

## Amy Ow

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**From:** Dave Michaels <dm94402@gmail.com>  
**Sent:** Tuesday, June 15, 2021 10:02 PM  
**To:** Camille Leung; Steve Monowitz; Amy Ow  
**Subject:** Comments and Request for missing grading data (EIR Addendum Highlands)  
**Attachments:** bkf memo 2019.pdf; page 17 3-3 eir addendum grading table 5-8.pdf; 5-8 grading application thread 2016.pdf; 390508718grading ordinance.pdf

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Dear Ms. Leung,

(Neighbors, concerned parties and commenters are BC'd)

Can you please provide, and add to the project record, the following missing/unfindable project documents **along with all related correspondence including all threads and correspondence in which they were included or attached?** Accordingly, I respectfully request the comment period be extended by an appropriate amount of time to allow for their review.

1. A spreadsheet referenced on page 17 (attached) of the EIR addendum called "County of San Mateo, Spreadsheet for Grading for Chamberlain Project lots 5-8 June 25, 2020"
2. A Spreadsheet referenced in the first line of BKF's 2019 Memo (attached) "BKF has completed a review of the Spreadsheet Camille provided on Monday February 25 2019"
3. Builder's grading application for the grading increase on lots 5-8, including reasons provided, fees paid, etc
4. The builder's application for renewal of expired grading permit, all lots

**Item 1 above: A spreadsheet referenced on page 17 in the EIR addendum called "County of San Mateo, Spreadsheet for Grading for Chamberlain Project lots 5-8 June 25, 2020"** Nothing by that name seems to appear in the project record on or around that date, yet by its citation looks to be a primary source of information on the subject at hand. Likewise it does not seem to appear in the exhaustive EIR addendum administrative record index ( here [https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/00\\_Highland%20Estates%20EIR%20Addendum%20-%20Admin%20Record.pdf](https://planning.smcgov.org/sites/planning.smcgov.org/files/documents/files/00_Highland%20Estates%20EIR%20Addendum%20-%20Admin%20Record.pdf) ), or in the 400 pages that were retroactively added, without notification, to the EIR addendum link (here <https://planning.smcgov.org/documents/highland-estates-eir-addendum> )

Questions related to item 1 above

- How did this spreadsheet end up in SWCA's files in order to be cited in the EIR addendum, but did not appear (or is not easily findable) in the public record? In other words, how are these documents being shared between parties if they're not showing up in the record?
- How is a spreadsheet authored by Staff in 2020 cited in a CEQA document as the source for the quantities on a 5-year old grading increase application from the builder -- shouldn't the builder's grading

increase application in be the source, not a spreadsheet written by Staff? (see related questions below re: whereabouts and timeline of builder's grading increase application)

**Item 2 above: A Spreadsheet referenced in BKF's 2019 Memo (attached)** "BKF has completed a review of Spreadsheet Camille provided on Monday February 25 2019". Nothing by that name seems to be in the project record on or around that date. BKF's "marked-up" version appears in that itself but for obvious reasons the original should be findable in the record including the email in which it was sent to BKF. This memo by BKF is important enough to be cited in the EIR Addendum and administrative record index. Yet the public can't find when it was sent from Staff to BKF? If it was provided at an in-person meeting all the more important for all notes from that, and any, meeting to be added to the record.

**Re: item 3 above. Builder's grading increase application for lots 5-8.** No source for this grading increase request can be found. There are Cornerstone reports in 2015 and 2017, and technical memos from BKF in 2018 and 2019, but they don't use language consistent with applications or requests (such as "request for increase in grading quantities from x to y"). And aside from the 2015 Cornerstone report, these memos appear to be several years after the request took place anyway. The only reference I can find to an "application" or even a "request" is a single email from staff to builder 9/1/16 that refers to a "request" (see 5-8 grading application thread attached "I met with Steve Monowitz (Director) and John Nibbelin (County Counsel) regarding the grading modification request.").

**Re: item 4 above. Builder's application for renewal of expired grading permits for all lots.** Self explanatory. The grading permit granted in 2010 didn't have an indefinite shelf life. Can you please provide copies of both the application for renewal, and the issued renewal? Again, not easily findable in the project record but necessary to understand before commenting on the EIR addendum. Please see the following from the San Mateo Grading Ordinance (attached and excerpt below):

**SECTION 8604.8. DURATION OF PERMIT.** If a substantial amount of work authorized by any permit is not commenced within eight (8) months of the date of issuance or as otherwise indicated on the face of the permit, or on the improvement agreement, or if said work is not completed within one (1) year of commencement or as otherwise indicated on the permit or the improvement agreement, the permit shall expire and become void.

**SECTION 8604.9. RENEWAL.** The renewal of an expired permit in accordance with subsection (a) may be administratively approved by the Planning Director providing no changes to the plans have been made. An application for such renewal must be made in writing no later than one month prior to the expiration date, in the same manner as specified for in the original application. The fees for such renewal will be one half (1/2) the original fee. Two renewals may be granted. Extensions beyond two renewals require a complete new application and must be submitted with full fees.

Missing and hard-to-find documents related to the project have been the rule and not the exception. I will address this in a separate email. As requested above, please accordingly extend the comment period after these documents have been provided/uploaded.

Very truly yours,  
Dave

BC: concerned parties, commenters on the project