

From: Nathan Wulf <nrwulf@yahoo.com>
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>, Craig Nishizaki <watertankhill2013@gmail.com>
Date: 1/28/2015 3:43 PM
Subject: Ascension Heights Development: Concerned parent and home owner

Dear Planning Commission,

I am writing to express my concern for the Ascension Heights Development that is being proposed and voted on this evening. I am a father of 2 young children (3.5yr and 5mon) and home owner on Parrott drive. I am not for this development and I write to you more from a concerned parent perspective. The main reason (among many) is my grave concern for how the Final Environmental Impact Report is treating air pollution as "less than significant" when small particle pollution during a 24hr period is 470% above the National EPA Standard. This is unacceptable! I have allergies and I can only imagine that this will have a negative impact on both my 2 young daughters.

I am unable to attend tonight's meeting since my youngest is sick and I need to stay home to help care for her. I hope you take all of the opinions shared via email and at tonight's meeting and vote against this project.

Thank you for your time.

Nate Wulf

Wind driven dust, allergens and diesel exhaust emissions pose serious, and often immediate, health hazards (death, heart attack, stroke, childhood lung development, asthma and COPD) for at least 400 identified local residents (less than 16 years of age including unborn children, men over 55, and everyone with asthma or chronic lung diseases) at serious risk throughout the construction period. Air pollution is projected in the 2014 FEIR to be 470% above the EPA National 24 hour standard, resulting in a near doubling of the neighborhood projected death rate during the construction period.

From: Oksana Mukha <oksanarn@sbcglobal.net>
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>
Date: 1/28/2015 4:45 PM
Subject: Ascension Heights Development Concerns

Dear San Mateo County Planning Commissioners,

We are writing regarding our concerns about the Ascension Heights Development/Waterhill Tank project. There are several problems we note regarding this proposed project, mainly the amount of air pollution that we, along with our neighbors (who mainly comprise of young children as well as the elderly), will be exposed to. The Final Environmental Impact Report states the pollution as being "less than significant"; however, it also states that the small particle pollution during a 24 hour period is 470% above the National EPA Standard. Considering the development is expected to take place over a span of 2+ years, this will expose us to large amounts of pollution and cause tremendous health risks to those living in the neighborhood including asthma, lung cancer and cardiovascular and respiratory disease, all of which the World Health Organization has stated are health effects from exposure to particular matter. To ensure our health and safety we ask that you demand that the developer revises his proposal in order to minimize the pollution exposure to the neighborhood and that it meet the National EPA Standards.

On a personal level, we are also worried about the noise that will result from the construction of this project. It is expected that construction will take place Monday through Saturday 7am-6pm for 2+years with peak noise levels during construction being over 90dB. As someone who works the graveyard shift at the hospital from 7pm-7am, I end up spending the late morning and early afternoon after my shift resting and catching up on sleep. One of the main reasons we had moved into this neighborhood many years ago was because it allowed for a quiet environment during the day, away from busy streets and noise, which was critical given my work situation. The constant noise from the construction for more than 2+years is extremely disruptive and harmful to us personally. In addition, this amount of noise over such a long period of time is irresponsible and unnecessary in a residential community.

We ask that you demand and ensure responsible development for the Ascension Heights Development and deny the current proposal during today's meeting. We believe that it is your job as San Mateo County officials to ensure that the health and safety of San Mateo County residents is your top priority. We ask that you deny the current proposal and demand the developer minimizes environmental and health risks to the neighborhood not only during the initial construction phase but also makes sure that the completed development has no environmental and safety issues for the neighborhood in years to come.

We thank you for taking the time to read this email and addressing our, and our neighborhood's, concerns regarding this project. And we ask again that you make the safety and health of the people living around this development your primary concern during your decision making and voting tonight.

Respectfully,

Peter and Oksana Mukha
1405 Enchanted Way, San Mateo CA 94402

From: Kim Ricket <kim@sluggy.com>
To: <Planning-Commission@smcgov.org>
Date: 1/28/2015 5:06 PM
Subject: Ascension Heights -- Choose Wisely

Dear Planning Commission Members,

I am writing to object to the planned Ascension Heights development. Although the developer was told after the last time around that he could probably fit about 15 houses on the site, he insisted on squeezing in 4 more, right on the eroding Ascension side. These are the houses that are being built on steep slopes, and the reason for a large portion of the dirt movement and regrading requirements on site. These are the houses that are most likely to slide. These are the houses that could have easily been left off the plan, and would have been if not for greed.

Furthermore, the developer has no plans to fix the extreme erosion on that side of the property. He himself called it an eyesore at the planning meeting the last time this project came up for a vote.

This is irresponsible development, and it should not be allowed. If you are thinking of approving this plan, please keep in mind that there is a much better option at the end of the EIR, with fewer homes that are not built on steep slopes, and that do not encroach on the neighboring homes as much. This smaller project will also alleviate many of the other issues, such as excess grading, building on the steepest slopes, etc. If that is not enough houses for the developer, he can resubmit his plans with 15 homes.

Please support responsible development.

--Kim Ricket

From: Laura Ditlevsen <sharky30@icloud.com>
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>
Date: 1/28/2015 5:28 PM
Subject: Watertank Hill

Dear Planning Commission,

I hope this email finds you all well. As the last couple hours tick away before your important decision on the Watertank Hill project proposal, I respectfully ask for your consideration one last time.

As a mother of 2 very young daughters, my anxiety over the irresponsible proposal presented to you has continued to grow. The adverse impact on our family and on our entire community will be profound, immediate, sustained and irreversible.

I know that when you imagine yourself as a neighbor on Parrott Drive or Bel Aire, you will confidently vote no.

Thank you again for your attention and careful consideration.

Warm regards,
Laura Ditlevsen on behalf of
The Ditlevsen Family
1556 Parrott Drive

From: Louis Gasparini <Louie@Gasparinis.com>
To: <Planning-Commission@smcgov.org>
CC: <jcastaneda@smcgov.org>, <dpine@smcgov.org>
Date: 1/28/2015 6:14 PM
Subject: Ascension Heights Development

I would like to express my concern over this development.

As you are aware there are many reasons to argue against this. For me there are two that are most important:

1) Air pollution is projected in the 2014 FEIR to be 470% above the EPA National 24 hour standard

I have recently experienced Asthma in this area I am concerned this will worsen the situation for me.

2) I have seen raging waters pass through my property during extreme storms. I am concerned this location is unsuitable for additional development and may incur future support costs to the county.

Louis Gasparini
1426 Parrott Drive
San Mateo CA 94402

ARBORIST REPORT

Tree Protection Recommendations
Mitigation of Construction Impact From
Proposed Development Site on Adjacent Property

1538 Parrott Dr, San Mateo, CA

January 28, 2015



Prepared for:

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

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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 owners at 1538 Parrott Drive, San Mateo California, to assess and make recommendations for protection of the three large Monterey cypress trees at the rear of their property. The assessment and tree protection recommendations are in consideration of a proposed development site and the potential impact of the construction activities on these significant mature trees.

The arborist site visit and assessment took place on Tuesday, January 27.

TREE DESCRIPTIONS

The three subject 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 the 80 foot rear (southern) property line.

1. The western-most tree in the row is 158 inches in trunk circumference (50" diameter, measured at 2 feet above soil grade, below the origin of lowest limbs). It is about 60 feet in height, with an average foliar canopy spread of 60-70 feet, 40 feet to the south-southwest. This tree appears healthy and structurally sound.
2. The middle of the three trees measures 148 inches in trunk circumference (47" diameter at 2 feet above soil grade, below the origin of lowest limbs). It is approximately 60 feet in height, with an average foliar canopy spread of 60 -70 feet, 40 feet to the south-southwest. This tree appears healthy and structurally sound.

3. The third and eastern-most tree is 252 inches in trunk circumference (80" diameter at 2 feet above soil grade, below the origin of lowest scaffold limbs). It is approximately 60 feet in height, with a foliar canopy spread of 40 feet to the south-southwest. The north-northeast portion of the scaffold limbs and foliar canopy was lost due to a structural failure during a storm event. A large wound was incurred on the basal tree trunk where the failed portion split off. In spite of this large wound, the remaining portions of the tree appear healthy and relatively structurally sound at this time. Risk of further structural failure is oriented to the sloped area in the opposite direction of the house.

All three trees have multiple co-dominant leaders and large scaffold limbs that begin branching at two to six feet above soil grade. The lowest limbs are on the south side of the trees, growing toward the sloping terrain of the proposed development.

These trees are important to the property owners 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.



Three mature Monterey cypress trees at the rear of 1538 Parrott Drive.

SUMMARY OF ASSESSMENT

Three large cypress trees are located at the rear of the property, adjacent to the proposed development site. Two trees appear healthy and structurally sound. One tree has a large open wound area from a previous structural failure, but otherwise appears healthy and structurally sound in the direction of the existing home.

The damaged tree represents potential risk of further breakage and large tree parts falling in the southern direction. At present there is no significant usage or structures in this area, so risk of property damage or personal injury is very minimal.

The low-growing branch structure of each tree, in the southern direction, toward the proposed development site, absolutely prohibits encroachment into the 18 foot wide fenced zone along the 80 foot southern aspect of the property. This area is the structural root zone, where encroachment and root cutting could destabilize the trees and predispose wind-throw topping in the direction of the existing home. Vertical clearance is minimal in this area due to large low limbs, so equipment use and building of structures is impossible without incurring significant harm to the trees.

The existing wood and wire fence, which is located at approximately 18 feet to the south of the tree trunks, should represent a boundary for an absolute non-intrusion zone for any grading and construction activity. A larger zone in that direction, the entire 40-50 foot linear measurement under the foliar canopy, to the south of each tree should be considered the minimal tree protection zone, in order to avoid physiological harm from disturbance of the soil and the absorbing root system.

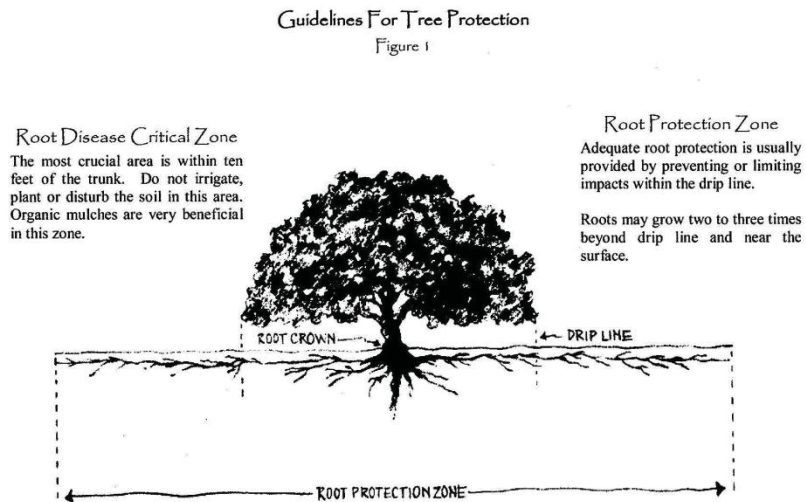


Area of sloping terrain to the south, under low branching limb structures. Encroachment and root disturbance in this area would severely harm, destabilize or kill these trees.

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 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.

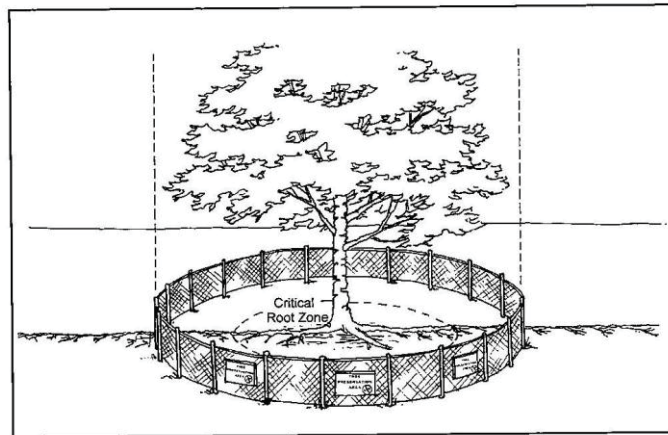


Figure 1. Dripline method of establishing a TPZ.

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 subject trees under consideration in this report should ideally receive a fenced tree protection zone of 18:1. That means the two 4 foot diameter trees should be fenced at 72 feet from the tree trunk, and the 6.5 foot diameter tree should be fenced at 117 feet from the trunk.

In this case, with this specific property and trees, since the northern side (house side) of the tree root zones would not be directly impacted by construction activities to the south, the root zone would remain undisturbed, and the TPZ may be adjusted down in dimension in order to compromise on facilitating the project, if approved. The fencing could be installed slightly closer to the tree trunks, if the fenced TPZ was maintained as a non-intrusion zone as outlined in this report.

Tree protection zone fencing is to be installed outside the existing foliar canopy spread ("drip-line") of the three cypress trees, **at 50 feet radius from the tree trunks** to the approximate south.

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.

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.

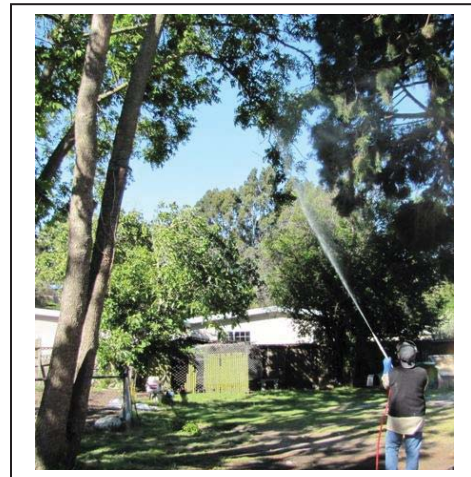
The project arborist should specify site-specific soil surface coverings (wood chip mulch or other) for prevention of soil compaction and loss of root aeration capacity.

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 the project arborist.

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

Three mature 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 for establishment of a non-intrusion tree protection zone at 50 feet radius from the tree trunks, in the approximate southern direction.

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.

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



CYPRESS TREES TO BE FENCED AND PROTECTED

From: Diane Shew <diane@shew.biz>
To: <Planning-Commission@smcgov.org>, "James Castaneda ;"
<jcastaneda@smcgov.org>, "cgroom@smcgov.org ;" <cgroom@smcgov.org>,
"dpine@smcgov.org ;" <dpine@smcgov.org>, "Craig Nishizaki ;"
<watertankhill2013@gmail.com>
Date: 2/2/2015 1:12 PM
Subject: Ascension Heights Proposed Housing Project

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. The additional traffic, air pollution, and noise of building new houses on a hillside that is unstable is not a project that I support. The overcrowding of our local schools as well as the traffic on 92 are also indications that this is not a smart development for our community.

Please vote NO.

Sincerely,
Diane Shew
5 Stoney Point Pl
San Mateo

From: Denise Dankel <denisedankel@gmail.com>
To: <Planning-Commission@smcgov.org>, <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>
Date: 2/5/2015 9:29 PM
Subject: Ascension Heights Project

Dear Members of the Planning Commission:

I would like to voice a couple of my concerns with regard to the proposed Ascension Heights Development Project. I attended the meeting last week at Hillsdale High School and agree with all of the concerns expressed by my friends, neighbors and others in the community who will be greatly impacted should this project commence, and would like to specifically add the follow concerns.

My family has lived at 1456 Ascension Dr. since May 1995. Our home is almost at the bottom of the Ascension Dr. hill where it intersects with Polhemus Road. In the 20 years here, we have watched cars zoom up and down the hill as they pass our home. College of San Mateo students travel this way from Polhemus Rd on their way to school. The hours from 7:30am to 9am are particularly hazardous as we have students rushing to school, and other people zooming down on their way to work. All of my immediate neighbors have discussed how dangerous it is to try to back out of our driveways in the morning as we take our kids to school. My daughter is now a Senior at Aragon High School, and we've had morning traffic troubles and fears since the days at Highlands Elementary, Borel Middle School and now Aragon. When I back out of the driveway and turn to proceed down the hill, it is very difficult to see cars coming down from above since there is a curve in the road just up Ascension Dr. I back out, and by the time I turn and get ready to proceed downward there is a car on my bumper. I can't tell you how many times impatient drivers pass me on the right, or even the left. Drivers also run the stop sign at Rainbow Dr./Ascension Dr, while making a right hand turn onto Ascension. It's very dangerous here. In twenty years I've witnessed four car crashes involving people zooming down the hill and crashing into a parked car. One time a parked car was sent across the yard of the home across the street from my home and it almost hit the house. All of us nearby have talked about the fact that it may help to have speed bumps installed. We have all complained to the Sheriff's Dept many times about the speeding drivers. It is a hazard backing out AND pulling into my driveway. It is especially troubling for me to realize that my 17 year old daughter is now driving, and is pulling in and out of the driveway with all this going on.

With these thoughts in mind, you can imagine how I 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, 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.

I am also very concerned about the noise caused by these trucks and the overall dust and pollution from this project. In December of 1996, the hill behind the homes on Rainbow Dr. slid down across Polhemus Road. I was six months pregnant with my daughter at the time and was on my way to Mills Hospital that early Sunday morning for a four hour glucose test. As I turned from Ascension onto Polhemus and proceeded a short way, I saw dirt clumps in the road and a biker trying to ride and avoid the dirt. When I came home four hours later, the entire road was closed as the hill had slid down and covered it. Of course I wondered whether I had just barely missed having the hill come down on top of me (us) as I drove through. For a very long period of time after this, there were eighteen wheel trucks going up and down in front of my home hauling dirt as they tried to repair this hill and build the existing retaining wall. Of course it was dangerous having the trucks around, but in addition, the noise of the trucks was terrible. The dust was unbelievable from this project. We could not keep any windows open for both reasons. Even with the windows closed, the dust got in. The noise got in as well. I believe Polhemus Road was closed or altered for a period of about two years as a result of this slide. This project was very minor when compared with what is being proposed on the Water Tank Hill site.

Today, I pass the house that was built on the site on Rainbow Dr. (just around the corner from me), where the house stood that slid partially down the hill in 1996, at least twice a day. The house is currently vacant, and there is a substantial project that has been going on for about six months. I'm not sure what is going on, but assume it is related to the sliding dirt conditions and attempts to save the house. There are always quite a few large trucks coming or going or parked blocking the street.

In closing, I cannot imagine the Ascension Heights building project actually happening for so many reasons, and I would like to make it known that I have many concerns about it. I oppose the project as far as the current proposal is concerned.

Thank you for your consideration.

Respectfully,

Denise Dankel
denisedankel@gmail.com

From: "Anil Khilani" <anil@khilani.com>
To: <Planning-Commission@smcgov.org>
CC: <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>, <watertankhill2013@gmail.com>
Date: 2/16/2015 7:10 PM
Subject: Ascension Heights Development - Risk and Liability

To The Planning Commission

Since I will be unable to attend the Feb 25, 2015 meeting in person -- I am sending this email with my concerns.

The Ascension Heights Development presents a risk of epic proportions to the hillside. The hill has been called "un-buildable" by many due to the topography and the high slope. This is the primary reason that the hill was left un-developed in the previous decades. The current development has the potential to cause a problem to the stability of the hill which could impact the water tank and the neighborhood. The question is in case there is a problem who would take the liability which could cost many million dollars to fix. This needs to be given some forethought by all while it is not too late. After the houses are sold, the Developer will leave and then the home owners and the neighbors will have to pick up the pieces if there is a major stability issue. My request is that there be a sufficient fund allocated for this purpose. The home owner's association fee maybe close to \$100 and will not have the funds to cover such issues. Instead either a "long term" insurance policy or a surety bond must be considered so the people who profit from this development don't leave the rest to pick up the liability in case of a major stability issue to the hillside.

Thanks for your consideration regarding this matter.

Regards,

Anil Khilani
1485 Ascension Dr,
San Mateo,
CA 94402

From: Kevin Lin <kuantec@gmail.com>
To: <Planning-Commission@smcgov.org>
CC: <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>, Craig Nishizaki <watertankhill2013@gmail.com>
Date: 2/17/2015 11:08 AM
Subject: Proposed Ascension Heights Development

To: San Mateo County Planning Commission

My name is Kevin Lin and I live on Ascension Drive, which is in very close proximity to the proposed Ascension Heights Development. I attended the last planning commission meeting on January 28th, and it is very clear that the proposed development plan has failed to address many of the environmental and safety issues. Furthermore, at the meeting, the residents of the Baywood Park neighborhood presented strong arguments/testimonies against the proposed development. .

In particular, we are still very concerned of the unacceptably high small particle pollution from the proposed extensive grading of the hill (estimated to be 470% above the National EPA Standard). This level of small particle pollution would be particularly harmful to the health of elders and young children who are major residents of this neighborhood, including my one-year son!

Therefore, I strongly urge you to please vote against the proposed development plan in the upcoming February 25th meeting.

Best regards,
Kevin

From: Joy Estupinian <estupiniangroup@sbcglobal.net>
To: "Planning-Commission@smcgov.org" <Planning-Commission@smcgov.org>
Date: 2/17/2015 11:38 AM
Subject: Water Tank Hill Project

To Whom It May Concern:

As a homeowner living within a few blocks of the proposed building site, I have many concerns. 3 of my main issues are as follows:

Health impact of dust, allergens, etc. from heavy equipment and earth moving.
Instability of the hillsides has and continues to be a destructive and costly issue in the area.
Quality of life will be greatly diminished for existing and future homeowners because of the magnitude and length of this project. We have too much traffic in the area now. Damage to the existing road surface is another concern.

Please reconsider this project and the impact it will have on homeowners as well as future real estate values.

Sincerely,
Joy Estupinian

From: Pat & Doris McGuire <dotpatmcguire@gmail.com>
To: Planning Commission <Planning-Commission@smcgov.org>
CC: James Castaneda <jcastaneda@smcgov.org>, Supervisor Dave Pine
<dpine@smcgov.org>, Supervisor Carole Groom <cgroom@smcgov.org>, Craig Nishizaki
<watertankhill2013@gmail.com>
Date: 2/17/2015 2:16 PM
Subject: Water Tank Hill Development

Honorable Commissioners,

Unfortunately, the San Mateo County Planning Commission Meeting of January 28, 2015 had to be adjourned without any decision on the Water Tank Hill Development. We are unable to attend the meeting scheduled for Wednesday, February 25, 2015 @ 9:00 a.m. due to medical issues.

We outlined our concerns to you in our e-mail of January 26, 2015 and are still adamantly opposed to the proposed development. The issues still have not been adequately addressed (many unanswered questions).

We find it interesting that the next meeting on subject has been scheduled for 9:00n a.m. on February 25th when many who normally attend will be unable to do so because of work and/or other commitments.

Please give serious consideration to denying the application.

Sincerely,

Pat and Doris McGuire

1610 Ascension Drive

San Mateo, CA 94402-3615

From: Anne Horgan <650ahorgan@gmail.com>
To: <Planning-Commission@smcgov.org>
Date: 2/17/2015 11:25 PM
Subject: water tank hill development/local sidewalks

Although I do not live in the area directly affected by the proposed water tank hill development, I walk daily from my condo on Bayridge Way up CSM drive and Parrott. Since SM county does not require sidewalks, there are multiple areas on my walk where I am forced to walk in the street.

It is already a busy area for pedestrians avoiding cars who are never driving under the posted speed of 25 mpg (changed a few years ago from 30 mpg). It concerns me that we may now be at greater risk, forced to walk in the street, with the trucks from the construction project. Part of CSM drive has no sidewalk, and several houses on both sides of Parrott Drive en route to Laurie Drive do not have sidewalks.

Another concern is the traffic on Hillsdale Blvd in front of CSM. There are frequent accidents at the area on Hillsdale where merging cars from CSM create a 3rd lane. If the construction trucks are added to the mix this could potentially increase accidents. The city of San Mateo should be involved with the decision for the truck traffic pattern. If the trucks used Clearview Way instead of CSM Dr, the residents of San Mateo Woods would have a few things to say. They already have to put up with the employees of GoPro and Solar City parking all over their neighborhood.

Also, the traffic turning left from Laurie Drive to Bel Aire Rd is a hotspot. Neither street has a stop sign, and the Bel Aire traffic has the right of way (going straight). Heavy trucks going downhill gain momentum but would need to cautiously slow to turn left. This is another potential hotspot for accidents.

I appreciate your consideration of my input.

Anne Horgan

From: Geraldine Landers <G.landern@comcast.net>
To: <Planning-Commission@smcgov.org>
CC: <cgroom@smcgov.org>, Craig Nishizaki <watertankhill2013@gmail.com>
Date: 2/18/2015 2:03 AM
Subject: Watertank Hill

The next meeting on this subject I cannot attend; but wish to express:

- 1) The proposed 3-story houses on this site do NOT fit in with the character of our neighborhood...imagine large, high houses side by side peering over the small cottage-style houses below.
- 2) Unstable ground...don't repeat the landslide horror of 1983.
- 3) Crazy sounding storm water draining system. What happens when the pipes break?

Respectfully,
Geraldine Landers
1348 Enchanted Way
San Mateo

From: "Jack Prost" <jsprost@earthlink.net>
To: <Planning-Commission@smcgov.org>, <jcastenada@smcgov.com>, <dpine@smcgov.com>, <cgroom@swmcgov.com>, <watertankhill2013@gmail.com>
Date: 2/18/2015 2:06 PM
Subject: watertank hill

I, jack prost and my wife maggy will not be able to attend the meeting re watertank hill, but we are not in favor of the builders proposal at the last meeting.

From: Stephanie Joe <stephaniejoe@hotmail.com>
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 <watertankhill2013@gmail.com>
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" <rosemariethomas43@gmail.com>
To: <Planning-Commission@smcgov.org>
CC: "'James Castaneda'" <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <watertankhill2013@gmail.com>, <cgroom@smcgov.org>, <watertankhill2013@gmail.com>
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

From: Carmen Gagliardi <carlucciog@sbcglobal.net>
To: <Planning-Commission@smcgov.org>
Date: 2/21/2015 6:22 PM
Subject: Water/tank hills project

To the commissioners: I am a resident on Ascension dr. and have been concerned from the beginning about the safety aspects of the project . You are all aware of our issues, but the most important to me is the the risk of the drainage and the lack of concrete hydrology reports. I urge all of you to not allow the project to go forward for the benefits of the whole community. This project should have been refused from the onset. You have our quality of life in your hands. NO BUILDING ON WATER/TANK HILL. Please!!!

Thank You

Carmen F. Gagliardi
1620 Ascension Dr
San Mateo

From: "Robert Merritt" <rmerritt@rmnetworking.com>
To: <Planning-Commission@smcgov.org>
Date: 2/22/2015 1:54 PM
Subject: Ascension Heights Development
Attachments: wthill.jpg

Thank you for holding the previous open meeting in January allowing neighborhood input.

I was unable to speak then, and will probably be unable to attend the Feb 25th meeting. Thus I would like to share my opinions on this proposal.

I live at 1438 Parrott Drive, an address that will be significantly affected.

I would like to add my voice to those who are opposed to this project for the following reasons:

First, the neighborhood aesthetics and character.

As you can see from the attached photo, taken from the CSM parking lot, the hill dominates the view up and down Parrott and to the east from the college. It lends a rural, wooded look to the neighborhood. Almost all the trees in this photo would be removed to be replaced with 3 story construction and retaining walls, permanently degrading the character of the neighborhood.

The hill is even more prominent from the western side all the way to Highlands. The claim that no housing below the crest to the west will be visible seems to be an impossible statement to accept.

Second, storm water drainage.

The drainage system is rated for 10 year storms per the developer. In December, the area experienced a 500 year storm. I lived in Burlingame from 1996 to 2004, during which time my neighborhood experienced significant flooding from 2-100 year storms. Given the general weather extremes and instability due to climate change, it seems that this 10 year plan is

manifestly insufficient.

Third, soil stability and land slides.

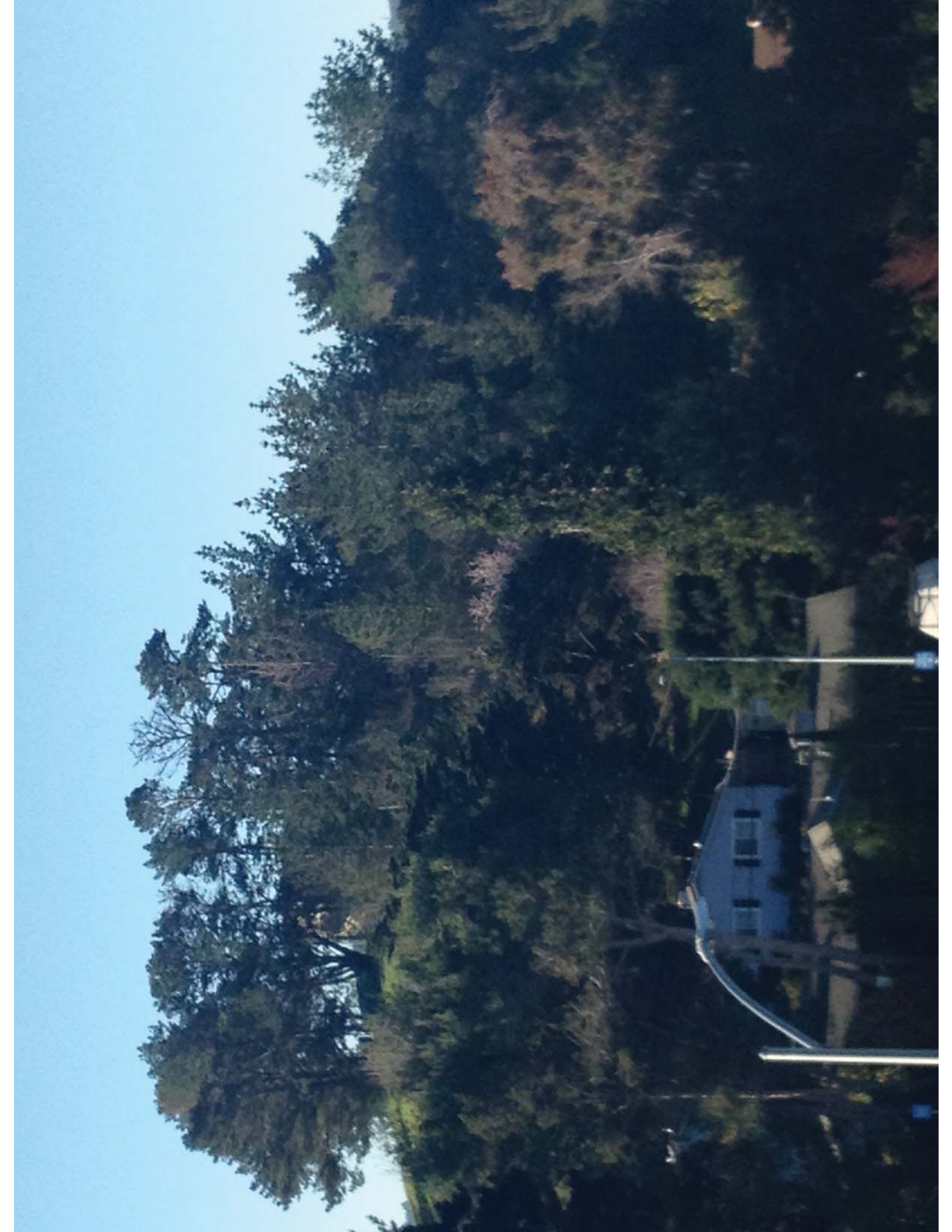
The soil expert testified that there were no slide issues because the hill is bedrock just below the surface. He also testified that the bedrock is from 1 to seven feet thick. If the bedrock is removed in the leveling and grading process, it seems to me that a land slide problem is being created where none previously existed.

Thank you for your consideration in this matter.

Robert Merritt

650-504-2207

rmerritt@rmnetworking.com



From: denise okeefe <dlapier1@yahoo.com>
To: "Planning-Commission@smcgov.org" <Planning-Commission@smcgov.org>
Date: 2/23/2015 7:53 AM
Subject: Building on Water Tank Hill

San Mateo County Planning Commission,

My name is Denise Lapier, I live at 1438 Parrott Dr just below the driveway entering the water tank hill. I have lived here for 30 years. I am very opposed to this building project.

All of the homes along this hill side are experiencing ground shifting. The driveways, sidewalks and foundations are all cracking. My door frames in the house are slanted making it difficult to open and close doors. The walls inside have cracks. I just spent 900.00 to fix the front door so I could close it.

This proposed project will only make the hill side more unstable. This is not a safe location for building homes. Moving forward this could create many problems for the future and maybe even law suits.

Thank you for your time, best regards.

Denise Lapier

From: Brenda <bfguzman@yahoo.com>
To: "planning-commission@smcgov.org" <planning-commission@smcgov.org>
CC: "jcastaneda@smcgov.org" <jcastaneda@smcgov.org>, "dpine@smcgov.org" <dpine@smcgov.org>, Carole Groom <cgroom@smcgov.org>
Date: 2/23/2015 12:41 PM
Subject: Re: Watertank Hill Project

I will not be attending the Feb. 25th meeting, my husband has an appointment that can't be changed.

I do have a concern regarding the timeframe of the WaterTankHill Development. 28+ months.....is that the hold project...all homes built? Or, will they build 3-4 sell, then 3-4 sell, etc. for years? More construction noise, traffic, dust, etc.

Brenda Guzman

RE: Ascension/Watertank Hill Project

February 19, 2015

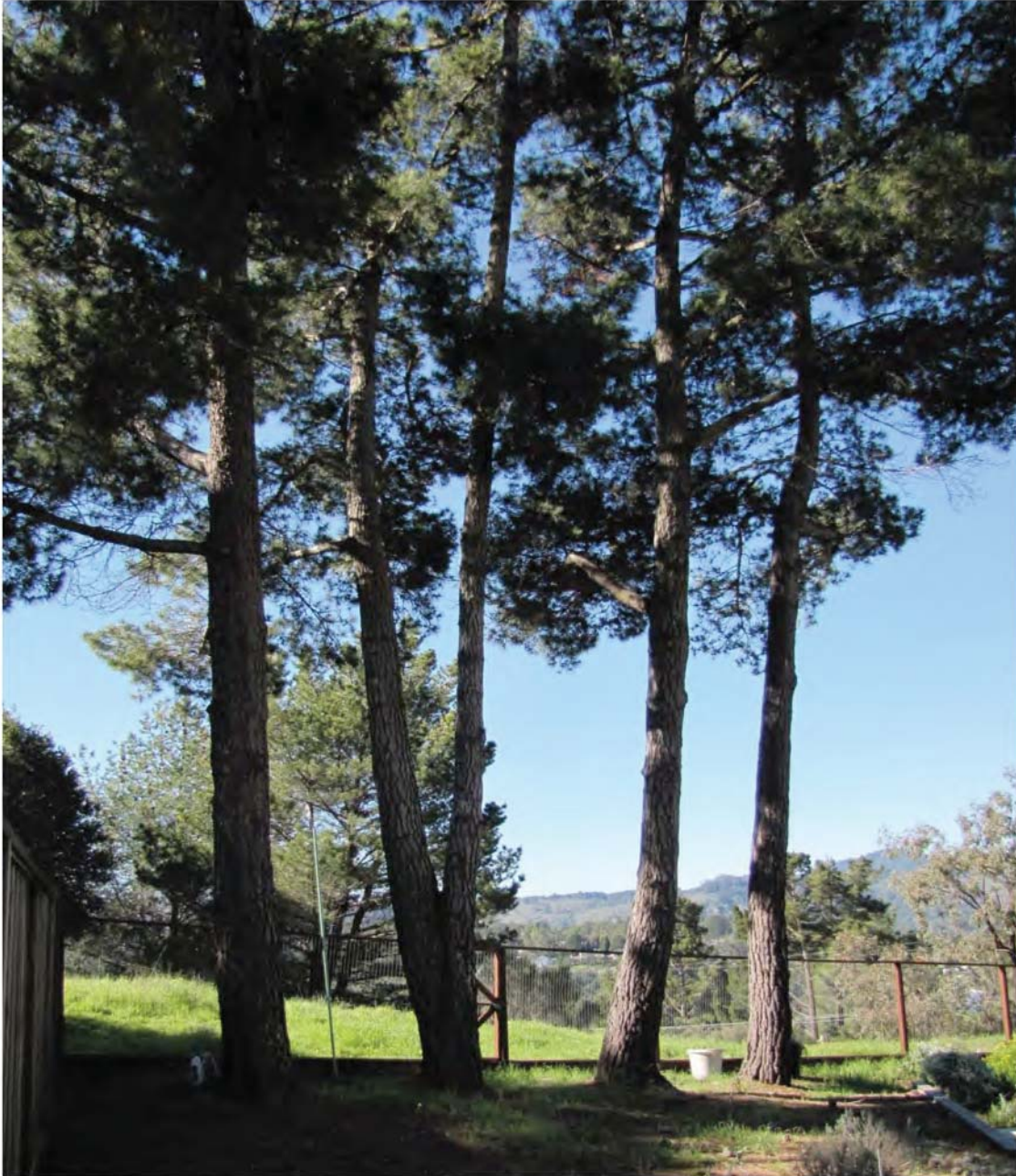
Dear Planning Commission

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.

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
johnmathon@gmail.com

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.

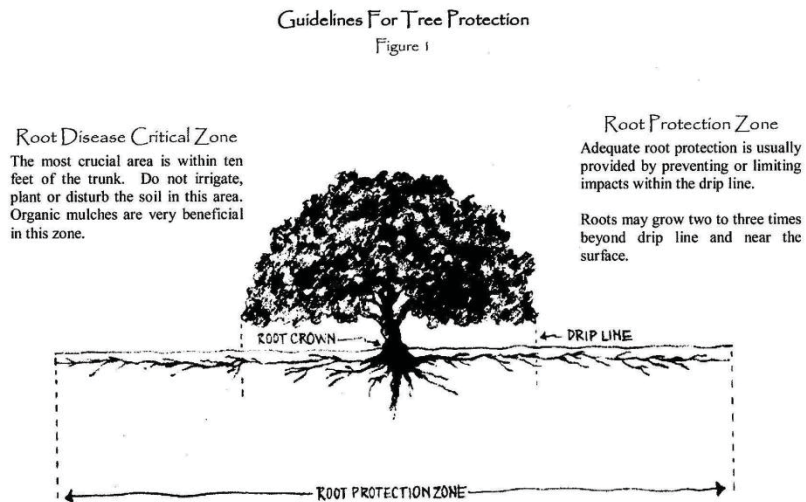


***Area of sloping terrain to the southwest of the subject trees.
Encroachment and root disturbance in this area would severely harm,
destabilize or kill these trees.***

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.

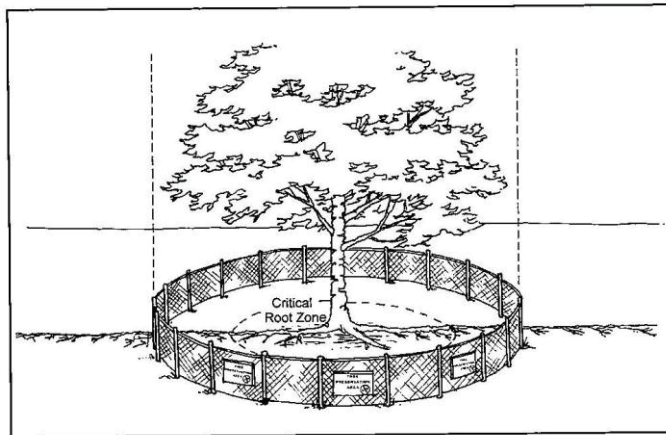


Figure 1. Dripline method of establishing a TPZ.

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.

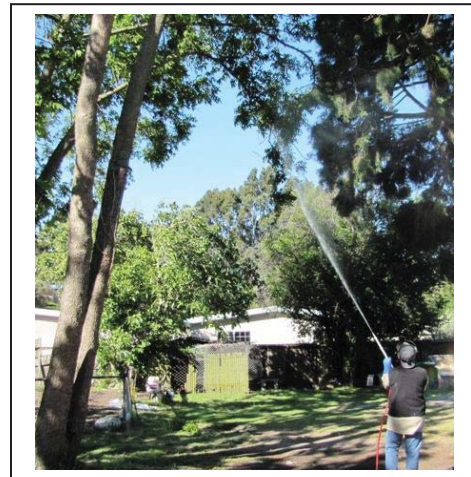
The project arborist should specify site-specific soil surface coverings (wood chip mulch or other) for prevention of soil compaction and loss of root aeration capacity.

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.

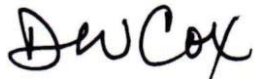
If the tree protection measures recommended in this report are not established and maintained through any site work and construction process on the adjacent property, then loss of the trees must be considered. In that case an appraisal of the trees monetary value shall be obtained and the property owner 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



From: Craig Nishizaki <cnishizaki11@gmail.com>
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 Ricket <kim@sluggy.com>
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.

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Kim Ricket

From: m g <marvingin@yahoo.com>
To: <Planning-Commission@smcgov.org>
CC: <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>, <watertankhill2013@gmail.com>
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 <debbie.therapist@gmail.com>
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 runoff 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 <marvingin@yahoo.com>
To: <Planning-Commission@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>, <watertankhill2013@gmail.com>
Date: 2/24/2015 3:25 PM
Subject: Fw: Water Tank Hill project.

Please read!!!!

--- On Tue, 2/24/15, m g <marvingin@yahoo.com> wrote:

> From: m g <marvingin@yahoo.com>
> 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 <marvingin@yahoo.com>
To: <Planning-Commission@smcgov.org>
CC: <dpine@smcgov.org>, <cgroom@smcgov.org>, <watertankhill2013@gmail.com>
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 <marvingin@yahoo.com> wrote:

> From: m g <marvingin@yahoo.com>
> 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
> commision 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 commision 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: <jotham@sfocean.com>
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.
(415) 309-6437 cell
jotham@sfocean.com

From: Gerard Ozanne <jerryozanne@earthlink.net>
To: Hardy Heather <hhardy@smcgov.org>
CC: James Castaneda <jcastaneda@smcgov.org>, Nagle Laurel <laurelnagle@gmail.com>
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.

September 9, 2009

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

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

FR: Baywood Park Homeowners Association

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

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

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_x emissions are 2.2 times the Operational Threshold during grading, and with mitigation will exceed the threshold.
- Toxic Air Contaminants (TAC) exceed standards.

Essential elements excluded from the Air Quality analyses are:

- Assumptions, justifications and expertise used to build the URBEMIS2007 model for predicting emission data (e.g., numbers of simultaneously operating equipment, age of diesel engines, type of fuel, exhaust catalyst, etc.)
- Since applicant will not acknowledge the need for mitigation measures (IV.B-20), did the URBEMIS model contain no mitigation measures to accurately reflect the conditions on the construction site?
- Projected dust volume deposited on houses and yards as function of distance from the construction site and off-site hauling route. Will applicant clean and remove dust from affected residences?
- Meteorological modeling to estimate the local dispersion of particulates (dust, PM10 and PM2.5) and gases under the true range of conditions—westerly winds, no wind and easterly winds.
- The excessive amounts of dangerous air contaminants mandates continuous, on-site monitoring by an entity independent of the applicant.
- Air quality analyses must be calculated for all phases of the construction.
- To permit meaningful comparison among Alternatives, air quality analyses must also be conducted for each Alternative.
- Regardless of the large mass of estimated emissions, the impact on health is determined by the cumulative exposure to concentrations of toxic materials. No estimated concentration levels have been provided in the DEIR, although it was requested in the Dec. 2003 Scoping Meeting.

Finally, the applicant does not acknowledge the need to mitigate the air quality contamination he is proposing to impose on the neighborhood. **"At this time, the standard BAAQMD control measures have not been incorporated into the project,**

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;^{21, 22, 23, 24}
 - ii. increased mortality in infants and young children;²⁵
 - iii. increased numbers of heart attacks, especially among the elderly and in people with heart conditions;²⁶
 - iv. inflammation of lung tissue in young, healthy adults;²⁷
 - v. increased hospitalization for cardiovascular disease, including strokes and congestive heart failure;^{28, 29, 30}
 - vi. increased emergency room visits for patients suffering from acute respiratory ailments;³¹
 - vii. increased hospitalization for asthma among children; ^{32, 33, 34} and
 - viii. increased severity of asthma attacks in children.³⁵

- 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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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.

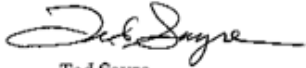
We recommend that the above items be fully evaluated in the Final EIR. In addition, proposed project drainage and grading plans should be modified so they are in essential compliance with code requirements.

LIMITATIONS

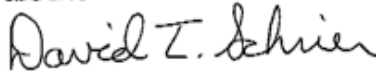
Our evaluation services consist of professional opinions and recommendations made in accordance with generally accepted engineering geology and geotechnical engineering principles and practices. No warranty, expressed or implied, or merchantability of fitness, is made or intended in connection with our 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 <Sosnick@sbcglobal.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 <laurelnagle@gmail.com>
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, 2nd 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)
 - 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 <gmblohowiak@gmail.com>
To: <Planning-Commission@smcgov.org>
CC: <jcastaneda@smcgov.org>, <dpine@smcgov.org>, <cgroom@smcgov.org>, <watertankhill2013@gmail.com>
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 (jerryozanne@icloud.com)" <jerryozanne@icloud.com>, "Laurel Nagle (laurelnagle@gmail.com)"
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<ararayjab@yahoo.com>
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

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.¹ 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.

¹ 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.²

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

² 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 CO₂e 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 CO₂e 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").³ 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-

³ 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 Lmax "at the nearest sensitive receptor northeast of the project site." RDEIR at 4.8-12.⁴ 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

⁴ 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.⁵

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.⁶

⁵ 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.

⁶ 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.

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.⁷

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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⁷ 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: Lilly Won <lilly.won@gmail.com>
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
1351 Bel Aire Rd

From: Craig Nishizaki <watertankhill2013@gmail.com>
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*

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From: Mary Anne Payne, CPA [mailto:pfconsulting@earthlink.net]
Sent: Tuesday, January 27, 2015 12:48 PM
To: 'jcastaneda@smcgov.org'; 'dpine@smcgov.org'; 'cgroom@smcgov.org'; 'watertankhill2013@gmail.com'
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 <sheelshea@yahoo.com>
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>
Date: 2/25/2015 12:03 AM
Subject: Letter to San Mateo Planning Commission - Ascension Heights
Attachments: Letter to San Mateo Planning Commission_Feb 24 2015.docx

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

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 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.

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

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)