

Amy Ow

From: Camille Leung
Sent: Wednesday, July 8, 2020 9:16 AM
To: Amy Ow
Subject: FW: Highland Estates Compliance Issues SMC Health Officer COVID19 and Mitigation Monitoring and Reporting Program
Attachments: Highland Estates Compliance Issues SMC Health Officer COVID19 and Mitigation Monitoring and Reporting Program.pdf

From: Liesje Nicolas <liesjenicolas@gmail.com>
Sent: Tuesday, July 7, 2020 10:01 PM
To: Camille Leung <cleung@smcgov.org>
Cc: Nagle Laurel <laurelnagle@gmail.com>; Ottoboni Linda <ohyuuwho@yahoo.com>; Peter Lawrence <4pclaw@gmail.com>; Ozanne Linda <lindaozanne@me.com>; Mitroff George <gbmlaw@sbcglobal.net>; John Mathon <johnmathon@gmail.com>; Gerard Ozanne <jerryozanne@me.com>; Christopher Karic <ckaric@sellarlaw.com>; Dave Michaels <dm94402@gmail.com>; Chris Misner <chrismisner@yahoo.com>; Christophe Sarmiento <csarmiento22@yahoo.com>; Pamela Merkadeau <pamela@merkadeau.com>; Corrin Brown <d.cbrown@comcast.net>; Tania Leung <smalllittlet@yahoo.com>; Gary Trott <gary_trott@comcast.net>; Rick Priola <hcapres@gmail.com>; Grace Hassid <gracehassid@yahoo.com>; Steve Hassid <steve_hassid@yahoo.com>; Janine Pin Yee Wong <wongj@att.net>; Donald Nagle <donald.r.nagle@gmail.com>; Liesje <highlandscapresident@gmail.com>; Sam Naifeh <samnaifeh@sbcglobal.net>; Kim Ricket <kim.ricket@gmail.com>; Meghan Lubker <mclubker@gmail.com>; Dylan Ashbrook <dylanashbrook@gmail.com>; Shlomit Holtzman <holtzmans@pacbell.net>; Raphael Holtzman <holtzone@gmail.com>; Kristen Matsushino <matsushino.kristen@gene.com>; Barbara Lowe <paddlerblowe@yahoo.com>; Randall Lowe <merglowe@sbcglobal.net>; Thomas Frankel <frankelt@pacbell.net>
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THE SAN MATEO HIGHLANDS COMMUNITY ASSOCIATION

July 7, 2020

Camille Leung, Senior Planner
Planning & Building Department
455 County Center, 2nd Floor.
Redwood City, CA 94063

RE: SMC Health Officer COVID19 and Mitigation Monitoring and Reporting Program (MMRP) Compliance Requirements for Chamberlain Group "Highland Estates" project

San Mateo County file numbers: BLD2016-00158; BLD2016-00159; BLD2016-00160, BLD2016-00161; BLD2016-00162; BLD2016-00163; BLD2016-001564

Dear Camille:

Neighbors have witnessed ongoing activities which do not appear to comply with requirements of the Health Officer of the County of San Mateo in the [06/04/20- Health Officer Order c19-5c Revised Appendix B-1: Small Project Protocol \(Revised Date\)](#) and MMRP requirements for hazardous conditions. Some of the activities should have already triggered the required work cessation or pause.

We urgently need your specific attention and response to our requests for information and action steps.

COVID19 Protocol for small project construction in San Mateo County:

Request Number One

Please provide us with the County certification of all details substantiating the applicant's full compliance with ORDER No. c19-5c Small Construction Project Safety Protocol UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE COUNTY OF SAN MATEO ("HEALTH OFFICER") ORDER

Include the designated site-specific COVID-19 supervisor or supervisors to enforce this County's health officer order.

Include the required "daily screening protocol for arriving staff to ensure that potentially infected staff do not enter the construction site" and verification that the supervisor is posting the daily screening protocol at all entrances and exits to the jobsite.

In the event of a confirmed case of COVID-19 at any jobsite, ORDER No. c19-5c requires, "the following must take place:

- i. Immediately remove the infected individual from the jobsite with directions to seek medical care.
- ii. Each location the infected worker was at must be decontaminated and sanitized by an outside vendor certified in hazmat clean ups, and work in these locations must cease until decontamination and sanitization is complete.
- iii. The County Public Health Department must be notified immediately and any additional requirements per the County health officials must be completed, including full compliance with any tracing efforts by the County."

Request Number Two:

As soon as any individual working at a jobsite is identified as being infected with COVID-19 virus, please notify as soon as possible the nearby residents in person and send a text message within 24 hours after illness identification to Liesje Nicolas at 650-773-7805 and a follow-up email to her at liesjenicolas@gmail.com. Please confirm compliance to this request.

ORDER OF THE HEALTH OFFICER No. c19-8(b) (REVISED) : May 19, 2020

Neighbors have witnessed workers leaving their vehicles without face coverings when residents have been in their driveways or outside the house.

There appears to be ready contact between neighbors and the workers at the very least as the latter park their cars (see attached) curbside and at the driveways of occupied homes before walking onto the jobsite while residents are in and out of their homes during morning activity such as placing and collecting recycle bins, and so on. (see attached photo)

Neighbors have witnessed workers leaving their vehicles without face coverings when residents have been in their driveways or outside the house.

“By way of example and without limitation, a construction worker... must put on a Face Covering when coworkers are nearby, when being visited by a client/customer, and anywhere members of the public or other coworkers are regularly present.” [Order No. c19-8(b)]

Request Number Three:

please confirm that San Mateo County will have this project work suspended until the Health Officer conducts an investigation and determines violations [California Health and Safety Code §120295, et seq.; Cal. Penal Code §§ 69, 148(a)(1)] and remedies.

Mitigation Monitoring and Reporting Program (MMRP) requirements

Your compliance contractor SWCA is decreasing rather than increasing “monitoring” inspections. In spite of requests, we have not been provided the County’s required reports as well as the necessary data serving as the basis to make a determination of project compliance with the MMRP.

Neighbors are already suffering adverse impacts, such as grading persisting in spite of high wind gusting conditions, noise and dust causing a family to move out the home in order to protect an infant from hazardous health effects, trucks endangering very young children preventing from being in their front yards, and jackhammers and impact rock crusher breaking up boulders setting up severe shaking of home foundations and misaligning side yard fence from the construction conditions that are being allowed to go on rather than being adequately monitored and remedied.

Request Number Four

We continue to request the following monitoring data needed for detection of parameters that trigger required mitigation procedures under MMRP (attached) and objective verifiable documentation of regular and timely onsite implementation of procedures:

- A. Request Number Four A Measure AQ-1: Provide all required documentation with verifiable measures outlined for Impact AQ-1 mitigation. Please include objectively verifiable measures of PM₁₀ reduction; verification for MMRP outlined water application procedures including monitoring method used to prove procedure followed twice daily (monitor contractor’s CCTV pole camera with time and date stamp); verifiable wind speed and instantaneous gust measures; wind break locations, verifiable certification that all large vehicles adhere to carb level three verified control devices; requirements for construction trucks and other vehicles to park in staging areas rather than on public streets.
- B. Request Number Four B Impact NOI-1: Verifiable certification of noise reduction practices; input from nearby residents for permitting Saturday hours (8:00 AM to 5:00 PM)
- C. Request Number Four C Impact HAZMAT-2: Mitigation Measures HAZMAT-2 Provide deed restriction for trees protected by the RM zoning regulations: “This requirement shall be recorded as a deed restriction on lots 1 through 4, and 9, 10, and 11 prior to the start of construction on these lots.”
- D. Request Number Four D Mitigation Measure HAZMAT -3 “It’s not known if the serpentinite observed on site contains asbestos or not; therefore, during excavation, random samples should be tested to ensure there is not asbestos present.” ...“This project would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Please provide for Request Number Four D: _

- 1) the required Site Health and Safety Plan and Soil Management Plan with verifiable evidence of compliance with plan during grading and
- 2) testing results for asbestos from grading and rock crushing on site.

E. Request Number Four E: Required inspection, testing and report for Mitigation Measure GE0-5:

Request Number Five:

Please provide MMRP monitoring data and reports of required mitigation procedures with record of verifiable measures

Request Number Six:

Please provide the document that authorizes the project construction trucks to travel along Sheraton and New Brunswick Drive.

Request Number Seven: Damage to streets sidewalks

Please inform us what and when and how the County will have the applicant perform repairs on areas that the trucks have broken the sidewalk and cracked the pavement at the corner of Cobblehill and Woodcreek Ct. (see photos attached)

Request Number Eight:

Please provide a copy of the authorization for entry and use of a backhoe in lot 11 on June 17, 2020.

Due to ongoing destructive impacts and risks to lives and damages to health, we request an immediate pause in construction activity until an investigation into verified dates and details of County Health Officer Order c19-5c COVID19 and MMRP compliance is carried out and duly communicated to area residents.

Thank you,
Liesje Nicolas, President Highlands Community Association