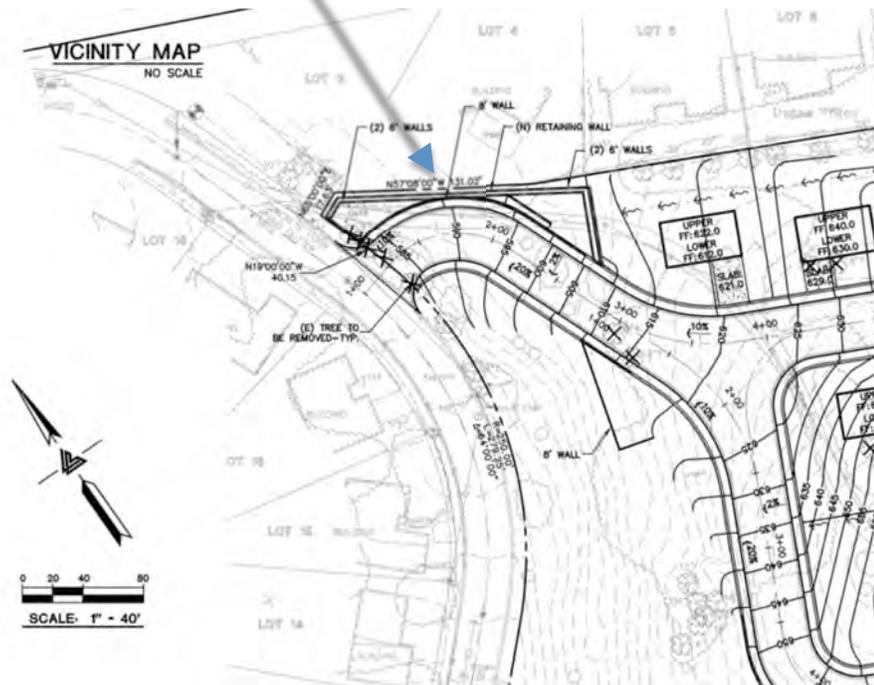
***Four mature Monterey pine trees at the rear of 1450 Parrott Drive.***

**I hired a certified arborist and including his report on my 11 trees.**

In the diagram below the red line represents the project boundary and the back line of my property.



My back property line is exactly adjacent as shown in these two images to where the retaining wall will be built, the settling tanks and other common structures would be built.



As you can see from the picture below the retaining wall (which is 20' in height) will have to be cut into the side of the hill where my 11 significant trees currently are adjacent:



This would essentially cut the trees root ball almost in half to build such a retaining wall along the length of my back. The arborist said that a typical tree of the width and maturity of mine would require between 20'-28' clearance but he has suggested that since the current access road is already there it may be possible to build the new road no closer than the short wooden retaining wall seen in the picture above. This is a little dangerous as there could easily be many roots under the current road and since the project will require digging deep into this soil to put the new retaining wall it will cut some roots from my trees. My arborist believes this will not kill the trees but it is a close call. It is unacceptable to build any closer than the current roadway any new road or structure that would impinge on the land designated above by the arborist.

I hope you will consider the above and my arborists report in your planning requirements for the project.

A second point is that I am also unsure about the legality of the developer to build structures so close to my property line. While I understand paved surface may be excluded normally from the setback requirement the developer plans to build 3 20' deep concrete and wood retaining walls, essentially a basement adjacent to my property and to create a water retention storage system storing potentially thousands of gallons of

water.



You can hopefully see from the diagrams and pictures above the other 3 other things that worry me about this project personally:

- 1) Cars coming down the new roadway will be pointing their headlights directly into my master bedroom (see blue line). See blue line pointing into bedroom. Mature trees, bushes or other means should be a requirement on the planned roadway sides to prevent light from shining into my bedroom.
- 2) Removal of soil, grading, movement of heavy vehicles during construction or movement of retaining walls destabilizing my pool. My pool is 12 feet from the backyard line of my property at the left corner above (see yellow line). The developer has said that the construction is 17' from my pool, which contradicts the maps he has submitted within his proposal.
- 3) All the traffic to build, grade, haul or otherwise needed for this entire project for the duration of the project will go directly behind my back property line (along current fence) creating both a privacy issue as well as extreme noise issue. Even though the road starts 20' below my property on the extreme right of the picture above, the road is steep and by the time it gets to the left side of my property it is several feet ABOVE my property. Therefore all work done by workers on the left side and vehicles would have a direct view into the back of my property. The developer has suggested building a giant wall against my back property line to mitigate privacy issues during construction. As you can see this would be highly undesirable.



At least one additional house adjacent to planned lot#10 has even larger trees requiring some mitigation emphasizing the developer is attempting to build the project too close to the existing houses.

I am not sure what the additional costs the developer would have to bear to move the road and structures 10 or 15' farther down the hill but I really don't see how it is possible to build the road where he has suggested without killing my 11 mature and beautiful protected trees that are irreplaceable at any cost. These trees have taken decades and decades to grow to the size they are and are a natural resource beyond cost and measure. Please consider this in your decisions and requirements on the developer as well as the other points I have made about the privacy issues.

Regards, John Mathon

# ARBORIST REPORT

## Tree Protection Recommendations Mitigation of Construction Impact From Proposed Development Site on Adjacent Property

1450 Parrott Dr, San Mateo, CA

February 18, 2015



*Prepared for:*

John Mathon  
1450 Parrott Drive  
San Mateo, CA 94402

*Prepared by:*

**Donald W. Cox**  
ISA Board Certified Master Arborist WE-3023BUM  
PO Box 66382  
Scotts Valley, CA 95067  
(650) 995-0777  
drtreelove@gmail.com

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## ***INTRODUCTION***

---

A tree protection plan is a set of recommendations and requirements provided by a qualified tree care professional, intended to minimize injuries and harmful impact to trees designated for preservation, on a development site and adjacent properties.

Construction activities can cause injury to trees during site preparation and construction phases, from equipment move-in, clearing and grading, import and storage of materials, excavation for utilities installations and structures, and other site activities.

Immediate damage and long-term negative impact can occur from mechanical injury to roots and root collar, tree trunks and scaffold limbs. Excavation, grade changes, soil compaction and pavement can affect tree health by altering drainage, soil moisture availability and aeration. Harmful effects on trees can be incurred from accumulation of soil or other materials in the root zone or against the base of the tree, from materials storage and chemical, paint or fuel spills. Tree roots and the foliar crown can be over-pruned, causing negative physiological stress and possible pre-disposition to pest and disease problems.

## ***ARBORIST ASSIGNMENT***

---

Don Cox, an independent certified arborist, has been contracted by the residential property owner at 1450 Parrott Drive, San Mateo California, to assess and make recommendations for protection of the existing large trees at the rear of the property. The assessment and tree protection recommendations are in consideration of a proposed development project and the potential impact of the construction activities on these significant mature trees.

The arborist site visit and assessment took place on Sunday, February 15.

## ***TREE DESCRIPTIONS***

---

There are two groups of subject trees along the rear fence-line.

Seven trees are "Monterey cypress" (*Hesperocyparis macrocarpa*), a species of conifer native to coastal Monterey-Carmel area, and widely planted in the central California coastal region, including San Mateo county. The subject trees were planted in a row along one portion of the 150 foot rear (south-western) property line.

The cypress trees range in size from 19 inches to 24 inches in trunk diameter, and are approximately 60 to 70 feet in height.

Four mature "Monterey pine" (*Pinus radiata*), another native California conifer species, are planted along a portion of the same rear fence-line.

The four pines range in size from 20 inches to 28 inches in trunk diameter, and are approximately 65 to 75 feet in height.

These trees are important to the property owner and neighborhood community, with air quality, wildlife habitat, windbreak and visual aesthetic value. They represent a "community of trees" which are ecologically and aesthetically related to each other, and loss of one or more of them would cause a significant ecological, aesthetic, and environmental impact in the immediate area.

Due to mature size characteristics, these trees are protected by law under THE SIGNIFICANT TREE ORDINANCE OF SAN MATEO COUNTY, SECTION 12,000.



***Seven mature Monterey cypress trees at the rear of 1450 Parrott Drive.***



*Four mature Monterey pine trees at the rear of 1450 Parrott Drive.*

## **SUMMARY OF ASSESSMENT**

---

Eleven large trees are located at the rear of the property, adjacent to the proposed development site. Four pines are located within five to six feet of the rear fence-line, seven cypress trees are located within one to two feet of the rear fence-line. All of the subject trees appear healthy and structurally sound.

Fifty percent of the critical root zone of these trees, exists in the south-western direction, on the property of the proposed development site, between the tree trunks and the existing access road into the "Water Tank Hill" property. The area along the fence-line and on the other side of the fence, up to the access road is the most important structural root zone, where encroachment and root cutting could destabilize the trees and predispose wind-throw toppling in the direction of the existing home.

The north-eastern side of the access road should represent a boundary for an absolute non-intrusion zone for any grading, excavation and construction activity, in order to avoid structural and physiological harm to the tree root systems.

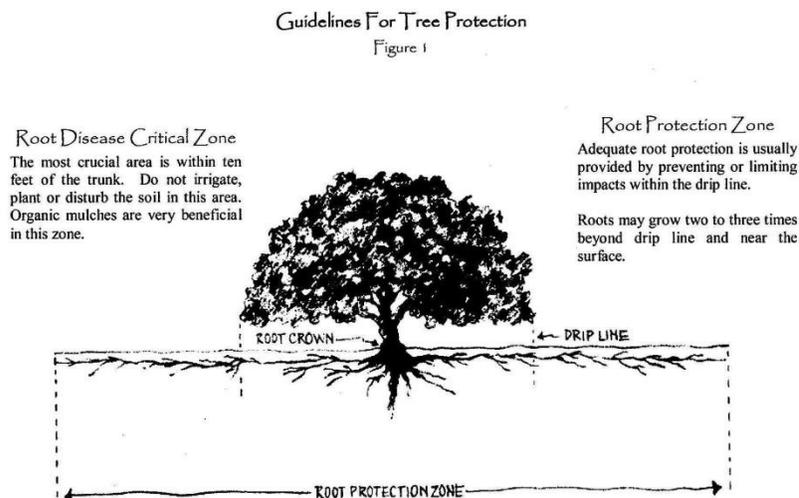


***Area of sloping terrain to the southwest of the subject trees.  
Encroachment and root disturbance in this area would severely harm,  
destabilize or kill these trees.***

## TREE PROTECTION RECOMMENDATIONS

The primary tree protection measure for trees within or adjacent to a construction site is the establishment of a Tree Protection Zone (TPZ), a designated area surrounding a tree that is delineated and fenced, as protection for the tree trunk, foliar crown, branch structure and the critical root zone. The critical root zone includes structural and absorbing roots that support tree stability and physiology.

Some older tree care standards use "drip-line" (outer circumference of the foliar canopy spread) as the guideline for determining the critical root zone. Modern standards may consider the drip-line, but primarily utilize a measurement based on the trunk diameter and species tolerance to construction impact, to determine a TPZ.



The TPZ for a specific tree or group of trees, is established by the experience-based judgment of the project arborist, considering the tree species and site-specific conditions, and utilizing guidelines in *Best Management Practices for Managing Trees During Construction*, a publication of the ISA (International Society of Arboriculture), and the *ANSI A-300 Part 5, Construction Management Standard* of the American National Standards Institute.

Once the TPZ is delineated and fenced, essentially prior to any site work or equipment and materials move in, construction activities are only to be permitted within the TPZ if allowed for and specified by the project arborist. **The fenced TPZ areas are considered "non-intrusion zones" and should not be altered or breached.**

Construction activities outside of the established TPZ can also affect the protected trees. Designated tree removals, stump removals, pruning, grading, soil and drainage management, and other factors need to be considered by the project managers and project arborist, and regulated if needed to protect the trees intended for preservation.

Additional tree protection measures to consider are irrigation, fertilization and pesticide treatment practices that invigorate the trees and help provide physiological resistance to stress-related disorders and suppression of pest and disease invasions.

#### Defining the Tree Protection Zone

A tree's Critical Root Zone (CRZ) is the area around the trunk where roots essential for tree health and stability are located. A Tree Protection Zone (TPZ) is an arborist-defined area surrounding the trunk intended to protect roots and soil within the critical root zone and beyond, to ensure future tree health and stability. There are many methods for determining size for a TPZ (see Matheny and Clark's *Trees and Development*). The dripline method uses the tree's canopy dripline to define the boundary of the TPZ (Figure 1). The entire area within the dripline is considered the TPZ.

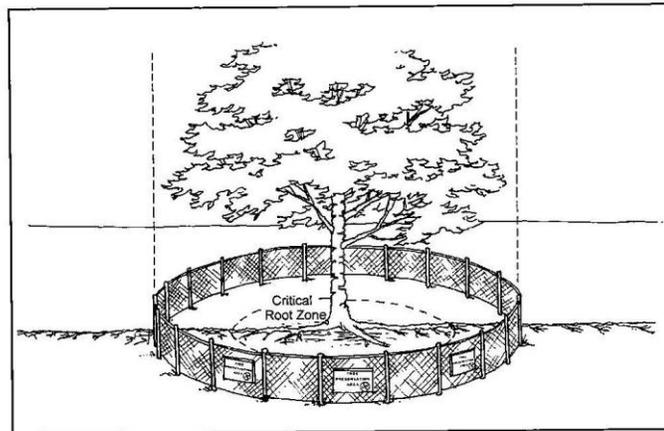


Figure 1. Dripline method of establishing a TPZ.

Source: *Best Management Practices for Managing Trees During Construction*  
*International Society of Arboriculture*

**In most cases, the preferred method of establishing a TPZ is the "trunk formula" method**, where the size of the tree trunk is measured and utilized as a guideline to how far the root system may extend and require protection. Tree species characteristics and case histories of tolerance to construction activities are used, as documented in the ISA-BMP publication. A ratio is established relating the proposed radius of the TPZ to the trunk diameter. This can be 6:1 for a young tree with good tolerance, up to 18:1 for an over-mature tree of a species with poor tolerance to disturbance.

For example, a 20" dbh 'California coast live-oak' would be a mature tree with high tolerance, so the TPZ would be delineated at a 8:1 ratio, and fenced at 13 feet from the tree trunk. A mature 'California black-oak' (medium tolerance) of the same size would receive a 12:1 ratio, or a 20' TPZ.

**Monterey cypress is listed in the ISA Best Management Practices as a species with poor tolerance to development impacts.** The cypress trees under consideration in this report should ideally receive a fenced tree protection zone of 15:1.

**Pines have medium tolerance to development impacts.**

The pine trees under consideration in this report should ideally receive a fenced tree protection zone of 12:1

Therefore, using these guidelines, the TPZ fencing would ideally be placed at 23 to 28 feet from the tree trunks. In this case the existing wooden retaining wall along side of the access road would be a compromise to the ideal distance, but at least by protecting roots in the area between the trees and the edge of the access road, damage to major structural roots could be avoided.

**Prior to beginning of any equipment or materials move in, demolition, site work and grading operation, all significant trees are to be fenced according to these arborist TPZ recommendations.**

The project arborist must inspect the trees and the installed fencing prior to commencement of equipment move in and site work. The fencing must remain throughout the course of construction.

TPZ fencing requirements:

All trees to be preserved shall be protected by chain link fences with a minimum height of six feet (6') above soil grade.

Fences are to be supported by steel posts at no more than 10-foot spacing, driven into the ground to a depth of at least two feet (2').

Signage attached to the fencing is to indicate Tree Protection Zone, with project manager and/or project arborist contact information.

Fencing shall be rigidly supported and maintained during all construction periods.

No storage of equipment, vehicles or debris shall be allowed within the TPZ.

No trenching or grading shall occur within the TPZ of any trees.



***Red line indicates recommended tree protection zone fence-line.***

**TREE PROTECTION GENERAL GUIDELINES AND RESTRICTIONS**

---

1. Before the start of site work, equipment or materials move in, clearing, excavation, construction, or other work on the site, the tree to be protected shall have the root zone and tree trunk protected as recommended . Such protection shall remain continuously in place for the duration of the work undertaken in connection with the development.
2. If the proposed development, including any site work, will encroach upon the tree protection zone, special measures shall be utilized, as approved by the project arborist.
3. Underground trenching shall avoid the major support and absorbing tree roots of protected trees. If avoidance is impractical, hand excavation undertaken under the supervision of the project arborist may be required. Trenches shall be consolidated to service as many units as possible.
4. Concrete or other impermeable paving shall not be placed over the root zones of protected trees, unless otherwise permitted by the project arborist.
5. Compaction of the soil within the tree protection zone shall be avoided.
6. Any excavation, cutting, or filling of the existing ground surface within the tree protection zone shall be minimized and subject to such conditions as the project arborist may impose.
7. Burning or use of equipment with an open flame near or within the tree protection zone shall be avoided. All brush, earth, and other debris shall be removed in a manner that prevents injury to the tree.
8. Oil, gasoline, chemicals, paints, cement, stucco or other substances that may be harmful to trees shall not be stored or dumped within the tree protection zone, or at any other location on the site from which such substances might enter the tree protection zone of a protected tree.
9. Any new plantings within the tree protection zone should be designed to be compatible with the cultural requirements of the retained tree, especially with regard to irrigation, plantings and fertilizer application.
10. Surface drainage should not be altered so as to direct water into or out of the tree protection zone unless specified by the project arborist as necessary to maintain or improve conditions for the tree.
11. Site drainage improvements should be designed to maintain the natural water flow and levels within tree retention areas. If water must be diverted, permanent irrigation systems should be provided to replace natural water sources for the trees.

**TREE HEALTH CARE**

In addition to prevention of damaging practices, it is good tree protection strategy to provide the best possible growing conditions and reduction of stress through soil and water management.

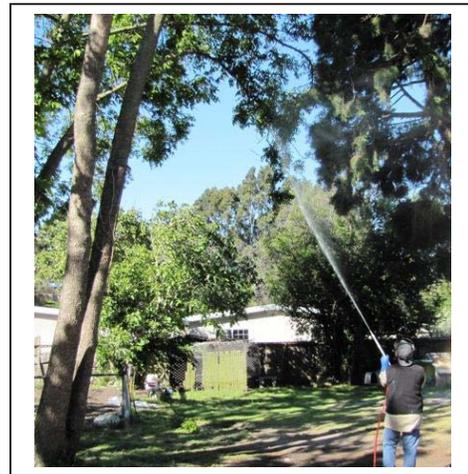
The project arborist should specify site-specific soil surface coverings (wood chip mulch or other) for prevention of soil compaction and loss of root aeration capacity.

An irrigation plan is vital, before, during and after the site work and construction phase.

Soil, water and drainage management shall follow the *ISA BMP for "Managing Trees During Construction"* and the *ANSI Standard A300( Part 2)- 2011 Soil Management (a. Modification, b. 'Fertilization, c. Drainage.)*

Soil analysis, fertilizer / soil amendment products, amounts and method of application are to be specified by an arborist specialist in soil fertility management.

Pest and disease management is important to consider. Some tree species in some geographical areas are susceptible to stress and root-cutting related invasions and disorders.



### ***PROJECT ARBORIST & DUTIES***

---

The project arborist is the certified arborist or firm responsible for carrying out technical tree inspections, assessment of tree health, structure and risk, arborist report preparation, consultation with designers and municipal/county planners, specifying tree protection measures, monitoring, progress reports and final inspection.

Project arborist pre and post construction inspections, with verification of tree protection and welfare, as well as monthly progress inspections should be required in the site work and building permit specifications.

### ***TREE WORK STANDARDS AND QUALIFICATIONS***

---

All tree work, removal, pruning, planting, shall be performed using industry standards of workmanship as established in the Best Management Practices of the International Society of Arboriculture (ISA) and the American National Standards Institute (ANSI A-300 series), and the safety standard (ANSI Z133.1).

Contractor licensing and insurance coverage shall be verified.

### ***SUMMARY OF RECOMMENDATIONS***

---

Four Monterey pines and seven Monterey cypress trees at the rear of the property are significant trees protected by county ordinance.

The primary tree protection measure is to delineate and install 6 foot height chain link fencing along the edge of the existing access road, for establishment of a non-intrusion tree protection zone.

Follow the tree protection general guidelines and restrictions outlined in this report.

Select a project arborist or firm to specify and manage tree protection measures, and to provide tree health care specifications. Establish and follow duties of a tree management inspection schedule.

Any tree work is to be performed by qualified personnel according to ISA & ANSI standards.

If the tree protection measures recommended in this report are not established and maintained through any site work and construction process on the adjacent property, then loss of the trees must be considered. In that case an appraisal of the trees monetary value shall be obtained and the property owner compensated for his loss, including replacement planting. Appraisal shall utilize *The Guide for Plant Appraisal, 9th Edition*, authored by the Council of Tree and Landscape Appraisers (CTLA).

## **COMMUNICATIONS**

---

The best intentions for tree preservation can be overlooked, ignorantly or willfully violated. Tree protection measures are often an obstacle to grading and building contractors, and can create additional work and costs. It is important to communicate and enforce project expectations for tree preservation. Verbal and written directives must be used, and possible penalties established.

Communications are important, starting at an early stage in the process. Property owners, architects, engineers, contractors, equipment operators, landscapers and tree workers must be informed of the intention and site-specific methods that are prescribed to preserve trees according to local laws and the property owner's and project arborist direction.

With good planning and good communications, trees can be preserved through the construction process in good health and structural integrity for the enjoyment of the property residents and future generations.



---

Donald W. Cox,  
ISA Board Certified Master Arborist WE-3023BUM  
Municipal Specialist, Utility Specialist, Tree Risk Assessor



***TREES TO BE FENCED AND PROTECTED AT 1450 PARROTT DR***



<u>Lot #</u>	<u>Gross SF</u>	<u>Net SF</u>
1	9827	
2	9000	
3	7500	
4	7500	
5	7500	
6	9964	7591
7	7942	
8	9466	
9	9500	
10	9707	
11	15982	13208
12	9714	
13	9466	
14	9500	
15	8669	
16	9123	
17	9403	
18	9376	
19	9674	
A	326618	
Total Area	505431	173666
Average lot area	<b>26601.63</b>	<b>9140.32</b>
<b>Lot Density =</b>	<b>1.64</b>	<b>Units per Acre</b>

### House Denisty Calculation

House Number	Block 1	Block 2	Block 3	Block 4
1	10800	7920	9900	7975
2	11000	7920	9350	9000
3	10670	7920	9900	12000
4	9462	7920	8250	9000
5	9480	7920	8800	9600
6	9576	9200	9350	13000
7	9960	8320	9350	10500
8	16600	10300	9576	9900
9	15738	8240	9630	7200
10	13500	10300	8600	9000
11	9600	10200	8775	9000
12	10875	10200	9240	8000
13	11340	10100	10500	10300
14	9270	8080	11340	11410
15	7360	10200	11410	12460
16	8700	9700	12193	14000
17	6720	9500	10428	9796
18	6700	8500	9240	8775
19	8000	8000	10168	9344
20	8925	8000	9000	8122
21	12800	9000	10100	8432
22	12696	8000	9750	7600
23	10488	8000	10500	7600
24	18990	9500	17200	7600
25	9000	8500	1000	7760
26	8025	9500	8000	10640
27	9975	10302	8960	10725
28	10058	10000	9680	11200
29	8550	12000	8680	9000
30	9559	11875	9400	
31		11865		
<b>Total Lot Size (sq. ft.)</b>	314417.00	286982.00	288270.00	278939.00
<b>Total Lot Size (Acre)</b>	7.22	6.59	6.62	6.40
<b>House Density (Houses/Acre)</b>	4.16	4.71	4.53	4.53
<b>Average House Density (Houses/Acre)</b>	<b>4.48</b>			



## Lisa Aozasa - Density Study

---

**From:** <  
**To:** <jcastaneda@co.sanmateo.ca.us>, <laozasa@smcgov.org>  
**Date:** 5/19/2015 11:41 AM  
**Subject:** Density Study  
**Attachments:** 2010135LotDensity(11-22-10topo) 2.xlsx; 2010135NeighboringDensityCalcs-NS3-10-15.xlsx; 2010135NeighboringDensityExhibit-NS3-10-15.pdf

---

James and Lisa,

The issue of density was raised at the Planning Commission meeting stating that the project was "too dense". I had Lea and Braze do a study of the nearby lots to the subdivision and we compare the nearby properties with the density of Ascension Heights.

The nearby properties have a lot density between 4.16 and 4.71 units to the acre. I have attached a table that shows the calculations performed by Lea and Braze. The lot density for Ascension Heights is 1.64 units to the acre and I have attached another table that shows the calculations for that. Clearly, the project is not "too dense" in fact it is substantially less dense than the nearby properties. On average it is only about 36% as dense as the nearby properties.

Dennis Thomas, President  
San Mateo Real Estate, Inc.  
1777 Borel Place, Suite 330  
San Mateo, CA 94402  
(650) 578-0330  
DRE #01011262  
CA #581591

## Lisa Aozasa - Slope Analysis

---

**From:** <  
**To:** <jcastaneda@co.sanmateo.ca.us>, <laozasa@smcgov.org>  
**Date:** 5/19/2015 1:43 PM  
**Subject:** Slope Analysis

---

James and Lisa,

Forgive me if I have already discussed this with you but I could not find an email where I brought some numbers forward on the slope of the lots relative to the surrounding neighborhood slopes.

The average slope of the Ascension Heights lots are 34.93%. and the range for them is between 12-48%. The range for the nearby properties goes from 1% to 64% with varying degrees in between. None of the Ascension lots come close to the max slope of the nearby lots of 64%.

There is no San Mateo County ordinance that requires lots to be less than a certain slope to be buildable. All lots are considered buildable relative to their slope no matter how steep. The surrounding lots are strong evidence of this practice in effect with lots as steep as 64%.

The subdivision has been designed by Lea and Braze Engineering to conform to all existing codes and ordinances in effect. These lots are right in the middle range of the neighboring properties and are actually superior in their design. Specifically, the soil or lack of it for these lots makes them better than the neighboring properties as it is hard bedrock. They can withstand steeper grades than the other existing lots because they are solid rock. This makes them more desirable and safer to build on than neighboring lots.

I hope this information is useful for you. The sources of this information is Lea and Braze Engineering and Michelucci and Associates.

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1777 Borel Place, Suite 330  
San Mateo, CA 94402  
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DRE #01011262  
CA #581591

**From:** James Castaneda  
**To:** Jim Eggemeyer  
**CC:** Mike Schaller; Steve Monowitz; Steve Monowitz  
**Date:** 3/27/2013 12:27 PM  
**Subject:** Re: Ascension Heights - Next Steps

Good afternoon Jim,

Supervisor Pine also followed up with me yesterday evening regarding the next steps, and echoed those thoughts on coordinating a meeting as early as possible. I will request that his written summary be sent as soon as possible so I may ask AES to assist in explaining the scope of work. I suspect many of Mr. Ozanne's issues (particularly with air quality and emissions) are already considered within their proposal. If possible, I'd like to include AES to participate (if they're willing to participate) in a conference call in whatever meeting we have with Mr. Ozanne to help clarify how the process and evaluation will occur. I'll be calling AES later this afternoon to explain where we're at.

I'll effort a coordination as soon as I can this afternoon, as I'm working on the Roundtable packet for next week's meeting that must go out tomorrow afternoon.

As an aside (and I've already mentioned this to Steve), this is the exact unanticipated scenario that makes it extremely difficult to be attentive to high-profile projects that require immediate attention during time sensitive, routine Roundtable duties (particularly the two weeks leading up to a Roundtable meeting). For the time being, I can manage through the adoption of the contract, but we need to keep this in mind as we move forward with this project and the attention it'll start to receive. I'll be in the office tomorrow, so I'll follow up in person regarding how the coordination is going.

JAMES

>>> On 3/27/2013 at 11:53 AM, Jim Eggemeyer <[jeggemeyer@smcgov.org](mailto:jeggemeyer@smcgov.org)> wrote:

> Hi James, As you were copied on this email, I also want to share with you a  
> conversation I had with Supervisor Pine late yesterday. The discussion  
> focused around our next efforts in Planning and Building. Can you please  
> contact Mr. Ozanne regarding the written summary and when we can get together  
> to meet to discuss the scope of work. The meeting needs to be as soon as  
> possible. We need to include David Burruto in the meeting with him.  
> Supervisor Pine wants the meeting to happen right away. Please see what you  
> can do to coordinate the meeting. Thanks.

> jke

>

>

>

>

>

>

>

>

>

>>>> Dave Pine 3/26/2013 2:32 PM >>>

> Carol,

>

> The email thread below will provide you with some additional background on  
> why I asked for the Ascension EIR contract to be removed from today's BoS  
> meeting agenda.

>

> We are scheduling a meeting with Planning staff and the neighborhood  
> representatives to discuss the Statement of Work for the EIR contract. In  
> his email below, Mr. Ozanne suggested that it would require a "*minimum of two*

> *months*" to revise the Statement of Work. I think it can be finalized much  
> faster than that. Earlier this afternoon I spoke to Mr. Ozanne about this  
> and asked that he provide a written summary of where he feels the Statement  
> of Work is deficient.

>  
> I also spoke with Dennis Thomas a few minutes ago. He stated that an  
> extensive "scoping" process for the project was completed in 2010. In his  
> view the Statement of Work reflects the issues that were flagged by the  
> community. He understands why I needed to remove the item from today's  
> agenda, and just asked that we work expeditiously to get the contract back to  
> the Board for approval.

>  
> I will keep you posted.

>  
> Dave

>  
>

>>>> Gerard Ozanne 3/26/2013 8:19 AM >> (

> <mailto:> )

>

> Thank you very much, Dave. We certainly agree a meeting/call should be the  
> next step. Maybe start with a call?

> My cell is 650-

>

> Jerry

>

> Sent from my iPhone

>

> On Mar 25, 2013, at 11:10 PM, Dave Pine <[dpine@smcgov.org](mailto:dpine@smcgov.org)> wrote:

>

>

>

> Gerard,

>

> I was in meetings all day today and I am just seeing your email now.

>

> I believe your request to have this matter withdrawn from tomorrow's Board  
> of Supervisors' meeting agenda is a reasonable one.

>

> I would suggest that we schedule a call or a meeting with Planning Director  
> Jim Eggemeyer and/or James Castañeda (the planner on the project) to discuss:

> (1) how to most efficiently obtain your input on the Analytical

> Environmental Services contract and the Statement of Work; and (2) when the

> matter should be scheduled to come back to the Board of Supervisors for

> consideration.

>

> I will call or email you again following the Board of Supervisors' meeting

> on Tuesday. I would appreciate it if you would forward me your cell phone

> number.

>

> Dave

>

>

> Dave Pine

> San Mateo County Supervisor, First District

> 400 County Center, 1st Floor

> Redwood City, CA 94063  
> (650) 363-4571 (w)  
> (650) (m)  
> [dpine@smcgov.org](mailto:dpine@smcgov.org)

>  
>  
>  
>  
>

> <IMAGE.gif>

>>>> Gerard Ozanne < >>>> 3/25/2013 10:52 AM >>>>

>  
>

> To: The Honorable Dave Pine, Vice President San Mateo County Board of  
> Supervisors  
> Re: Request to withdraw Board of Supervisors Tuesday, March 26, 2013  
> Consent Agenda item 24

>  
>

> Dear Dave,  
> We request that you have Board of Supervisors Tuesday, March 26, 2013 agenda  
> item 24 listed on the consent agenda withdrawn.  
> Agenda Item 24 has been placed on the consent agenda as: Planning and  
> Building, Item 24.

>  
>

> A) Resolution authorizing an agreement with Analytical Environmental  
> Services to prepare Draft and Final Environmental Impact Reports for the  
> Ascension Heights Subdivision  
> B) Resolution authorizing transfer in the amount of \$113,075 from  
> unanticipated revenue to Contract Services (4/5ths vote required)  
> Neither Baywood Park nor San Mateo Oaks Homeowners Associations, immediately  
> adjacent to the project, were notified in advance that a proposed contract  
> Statement of Work had been prepared for resolution authorizing an agreement  
> with Analytical Environmental Services to prepare Draft and Final  
> Environmental Impact Reports for the Ascension Heights Subdivision.  
> Consequently, we have not had an opportunity to fully review it or provide  
> our input.

> We also request your support to return to the agreed upon procedures  
> ensuring full communication with our communities specifically with respect to  
> the Ascension Heights Subdivision project. Although the community, developer  
> and Planning devoted extensive time to the exchange of issues, the most  
> important next step is an appropriately specified Statement of Work directing  
> the creation of the Draft and Final EIR. The current Statement of Work  
> contains substantial deficiencies, ignoring serious issues raised in the many  
> meetings with the developer and the December 2009 Planning Commission meeting  
> with 400+ residents at CSM. In 2009 the Board of Supervisors directed that  
> District One residents be involved throughout the entire process to derive an  
> acceptable solution. The deficiencies inherent in this Statement of Work  
> portend a repeat of the previous failure.

> Dave, we ask you to intervene on behalf of District One residents to  
> withdraw this resolution from the March 26th agenda for a minimum of 2  
> months. The community needs sufficient time to participate in the Statement  
> of Work specifications to ensure the EIR adequately represents community  
> concerns. This project has been actively developed for over a decade posing

- > significant adverse impacts on this community and its surroundings and we
- > strongly believe this request is both critical and eminently reasonable.
- > Thank you for your consideration,
- >
- > Gerard Ozanne, President
- > Baywood Park Homeowners' Association
- > cc: The Honorable Don Horsley, President San Mateo County Board of
- > Supervisors
- >
- > >

**From:** Heather Hardy  
**To:** Planning-Current Planning  
**Date:** 4/22/2013 3:44 PM  
**Subject:** Reminder - 5/22/13 Planning Commission Items due

Hello all,

If you intend to submit an item for the 5/22/13 Planning Commission meeting, please submit your Agenda request no later than next Wednesday 5/1/13. A list of items for upcoming meetings is below.

**4/24 (PC):**

MROSD Grading Permit (Consent)  
CCWD/POST/GGNRA Denniston Reservoir (Regular)  
Woolley (Regular)  
Allen Price (Regular)  
Martin's Beach Emergency Permit (Correspondence)  
BACE attorney letter (Correspondence)

**5/7 (BOS):**

Princeton  
Ascension Heights  
4 Perry

**5/8 (PC):**

Oceano Hotel Wedding tent  
Energy Plan

Thank you!  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859

**From:** Heather Hardy  
**To:** Steve Monowitz  
**CC:** Jim Eggemeyer  
**Date:** 6/20/2013 5:00 PM  
**Subject:** Your input needed: Major milestones/accomplishments for FY12-13

Hi Steve,

Jim and I have done some brainstorming for the 1-pager Department Overview that we will submit tomorrow with the rest of our Budget deliverables. (The instructions are at the end of this message.) Can you think of anything else that you would list? As a small department, we are supposed to have "up to 3" accomplishments, so we'll refine the list below.

**FY 2012/13**

EECAP Development & approval by BoS  
Agritourism Guidelines  
Code Compliance Enforcement & Citation Improvements  
Draft Williamson Act for submission to the Board of Supervisors

**In progress/Upcoming**

Princeton  
Accela Upgrade  
Ascension Heights  
NFO  
General Plan Update  
Thank you!  
Heather

**Directions:** Overview: The Overview will briefly describe the services provided by the Department (large departments should highlight the top five core services and small departments should highlight up to three core services). In addition to three to five major accomplishments in FY 2012-13, describe significant challenges, initiatives and trends for the next two years. Briefly describe how performance is affected by the challenges, initiatives and trends discussed. Further guidelines regarding the types of allowable performance measures are included in the Program Summary description.

**From:** Steve Monowitz  
**To:** Heather Hardy  
**CC:** Jim Eggemeyer  
**Date:** 6/21/2013 8:37 AM  
**Subject:** Re: Your input needed: Major milestones/accomplishments for FY12-13

Hi Heather and Jim,

Some other accomplishments to throw in the mix:

Coastal Commission certification of the Midcoast Update

Phase 2 Highway 1 Safety and Mobility Study and TA grant for Implementation

Regarding in progress/upcoming projects, I would specify NFO Zoning Regulations in Number 4, and replace General Plan Update with Housing Element Update and Implementation. There are other projects we might want to add later if we succeed in our efforts to get another long range planning position.

Thanks,

Steve

>>> Heather Hardy 6/20/2013 5:00 PM >>>

Hi Steve,

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Draft Williamson Act for submission to the Board of Supervisors

**In progress/Upcoming**

Princeton

Accela Upgrade

Ascension Heights

NFO

General Plan Update

Thank you!

Heather

**Directions:** Overview: The Overview will briefly describe the services provided by the Department (large departments should highlight the top five core services and small departments should highlight up to three core services). In addition to three to five major accomplishments in FY 2012-13, describe significant challenges, initiatives and trends for the next two years. Briefly describe how performance is affected by the challenges, initiatives and trends discussed. Further guidelines regarding the types of allowable performance measures are included in the Program Summary description.

**From:** Heather Hardy  
**To:** Jim Eggemeyer; Steve Monowitz  
**Date:** 6/21/2013 9:11 AM  
**Subject:** Re: Your input needed: Major milestones/accomplishments for FY12-13

Steve - thanks for these additions. I've updated the list (below) for both of you to look at and prioritize.

**FY 2012/13 (Choose 3 to 5)**

EECAP Development & approval by BoS  
Agritourism Guidelines  
Code Compliance Enforcement & Citation Improvements  
Draft Williamson Act for submission to the Board of Supervisors  
Coastal Commission certification of the Midcoast update  
Phase 2 Highway 1 Safety & Mobility study

**In progress/Upcoming**

Princeton  
Accela Upgrade  
Ascension Heights  
NFO Zoning Regulations  
Housing Element Update and Implementation  
Thanks,  
Heather

>>> Steve Monowitz 6/21/2013 8:37 AM >>>

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Thanks,  
Steve

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Agritourism Guidelines  
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Princeton  
Accela Upgrade

Ascension Heights  
NFO  
General Plan Update  
Thank you!  
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**Directions:** Overview: The Overview will briefly describe the services provided by the Department (large departments should highlight the top five core services and small departments should highlight up to three core services). In addition to three to five major accomplishments in FY 2012-13, describe significant challenges, initiatives and trends for the next two years. Briefly describe how performance is affected by the challenges, initiatives and trends discussed. Further guidelines regarding the types of allowable performance measures are included in the Program Summary description.

**From:** James Castaneda  
**To:** Monowitz, Steve  
**CC:** Hardy, Heather  
**Date:** 8/29/2013 8:06 AM  
**Subject:** Draft Notice Letter, Ascension Heights  
**Attachments:** 20130903\_PLN2002-517 Announce Draft v2.docx

Good morning Steve,

When you have an opportunity, please review the attached announcement for the Ascension Heights project. We're getting ready for the EIR scoping session at the end of September, and gearing up for active community feedback. My goal with this letter was to serve as a general announcement that this project is becoming active, but also start off on the right foot by emphasizing community inclusivity. As you know, in the past has generated a great deal of community involvement, and I have no doubt we'll receive the same on this go around. I'd like to make sure we're being proactive and timely with dates as possible, and be selective with our wording as to avoid the ridged notifications that is sometimes perceived not as welcoming.

If you don't many edits/concerns, work through Heather to get this over to Word Processing so they can get it into the system and I can finalize on Tuesday. Otherwise, we can discuss this further Tuesday morning. Ill be out of the office today and tomorrow. Thanks Steve, have a great Labor Day weekend.

JAMES

James A. Castañeda, AICP  
Planner III, San Mateo County Planning & Building Department  
Program Coordinator, SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
650.363.1853 | 650.363.4819 FAX  
smcplanning.org | sforoundtable.org

**From:** Steve Monowitz  
**To:** James Castaneda  
**CC:** Heather Hardy  
**Date:** 9/3/2013 9:55 AM  
**Subject:** Re: Draft Notice Letter, Ascension Heights

Hi James,  
I'll get you my edits ASAP.  
Steve

>>> James Castaneda 8/29/2013 8:06 AM >>>

Good morning Steve,

When you have an opportunity, please review the attached announcement for the Ascension Heights project. We're getting ready for the EIR scoping session at the end of September, and gearing up for active community feedback. My goal with this letter was to serve as a general announcement that this project is becoming active, but also start off on the right foot by emphasizing community inclusivity. As you know, in the past has generated a great deal of community involvement, and I have no doubt we'll receive the same on this go around. I'd like to make sure we're being proactive and timely with dates as possible, and be selective with our wording as to avoid the ridged notifications that is sometimes perceived not as welcoming.

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**From:** James Castaneda  
**To:** Mike Schaller; Steve Monowitz  
**CC:** Dave Holbrook; Lisa Aozasa  
**Date:** 10/24/2013 10:55 AM  
**Subject:** Workload Discussion

Steve/Mike,

We need to have a discussion about my workload again. Roundtable needs to be my priority in the next two weeks and my bandwidth will be limited for dealing with immediate issues with other projects. As Ascension Heights has consumed more time than expected in the last month, I don't have enough time to stay on top of other projects in addition to regular duties (counter, trees, etc) now having to switch gears.

My concern in bringing this up is that my smaller assigned projects have been suffering. For example, I was assigned a cell amendment a couple of months ago (PLN2003-00711) that was seemingly simple enough, but it has been pending and needed attention/follow-up with referrals to continue to a hearing. But in the last month, it's been a struggle to manage ongoing Roundtable work (subcommittee meetings and now prepping for our next meeting) on top of the later-than-expected Ascension Heights scoping work (as a result of Supervisor Pine entertaining pushing the date back). This will now also require additional time for ongoing monthly meetings we agreed to have with community members. Furthermore, I've had to squeeze in time for 40 Castanea Ridge (Keith Hall's ongoing problem project) this week when I wasn't expecting to allocate time for such. As I just received a new cell amendment to start processing, I think it's an appropriate time to raise this issue.

While most cases do tend to be straight forward and predictable, even those have been hard to manage with high profile projects competing for time such as Ascension Heights and Roundtable. It has been impacting my ability to manage a healthy work/life balance in doing more outside my work hours, as well. While I do enjoy the benefits of remote access to my work resources and email outside the office, it's only supposed to be at times I make myself available (such as on telecommute days). The last few weeks alone I've encountered situations that have required me to tend to Ascension Heights while resting sick at home, and coordinating a schedule conflict for the Hall inspection while spending time with family on my 9/80 off.

As I've mentioned before, we need to start thinking about my long term goals of assigned workload and projects, as it continues to be a challenge to maintain projects that require on and off attention with Roundtable's set meeting timelines and duties. Effectively, I've had too much on my plate for awhile and it has been spilling over into inattention to other projects or impacting my home time. I'd like to discuss options for a more sustainable workload here at the department so that I have enough time to focus on the assignments that are the most important for me to work on.

JAMES

**From:** Lisa Aozasa  
**To:** Dave Holbrook; Mike Schaller; Steve Monowitz  
**Date:** 11/7/2013 3:37 PM  
**Subject:** Ascension Heights

Hello --

Following up on our discussion re: James' workload, I met with Erica and we discussed the possibility of her taking over the project. She's pretty busy in the next few months with a cell site project and Design Review, but thought her work load would clear up by Feb/Mar. Before we make any switch official, I wanted to get a better understanding of where Ascension Heights is at and what their timing/next steps will be. Maybe Mike and I could meet with James to go over it? Did we get any input from James re: what he is willing to work on for his 20 hours of current planning? Let me know what you think --

Lisa

**From:** Steve Monowitz  
**To:** James Castaneda; Mike Schaller  
**CC:** Dave Holbrook; Lisa Aozasa  
**Date:** 11/12/2013 8:45 AM  
**Subject:** Re: Workload Discussion

Hi James,

Sorry for the delay in getting back to you on this. The Senior Planners and I have discussed your situation and would like to do what we can to help. This includes trying to find someone to take over the Ascension Heights project, and keeping your current planning assignments to relatively minor projects that should not interfere with your Roundtable duties. I'm not sure how the Hall project fits into this approach, but if it continues to be a problem, please let me know. If you have any other suggestions, we would be glad to consider them.

With regard to Ascension Heights, it would be helpful if you could please provide us with a brief status update, including an estimate of when you think the workload demand will really start picking up.

Thanks,  
Steve

>>> James Castaneda 10/24/2013 10:55 AM >>>  
Steve/Mike,

We need to have a discussion about my workload again. Roundtable needs to be my priority in the next two weeks and my bandwidth will be limited for dealing with immediate issues with other projects. As Ascension Heights has consumed more time than expected in the last month, I don't have enough time to stay on top of other projects in addition to regular duties (counter, trees, etc) now having to switch gears.

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JAMES

**From:** Heather Hardy  
**To:** Planning-Current Planning  
**CC:** Frances Contreras  
**Date:** 3/26/2014 12:21 PM  
**Subject:** April 23 Planning Commission meeting

Dear Planners,

I wanted to let you know that the April 23 Planning Commission meeting **will** proceed in the daytime as scheduled. (There had been some discussion of using that date for an evening, Ascension Heights-only meeting. That meeting is currently expected to be scheduled sometime in May.) I haven't received any agenda requests for 4/23, but have heard of some projects (S. Rosen, S. Burlison) that might be presented on that date. I can accept your agenda requests until end of day next Tuesday the 1st, so please send them my way.

Thanks,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 |

**From:** Lisa Aozasa  
**To:** Jim Eggemeyer; Steve Monowitz  
**CC:** Heather Hardy  
**Date:** 4/10/2014 4:33 PM  
**Subject:** Update on Waverly Place

Hello --

It gets worse! The latest is that Tiare met with Janet Stone today, and was informed that the project needs its approvals in place before July 1st, or they will lose their chance for tax credit funding this year. If we're going to make this happen (do we have a choice?) -- then it will have to go to the NFO Council on April 28, PC on May 28 (May 14 is going to be reserved for Ascension Heights) and the BOS on July 1.

Tiare has contacted Sup. Slocum's office regarding the schedule for the NFO Council, and is checking back with Janet Stone to make sure July 1 meets their criteria. Just in case the neighbors weren't already upset, this is going to make it worse as we are now forced to rush through the hearing process. Let me know your thoughts/concerns...

Lisa

**From:** Heather Hardy  
**To:** Planning-Current Planning  
**CC:** Frances Contreras  
**Date:** 4/21/2014 9:23 AM  
**Subject:** Next P/C Meetings

Good morning Planners,

I hope you are well. I believe that you are aware that May 14 is the evening, Ascension Heights-only Planning Commission meeting. Agenda requests for May 28 are due tomorrow, April 22. I haven't received any yet, but have heard of a few potential projects. Please submit them to me ASAP, as Jim will present the draft agenda at this Wednesday's meeting.

Thanks,  
Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 |

**From:** Heather Hardy  
**To:** Planning-Current Planning  
**CC:** Frances Contreras  
**Date:** 5/7/2014 11:59 AM  
**Subject:** Upcoming Planning Commission meetings

Dear Planners,

Here's what's coming soon:

5/14: Ascension Heights evening meeting + Consent GPC (Will Gibson for Real Property)

5/28: 6 tentative items:

Angela - Fitzgerald Marine Reserve Parking Lot

Melissa - Ano Nuevo State Park

Mike - Public Works, Green Streets Improvement Project

Olivia - Tree appeal

Summer - Girl Scout Camp

Summer - Plan Princeton Update

6/11: Agenda requests were due last week, and none have been received. Please tell me **today** if you intend to present an item because we are going to notify the Commission that the meeting is canceled.

6/25: Farm Meeting (Lemos, Pastorino, and Arata) (other items are allowed)

8/13: Big Wave Informational Meeting (other items are allowed)

9/24: Big Wave Decision Meeting (evening, El Grenada Elementary or similarly located. No other items considered)

Thanks, all!

Heather

Heather Hardy | Executive Secretary, Planning and Building Department | County of San Mateo  
| 455 County Center 2<sup>nd</sup> Floor Redwood City, CA 94063 | (650)363-1859 |

**From:** Jim Eggemeyer  
**To:** Steve Monowitz  
**Date:** 5/29/2014 10:13 AM  
**Subject:** Fwd: Re: Monthly BOS update - P&B section

Steve, Here is the monthly update for May (or is it April's?), the second one.  
jke

>>> Jim Eggemeyer 5/6/2014 5:16 PM >>>

Sorry, sidetracked on getting back to you on this one. For our updates:

Plan Princeton - A few more refinements were necessary on the existing conditions report from the Consultant, so the report is nearly complete. Staff will be presenting a status report to the Planning Commission on May 28, 2014 and then to the Board of Supervisors on June 3rd.

Big Wave - The Department has now entered into three separate contracts to assist with environmental assessment and processing for the Big Wave Project. The Department is planning to have the project before the Planning Commission in September.

Ascension Heights Subdivision - The Draft Environmental Impact Report (DEIR) has been issued by the Department commencing a 45 day comment period. The Planning Commission will be conducting a public hearing on May 14th at 7:00 out at the College of San Mateo, Theater.

Farm Labor Housing Policy Revisions - Planning staff has completed a draft of the Policy revisions to streamline the permitting process for Farm Labor Housing. The draft documents will be provided to the Agricultural Advisory Committee for their June 9th meeting.

Recruitments - The Department has made an offer to fill the Code Compliance Officer position and is waiting a response from the candidate, while final interviews to fill two planner positions (one permanent position in Long Range and one Agile position in Current Planning) are scheduled for May 8th and 9th.

That's it for now.

jke

>>> Peggy Jensen 5/2/2014 4:56 PM >>>

Thanks. The sooner the better.... I'd like to get this out early next week.

>>> Jim Eggemeyer 5/2/2014 4:55 PM >>>

Sure, I can edit/add. When is it due back to you? Thanks.

jke

>>> Peggy Jensen 5/2/2014 4:26 PM >>>

Hi Jim,

I'm compiling the monthly community services update. Here's was you submitted last month. You can update this or submit something else.

Thanks,  
Peggy

Planning and Building

- Project Updates – Recent work and next steps on major projects are noted below.
  
- Plan Princeton – This project continues to proceed along with the recent completion of the existing conditions report and is now moving into the alternatives phase. An update to the Planning Commission will be in late April, along with an update to the Board of Supervisors in early May.
  
- Ascension Heights Subdivision - The Department and our consultant are nearing completion of the Draft Environmental Impact Report for the Ascension Heights Subdivision in the unincorporated San Mateo Highlands/Baywood Park area and will be released to the public for comment in mid to late April.
  
- Big Wave - The Department is entering into a contract for environmental review services to assist in the processing for the revised Big Wave Project, out on the coast, north of Princeton.
  
- Automation - Planning and Building has completed implementation and conversion of the Department's permit tracking system to Accela Automation. Future improvements to the system will include Citizen Access and Electronic Document Review for enhanced owner and applicant access, document submission, and permit management.
  
- New Building Official - The Department is pleased to have recently hired a new Building Official, Gary West. Mr. West comes to us from the City of Vallejo.

**From:** Jim Eggemeyer  
**To:** Steve Monowitz  
**Date:** 5/29/2014 10:17 AM  
**Subject:** Fwd: Re: Monthly BOS update - P&B section

And here is the first P & B projects memo (I then used the following for the 2nd update so as not to duplicate info.).

jke

>>> Jim Eggemeyer 5/2/2014 4:55 PM >>>  
Sure, I can edit/add. When is it due back to you? Thanks.  
jke

>>> Peggy Jensen 5/2/2014 4:26 PM >>>  
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#### Planning and Building

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**From:** "Heather Hardy" <hhardy@smcgov.org>  
**To:** LAozasa@smcgov.org  
**CC:** SMonowitz@smcgov.org; JEggemeyer@smcgov.org  
**Date:** 6/6/2014 6:16 PM  
**Subject:** Re: Court Reporter for Business License Board

Hi Lisa! If this helps for reference, we paid between \$900 and \$1000 last year to a service recommended by Tim for the Ascension Heights scoping meeting last year. The transcript for the 90 minute meeting was finished in about 2 weeks.

See you Monday.

Heather

> On Jun 6, 2014, at 7:06 PM, "Lisa Aozasa" <laozasa@smcgov.org> wrote:

>

> Hello --

>

> It looks like we might have a massage establishment revocation appeal on the June 18th agenda. This time, I'm making sure we have a record of the meeting!! Is it o.k. for Planning to pay for a court reporter? That is Judith Holiber's recommendation, since if things move on to court, the recording has to be transcribed anyway. Her feeling is that it's just easier to have a court reporter make a written record from the outset.

>

> Please let me know if you think it's appropriate for Planning to pay for this -- I assume when we agreed to Chair the Board, we were prepared to assume such costs. If it's a go, I'll ask Deb to check out actual cost and make the arrangements. Thanks!

>

> Lisa

> <mime-attachment>

**From:** Heather Hardy  
**To:** Planning-Current Planning  
**CC:** Frances Contreras; Janna Hing-Lewis; Pamela Cattich  
**Date:** 7/24/2014 5:12 PM  
**Subject:** Planning Commission 2014

Dear all,

There are 8 Planning Commission meetings remaining this year. Here's what I currently know about each one:

8/13: #1 Big Wave (Informational), #2 BACE Parking Exception (if needed)

8/27: No requests received, though I have heard of a few projects. I need your requests by end of day next Wednesday 7/30.

9/10: Open for items. Requests due on 8/5

9/24: Open for items. Requests due on 8/19

10/8: Open for items. Requests due on 9/2

**10/22: Big Wave Decision Only, out on the coast, evening meeting.**

11/12: Open for items. Requests due on 10/7

12/10: Open for items. Requests due on 11/4

The Ascension Heights subdivision item is expected to be considered at an offsite evening meeting later in the year, though the date has not yet been determined. Questions? Let me know.

Thanks, Heather

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

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**From:** Heather Hardy  
**To:** Planning-Planning  
**Date:** 8/19/2014 10:52 AM  
**Subject:** Planning Commission 2014

Dear Planners,

Here's what I know about the remainder of the year:

8/27: 5 items, including BACE amortization, BACE OSPEX, Subdivision Ordinance Amendment

9/10: Open for items. Requests are due absolutely no later than end of day tomorrow, Wednesday August 20. I need to get these to the newspaper. I have heard of three projects but have received no requests yet.

9/24: Open for items. Requests are now due

10/8: Open for items. Requests due on 9/2

**10/22: Big Wave Decision Only, evening meeting on the Coast.**

11/12: Open for items. Requests due on 10/7

12/10: Open for items. Requests due on 11/4

Please note that one of the remaining meetings (probably 10/8, 11/12, or 12/10) will be converted to an evening Ascension Heights decision meeting in the Highlands. Final date is TBD depending on circumstances with the project. Due to the Commissioners' travel schedules, it seems unlikely that we will add another meeting date.

Thanks,  
Heather

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

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**From:** Heather Hardy  
**To:** Steve Monowitz  
**Date:** 9/4/2014 10:44 AM  
**Subject:** Re: Permits for Cypress grove Projects

Hi Steve,

The one unknown left in the PC calendar is Ascension Heights. James C had asked that I look into the possibility of renting the usual venue (College of San Mateo Theater) for either the Nov 12 meeting or December 10. Do I need to schedule a separate meeting for Ascension Heights? We are running out of meetings.

Thanks,  
Heather

>>> Steve Monowitz 9/4/2014 10:35 AM >>>

Hi Marlene,

The October 22 meeting is dedicated to Big Wave. I can see if Dave can complete the Cypress Grove report in time for the October 8th meeting. Otherwise we'll aim for November 12th.

Thanks,  
Steve

>>> Marlene Finley 9/3/2014 4:27 PM >>>

Hi Steve,

Is there any way we can get the permit for the Cypress Grove hazard tree project (Fitzgerald Marine Reserve) on the October 22 agenda? The grant funds expire at the end of December.

Thanks for your consideration.

- Marlene

Marlene Finley  
Parks Director  
San Mateo County  
455 County Center  
Redwood City, CA 94063  
work: 650.599.1394

>>> Samuel Herzberg 9/3/2014 3:41 PM >>>

Marlene and Ramona,

FYI

It appears that Dave Holbrook will handle the permitting for the FMR bluff tree removal and trimming, and it appears it is not going to Planning Commission hearing until 11/12, so removal and trimming cannot take place until then.

Sam

>>> Dave Holbrook 9/3/2014 3:27 PM >>>

I have to keep the project. I can get it to the PC on Nov. 12. It could have been 10/22, but that's a coastside PC mtg reserved for Big Wave.Oct 22

David Holbrook

**From:** Steve Monowitz  
**To:** Heather Hardy  
**Date:** 9/4/2014 10:45 AM  
**Subject:** Re: Permits for Cypress grove Projects

Please get an update from James to see where things stand with him on this.  
Thanks,  
Steve

>>> Heather Hardy 9/4/2014 10:44 AM >>>  
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David Holbrook

**From:** Heather Hardy  
**To:** Steve Monowitz  
**Date:** 9/4/2014 10:50 AM  
**Subject:** Re: Permits for Cypress grove Projects

James is out of the office until Tuesday. I spoke to him yesterday, and that's still where we are - he knows that it's either November or December but didn't commit to which one. Sorry about that.

Thanks,  
Heather

>>> Steve Monowitz 9/4/2014 10:45 AM >>>  
Please get an update from James to see where things stand with him on this.  
Thanks,  
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David Holbrook

August 30, 2013

Dear Baywood & San Mateo Highlands Residence,

The San Mateo County Planning & Building Department in the coming months will begin processing an application for a proposed subdivision for the development 19 lots on Water Tank Hill, at the corner of Ascension Drive and Bel Aire Road. A previous plan for 25 lots, with a fire access road, was considered and denied by the Planning Commission in December 2009. The project applicant has submitted a revised plan, which will require full review by County agencies, a new Environmental Impact Report, comments and feedback from the community, and final consideration by the Planning Commission.

With the processing of a major subdivision application, there are two inherent parts. The first is review of the proposed subdivision to ensure compliance with County subdivision and zoning regulations. The second is environmental review in the form of an Environmental Impact Report (EIR), which is developed to inform decision-makers of any significant environmental effects. These two parts are considered together by the Planning Commission. Community input and participation is both important and essential in these two parts.

In the coming six to nine months during which the project will be reviewed and the environmental document drafted, your assistance is needed in providing valuable community feedback on the project. As the review process progresses, there will be three opportunities to participate in the process: 1) the public scoping process, 2) review of the draft environmental impact report, and 3) the project as a whole.

As we prepare to begin the environmental review work, we like to invite you to this first opportunity to get an overview of the project, and share what you think are the most pressing environmental concerns that should be addressed in the EIR. This scoping open house session will be held on:

Wednesday, September 25, 2013 - 7:00pm  
College of San Mateo Theater - Doors open at 6:15pm

At this event, you'll be able to meet and ask questions from the Planning staff, project applicant, and the County's Environmental Consultants, as well as provide important feedback on the environmental resources you feel may be the most impacted by the subdivision project that will help us steer the environmental review.

We're also providing an opportunity to share feedback on this part of the process online at:

[www.smcspeakout.com/ascension-scoping](http://www.smcspeakout.com/ascension-scoping)

For the most up to date information and to sign up to receive email updates, visit the project's website at:

<http://goo.gl/XUDqLC>

If you have any questions, please don't hesitate to contact us. Be expecting addition updates and notifications of important dates, meetings, and opportunities to share your essential input about your community.

Regards,

James A. Castañeda, AICP

**From:** James Castaneda  
**To:** Jim Eggemeyer  
**CC:** Mike Schaller; Steve Monowitz; Steve Monowitz  
**Date:** 3/27/2013 12:27 PM  
**Subject:** Re: Ascension Heights - Next Steps

Good afternoon Jim,

Supervisor Pine also followed up with me yesterday evening regarding the next steps, and echoed those thoughts on coordinating a meeting as early as possible. I will request that his written summary be sent as soon as possible so I may ask AES to assist in explaining the scope of work. I suspect many of Mr. Ozanne's issues (particularly with air quality and emissions) are already considered within their proposal. If possible, I'd like to include AES to participate (if they're willing to participate) in a conference call in whatever meeting we have with Mr. Ozanne to help clarify how the process and evaluation will occur. I'll be calling AES later this afternoon to explain where we're at.

I'll effort a coordination as soon as I can this afternoon, as I'm working on the Roundtable packet for next week's meeting that must go out tomorrow afternoon.

As an aside (and I've already mentioned this to Steve), this is the exact unanticipated scenario that makes it extremely difficult to be attentive to high-profile projects that require immediate attention during time sensitive, routine Roundtable duties (particularly the two weeks leading up to a Roundtable meeting). For the time being, I can manage through the adoption of the contract, but we need to keep this in mind as we move forward with this project and the attention it'll start to receive. I'll be in the office tomorrow, so I'll follow up in person regarding how the coordination is going.

JAMES

>>> On 3/27/2013 at 11:53 AM, Jim Eggemeyer <[jeggemeyer@smcgov.org](mailto:jeggemeyer@smcgov.org)> wrote:

> Hi James, As you were copied on this email, I also want to share with you a  
> conversation I had with Supervisor Pine late yesterday. The discussion  
> focused around our next efforts in Planning and Building. Can you please  
> contact Mr. Ozanne regarding the written summary and when we can get together  
> to meet to discuss the scope of work. The meeting needs to be as soon as  
> possible. We need to include David Burruto in the meeting with him.  
> Supervisor Pine wants the meeting to happen right away. Please see what you  
> can do to coordinate the meeting. Thanks.

> jke

>

>

>

>

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>

>

>

>

>>>> Dave Pine 3/26/2013 2:32 PM >>>

> Carol,

>

> The email thread below will provide you with some additional background on  
> why I asked for the Ascension EIR contract to be removed from today's BoS  
> meeting agenda.

>

> We are scheduling a meeting with Planning staff and the neighborhood  
> representatives to discuss the Statement of Work for the EIR contract. In  
> his email below, Mr. Ozanne suggested that it would require a "*minimum of two*

> *months*" to revise the Statement of Work. I think it can be finalized much  
> faster than that. Earlier this afternoon I spoke to Mr. Ozanne about this  
> and asked that he provide a written summary of where he feels the Statement  
> of Work is deficient.

>  
> I also spoke with Dennis Thomas a few minutes ago. He stated that an  
> extensive "scoping" process for the project was completed in 2010. In his  
> view the Statement of Work reflects the issues that were flagged by the  
> community. He understands why I needed to remove the item from today's  
> agenda, and just asked that we work expeditiously to get the contract back to  
> the Board for approval.

>  
> I will keep you posted.

>  
> Dave

>  
>>>> Gerard Ozanne 3/26/2013 8:19 AM >> (  
> <mailto:> )

>  
> Thank you very much, Dave. We certainly agree a meeting/call should be the  
> next step. Maybe start with a call?  
> My cell is 650-

>  
> Jerry

>  
> Sent from my iPhone

>  
> On Mar 25, 2013, at 11:10 PM, Dave Pine <[dpine@smcgov.org](mailto:dpine@smcgov.org)> wrote:

>  
>  
> >  
> > Gerard,  
> >  
> > I was in meetings all day today and I am just seeing your email now.  
> >  
> > I believe your request to have this matter withdrawn from tomorrow's Board  
> > of Supervisors' meeting agenda is a reasonable one.  
> >  
> > I would suggest that we schedule a call or a meeting with Planning Director  
> > Jim Eggemeyer and/or James Castañeda (the planner on the project) to discuss:  
> > (1) how to most efficiently obtain your input on the Analytical  
> > Environmental Services contract and the Statement of Work; and (2) when the  
> > matter should be scheduled to come back to the Board of Supervisors for  
> > consideration.

>  
> > I will call or email you again following the Board of Supervisors' meeting  
> > on Tuesday. I would appreciate it if you would forward me your cell phone  
> > number.

>  
> > Dave

>  
> >  
> > Dave Pine  
> > San Mateo County Supervisor, First District  
> > 400 County Center, 1st Floor

> Redwood City, CA 94063  
> (650) 363-4571 (w)  
> (650) (m)  
> [dpine@smcgov.org](mailto:dpine@smcgov.org)

>  
>  
>  
>  
>

> <IMAGE.gif>

>>>> Gerard Ozanne < >>>> 3/25/2013 10:52 AM >>>>

>  
>

> To: The Honorable Dave Pine, Vice President San Mateo County Board of  
> Supervisors  
> Re: Request to withdraw Board of Supervisors Tuesday, March 26, 2013  
> Consent Agenda item 24

>  
>

> Dear Dave,  
> We request that you have Board of Supervisors Tuesday, March 26, 2013 agenda  
> item 24 listed on the consent agenda withdrawn.  
> Agenda Item 24 has been placed on the consent agenda as: Planning and  
> Building, Item 24.

>  
>

> A) Resolution authorizing an agreement with Analytical Environmental  
> Services to prepare Draft and Final Environmental Impact Reports for the  
> Ascension Heights Subdivision  
> B) Resolution authorizing transfer in the amount of \$113,075 from  
> unanticipated revenue to Contract Services (4/5ths vote required)  
> Neither Baywood Park nor San Mateo Oaks Homeowners Associations, immediately  
> adjacent to the project, were notified in advance that a proposed contract  
> Statement of Work had been prepared for resolution authorizing an agreement  
> with Analytical Environmental Services to prepare Draft and Final  
> Environmental Impact Reports for the Ascension Heights Subdivision.  
> Consequently, we have not had an opportunity to fully review it or provide  
> our input.

> We also request your support to return to the agreed upon procedures  
> ensuring full communication with our communities specifically with respect to  
> the Ascension Heights Subdivision project. Although the community, developer  
> and Planning devoted extensive time to the exchange of issues, the most  
> important next step is an appropriately specified Statement of Work directing  
> the creation of the Draft and Final EIR. The current Statement of Work  
> contains substantial deficiencies, ignoring serious issues raised in the many  
> meetings with the developer and the December 2009 Planning Commission meeting  
> with 400+ residents at CSM. In 2009 the Board of Supervisors directed that  
> District One residents be involved throughout the entire process to derive an  
> acceptable solution. The deficiencies inherent in this Statement of Work  
> portend a repeat of the previous failure.

> Dave, we ask you to intervene on behalf of District One residents to  
> withdraw this resolution from the March 26th agenda for a minimum of 2  
> months. The community needs sufficient time to participate in the Statement  
> of Work specifications to ensure the EIR adequately represents community  
> concerns. This project has been actively developed for over a decade posing

- > significant adverse impacts on this community and its surroundings and we
- > strongly believe this request is both critical and eminently reasonable.
- > Thank you for your consideration,
- >
- > Gerard Ozanne, President
- > Baywood Park Homeowners' Association
- > cc: The Honorable Don Horsley, President San Mateo County Board of
- > Supervisors
- >
- > >

**From:** Steve Monowitz  
**To:** Heather Hardy; Kim Hurst; Peggy Jensen  
**Date:** 9/12/2014 10:15 AM  
**Subject:** Re: Monthly Board Rpt from Community Services

Dear All,  
I apologize for being so late with this.

The Planning and Building Department continues to make significant progress on Plan Princeton, with a Draft Alternatives Workbook scheduled for release to the public on September 25, 2014, and an accompanying public workshop scheduled for October 2, 2014. One of the many important considerations for this Plan is maintaining consistency with the Half Moon Bay Comprehensive Airport Land Use Plan, which is currently in the process of being updated by the City and County Association of Governments (CCAG). The Planning and Building Department has been working closely with CCAG to avoid any conflicts between these plans, and based on the current draft Airport Plan Update, has been successful in this regard to date.

Another important consideration for Plan Princeton, as well as the rest of the Midcoast Urban Area, is addressing current and future transportation needs. To this end, the Planning and Building Department has launched a new website entitled "Connect the Coastside" as part of its efforts to develop a Comprehensive Transportation Plan for the area west of Highway 280, south of Pacifica, and the City of Half Moon Bay. Included on this website is a virtual public workshop and survey, which provides an opportunity for the local community and general public to identify their concerns and ideas. On a parallel track, the Department is developing the plans and specifications required to address the threats to Highway One posed by erosion at Surfer's Beach, and to provide improved access to this beach. The Department is also collaborating with County Parks to determine the design and alignment of the multi-use recreation trail that will run parallel to Highway One and fill the gap in this trail between Surfers Beach and Half Moon Bay.

Other notable recent accomplishments include the progress that has been made toward streamlining the procedures for permitting Farm Labor Housing. The Agricultural Advisory Committee recently endorsed procedural improvements developed by the Department, which will be considered by the Planning Commission on October 8, 2014. Additional streamlining opportunities for other types of agriculturally related projects recently suggested by the County's Agricultural Ombudsman are also being pursued.

Significant development projects currently being reviewed by the Department include the revised Big Wave Project, currently scheduled for consideration by the Planning Commission on October 22, 2014, and the Ascension Heights subdivision, tentatively scheduled for the December 10, 2014 Planning Commission meeting. New regulations requiring the existing catering business at 3821 Fair Oaks Avenue to be phased out, as well as the consideration of an off street parking exception for an alternative location for this use, are a few examples of other significant projects that the Department is actively engaged in.

>>> Peggy Jensen 9/11/2014 4:18 PM >>>  
Kim,

I spoke with Heather this afternoon and she'll get a couple paragraphs from Planning for the August update. I've asked that she get this to you asap.

Thank you Heather.

Peggy

**From:** Lisa Aozasa  
**To:** Planning-Planning  
**CC:** Heather Hardy  
**Date:** 9/16/2014 9:09 AM  
**Subject:** Let there be pastries...

but no meeting this morning. Please help yourself -- thanks, Erica :-)

One announcement: the October 22 PC meeting is now open for items -- Big Wave has moved to November 12. It looks like Ascension Heights will be on December 10. We will consider adding a second meeting in November or December, if necessary. Please let Heather know if you are planning items for these remaining end-of-the-year meetings, and so we can figure out if we'll need to fit another meeting in. Thanks!

Lisa

**From:** Heather Hardy  
**To:** Planning-Planning  
**CC:** Frances Contreras; Janna Hing-Lewis; Pamela Cattich  
**Date:** 10/2/2014 10:48 AM  
**Subject:** Last call for 10/22 Planning Commission Agenda Requests

Dear Planners,

Here's what the Planning Commission schedule looks like for the remainder of the year:

**10/8:** DPW road culvert project (Rob), Fitzgerald tree removal + Farm Labor Housing (Dave), Sister Christina/Siena Center (Lisa), Waverly (Mike)

**10/22:** *Last regular meeting for 2014.* 2 items from Steven Rosen + County Counsel's CEQA presentation (tentative)

**11/12:** Big Wave evening meeting on the Coast (consent items should be okay)

**12/10:** Ascension Heights evening meeting in the Highlands (consent items should be okay)

If instructed to do so by Steve or Lisa, I'll work with the Commission to schedule a special meeting in November or December. If you intend to present an item on October 22, I need your agenda request **today** so that I can finalize the agenda to send it to the newspaper.

Thanks,  
Heather

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

Planning and Building Department  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
(650) 363-1859 T  
(650) 363-4849 F  
[www.planning.smcgov.org](http://www.planning.smcgov.org) ( [about:www.planning.smcgov.org](http://about:www.planning.smcgov.org) )

**From:** Heather Hardy  
**To:** Planning-Planning  
**CC:** Frances Contreras; Janna Hing-Lewis; Pamela Cattich  
**Date:** 10/10/2014 1:24 PM  
**Subject:** Remaining 2014 Planning Commission Dates

Dear Planners,

Please see the updated meeting list below.

**10/22:** Cablecom + 91 Loyola + Housing Element + County Counsel's CEQA presentation

**11/12:** Big Wave evening meeting on the Coast (consent items okay)

**12/10:** Ascension Heights evening meeting in the Highlands (consent items okay)

**12/17:** \*\*\*Newly added Regular meeting\*\*\*, 9AM in Chambers, Housing Element briefing. Open for items!

Thanks,  
Heather

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

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**From:** James Castaneda  
**To:**  
**CC:** Dave Pine; David Burruto; Heather Hardy; Lisa Aozasa; Steve Monowitz  
**Date:** 10/14/2014 11:14 AM  
**Subject:** Ascension Heights update

Good morning Jerry,

I wanted to give you a quick update as to where we are, and what we're looking towards for the rest of the year with the Ascension Heights project.

First, the consultants are finishing up the Final EIR as we speak, and we'll be reviewing administrative/internal draft in the next few weeks. They're taking some additional time in their response to the comments received to ensure they are thorough as possible. We anticipate a public release of the Final EIR in mid-November after we complete our review of the consultant's work.

Looking further ahead, we're looking at a tentative hearing date of December 10, 2014 for the Planning Commission to consider the project and the EIR. Due to the Planning Commission's busy fall hearing schedule with other high profile projects, we're very limited on dates. I'll have additional details regarding the hearing in the next few weeks, but I did want to give you sufficient heads up what we're tentatively anticipating in December.

As soon as I have some additional information to provide, I'll make sure to do so. Hope all is well.

Regards,  
JAMES

**James A. Castañeda, AICP**  
Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
[planning.smcgov.org](http://planning.smcgov.org) | [sforoundtable.org](http://sforoundtable.org)

**From:** James Castaneda  
**To:**  
**CC:** Dave Pine; David Burruto; Heather Hardy; Lisa Aozasa; Steve Monowitz  
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**From:** Gerard Ozanne <  
**To:** JCastaneda@smcgov.org  
**CC:** SMonowitz@smcgov.org; LAozasa...  
**Date:** 10/30/2014 11:52 PM  
**Subject:** Re: Ascension Heights update

Hi James,

Neighborhood representatives are nonplussed by the suggestion to hold a public Planning Commission meeting three weeks subsequent to the release of the proposed Final EIR, which includes the week of Thanksgiving. The amount of work remaining to be done by the neighborhood is enormous. The Draft EIR exceeded 600 pages. The Final EIR version, after undergoing four subsequent months of revision, is unlikely to be shorter and will require comprehensive scrutiny and a complete re-assessment by the neighborhood. Note in comparison, your office, with full-time paid employees, is planning at least 4 weeks and possibly longer for review of this EIR version.

Lack of a firm publication date and limited time allotted by your office complicates people's schedules, prevents meaningful assessment of the Final EIR version, limits dispersing critical information to our neighborhoods, and inhibits adequate neighborhood input and support for the project goals. Our neighborhoods consider the project as proposed to encroach extensively on major aspects of our community life and, as a result, have invested an enormous effort to discover and affect appropriate solutions. Scheduling such an important meeting in the midst of the two busiest holidays of the year makes absolutely no sense to us.

In the unanimous opinion of representatives from affected neighborhoods, we are convinced it will be impossible for us to participate adequately by December 10th. We formally request to re-schedule the Planning Commission's consideration of the proposed Final EIR until January next year provided the public release occurs by November 15th.

Thank you,

Jerry Ozanne  
Laurel Nagel,

Co-Presidents,

Baywood Park Homeowners' Association

On Oct 14, 2014, at 11:14 AM, James Castaneda <jcastaneda@smcgov.org> wrote:

> Good morning Jerry,

>

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>

>

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**From:** Jim Eggemeyer  
**To:** Heather Hardy; Steve Monowitz  
**Date:** 10/31/2014 9:08 AM  
**Subject:** Fwd: Ascension Heights update

Hi Steve and Heather, Please see the following. I responded letting them know that I am with CMO/OOS and that you would followup with a response.  
Talk to you soon.  
jke

>>> Gerard Ozanne < > 10/31/2014 12:08 AM >>>

Hi Jim,

We received James' "Out of Office" automated response so I am forwarding you our response to the proposed date for the Planning Commission meeting. Please let us know if there are any problems with postponing the meeting until after the holidays.

Thanks,

Jerry and Laurel

Begin forwarded message:

**From:** Gerard Ozanne < >  
**Subject: Re: Ascension Heights update**  
**Date:** October 30, 2014 at 11:52:08 PM PDT  
**To:** James Castaneda <jcastaneda@smcgov.org>  
**Cc:** David Burruto <DBurruto@smcgov.org>, Pine Dave <DPine@smcgov.org>, Hardy Heather <hhardy@smcgov.org>, Lisa Aozasa <LAozasa@smcgov.org>, Steve Monowitz <SMonowitz@smcgov.org>, Rick Priola < > Nagle Laurel < >  
<

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**From:** Heather Hardy  
**To:** Lisa Aozasa; Steve Monowitz  
**Date:** 10/31/2014 9:25 AM  
**Subject:** Re: Ascension Heights update

Hi Steve and Lisa,

My 2 cents on this request is that operationally it would work better for the Department to convert 12/10 to a regular PC meeting. The Planners have a number of projects (approximately 8) they are trying to bring to hearing on 12/17. (I have 3 requests on my desk, + Housing Element + Zomorodi Subdivision. Dennis says that he intends on presenting 3 items that day.) I have entered an application for the 12/10 venue, but it's nothing that can't be undone if needed. We hadn't signed the contract or paid yet.

Thank you,  
Heather

>>> Gerard Ozanne <

10/30/2014 11:52 PM >>>

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**From:** Dave Pine  
**To:** James A. Castañeda  
**CC:** Burruto, David; Monowitz, Steve  
**Date:** 10/31/2014 2:55 PM  
**Subject:** Re: Ascension Heights update

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**To:** jcastaneda@smcgov.org  
**CC:** Burruto, David; Monowitz, Steve  
**Date:** 10/31/2014 3:01 PM  
**Subject:** Re: Ascension Heights update

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**From:** James Castaneda  
**To:** Pine, Dave  
**CC:** Burruto, David; Monowitz, Steve; Aozasa, Lisa  
**Date:** 10/31/2014 4:05 PM  
**Subject:** Re: Ascension Heights update

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**From:** James Castaneda  
**To:** Dave Pine  
**CC:** Lisa Aozasa; Steve Monowitz  
**Date:** 11/3/2014 9:34 AM  
**Subject:** Re: Ascension Heights update

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We originally planned releasing the Final EIR on November 24th, along with our Planning Commission staff report which would have allowed 2 ½ weeks prior to the hearing on December 10th for review. However, that was in anticipation of receiving the Final EIR from the consultants this week for admin review, and they have reported it will be an additional two weeks before staff receives it. This would push back our ability to get the EIR out to the public to early December.

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Please let you me know your thoughts regarding this plan, as I would like to respond to Mr. Ozanne by the end of the day. Ill be at my desk this morning, so please feel free to respond or call me (650-363-1853) when you're able.

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>>> On 11/1/2014 at 14:20, Dave Pine <dpine@smcgov.org> wrote:

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**From:** Dave Pine  
**To:** Castaneda, James  
**CC:** Aozasa, Lisa; Monowitz, Steve  
**Date:** 11/3/2014 10:35 AM  
**Subject:** Re: Ascension Heights update

James,

This schedule looks good to me. My only advice is to be careful about promising to release the EIR by the end of the first week of December (i.e. by December 5th) unless you are certain you can meet that date.

Dave

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**From:** James Castaneda  
**To:** Gerard Ozanne  
**CC:** Dave Pine; David Burruto; Heather Hardy; Lisa Aozasa; Nagle Laurel; ...  
**Date:** 11/3/2014 1:20 PM  
**Subject:** Re: Ascension Heights update

Good afternoon Jerry,

I've had an opportunity check-in with our consultants who are finishing up the Final EIR, as well as internally with staff on the project. As I had communicated a few weeks ago, our projected date at that time was tentatively December 10th, and also at that time I was not able to provide anything firm past a mid-November target for the Final EIR's public release date. Based on the consultant's current progress on the Final EIR, staff's review of the document prior to release will take a little longer than anticipated. That would render a December 10th date unrealistic for a Planning Commission hearing which would not afford the public adequate review time. In working with the consultant's revised estimates, and internally on our expected review time, we've determined that the earliest we can release the Final EIR to the public would be the first week in December.

We acknowledge that adequate time is necessary to review the document in order for the community to provide meaningful feedback to the Planning Commission, and therefore we're pushing the Planning Commission hearing date back – now tentatively January 28, 2015 (pending venue and other logistical arrangements). This would provide approximately eight weeks of review time and allow the community to be adequately prepared to report to the Planning Commission.

I appreciate your feedback, and we'll keep you apprised of any additional developments in order to ensure preparation for the forthcoming Planning Commission meeting.

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>>> On 10/30/2014 at 23:52, Gerard Ozanne <

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First, the consultants are finishing up the Final EIR as we speak, and we'll be reviewing administrative/internal draft in the next few weeks. They're taking some additional time in their response to the comments received to ensure they are thorough as possible. We anticipate a public release of the Final EIR in mid-November after we complete our review of the consultant's work.

Looking further ahead, we're looking at a tentative hearing date of December 10, 2014 for the Planning Commission to consider the project and the EIR. Due to the Planning Commission's busy fall hearing schedule with other high profile projects, we're very limited on dates. I'll have additional details regarding the hearing in the next few weeks, but I did want to give you sufficient heads up what we're tentatively anticipating in December.

As soon as I have some additional information to provide, I'll make sure to do so. Hope all is well.

Regards,  
JAMES

**James A. Castañeda, AICP**

Planner III - San Mateo County Planning & Building Department  
Program Coordinator - SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
T 650.363.1853 | F 650.363.4819  
planning.smcgov.org | sforoundtable.org

**From:** Gerard Ozanne <  
**To:** JCastaneda@smcgov.org  
**CC:** SMonowitz@smcgov.org; LAozasa@smcgov.org; hhardy@smcgov.org;  
DPine@smcgo...  
**Date:** 11/3/2014 5:54 PM  
**Subject:** Re: Ascension Heights update

Thank you, James, for the update. We will plan on no sooner than Jan 28 at this time.

Jerry

On Nov 3, 2014, at 1:20 PM, James Castaneda <jcastaneda@smcgov.org> wrote:

> Good afternoon Jerry,  
> I've had an opportunity check-in with our consultants who are finishing up the Final EIR, as well as internally with staff on the project. As I had communicated a few weeks ago, our projected date at that time was tentatively December 10th, and also at that time I was not able to provide anything firm past a mid-November target for the Final EIR's public release date. Based on the consultant's current progress on the Final EIR, staff's review of the document prior to release will take a little longer than anticipated. That would render a December 10th date unrealistic for a Planning Commission hearing which would not afford the public adequate review time. In working with the consultant's revised estimates, and internally on our expected review time, we've determined that the earliest we can release the Final EIR to the public would be the first week in December.

>

> We acknowledge that adequate time is necessary to review the document in order for the community to provide meaningful feedback to the Planning Commission, and therefore we're pushing the Planning Commission hearing date back – now tentatively January 28, 2015 (pending venue and other logistical arrangements). This would provide approximately eight weeks of review time and allow the community to be adequately prepared to report to the Planning Commission.

>

> I appreciate your feedback, and we'll keep you apprised of any additional developments in order to ensure preparation for the forthcoming Planning Commission meeting.

>

> Regards,  
> JAMES

>

> >>> On 10/30/2014 at 23:52, Gerard Ozanne < wrote:

> Hi James,

>

> Neighborhood representatives are nonplussed by the suggestion to hold a public Planning Commission meeting three weeks subsequent to the release of the proposed Final EIR, which includes the week of Thanksgiving. The amount of work remaining to be done by the neighborhood is enormous. The Draft EIR exceeded 600 pages. The Final EIR version, after undergoing four subsequent months of revision, is unlikely to be shorter and will require comprehensive scrutiny and a complete re-assessment by the neighborhood. Note in comparison, your office, with full-time paid employees, is planning at least 4 weeks and possibly longer for review of this EIR version.

>

> Lack of a firm publication date and limited time allotted by your office complicates people's schedules, prevents meaningful assessment of the Final EIR version, limits dispersing critical information to our neighborhoods, and inhibits adequate neighborhood input and support for the project goals. Our neighborhoods consider the project as proposed to encroach extensively on major aspects of our community life and, as a result, have invested an enormous effort to discover and affect appropriate solutions. Scheduling such an important meeting in the midst of the two busiest holidays of the year makes absolutely no sense to us.

>

> In the unanimous opinion of representatives from affected neighborhoods, we are convinced it will be impossible for us to participate adequately by December 10th. We formally request to re-schedule the Planning Commission's consideration of the proposed Final EIR until January next year provided the public release occurs by November 15th.

>

>

> Thank you,

>

> Jerry Ozanne

> Laurel Nagel,

>

> Co-Presidents,

>

> Baywood Park Homeowners' Association

>

>

>

> On Oct 14, 2014, at 11:14 AM, James Castaneda <jcastaneda@smcgov.org> wrote:

>

>> Good morning Jerry,

>>

>> I wanted to give you a quick update as to where we are, and what we're looking towards for the rest of the year with the Ascension Heights project.

>>

>> First, the consultants are finishing up the Final EIR as we speak, and we'll be reviewing administrative/internal draft in the next few weeks. They're taking some additional time in their response to the comments received to ensure they are thorough as possible. We anticipate a public release of the Final EIR in mid-November after we complete our review of the consultant's work.

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>> Regards,

>> JAMES

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>>

>> James A. Castañeda, AICP

>> Planner III - San Mateo County Planning & Building Department

>> Program Coordinator - SFO Airport/Community Roundtable

>>

>> 455 County Center, 2nd Floor

>> Redwood City, CA 94063

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>> planning.smcgov.org | sforoundtable.org

>

**From:** Heather Hardy  
**To:** Planning-Planning  
**CC:** Frances Contreras  
**Date:** 11/18/2014 12:28 PM  
**Subject:** December/January PC meetings

Dear all,

Here are the items I know about for the next two months:

**December 10:**

#1 CCWD CDP, Miramar (Rob)  
#2 Strathdee, El Granada (Dennis)  
#3 Oceano Hotel, Princeton (Summer)  
#4 Informational item - Comprehensive Transportation Management Plan (James H)  
(If you need to add an item to this agenda, please tell me **today**. Only few more days until newspaper publication due to Thanksgiving.)

**December 17:**

#1 Housing Element (Will)  
#2 Transitional/Supportive Housing (Will)  
#3 25 Estrada, Palomar Park (Erica)  
#4 2099 Sharon Subdivision/Zomorodi (Steven) (Tentative, based on DPW review)  
#5 1 Meyn Rd Antenna farm (Dave)  
#6 Taylor (Dennis)  
#7 McGriff (Dennis)  
(If you need to add an item to this agenda, please provide me with the request by end of day tomorrow.  
Can any of these items move to December 10?)

**January 14:**

Evening meeting on the Coast, Big Wave (Consent OK)

**January 28:**

Evening meeting in the Highlands, Ascension Heights (Consent OK)

If you are concerned about the lack of meeting availability in January, please talk to me (and your supervisor). I can work on a possible special meeting if that is necessary.

Thanks,  
Heather

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

Planning and Building Department  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
(650) 363-1859 T  
(650) 363-4849 F

**From:** Gerard Ozanne <  
**To:** JCastaneda@smcgov.org  
**CC:** lind...  
**Date:** 12/2/2014 9:00 PM  
**Subject:** Ascension Heights

James,

Thank you for the information this afternoon on the status of the Ascension Heights project and that the Planning Commission meeting is tentatively scheduled for January 28th. Once the EIR consultant receives the final comments from the Planning Department, how long will it be before we receive a copy of the FEIR draft so we can begin our own reviews and neighborhood communications?

Thanks,

Jerry

**From:** James Castaneda  
**To:**  
**CC:** Burruto, David; Pine, Dave; Hardy, Heather; Aozasa, Lisa; Monowitz, Stev...  
**Date:** 12/3/2014 4:33 PM  
**Subject:** Re: Ascension Heights

Good afternoon Jerry,

We've been providing them comments as we've been reviewing, and now on the final stretch. Our goal in working with the consultant is to have the Final EIR posted online next week. We'll send out a notice as soon as the document is available to download. I don't anticipate a delay, but I certainly will let you know immediately if we foresee the document's availability being delayed. Ill also provide any additional details about the hearing date, which at this point is pretty firm for January 28th.

JAMES

James A. Castañeda, AICP  
Planner III, San Mateo County Planning & Building Department  
Program Coordinator, SFO Airport/Community Roundtable

455 County Center, 2nd Floor  
Redwood City, CA 94063  
650.363.1853 | 650.363.4819 FAX  
smcplanning.org | sforoundtable.org  
>>> Gerard Ozanne 12/02/14 9:00 PM >>>  
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Thanks,

Jerry

**From:** James Castaneda  
**To:** Dave Pine  
**CC:** David Burruto; Heather Hardy; Lisa Aozasa; Steve Monowitz  
**Date:** 12/11/2014 12:28 PM  
**Subject:** Ascension Heights Final EIR

Good afternoon Supervisor Pine,

I just wanted to give you a heads up that the Final EIR for the Ascension Heights Subdivision will go public tomorrow. The Final EIR document is a response to comments received from the Draft EIR that was released back in the spring. Typically the Final EIR is released a couple of weeks in advance of the Planning Commission's consideration at the public hearing, but as we discussed before, with the hearing occurring on January 28th, this puts us at 6 1/2 weeks.

I anticipate the community's reaction to the Final EIR to be negative, as the responses are written in accordance to CEQA Guidelines, which are limited to the environmental scope of the project, and may not answer all the comments satisfactory. In cases where comments were raised that were considered unrelated to environmental concerns per CEQA, non-substantive or statements of opinion, the document indicates that the comment was noted. We'll be explaining on the download page that while the EIR may not necessarily be the appropriate document to address those comments that are outside of the CEQA Guidelines, they are noted for the administrative record, and will be communicated to the Planning Commission. As part of the Planning Department's staff report (releasing in early January), we'll attempt to respond/explain where possible some of those issues.

If you have any questions, please don't hesitate to contact myself or Lisa Aozasa regarding the document or the project.

Regards,  
James

--

James A. Castañeda, AICP  
Planner III - San Mateo County Planning & Building Department  
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[planning.smcgov.org](http://planning.smcgov.org) | [sforoundtable.org](http://sforoundtable.org)

**From:** David Burruto  
**To:** Dave Pine; James Castaneda  
**CC:** Heather Hardy; Lisa Aozasa; Steve Monowitz  
**Date:** 12/11/2014 1:32 PM  
**Subject:** Re: Ascension Heights Final EIR

Thanks James.

David Burruto  
Chief of Staff  
Office of Supervisor Dave Pine  
San Mateo County  
District 1  
Hall of Justice & Records  
400 County Center  
Redwood City, CA 94063  
650-363-4571  
dburruto@co.sanmateo.ca.us

>>> James Castaneda 12/11/2014 12:28 PM >>>

Good afternoon Supervisor Pine,

I just wanted to give you a heads up that the Final EIR for the Ascension Heights Subdivision will go public tomorrow. The Final EIR document is a response to comments received from the Draft EIR that was released back in the spring. Typically the Final EIR is released a couple of weeks in advance of the Planning Commission's consideration at the public hearing, but as we discussed before, with the hearing occurring on January 28th, this puts us at 6 1/2 weeks.

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**From:** James Castaneda  
**To:**  
**CC:** Dave Pine; David Burruto; H...  
**Date:** 12/12/2014 12:18 PM  
**Subject:** Re: Ascension Heights Final EIR

Jerry,  
The Final Environmental Impact Report is now available at the Ascension Heights page:

<http://planning.smcgov.org/ascension-heights-subdivision-project>

Please make sure to read the latest update section for points to be considerate of as the document is being reviewed. With the document now released, we're still on track for a January 28, 2014 Planning Commission hearing. We anticipate a staff report to be released shortly after the New Year. If you have any issues downloading or opening the document, please let me know.

James

>>> Gerard Ozanne 12/02/14 9:00 PM >>>

James,

Thank you for the information this afternoon on the status of the Ascension Heights project and that the Planning Commission meeting is tentatively scheduled for January 28th. Once the EIR consultant receives the final comments from the Planning Department, how long will it be before we receive a copy of the FEIR draft so we can begin our own reviews and neighborhood communications?

Thanks,

Jerry

**From:** "J.R. Rodine" <jrrodine@sbcglobal.net>  
**To:** SMonowitz@smcgov.org  
**CC:** TFox@smcgov.org; srosen@smcgov.org  
**Date:** 12/12/2014 3:22 PM  
**Subject:** RE: Sharon Road Subdivision

Hi Steve:

Needless to say I am very disappointed this consideration was not caught much sooner. What is Tim's take? Further, have you and/or County Counsel examined other CEQA exemptions to determine if any fit before we pull the plug on Wednesday's hearing?

Thank you,  
J. R. Rodine  
Governmental Affairs Consultant  
Tel: 775-853-0459  
Fax: 775-853-0461

E-mail: <mailto:jrrodine@sbcglobal.net> jrrodine@sbcglobal.net

From: Steve Monowitz [mailto:smonowitz@smcgov.org]  
Sent: Friday, December 12, 2014 1:59 PM  
To: J.R. Rodine  
Cc: Steven Rosen; Tim Fox  
Subject: Sharon Road Subdivision

Hi J.R.,

In reviewing the draft staff report yesterday I found that the cited CEQA exemption (Section 15315 of the Guidelines) does not apply to subdivisions that require variances or exceptions. Thus, I believe we need to prepare and circulate an Initial Study/Negative Declaration before the project is presented to the Planning Commission. Unless you have another suggestion, we will plan on getting the IS/ND out as soon as possible, and as long as the timing works out, rescheduling the PC hearing for February. (The two meetings in January are dedicated to Big Wave and Ascension Heights, and we will need the time to accommodate the required public comment period.) Feel free to contact me if you would like to discuss.

Thanks,  
Steve

**From:** Gerard Ozanne <  
**To:** JCastaneda@smcgov.org  
**CC:** SMonowitz@smcgov.org; LAozasa@smcgov.org; hhardy...  
**Date:** 12/12/2014 6:09 PM  
**Subject:** Re: Ascension Heights Final EIR

Thank you, James. We will be very interested in seeing the Staff Report when it is completed.

Jerry

> On Dec 12, 2014, at 12:18 PM, James Castaneda <jcastaneda@smcgov.org> wrote:

>

> Jerry,

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> Jerry

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**CC:** TFox@smcgov.org; srosen@smcgov.org  
**Date:** 12/13/2014 12:11 PM  
**Subject:** RE: Sharon Road Subdivision

Steve:

Given the hand I am dealt, I have no choice to acquiesce to preparation of an Initial Study and February hearing. With the file materials on hand and the nature of the minor subdivision and exception, the IS/ND is easily put together and circulated for a 20 day public review. Given the eleventh hour fur ball, I am asking that you and Steve Rosen prioritize this work that would track the matter a February 11th hearing. Please respond on Monday, December 15th accompanied by a simple time line.

J. R.

From: Steve Monowitz [mailto:smonowitz@smcgov.org]  
Sent: Friday, December 12, 2014 4:12 PM  
To: J.R. Rodine  
Cc: Steven Rosen; Tim Fox; Shahram  
Subject: RE: Sharon Road Subdivision

Hi J.R.,

I have reviewed this with Tim. We were not able to identify another exemption that could be used.  
Steve

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J. R. Rodine

Governmental Affairs Consultant

Tel: 775-853-0459

Fax: 775-853-0461

E-mail: <mailto:jrrodine@sbcglobal.net> jrrodine@sbcglobal.net

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Feel free to contact me if you would like to discuss.

Thanks,

Steve

**From:** Steven Rosen  
**To:** Monowitz, Steve; Rodine, J.R.  
**CC:** 'Shahram'; Fox, Tim; Holbrook, Dave  
**Date:** 12/15/2014 4:01 PM  
**Subject:** RE: Sharon Road Subdivision

Deadlines:

IS/ND to Dave H for review: January 5  
Notice to the SM Times: January 12  
Publishing Date in the Times and Review Period Start: January 16  
Review Period ends: February 6  
Hearing: February 11

Now, I have the IS nearly ready to go, so these dates will be moved up advanced pretty far.

Steven Rosen  
Planner 2  
San Mateo County Department of Planning and Building  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
(650) 363-1814  
PONY PLN122

>>> Steve Monowitz 12/15/2014 3:26 PM >>>

Hi J.R.,

Steven will prioritize this as necessary to place it on the PC's meeting of Feb 11. We will let you know our expected release date for the Neg Dec as soon as possible.

Sincerely,  
Steve

>>> "J.R. Rodine" <jrrodine@sbcglobal.net> 12/13/2014 12:11 PM >>>

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Feel free to contact me if you would like to discuss.

Thanks,

Steve

**From:** Heather Hardy  
**To:** Camille Leung; Camille Leung; Steve Monowitz; Steve Monowitz  
**Date:** 1/14/2015 10:48 AM  
**Subject:** Questions from Commissioner Simonson

Good morning Camille and Steve,

Commissioner Simonson sent me two questions, and I'm not certain which of you should answer.

#1 Is condition number 88 reflected in the plans drafted by George Meu and Associates dated January 10, 2015? For example I cannot tell if the plans reflect this: "per condition number 88, the applicant would be required to add further wall articulation along the north wall of building three of the wellness center in order to reduce the appearance of mass involved for the building."

#2 This question relates to the email from Lennie Roberts (below). Please see Lennie's comments below. My question to Camille and/or someone else on staff is: is this a requirement to have the information that Lennie references on the vesting tentative map? If I am reading her email correctly, the additional information she is referencing is not a requirement but is merely desirable. Is this correct? Also, could we make this a condition of approval? Please let me know when you get a chance thank you.

**From:** Lennie Roberts <lennie@darwin.ptvy.ca.us>  
**Date:** January 13, 2015 at 7:48:09 PM PST  
**To:** Laurie Simonson <  
**Subject:** **Big Wave Vesting Tentative Map**

Hi Laurie,

If you have time before tomorrow's hearing on Big Wave, please take a look at the Vesting Tentative Map (VTM) for the Ascension Heights project:  
[http://planning.smcgov.org/sites/planning.smcgov.org/files/20130702\\_PLN2002-517-Plans.pdf](http://planning.smcgov.org/sites/planning.smcgov.org/files/20130702_PLN2002-517-Plans.pdf).

This VTM has been professionally prepared and contains all the required details that the County Subdivision Regulations require - and more. For example they have all the storm water runoff treatment and control measures, including calculations of what's needed for each lot's impervious area, treatment prescription (which is bio retention areas) and the location of each of the bioretention facilities and drains leading to and from them. I've seen lots of plans where these details are left to the building permit stage, but where there are topographic challenges such as Ascension Heights, it's highly desirable to include them. Big Wave has special geologic challenges due to the clay layer that underlies the entire area and forms a barrier to the usual soil percolation. The Report on the geologic trenching done in November says that groundwater was encountered at 7 feet, and they had to pump the water out of the 10 foot deep trench continuously. Where and how storm water is treated on this site is particularly important due to its location adjacent to Pillar Point Marsh.

The VTM and Tentative Parcel Map for Big Wave are simply inadequate and they need to spend the money to have a professional map done with the metes and bounds of each new parcel, easements for ingress and egress, clearly market utility lines and drainage facilities, etc. . If they don't have the money, that's not the County's problem, and in fact that should be a major concern given all the costly mitigation measures that are being required.

Best,

**From:** Camille Leung  
**To:** Heather Hardy; ; Steve Monowitz  
**Date:** 1/14/2015 11:07 AM  
**Subject:** Re: Questions from Commissioner Simonson

Hi Commissioner Simonson,

1 - Condition 88 has not been fully implemented, but the requirement you referenced has been implemented in plans by Mr. Meu

2 - I am adding a condition that I will discuss in my presentation re: the few missing elements on the Vesting Tentative Map, which can be added to the Parcel/Final prior to recordation. Many of the elements listed by Lennie are on the VTM, but are on other pages which accompany the VTM (there's one page specifically labeled VTM, but all pages are titled and part of the VTM).

Hope this helps :)

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
Phone: (650) 363-1826  
Fax: (650) 363-4849

Please help us to serve you better and take a moment to complete our survey, just click on the link below:  
<http://planning.smcgov.org/webforms/san-mateo-county-planning-and-building-engagement-survey>

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>>> Heather Hardy 1/14/2015 10:48 AM >>>  
Good morning Camille and Steve,

Commissioner Simonson sent me two questions, and I'm not certain which of you should answer.

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**From:** Lennie Roberts <[lennie@darwin.ptvy.ca.us](mailto:lennie@darwin.ptvy.ca.us)>  
**Date:** January 13, 2015 at 7:48:09 PM PST  
**To:** Laurie Simonson <  
**Subject:** Big Wave Vesting Tentative Map

Hi Laurie,

If you have time before tomorrow's hearing on Big Wave, please take a look at the Vesting Tentative Map (VTM) for the Ascension Heights project:

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This VTM has been professionally prepared and contains all the required details that the County Subdivision Regulations require - and more. For example they have all the storm water runoff treatment and control measures, including calculations of what's needed for each lot's impervious area, treatment prescription (which is bio retention areas) and the location of each of the bioretention facilities and drains leading to and from them. I've seen lots of plans where these details are left to the building permit stage, but where there are topographic challenges such as Ascension Heights, it's highly desirable to include them. Big Wave has special geologic challenges due to the clay layer that underlies the entire area and forms a barrier to the usual soil percolation. The Report on the geologic trenching done in November says that groundwater was encountered at 7 feet, and they had to pump the water out of the 10 foot deep trench continuously. Where and how storm water is treated on this site is particularly important due to its location adjacent to Pillar Point Marsh.

The VTM and Tentative Parcel Map for Big Wave are simply inadequate and they need to spend the money to have a professional map done with the metes and bounds of each new parcel, easements for ingress and egress, clearly market utility lines and drainage facilities, etc. . If they don't have the money, that's not the County's problem, and in fact that should be a major concern given all the costly mitigation measures that are being required.

Best,

Lennie

Thanks!  
Heather H

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

Planning and Building Department  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
(650) 363-1859 T  
(650) 363-4849 F  
[www.planning.smcgov.org](http://www.planning.smcgov.org) ( about:[www.planning.smcgov.org](http://www.planning.smcgov.org) )

**From:** Heather Hardy  
**To:** Camille Leung; Steve Monowitz  
**Date:** 1/14/2015 11:15 AM  
**Subject:** Re: Questions from Commissioner Simonson

Good morning Camille,

Thank you! I just received a third question from Commissioner Simonson:

#3 I have a few questions on the development agreement. On page 8 paragraph 5.3.3.2: the first sentence says: "Developer will complete the landscaping along the airport street frontage of both parcels in areas located within the footprint of the improvements described in sections 5.3.3.2 and 5.3.3.2." I think this is a typo. I think it should either say "this section" or it should refer to two different section numbers. Also, on page 15 the last sentence which states: "which modification shall be adopted as provided in section 11 of this Agreement..." I don't think it's section 11 that should be referenced here I think it should be section 10.2. Can you check with staff on this?

Thanks,  
Heather

>>> Camille Leung 1/14/2015 11:07 AM >>>  
Hi Commissioner Simonson,

1 - Condition 88 has not been fully implemented, but the requirement you referenced has been implemented in plans by Mr. Meu

2 - I am adding a condition that I will discuss in my presentation re: the few missing elements on the Vesting Tentative Map, which can be added to the Parcel/Final prior to recordation. Many of the elements listed by Lennie are on the VTM, but are on other pages which accompany the VTM (there's one page specifically labeled VTM, but all pages are titled and part of the VTM).

Hope this helps :)

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
Phone: (650) 363-1826  
Fax: (650) 363-4849

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>>> Heather Hardy 1/14/2015 10:48 AM >>>  
Good morning Camille and Steve,

Commissioner Simonson sent me two questions, and I'm not certain which of you should answer.

#1 Is condition number 88 reflected in the plans drafted by George Meu and Associates dated January 10, 2015? For example I cannot tell if the plans reflect this: "per condition number 88, the applicant would be required to add further wall articulation along the north wall of building three of the wellness center in order to reduce the appearance of mass involved for the building."

#2 This question relates to the email from Lennie Roberts (below). Please see Lennie's comments below. My question to Camille and/or someone else on staff is: is this a requirement to have the information that Lennie references on the vesting tentative map? If I am reading her email correctly, the additional information she is referencing is not a requirement but is merely desirable. Is this correct? Also, could we make this a condition of approval? Please let me know when you get a chance thank you.

**From:** Lennie Roberts <[lennie@darwin.ptvy.ca.us](mailto:lennie@darwin.ptvy.ca.us)>

**Date:** January 13, 2015 at 7:48:09 PM PST

**To:** Laurie Simonson <

**Subject: Big Wave Vesting Tentative Map**

Hi Laurie,

If you have time before tomorrows hearing on Big Wave, please take a look at the Vesting Tentative Map (VTM) for the Ascension Heights project:

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Thanks!  
Heather H

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

**From:** Camille Leung  
**To:** Heather Hardy; ; Steve Monowitz  
**CC:** John Nibbelin  
**Date:** 1/14/2015 12:24 PM  
**Subject:** Re: Questions from Commissioner Simonson

Hi Commissioner Simonson,

Yes I believe you are correct on both points. The action item for the Development Agreement is a recommendation to the Board. These edits can be included in any recommendation. Thank you :)

Camille M. Leung  
 Planning and Building Department  
 455 County Center, Second Floor  
 Redwood City, CA 94063  
 Phone: (650) 363-1826  
 Fax: (650) 363-4849

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**From:** Heather Hardy  
**To:** Steve Monowitz  
**Date:** 1/21/2015 11:56 AM  
**Subject:** Re: Please review: Big Wave Decision Letter

Hi Steve,

I just spoke with Lisa, then James. Lisa's edits were incorporated into the soft copy that James sent you yesterday. Thanks,

Heather

>>> "Steve Monowitz" <smonowitz@smcgov.org> 1/21/2015 11:46 AM >>>

Hi Heather,

Please let him know that we'll be sending it out today, so need any edits he may have before 3:00.

Also, Lisa mentioned that she'd be editing the Ascension Heights report. Could you please check in with her to see if she has an updated version I can review?

Thanks,

Steve

On Jan 21, 2015, at 11:40 AM, "Heather Hardy" <hhardy@smcgov.org> wrote:

No problem - thanks. I haven't gotten any edits from Tim. Do you recommend that we just go with it as is? Or remind him?

Heather

>>> "Steve Monowitz" <smonowitz@smcgov.org> 1/21/2015 11:38 AM >>>

Hi Heather,

Sorry for not getting back to you on this yesterday. Looks good to me.

Thanks,

Steve

On Jan 16, 2015, at 11:18 AM, "Heather Hardy" <hhardy@smcgov.org> wrote:

Good morning Steve and Tim,

I've attached a draft Big Wave decision letter, which I hope to publish on Tuesday. This version does incorporate updated Findings & Conditions of Approval from Camille. If possible, please provide edits by 2:00 PM on Tuesday.

Thank you,  
Heather

Heather Hardy  
Executive Secretary  
[hhardy@smcgov.org](mailto:hhardy@smcgov.org)

**From:** Laurel Nagle <  
**To:** <planning-commission@smcgov.org>, <hhardy@smcgov.org>  
**Date:** 1/7/2015 2:23 PM  
**Subject:** Tour of Ascension Heights Site

Dear Commissioners Hansson, Zoe-Tucker, Ramirez and Dworetzky

On behalf of the Baywood Park Homeowners' Association, we would like to invite you to visit the site of the proposed Ascension Heights development, a 19-lot residential development that the Planning Commission will consider on January 28.

Many of the key issues are more fully illuminated after walking the location, e.g., it is much easier to get a feel for the steepness of the proposed lots when actually standing on the hill looking down the slope. As well as the erosion problems and privacy concerns for residents on Parrott.

This is an extremely important topic for our neighborhood, as it was five years ago when the Planning Commission last considered a proposal for this site.

Commissioner Simonson has been on the site and we believe it was a very productive meeting.

We look forward to the same experience with each of you. Your time and attention is deeply appreciated.

We are willing to meet at your convenience, weekday or weekend, and will call Heather Hardy next week to see if a time can be arranged.

Sincerely,

Laurel Nagle and Jerry Ozanne  
Co-Presidents, Baywood Park Homeowners' Association

...

**From:** Lisa Aozasa  
**To:** Planning-Planning  
**CC:** Frances Contreras; Heather Hardy  
**Date:** 1/23/2015 1:03 PM  
**Subject:** Planning Commission Workflow Deadlines  
**Attachments:** 2015 PlanningCommission Planner Schedule\_1.pdf

Hi Gang --

I'm sending this again, to make sure everyone has a copy. We were a little bit late getting this schedule out to everyone, so we have not really been sticking to it for the January PC meetings -- which were Big Wave and Ascension Heights, so not the typical case anyway. However, we all must pay more attention to the deadlines for all the steps in the process for meetings in February and beyond. If you are planning to take an item to a meeting in February, you should already have agenda requests submitted and be nearly finished with your staff report(s). If not, please make your life and everyone else's less stressful, and plan now to make a March meeting instead. Your draft agenda request, staff report and graphics are due to your senior planner next week on 1/28 for the 3/11 PC meeting. Please let me or Heather know if you have any questions. Thanks!

Lisa

**From:** Laurel Nagle <  
**To:** SMonowitz@smcgov.org; JCastaneda@smcgov.org  
**CC:** LAozasa@smcgov.org  
**Date:** 1/27/2015 10:07 PM  
**Subject:** Cal water

Dear Lisa, James, and Steve,

It was so nice to have you visit yesterday. I hope the tour gave you a clearer understanding of our issues.

I realize that I already asked this but can you clarify the status of the Cal Water easement redesign? Cal Water has been adamant in the past that the pipe could not be moved. However, the Ascension Heights plans call for retrenching and several 90 degree turns. This runs next to our home, so we would like to know what Cal Water has decided.

I know it is busy, but this is very important to us.

Thanks,  
Laurel

Sent from my iPad

## 2015 Planning Commission Workflow Calendar

Planning Commission Meeting Date	Draft Agenda Request, Graphics & Staff Report to Sr. Planner	Staff Report to WPC Graphics-L Drive	Agenda Request to PC Secretary, Staff Report to Diana Shu and Tim Fox	County Counsel Office Hours Report Review	Draft Graphics & Staff Report to Director	SM Times Ad published	Staff Report Mail & web , HMB Review Ad published	PowerPoint to PC Secretary	Appeals Accepted till 5:00 pm
<b>Wednesday</b>	<b>Wednesday</b>	<b>Monday</b>	<b>Friday</b>	<b>Tuesday</b>	<b>Tuesday</b>	<b>Saturday</b>	<b>Wednesday</b>	<b>Tuesday, noon</b>	<b>Wed/Thurs</b>
1/14/15 <sup>1</sup>	11/26/14	12/8/14	12/12/14	12/16/14	12/23/14	1/3/15	1/7/15	1/13/15	1/28/15
1/28/15 <sup>2</sup>	12/10/14	12/22/14	12/26/14	1/6/15	1/13/15	1/17/15	1/21/15	1/27/15	2/11/15
2/11/15	12/31/14	1/12/15	1/16/15	1/20/15	1/27/15	1/31/15	2/4/15	2/10/15	2/26/15
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12/9/15	10/28/15	11/9/15	11/13/15	11/17/15	11/24/15	11/28/15	12/2/15	12/8/15	12/23/15
<b>Time line</b>	<b>T minus 6 weeks</b>	<b>T minus 4 weeks</b>	<b>T minus 4 weeks</b>	<b>T minus 3 weeks</b>	<b>T minus 2 weeks</b>	<b>T minus 11 days</b>	<b>T minus 1 week</b>	<b>T minus 1 day</b>	<b>10 business days</b>

<sup>1</sup> Date reserved for Big Wave, evening meeting on the coast. Consent is OK.

<sup>2</sup> Date reserved for Ascension Heights, evening meeting in the Highlands. Consent is OK.

**From:** James Castaneda  
**To:** Laurel Nagle  
**CC:** Lisa Aozasa; Steve Monowitz  
**Date:** 1/28/2015 3:59 PM  
**Subject:** Re: Cal water

Hi Laurel,

So I checked in with Calwater this morning to have them check one more time the current plans, and they confirmed that the proposed relocation of the waterline ABOVE your property would be acceptable to them. They clarified that their response to the EIR in their letter from 2013 that they didn't see the preliminary utility plan that shows how they were going to reroute through the Ascension site. They just asking that a 20-foot easement be provided through the Ascension side, and that no structures be placed in that easement. That's reflected in their plans. Hope this answers this question. We'll see you this evening.

James

>>> On 1/27/2015 at 22:05, Laurel Nagle < > wrote:

Dear Lisa, James, and Steve,

It was so nice to have you visit yesterday. I hope the tour gave you a clearer understanding of our issues.

I realize that I already asked this but can you clarify the status of the Cal Water easement redesign? Cal Water has been adamant in the past that the pipe could not be moved. However, the Ascension Heights plans call for retrenching and several 90 degree turns. This runs next to our home, so we would like to know what Cal Water has decided.

I know it is busy, but this is very important to us.

Thanks,  
Laurel

Sent from my iPad

**From:** Lisa Aozasa  
**To:** Steve Monowitz  
**CC:** Heather Hardy; James Castaneda  
**Date:** 2/4/2015 2:06 PM  
**Subject:** Fwd: RE: Next Meeting; Ascension Heights  
**Attachments:** RE: Next Meeting

Hi Steve --

I keep forgetting to ask you about this. We are out of budget for AES, so if we want Trent Wilson to attend the PC meeting on the 25th, we need to make arrangements to do that by amending the contract, and letting Dennis know that there will be an additional charge. Please see Trent's estimate of the charges, attached. I checked with Heather quickly, and I think we will need to extend the contract (it expired on 2/1) and amend the amount; I think that is still something we can do that will not require a return trip to the Board.

I feel like we really do need Trent at the next PC meeting -- that will be the time that the PC will likely will deliberate and have questions we may need Trent to answer. I'm not so sure we'll need him at the Board, but I had him estimate that cost as well.

Please let me know your thoughts on this. Thanks!

Lisa

**From:** Trenton Wilson <twilson@analyticalcorp.com>  
**To:** Lisa Aozasa <laozasa@smcgov.org>  
**CC:** Heather Hardy <hhardy@smcgov.org>, James Castaneda <JCastaneda@smcgov.org>  
**Date:** 1/30/2015 10:53 AM  
**Subject:** RE: Next Meeting  
**Attachments:** AES Proposal\_Additional Hearings\_Ascension Heights.pdf

Sorry for the delay, here you are!

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>

From: Lisa Aozasa [mailto:laozasa@smcgov.org]  
Sent: Thursday, January 29, 2015 12:43 PM  
To: Trenton Wilson  
Cc: Heather Hardy; James Castaneda  
Subject: Re: Next Meeting

Hi Trent --

James forwarded your e-mail to me. Thanks for your help last night. It's looking like the next meeting will be February 25th at 9:00 a.m. here in Redwood City. My thought is that if at all possible, we would like to have you attend that meeting -- since that is when the Commissioners will likely have more detailed questions about the EIR, as they deliberate and make a decision, after hearing from all the neighbors. What would be helpful is if you could provide us with an estimate of what the charges would be for one additional PC meeting, and (just in case) one Board of Supervisors meeting as well, and we'll see what we can do. Thanks!

Lisa Aozasa  
Acting Deputy Director  
San Mateo County  
Planning & Building Department  
455 County Center  
Redwood City, CA. 94063  
laozasa@smcgov.org<mailto:laozasa@smcgov.org>  
Phone: 650/363-4852

>>> Trenton Wilson <twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>> 1/29/2015 11:22 AM >>>

We are out of budget and didn't have another planning commission in our scope. How would you like to proceed. I wish I could just come down but the powers that be won't let me.

TRENTON WILSON  
ANALYTICAL ENVIRONMENTAL SERVICES  
Senior Project Manager | twilson@analyticalcorp.com<mailto:twilson@analyticalcorp.com>  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
www.analyticalcorp.com<http://www.analyticalcorp.com/>



**TO:** Lisa Aozasa, Acting Deputy Director  
San Mateo County  
Planning & Building Department  
455 County Center  
Redwood City, CA. 94063  
laozasa@smcgov.org

**FROM:** Mr. Trenton Wilson, Senior Project Manager

**DATE:** January 30, 2015

**RE: Cost Estimate for Continued CEQA Compliance Services**

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In accordance with the *Agreement Between the County of San Mateo and Analytical Environmental Services* dated May 7<sup>th</sup>, 2013 (Agreement), AES completed an Environmental Impact Report (EIR) for the Ascensions Heights Subdivision Project (County File number PLN2002-0517) and attended the Planning Commission Hearing on January 28, 2015 for the potential approval of the EIR and other project-related planning considerations. Due to the number of the commenters, the hearing was adjourned and set to reconvene on February 25, 2015. As noted in our scope of work presented in Exhibit C of the Agreement, AES budgeted for attendance of one Planning Commission hearing. AES has exhausted the budget presented in the Agreement and has completed the scope of services as contracted.

The County has requested AES present a budget to attend a second Planning Commission hearing scheduled for February 25, 2015 as well as a contingency budget to attend a Board of Supervisors meeting should the need for AES's presence arise.

#### **COST ESTIMATE FOR ADDITIONAL CEQA COMPLIANCE SERVICES**

1. AES will attend the February 25, 2015 Planning Commission hearing to be held at 9:00 a.m. in Redwood City for a not to exceed time and materials cost of **\$1,980**.
2. If requested, AES will attend a Board of Supervisors meeting at a time and place to be determined for a not to exceed time and materials cost of **\$1,980**.

#### **Assumptions**

- An attendance requirement of four (4) hours is anticipated for each event.
- Each meeting will be attended by the Senior Project Manager. Additional staff can attend if requested at an additional cost.

**From:** Heather Hardy  
**To:** Planning-Planning  
**Date:** 2/11/2015 12:19 PM  
**Subject:** March 11 Planning Commission Meeting

Dear Planners,

Agenda requests are due this week for the March 11 meeting. Please let me know if you intend to present an item to the Commission. I'm currently aware of Dennis' 3 items. In case you were curious, the three items considered today went without a hitch. On February 25, the Commission will consider two items related to the Westerfield Fence and also the continued Ascension Heights proposal.

Thank you!

Heather

**From:** Kim Hurst  
**To:** Steve Monowitz  
**Date:** 2/17/2015 2:58 PM  
**Subject:** Re: P&B Monthly Report

: -)

Not a problem...we will always wait!

Thanks,  
Kim

>>> Steve Monowitz 2/17/2015 2:49 PM >>>

Hi Kim,  
I thought I missed the boat. Thanks again for waiting for me.  
Steve

In January 2015, the Planning and Building Department received an appeal of the Planning Commission's approval of the Big Wave project, and is working with the applicant, appellants, and other interested parties in an effort to resolve the contentions of the appeal. It is anticipated that the public hearing on the appeal will take place at a Board of Supervisors meeting in April 2015. Other significant permit applications being processed by the Department include the proposed 20-lot Ascension Heights Subdivision in the San Mateo Highlands, the public hearing for which was continued by the Planning Commission on January 14, 2015 to February 25, 2015, and a proposal to retain the temporary seawall that was constructed at Martins Beach pursuant to an emergency permit for a period of five additional years, the hearing for which will likely take place at a Planning Commission meeting this spring.

Also during the month of January, the Department received a record number of complaints regarding alleged code violations. Staff is actively working on methods to address this increase in workload, and to ensure that the results of our investigations and our planned next steps are promptly entered into the publically accessible Accela database. We are also working with the Office of Sustainability and the Department of Public Works to roll out the "See Click Fix" application, which will allow the public to report incidents of illegal dumping, and to track the County's response.

The Department's Accela database also provides the means to accept electronic versions of project plans, rather than blueprints, and to perform a paperless review of these plans. Significant strides towards implementing this method of processing applications have been made over the past few weeks, and will eventually lead to the Department's ability to expand the types of permit applications that can be accepted and processed on-line. Property owners currently have the ability to file the following types of permit applications through the Department's on-line permit center: electrical service, gas line, re-roof, sewer line, siding or stucco, water heater, water line, and window and door replacements.

**From:** Laurie Simonson <  
**To:** JCastaneda@smcgov.org  
**CC:** SMonowitz@smcgov.org; LAozasa@smcgov.org; hhardy@smcgov.org  
**Date:** 2/18/2015 8:42 PM  
**Subject:** Re: Ascension Heights Project Questions for Staff

James,

Thank you for your email. This information is very helpful.

Laurie

> On Feb 18, 2015, at 3:43 PM, James Castaneda <jcastaneda@smcgov.org> wrote:

>

> Minor correction from my last email: regarding the Subdivision Improvement Agreement, this is NOT something that would normally be reviewed by the Planning Commission.

>

> James

>

> Good afternoon Commissioner Simonson. I apologize for the not getting this to you earlier. Here's my best effort to respond to your inquires:

>

> > 1. On page 26 of the staff report paragraph 8.d., there's a reference to a Subdivision Improvement Agreement. What is this? Is this a document that we will need to review?

>

> The Subdivision Improvement Agreement is a document that the Department of Public Works require and reviews prior to recordation. Per Diana Shu, it includes: 1) agreement for the maintenance of stormwater facilities, 2) agreement for the installation of roads private or public for use by the subdivision owners - large subdivision and 3) maintenance agreement for use of public right of way for as in an encroachment. As for reviewing, this something that would normally be reviewed by the Planning Commission. County Counsel reviews these and they are mostly financial in nature.

>

> > 2. On page 33 of the staff report, paragraph 8.u., in the second to the last paragraph the last – indicates "condition of grasses." I think that perhaps there should be some indication of what "condition" is desirable.

>

> Like any condition or mitigation measure, the Planning Commission can modify conditions of approval (and mitigation measures) as deemed necessary. As part of a memo we're preparing for the Planning Commission prior to the hearing, we can indicate staff proposes specifying that the condition of grasses be healthy (or something to that effect).

>

> > 3. On page 37 of the staff report, paragraph 8.a.d., there is an acronym BSD. This acronym is not defined. What is it?

>

> BSD is the back half of Calwater's shorten named, as their full name is "California Water Service Bayshore District" to specify which of the several Calwater district is involved.

>

> > 4. On page 2 of the Mitigation Monitoring and Reporting Plan Procedures, in the first paragraph, it states "The MMRP for Ascension Heights Subdivision Project will be in place throughout all phases of the project. What is the definition of "the project?" Is this just the construction? Or is it longer?

>

> The "project" as defined by the EIR (which is also the same for the County required permits for the PC's consideration) is just the subdivision and the improvements (road, utility stub outs).

>

> > 5. On page 4 of the Statement of Findings and Facts, Mitigation Measure 4.1–1 B, it would be helpful to know if the foot trails will be public.

- >
- > While the property is technically private property (both now and after subdivision), the applicant has indicated that the trail will be open and available to the public.
- >
- > > 6. On page 13 of the Statement of Findings and Facts, Impact 4.4–2, USGS is not defined. I'm assuming it's the US Geological Survey. However, it would be helpful to have that spelled out.
- >
- > United States Geological Survey is correct. We will included this in our memo listing proposed changes to the staff report's attachments.
- >
- > > 7. On page 14, in the first full paragraph CBC is not defined. Is this the California Building Code? Can this be spelled out?
- >
- > That is correct, and we'll include that as a proposed change as well.
- >
- > > 8. On page 20, the last full paragraph, CDS is not defined. What is this?
- >
- > "CDS" stands for Continuous Deflective Separation, which is actually a registered trademark name for a specific Hydrodynamic Separator.
- >
- > > 9. On page 27, I do not completely understand Mitigation Measure 4.10–3. Is this the stormwater retention system?
- >
- > This mitigation measures (as proposed by the sewer district) is actually for the stormwater system of pipes within the neighborhood. The idea is that system of pipes that collect stormwater in the vicinity may require repairs or upgrades in places where pipes may be allowing groundwater enter the system uncontrolled through leaks, instead of through some controlled capture system (as to not overburden the capacity on the treatment end).
- >
- > I hope these helped answered your questions. Due to the timing and workload, the best approach was listing out proposed changes to conditions, mitigation measures and attached documents for the Planning Commission's consideration, rather than to re-release the staff report packet again.
- >
- > James
- >
- > >>> On 1/29/2015 at 11:27, Laurie Simonson < > wrote:
- > Heather,
- >
- > Thank you for all your efforts to organize the meeting last night. Because we will be having another hearing on the Ascension Heights project, I thought I'd run a few of my questions by staff before the next meeting. So here they are:
- >
- > 1. On page 26 of the staff report paragraph 8.d., there's a reference to a Subdivision Improvement Agreement. What is this? Is this a document that we will need to review?
- >
- > 2. On page 33 of the staff report, paragraph 8.u., in the second to the last paragraph the last – indicates "condition of grasses." I think that perhaps there should be some indication of what "condition" is desirable.
- >
- > 3. On page 37 of the staff report, paragraph 8.a.d., there is an acronym BSD. This acronym is not defined. What is it?
- >
- > 4. On page 2 of the Mitigation Monitoring and Reporting Plan Procedures, in the first paragraph, it states "The MMRP for Ascension Heights Subdivision Project will be in place throughout all phases of the project. What is the definition of "the project?" Is this just the construction? Or is it longer?
- >

- > 5. On page 4 of the Statement of Findings and Facts, Mitigation Measure 4.1–1 B, it would be helpful to know if the foot trails will be public.
- >
- > 6. On page 13 of the Statement of Findings and Facts, Impact 4.4–2, USGS is not defined. I'm assuming it's the US Geological Survey. However, it would be helpful to have that spelled out.
- >
- > 7. On page 14, in the first full paragraph CBC is not defined. Is this the California Building Code? Can this be spelled out?
- >
- > 8. On page 20, the last full paragraph, CDS is not defined. What is this?
- >
- > 9. On page 27, I do not completely understand Mitigation Measure 4.10–3. Is this the stormwater retention system?
- >
- > I don't know if it's possible, but it might be helpful to produce a revised staff report with the changes redlined and the additional conditions of approval. Again, it would be helpful, but I understand if that's not possible.
- >
- > Lastly, is it possible to get a copy of the arborist report that one of the residents had at the hearing? I'm not sure that we had previously seen that. Thank you again for all your help.
- >
- > Laurie

**From:** Lisa Aozasa  
**To:** Planning-Planning  
**CC:** Diana Shu  
**Date:** 2/19/2015 10:49 AM  
**Subject:** Subdivisions that have HOAs

Hi Gang --

I'm doing a little research related to Ascension Heights, which is back before the PC next week on 2/25. Do any of you recall processing a subdivision approval in a single-family area that involved an HOA? I'm guessing there have been a few -- the larger ones along Edgewood, and a few larger ones in ELH, perhaps? I don't need much detail at this point, just if there was an HOA. File numbers would be helpful too, so I can look them up if necessary. Please let me know as soon as you can. Thanks!

Lisa

**From:** David Burruto  
**To:** Steve Monowitz  
**Date:** 2/26/2015 9:47 AM  
**Subject:** RE: Constituent query re Ascension heights Planning Commission Hearing

Steve,

Supervisor Pine received the following email and I do not know how to answer her query. I would appreciate very much some assistance in doing so.

DB

Supervisor Pine,

I am writing to you to try to gain understanding of the process by which the Ascension Heights Subdivision project will be approved or rejected. I have attended the hearings in 2009 (FEIR) and 2014 (draft EIR) and both the January 28, 2015 hearing and the continuation of that meeting today, February 25, 2015. I was expecting the Planning Commission to either accept or reject the FEIR for this project today. Instead, as you may now be aware, after the Planning Commissioners gave comments and it became evident that 3 of the 4 Commissioners would likely not approve the FEIR, Staff Member Steve Monowitz entered a suggestion the Commission not vote but instead give the Staff time to provide additional information. The Applicant was then allowed to speak and he requested that he be able to also provide additional information and assurances about the project. The Commission voted to hold off voting on the FEIR and allow the Staff and Applicant to supply additional information.

I am extremely frustrated by this outcome and would like to understand how this is allowed. Aren't there formal processes in place that have been followed up until now and why is the Applicant allowed to extend this process and deferring the vote on the FEIR? I also am unclear on what the Staff Advisory Members' roles are. From both the January 28 Hearing and today's Hearing, it seems the Staff are working for the Applicant and their position is one to promote his project and recommend its approval regardless of what information has been presented by the community.

As a homeowner in close proximity to the proposed project, I have spent a tremendous amount of time educating myself on the issues at hand, reviewing the drafts and final project EIRs, and attending the Planning Commission hearings. As a working mother of 3 young children as well as a member of the Highlands Elementary School Site Council, a school volunteer, and PTA Executive Board member during the first half of this process, I have many demands on my time. Today I took time off work, like many of my neighbors, to go to the Hearing in Redwood City. Now, I am utterly perplexed at what happened.

Sincerely,  
Suzanne Kennedy  
1745 Los Altos Dr  
San Mateo

David Burruto  
Chief of Staff  
Office of Supervisor Dave Pine  
San Mateo County  
District 1  
Hall of Justice & Records  
400 County Center  
Redwood City, CA 94063  
650-363-4571

**From:** James Castaneda  
**To:** Lisa Aozasa; Steve Monowitz  
**Date:** 3/3/2015 6:15 PM  
**Subject:** Fwd: Next Meeting?

>>> On 3/3/2015 at 17:20, Laurel Nagle < > wrote:

Heather, James,

Have you heard anything about when Ascension Heights will go on the Commissioners' schedule?

Does Dennis Thomas have unlimited time to improve/revise his proposal?

As you know, this last fact has our neighborhood quite upset and eager for info.

Thanks!

Laurel

**From:** Kim Hurst  
**To:** Steve Monowitz  
**Date:** 3/10/2015 3:35 PM  
**Subject:** Re: Request for items for the monthly Community Services Report

not a problem....thanks for sending!  
Kim

>>> Steve Monowitz 3/10/2015 8:51 AM >>>  
Hi Kim,  
Sorry to be late again.

On February 25, 2015, the San Mateo County Planning Commission considered three significant permit applications. Two of them were regarding the removal of an existing wooden fence at the end of 7th Street in Montara in order to enhance public views of the ocean and shoreline. Specifically, the Department of Public Works proposed to remove a portion of the fence within the 7th Street right-of-way and install a guardrail, and the property owner to the north proposed to construct a new fence running east to west in order to protect his privacy. As approved by the Planning Commission, the Department of Public Works will remove the entirety of the existing fence that encroaches into the right-of-way, and install bollards to prevent vehicles from going beyond the street end, and the adjacent property owner will install a four foot wood and wire mesh fence in a portion of the right-of-way that will not block views or interfere with coastal access.

The other item considered by the Planning Commission was the proposed Ascension Heights Subdivision in the San Mateo Highlands, which was continued from the January 28th meeting. After concluding the public comment period, the Commission identified a number of concerns about the project, and continued the matter in order to provide staff and the applicant with an opportunity to respond to these concerns, as well as to enable staff to prepare findings for denial. Staff anticipates that the next Planning Commission hearing on this project will occur in June or July.

The Big Wave project is another significant development proposal recently approved by the Planning Commission that has been appealed to the Board of Supervisors. Prior to scheduling the hearing on this appeal, staff has and will continue to work with the applicants, appellants, and Coastal Commission staff to resolve as many of the contentions of the appeal as possible. To this end, a productive meeting amongst the parties occurred on February 25, and additional discussions will follow. Any issues that can not be resolved through these negotiations will be considered by the Board of Supervisors when the appeal is scheduled for hearing, which will likely occur at the end of April.

>>> Kim Hurst 2/26/2015 11:12 AM >>>  
Good morning!

Just a friendly reminder that the monthly Community Services Report is due.  
Please send your update and pictures to me by Tuesday, 3/3/2015.

Thank you!  
Kim

**From:** "Sean P. Mulligan" <Mulligan@smwlaw.com>  
**To:** "planning-commission@smcgov.org" <planning-commission@smcgov.org>  
**CC:** Winter King <king@smwlaw.com>  
**Date:** 3/24/2015 11:36 AM  
**Subject:** Ltr re Ascension Heights Subdivision Project, 3-24-15  
**Attachments:** Ltr to Planning Commission reProposed Denial of Ascension Heights Subdivision Project, 3-24-15.PDF; Draft Ascension Heights Denial Findings (3-16).DOCX

Dear Honorable Members of the San Mateo County Planning Commission:

Please find attached a letter with attachment from Winter King regarding the above referenced matter. A hard copy has been sent to your office via U.S. Mail. If you have any questions please do not hesitate to contact our office. Thank you.

Sean Mulligan  
Shute, Mihaly & Weinberger LLP  
396 Hayes Street  
San Francisco, CA 94102  
Tel: (415) 552-7272  
Fax: (415) 552-5816  
mulligan@smwlaw.com<mailto:mulligan@smwlaw.com>

**Ascension Heights Subdivision:**  
**Recommended Findings in Support of Project Denial**

Regarding the Environmental Review, Find:

1. That a project denial is not subject to California Environmental Quality Act (CEQA), and therefore the request to certify the EIR is also denied. *See* Pub. Res. Code § 21080(b)(5). In addition, the Commission has reviewed the Final Environmental Impact Report (FEIR), and has found that it is inadequate in the following ways:

(a) It does not include adequate analysis of the Project’s potential impacts to biological resources. Rather than conducting the required analysis now, it defers the analysis until after Project approval and likewise defers development of mitigation measures. This deferred analysis appears in other chapters of the EIR as well, including:

- Aesthetics. *See* RDEIR at 4.1-14 (noting that the Landscape Plan and Tree Replacement Plan—the only proposed mitigation for the project’s aesthetic impacts—need not be developed until after project approval).
- Geology and Soils. *See* RDEIR at 4.4-12 and 4.4-13 (deferring the development of an erosion control plan and the adoption of specified “erosion control BMPs” until after project approval and failing to provide any substantial evidence that these measures would mitigate erosion impacts to a less than significant level).
- Hydrology. *See* RDEIR at 4.10-27 (failing to provide any details about how the project applicant will achieve sufficient reduction in infiltration and inflow in order to mitigate the effect of increased discharge to an already over-burdened sewer line).
- Traffic. *See* RDEIR at 4.11-10 (proposing a handful of non-mandatory design suggestions to mitigate the traffic impacts associated with a hazardous intersection).

(b) The EIR incorrectly concludes that the Project will not have a significant aesthetic impact even though the photo simulations plainly show the impacts will be significant from nearby public streets. The Commission has not been presented with a landscape plan and thus has no basis to conclude that landscaping alone will reduce these impacts to a level of insignificance.

(c) Members of the public have identified additional flaws in the EIR, including repeated instances of the failure to adopt enforceable mitigation measures. For example, the requirement of a 250-foot buffer around active raptor nesting sites is unenforceable because it can be disregarded if the buffer is “impractical” or “unfeasible.” In some instances, the FEIR fails to support its findings of less than significant impacts with substantial evidence, for example, by basing its analysis of biological impacts on poorly timed and inadequate surveys of existing biological conditions. The document likewise

contains inadequate analysis and mitigation of impacts to geology and soils, air quality and greenhouse gas emissions, hydrology, noise, and traffic.

Regarding the Major Subdivision, Find:

2. That the proposed map is inconsistent with the applicable County general and specific plans. According to the EIR, the subdivision will cause significant adverse impacts to wildlife and associated habitat, such as impacts to raptor nesting and foraging sites and impacts to special status species such as the Mission blue butterfly. As noted above, the EIR fails to identify adequate, enforceable, and concrete mitigation measures for these impacts. As a result, the proposed subdivision violates General Plan Policies 1.23 (Regulate Development to Protect Vegetative, Water, Fish and Wildlife Resources), 1.24 (Regulate Location, Density and Design of Development to Protect Vegetative, Water, Fish and Wildlife Resources), 1.25 (Protect Vegetative Resources), 1.27 (Protect Fish and Wildlife Resources), 1.28 (Regulate Development to Protect Sensitive Habitats). For the same reason, the proposed subdivision would also cause severe, unmitigated impacts to the area's hydrology and soils. These impacts violate the following General Plan Policies: 2.17 (Regulate Development to Minimize Soil Erosion and Sedimentation), 2.23 (Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion), 2.25 (Regulate Topsoil Removal Operations Against Accelerated Soil Erosion), 2.29 (Promote and Support Soil Erosion Stabilization and Repair Efforts); and 16.2 (Reduce Noise Impacts Through Noise/Land Use Compatibility and Noise Mitigation). Finally, the proposed map would permit development of large residences on steeply sloped lots subject to severe erosion in direct violation of General Plan Policies 15.20(a) and (b). *See* General Plan Policy 15.20(a) (avoiding siting structures in areas where they are jeopardized by geotechnical hazards or where they could increase the geotechnical hazard to neighboring properties); 15.20(b) (avoid construction on steeply sloping areas in Geotechnical Hazard Areas).
3. That the site is physically not suitable for the type and density of residential development proposed there. Although the site is physically suitable for some residential development, it is not physically suitable for the density or size of residences proposed. The site is constrained by severely sloped hillsides and the Project, as proposed, would require extensive grading. The Commission has reviewed the Project, the site, and the materials in the record (including the alternatives analysis in the EIR), and believes that a less dense development could be proposed that would fit more naturally within the contours of the site and require far less grading. This reduced grading will also reduce construction-related impacts, including truck traffic on the already congested Bel Aire Avenue, the admittedly significant noise impacts, etc. A reduced density alternative would also reduce the amount of new impervious surface created on the Project site, and thus would reduce the Project's stormwater runoff, water quality, and erosion impacts.
4. That the design of the subdivision is likely to cause substantial environmental damage, or substantially and avoidably injure wildlife and its habitat. As described above (in the EIR findings), the Commission finds that the EIR does not identify enforceable or effective mitigation measures for all of the Project's potentially significant impacts, and

thus, without such mitigation measures, the Project would likely cause substantial environmental damage or injure wildlife.

5. That the design of the subdivision is likely to cause serious public health problems. As members of the public have commented, the Project will create significant noise impacts during construction and could have significant air quality impacts on neighboring communities and schools. Again, a reduced density alternative designed to fit on the contours of the site could require less grading and thus reduce these public health impacts.

Regarding the Grading Permit, Find:

6. That this project, even as conditioned, will have a significant adverse effect on the environment. As described above, the Commission has reviewed the EIR for the Project and considered comments by the public and Applicant. The EIR does not contain adequate, concrete, and enforceable mitigation measures for all of the Project's potentially significant impacts. As a result, it will have a significant, adverse effect on the environment. For example, the EIR concludes that the Project could have significant impacts related to erosion and sedimentation. DEIR at 4.4-12. Mitigation Measure 4.4-1b defers analysis of feasibility of measures to control surface runoff and prevent pollution of site runoff due to erosion and sedimentation. DEIR at 4.4-13. The EIR also concludes there could be significant impacts to surface and groundwater quality from project-related increased stormwater. DEIR at 4.6-11. While Mitigation Measures 4.6-1 includes a list of potential BMPs that could be applied to reduce these impacts, the measure does not require any specific BMPs to be included, much less demonstrate their sufficiency.
7. That this project, as conditioned, fails to conform to the criteria of the San Mateo County Grading Ordinance and is inconsistent with the General Plan for the reasons stated above in Finding Number 2.

666746.2

**From:** Stephanie Joe <  
**To:** "Planning-Commission@smcgov.org" <planning-commission@smcgov.org>  
**CC:** James Castaneda <jcastaneda@smcgov.org>, Supervisor Dave Pine <dpine@smcgov.org>, Supervisor Carole Groom <cgroom@smcgov.org>, CraigNishizaki <  
**Date:** 2/21/2015 7:17 AM  
**Subject:** Opposition to Ascension Heights Subdivision Project

Dear Members of the San Mateo County Planning Commission,  
I attended the January Planning Commission Meeting to find out more about the community concerns over the Ascension Hts Subdivision Project. It was the first planning commission meeting I have ever attended. I was struck by a few things: = The community had some extremely significant and relevant concerns about the development= The developer did not in any way try to work with the affected community to address these concerns I am writing to you to express my strong opposition to the Ascension Heights Subdivision Project as proposed and detailed in the Final Environmental Impact Report from 12/2014. I ask that you reject this proposal. The proposal was not developed in the cooperative manner that the Commission laid out when the previous proposal was rejected in 2009. It is still too aggressive for the land and for the surrounding, existing neighborhood. I find issue with many aspects of the FEIR. By far, however, the issue that upsets me the most is the projected air pollution. The FEIR states the air pollution will be projected to be 470% above the EPA National 24 hour standard. How can this be acceptable? The Commission cannot accept this proposal and endanger its most vulnerable and innocent residents.

Some additional issues I find with the FEIR are as follows:

-- Noise abatement. This appears to be addressed by proposing that construction activities take place within stated work hours. So unacceptable noise levels are allowed as long as they occur within the 'restrictions' of 7AM - 6PM Monday-Friday and 9AM - 5PM Saturdays? The only days that construction will not occur will be Sundays, Christmas and Thanksgiving. So the existing neighborhood will live with construction noise levels of 90dB for 6 out of 7 days a week, all day long. I cannot fathom how this is not "Less than Significant" for those of us living near the proposed site.

-- Dust complaints. The FEIR states that any dust complaints can be made by calling a posted number and must be addressed within 48 hours. This is laughable. So if I have a complaint about immediate dust conditions, I have to wait up to 2 full days for the situation to be addressed? What do you advise neighbors to do -- shut our windows for 2 days and wait?? I find this completely unacceptable.

-- Impact to SMFC School District. The FEIR concludes there are no significant impacts on the SMFC School District based on communications with representatives of the School District. These communications cite multiple references to the passage of Measure P as a means to deal with overcrowding in district and local schools. Measure P failed in November 2013. Overcrowding in the District and the impact to both Highlands and Borel is therefore incorrectly evaluated. The information in the FEIR is out of date and incorrect. This is a major issue in San Mateo and this aspect of the FEIR is unacceptable and incomplete.

-- Traffic. Since we have children, the prospect of eighteen wheel trucks with a heavy dirt load, for a period of 27 months or more are concerning to me. The danger will be terrible. Also, I can't see how the street won't become gridlocked with traffic. People will try to pass the trucks potentially and may come face to face with another truck coming in the opposite direction since the trucks will be traveling up and down with the frequency that the project is proposing.

In conclusion, I would like to reference the San Mateo General Plan, which calls for development to "Encourage improvements which minimize the dangers of natural and man-made hazards to human safety and property." I hope you agree that the Ascension Heights Subdivision proposal as it is currently drawn up, does not fit with the General Plan. I implore you to please vote AGAINST the Ascension Heights Subdivision on Wednesday night.

Sincerely,  
Stephanie Joe and David Weiskopf Residents on 165 Londonderry Drive, San Mateo, CA

**From:** "Rosemarie thomas" <  
**To:** <Planning-Commission@smcgov.org>  
**CC:** "James Castaneda" <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <  
<cgroom@smcgov.org>, <  
**Date:** 2/21/2015 9:48 AM  
**Subject:** Ascension Heights- Water Tank Hill Project

Dear Members of the Planning Commission:

We will be unable to attend the meeting on the 25th and would like to again address just a few of our concerns with regard to the proposed Ascension Heights Development Project. We have attended all of the meetings ,as well as the meeting last month at Hillsdale High School, and agree with all of the concerns expressed by our friends, neighbors and others in the community who will be greatly impacted should this project commence.

Here are just a few:

For many years here, we have watched cars zoom up and down the hill as they pass our home. College of San Mateo students traveling on their way from Polhemus Rd to school and others traveling these roads on their way to work. The hours from 7:30am to 9am are particularly hazardous as students rush to school, and other people zooming down on their way to work. All of our immediate neighbors have discussed how dangerous it is to try to back out of our driveways in the morning as people take their children to school and we all try and go to work. When we back out of the driveway and turn to proceed down the hill, it is very difficult to see cars coming. We back out, and by the time we turn and get ready to proceed downward there is a car on our bumper. We can't tell you how many times impatient drivers pass on the right, or even the left. Drivers also run the stop sign Bel Aire and Ascension and at Rainbow Dr./Ascension Dr. It's very dangerous here. We have all complained to the Sheriff's Dept many times about the speeding drivers and the Sheriff's Department sends out a car and tickets the drivers but they cannot be here every minute of every day to continue to patrol the area.

With these thoughts in mind, you can imagine how we feel about the prospect of eighteen wheel trucks entering the picture. Huge heavy trucks going up and down every few minutes with a heavy dirt load, for a period of 27 months or more. The danger will be terrible. Also, we can't see how the street won't become gridlocked with traffic and the stress that will be put on the streets that already, in some areas, need of repair. People will try to pass the trucks and may come face to face with another truck coming in the

opposite direction since the trucks will be traveling up and down with the frequency that the project is proposing. Also, what is going to happen when the trucks are trying to turn into the property off of Bel Aire Road and people are coming down Bel Aire or around from Laurie only to find a truck in their way - additional accidents - the people across the street from this project will not be able to back out of their driveways and may also have to deal with accidents in their front yards.

In December of 1996, the hill behind the homes on Rainbow Dr. slid down across Polhemus Road. For a very long period of time after this, there were eighteen wheel trucks going up and down hauling dirt as they tried to repair this hill and build the existing retaining wall. Polhemus Road was closed or altered for a period of about two years as a result of this slide. This project was minor when compared with what is being proposed on the Water Tank Hill site. If you will drive on Polhemus Road you will see that beyond the slide area where the retaining walls have been placed, additional slides are beginning to form - and this is happening with little or no rain - what will happen along Ascension when this project begins and the areas that already eroding begin to slide even more. Will the developer take responsibility for damage to Ascension and to the homes below????

In closing, we cannot imagine the Ascension Heights building project actually happening for so many reasons, and you have heard from the neighborhood about all of the concerns. As we attend these meetings more and more issues were brought to our attention-slides\hill stability and steepness of the hillside, traffic, water, endangered species, air pollution, sewer issues, proposed water project which the new homeowners association will be responsible for, and the list goes on and on. We would like to make it known that we have many concerns about it and as it stands now are opposed to the development of this hillside.

Thank you for your consideration.

Respectfully,

Bob and Rosemarie Thomas

1480 Bel Aire Road

SHUTE, MIHALY  
& WEINBERGER LLP

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March 24, 2015

**Via E-Mail and U.S. Mail**

San Mateo County Planning Commission  
400 County Center  
Board Chambers  
Redwood City, CA 94063  
[planning-commission@smcgov.org](mailto:planning-commission@smcgov.org)

Re: Proposed Denial of Ascension Heights Subdivision Project

Honorable Members of the San Mateo County Planning Commission:

This firm represents Baywood Park Homeowners' Association ("Baywood") with respect to the proposed Ascension Heights Subdivision Project ("Project"). We submit these supplemental comments in support of the Commission's stated intention to deny the Project as it is currently proposed. The issues you raised at the hearings on this Project reflected the community's serious environmental and safety concerns. In response to staff's suggestion that the Commission include findings along with a resolution denying the Project, we have also prepared draft findings, based on evidence in the administrative record, and attach them to this letter.

Environmental Impacts and Safety Concerns. During the February 25 hearing, Commissioners raised a number of fundamental concerns about the Project. For example, several Commissioners noted that the Project is too dense for the site and surrounding community. As Commissioner Hansson noted, the proposed layout fails to conform to the contours of the hillside. Bel Air is not safe under current conditions and would become even more treacherous with the addition of a blind entrance to the new development. And there is inadequate information in the EIR about the availability of water to serve this new development and the existing community. Commissioner Kersteen-Tucker correctly noted that there is far too little detail about the Project design or proposed mitigation measures to judge what the impacts will be or whether mitigation will be effective, and the EIR failed to adequately analyze the Project's impacts to schools. In addition, several Commissioners noted the potential aesthetic impacts of developing 36-ft-high homes on top of a steep hillside. These impacts will undoubtedly

be significant and cannot be mitigated through tree-planting and landscaping alone. Baywood and other members of the community have raised similar concerns and agree with the Commissioners on all of these points.

The EIR Is Inadequate and Cannot Be Certified. Baywood also continues to have serious concerns about the adequacy of the EIR for the Project. Of course, if the Commission moves forward with a denial of the Project, it need not certify the EIR. *See* Pub. Res. Code § 21080(b)(5) (projects that are denied by a lead agency are not subject to California Environmental Quality Act (CEQA)). In this instance, however, the Commission *cannot* legally certify the EIR because that document contains numerous, substantial flaws, including illegal deferral of analysis and mitigation, unsupported conclusions, and a general failure to adequately describe the Project’s significant environmental impacts. *See* Letter from Winter King to Planning Commission (Feb. 24, 2015); Hearing Audio File (Commissioner Simonson noting that the FEIR is lacking basic mitigation measures and adequate analysis, especially in the chapters discussing biological resources and alternatives); *see also* DEIR at 4.3-20 – 21 (analysis of the extent and severity of impacts to special status species and Mission blue butterfly deferred; mitigation measures 4.3-1 and 4.3-2 direct Applicant to perform focused surveys *after* project approval); DEIR at 4.10-27 (stating that the sewer pipelines that would serve the proposed Project are already over capacity; mitigation measure 4.10-3 generically states that the applicant shall offset the increase in sewer flow by reducing the amount of infiltration and inflow (I & I), but fails to provide any details on how this will be accomplished or whether it is feasible).

Inconsistency with Natural Hazards Policies in General Plan. After conducting additional review of the materials presented to the Commission at the February 25 hearing, we have concluded that the Project is also inconsistent with several of the General Plan Policies found in Chapter 15 (Natural Hazards). In 2009, the Commission concluded that an earlier version of the Project was inconsistent with these policies, which direct the County to avoid siting structures “in areas where they are jeopardized by geotechnical hazards, where their location could potentially increase the geotechnical hazard, or where they could increase the geotechnical hazard to neighboring properties.” Policy 15.20 (a). This policy also directs the County to “avoid construction in steeply sloping areas (generally above 30%)” “wherever possible.” Policy 15.20(b).

In its January 28, 2015 report to the Commission, staff reversed course, stating that this conclusion was “incorrect.” Staff Report at 9. Staff now believes that (1) these policies only apply to projects proposed in formally identified “geotechnical hazard

areas” and (2) the Project is not located within such an area because it is not within the Alquist Priolo Hazard Zone. *Id.*

Staff’s new conclusion is inconsistent with the plain meaning of the General Plan. While policies 15.20(a) and (b) are both under the heading “Review Criteria for Locating Development in Geotechnical Hazard Areas,” it does not appear that this heading was intended to preclude the application of these policies outside areas that are formally designated as “Geotechnical Hazard Areas.” In fact, if the County had intended the heading to have such an effect, the language in Policy 15.20(c) specifying that it applies only to roads and trails “into or through geotechnical hazard areas” would be entirely redundant.

Moreover, staff’s suggestion that “geotechnical hazard areas” include only those areas within the Alquist-Priolo Hazard Zone also conflicts with the General Plan. In fact, the General Plan defines “geotechnical hazards” as “non-seismic unstable conditions, including but not limited to landsliding, cliff retrenchment, erosion, subsidence, soil creep . . .”. It then defines “geotechnical hazard areas” as “areas that meet the definition of geotechnical hazards, *including but not limited to* . . . [t]he areas illustrated on the Natural Hazards map as Alquist-Priolo Special Studies Zones, Tsunami and Seiche Flooding Areas, Coastal Cliff Stability Areas and Areas of High Landslide Susceptibility.” General Plan Policy 15.9 (emphasis added).

Reading these policies together, it appears that the County was right the first time: Policies 15.20(a)-(b) *do* apply to the Project because the Project site is subject to geotechnical hazards, including significant erosion, and some of the proposed residences would be located on lots with slopes greater than 30%. In addition, the County’s landslide map depicts several areas of existing landslides in the immediate vicinity of the Project site. *See* San Mateo County Hazards, Existing Landslides, available at <http://planning.smcgov.org/documents/san-mateo-county-hazards-existing-landslides>. The Project’s inconsistency with these policies provides another basis for denying the proposed tentative map.

Denying This Project Does Not Prohibit All Development. Finally, denying this Project as it is currently proposed does not mean that the Commission is prohibiting any and all development on the Project site. This Project first came before the Commission in 2008-2009. At that point, the Commission gave the Applicant clear direction about changes that would have to be made to develop this severely constrained property: “1) provide more moderate-sized housing, 2) address the concerns about avoiding building on the steep south facing slope, and 3) develop a new design that could

minimize negative impacts.” Jan. 28, 2015 Staff Report, Attachment E, p. 2. Additionally, Commissioner Slocum shared a conceptual map with the Applicant, on which she indicated the need for a trail and/or buffer between the proposed development and existing homes on Parrott Avenue.

With the exception of reducing the number of units from 25 to 19, the Applicant has not followed these directions. The proposed Project still has four units on the south-facing slope of the Project site (with three more on the southern edge of the ridgeline); the houses are still 36 feet high and cover up to 40% of each lot;<sup>1</sup> the design continues to force a square-grid layout on top of extremely steep and irregular land, requiring tens of thousands of cubic yards of cut and fill, and; there is no buffer between the proposed development and existing Parrott Avenue homes. The Commission can and should require the Applicant to address these issues.<sup>2</sup>

In sum, Baywood strongly supports the Commission’s stated intention to deny the proposed tentative map for all of the reasons identified by you and the public. To assist the Commission in finalizing its decision, we are attaching proposed findings, based on evidence in the record, that would support Project denial.

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<sup>1</sup> Neither the Project Description chapter of the EIR nor the staff report informs the public of how many square feet each of the proposed houses could be. However, with lots varying in size from 7,500 square to nearly 16,000 square feet, the resulting houses could be enormous. For example, a three story house built on 40% of a 7,500 square foot lot would be close to 9,000 square feet. Performing the same calculation on the 16,000 square foot lot results in a 19,000 square foot residence.

<sup>2</sup> The Applicant also failed to follow the Commission’s clear direction to work with the community to develop a more suitable design. Although there have been public meetings on this Project, the Applicant has made it clear to those in attendance that he had no intention of modifying the Project in response to the community’s concerns.

San Mateo County Planning Commission  
March 24, 2015  
Page 5

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

A handwritten signature in blue ink, appearing to read "Winter King", written in a cursive style.

Winter King

Attachment

666422.1

## Steve Monowitz - Re: Monthly BOS Report

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**From:** Steve Monowitz  
**To:** Kim Hurst  
**Date:** 12/26/2014 9:30 AM  
**Subject:** Re: Monthly BOS Report

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Hi Kim,  
Here is a short write up for Planning and Building.  
Best regards,  
Steve

Beginning this November, farmers, growers and landowners in the unincorporated areas that need zoning and planning information for agriculture projects can now go to Half Moon Bay to meet in person with a San Mateo County Planner. This coordinated effort between San Mateo County Supervisor Don Horsley, the San Mateo County Planning and Building Department, and the San Mateo County Department of Agriculture/Weights and Measures, allows the agriculture community of San Mateo County to speak directly with Planning staff about permits, zoning, and other planning topics. Rob Bartoli, a Planner with the County, is staffing the San Mateo County Department of Agriculture/Weights and Measures Office every other Friday.

During the Month of December, the Planning Commission approved the permits required to replace the seasonal wedding tent at the Oceano Hotel with a permanent wedding and events building, and recommended that the Board of Supervisors submit the proposed update to the General Plan Housing Element. An additional Coastside Design Review hearing of the Big wave project was conducted, and resulted in a recommendation that the Planning Commission deny the required Design Review permit, to be considered on January 14, 2015. A Planning Commission hearing on a proposed 19 lot subdivision of a 13.25 acre site in the unincorporated Highlands area, known as Ascension Heights, will be conducted on January 28, 2015. The final EIR for this project was published on December 12, 2014, as is available for review at <https://planning.smcgov.org/ascension-heights-subdivision-project>.

>>> Kim Hurst 12/19/2014 4:18 PM >>>  
Hi Steve,

I am ready to submit the Community Services monthly report. I'm just checking to see if you have sent a paragraph or two on your department.

Thank you!  
Kim

**Steve Monowitz - Re: August PC hearing for Ascension**

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**From:** Steve Monowitz  
**To:** James Castaneda; Lisa Aozasa  
**Date:** 6/25/2015 8:18 AM  
**Subject:** Re: August PC hearing for Ascension  
**CC:** Janneth Lujan

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Hi James and Lisa,  
I just clarified with Janneth that Zoe is the only Commissioner that cannot be at the August 26 PC meeting. I'm inclined to schedule it for this date if it works for the applicant. What do you think?  
Thanks,  
Steve

>>> Janneth Lujan 6/25/2015 8:09 AM >>>

Hi Steve,

I have heard back from all Planning Commissioners and all except Commissioner Keersteen-Tucker cannot attend the August 26th meeting.

Thanks,  
Janneth

**Janneth Lujan**  
Executive Secretary  
[jlujan@smcgov.org](mailto:jlujan@smcgov.org)



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>>> Steve Monowitz 6/23/2015 3:32 PM >>>

Hi Janneth,

Please confirm that all Planning Commissioners plan on attending the August 26th meeting. Then James can confirm that it works for the applicant.

Thanks,  
Steve

>>> James Castaneda 6/23/2015 2:29 PM >>>

Good afternoon Steve and Janneth,

I just wanted to follow up regarding the August hearings we were anticipating for Ascension Heights in consideration of Commissioner Simonson's availability. If it needs to be pushed back, I need to have a discussion with the application to confirm his attendance, so just need to know if that's the plan. Also let me know if we can confirm the commissions availability for the later date if that's what is decided. Thanks.

James