

**APPENDIX 1.0**

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**Notice of Preparation, Initial Study, and December 2008  
Draft EIR Comments**

Notice of Preparation

To: State Clearinghouse  
P.O. Box 3044  
Sacramento, CA 95812

From: County of San Mateo  
455 County Center, 2nd Floor  
Redwood City, CA 94063

**Subject: Notice of Preparation of a Draft Environmental Impact Report**

The County of San Mateo will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (  is  is not ) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Matt Seubert at the address shown above. We will need the name for a contact person in your agency.

Project Title: Highland Estates

Project Applicant, if any: Ticonderoga Partners LLC

Date May 10, 2007

Signature 

Title Community Development Director

Telephone (650) 599-7310

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

County of San Mateo  
Planning and Building Division

**INITIAL STUDY**  
**ENVIRONMENTAL EVALUATION CHECKLIST**  
(To Be Completed By Planning Division)

**I. BACKGROUND**

Project Title: Highland Estates Residential Development Project

File No.: PLN 2006-00357

Project Location: The project is located within the Highlands neighborhood in an unincorporated area of San Mateo County, and is west of San Mateo City limit (see **Figure 1, Regional and Site Location Map**).

Assessor's Parcel Nos.: The project site consists of one parcel of land (Assessor's Parcel Number 041-101-290), totaling approximately 99 acres of undeveloped land.

Applicant/Owner: Chamberlain Group/Ticonderoga Partners

Date Environmental Information Form Submitted: 8/22/2006

PROJECT DESCRIPTION See next page.

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## Project Description

### Introduction

This Initial Study evaluates the proposed Highland Estates residential development project (proposed project). The proposed project, located in San Mateo County, would subdivide an approximately 99-acre parcel, into nine lots, and a remainder parcel. Eight lots would be developed with single-family homes at a density of 2.46 units per acre and one approximately 84-acre lot would be designated for open space. As a result of the subdivision, one approximately 12-acre designated remainder parcel would remain which would not be used for the purposes of sale, lease, or financing. No development is proposed for this parcel as part of this proposed project.

### Project Location and Setting

#### Location

The project site is located within the Highlands neighborhood in an unincorporated area of San Mateo County, and is west of the San Mateo City limit (see **Figure 1, Regional and Site Location Map**). Highway 92 and Interstate 280 (I-280) are located south and west of the project site, respectively. The Lower and Upper Crystal Springs Reservoirs are also west of the project site. The project site is bordered by Bunker Hill Drive to the north and east, Polhemus Road to the southeast, Ticonderoga Drive and Cobblehill Place to the south, and Lexington Avenue and Yorktown Road to the west and northwest.

As shown in **Figure 2, Aerial Photograph**, the project site is predominately surrounded by single-family residential uses. Other surrounding land uses in the project area include the Crystal Springs United Methodist Church and the Crystal Springs Shopping Center east of the site; the Hillsborough West apartments southeast of the site; and the Highlands Recreation Center west of the site. The Highlands Elementary School is approximately 200 feet northwest of the project site.

Two parcels, owned by the California Water Service, are located off of Yorktown Road surrounded by the project parcel (see **Figure 1**). They currently contain water storage facilities and connect to the water line along Yorktown Road. An access road from Yorktown Road extends to the parcels.

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### Setting

The project site consists of one parcel of land (Assessor's Parcel Number 041-101-290), totaling approximately 99 acres of undeveloped land. The majority of the parcel consists of rolling landscape with hills and canyons that slope downward to the residential streets that bound the project site. Elevations at the site range from 325 to 750 feet above mean sea level (msl). The slope on the project site ranges from 0 percent to 50 percent in some areas; the average overall slope is 40 percent. Numerous sandstone rock outcrops are visible on the site, especially along the upper slopes and ridges. The site is predominately characterized by coast live oak (*Quercus agrifolia*) woodland, coastal scrub, riparian forest, and valley needlegrass grassland. The soil types that exist on the site include clayey soil, greywacke sandstone, sheared bedrock, and bedrock of the Franciscan Formation. Soils associated with previous landslides are also present on the portion of the project site proposed for development along Ticonderoga Drive.

### **Existing Land Use Designations**

The San Mateo County General Plan designates the project site as Open Space, which permits single-family home development. Approximately 88 acres of the site is zoned Resource Management (RM) by the County's Zoning Map (see **Figure 3, Existing Zoning**). This zone allows different uses including agriculture, nurseries, grazing land, and single-family dwellings. The density of development allowed within the RM zone varies depending on a number of physical criteria evaluated on each parcel such as steepness or slope. According to a density analysis prepared by the County of San Mateo County Public Works Department for the County Planning and Building Department, the allowable density for the RM portion of the project site is six single-family dwelling units. However, the proposed project has requested two 10 percent development bonuses; 1) for maintaining over 80 percent of the site as open space and clustering the single-family homes and 2) for minimizing grading on the site, specifically along Ticonderoga Drive. Each 10 percent bonus would add one dwelling unit, bringing the proposed density to eight single-family units for the RM portion of the site. The remainder approximately 12-acre parcel is zoned Residential Estate (R-E/SS-107) and has no development proposed on it as part of this proposed project.

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**Project Characteristics**

Proposed Site Plan

The project applicant is proposing to subdivide the area zoned RM into nine lots and to maintain the 11.78-acre portion of the project site zoned R-E/SS-107 in its existing condition. The subdivision would result in eight single-family home lots, open space, and a remaining parcel. As shown in **Figure 4, Proposed Site Plan**, lots 1 through 4 would be located along Bunker Hill Drive, along the northern boundary of the site, and lots 5 through 8 would be located along Ticonderoga Drive, along the southern boundary of the site. The residential lots would total approximately 3.25 acres and the remaining 83.95 acres would be designated as open space.

The R-E/SS-107 parcel would be the designated “remainder parcel” pursuant to the Subdivision Map Act (Government Code Section 66410 et seq). A “remainder parcel” is defined as a portion of the parcel being subdivided that is not proposed for sale, lease, or financing (Government Code Section 66424.6). The “remainder parcel” does not contribute to the number of overall lots being created for the project and is not proposed for development at this time. For the purposes of this document any potential development for this parcel would be assumed to be consistent with existing zoning. Any future application to develop or reconsider General Plan land use designations and re-zoning of the remainder parcel would be subject to County approval and if necessary, would require its own environmental analysis.

The distribution of the proposed land uses is shown below in **Table 1, Proposed Project Land Use Summary**. A description of each land use is provided after the table.

**Table 1  
Proposed Project Land Use Summary**

General Plan Land Use Designation	Zoning District	Proposed Land Use	Density (dwelling Unit/Residential Acre)	Acreage	Maximum Dwelling Units	Percent Total Area <sup>1</sup>
Open Space	RM	Single-Family Residential	2.46	3.25	8	3.3%
Open Space	RM	Open Space	N/A	83.95	N/A	85%
Open Space	RE/SS-107	None	N/A	11.78	N/A	11.8%
<b>TOTAL</b>	<b>N/A</b>	<b>N/A</b>		<b>99</b>	<b>8</b>	<b>100%</b>

*Notes:*

1. Percentages may not total to 100 due to approximation of parcel size and mathematical rounding.

N/A – Not Applicable

Source: BKF 2007

### Single-Family Residential

**Figure 5, Proposed Lot Plan Lots 1-4 (Bunker Hill Drive)** and **Figure 6, Proposed Lot Plan Lots 5-8 (Ticonderoga Drive)**, illustrate the layout of the project. As proposed, lots 1 through 7 would range in size from 0.21 acre to 0.25 acre. Lot 8 would be larger (1.64 acres) due to the existing slope and vegetative communities present on that portion of the site. The homes would be multi-level structures that would follow the existing terrain of the parcel and would range in size from approximately 2,800 square feet to approximately 3,200 square feet.

As shown in **Figure 5**, the homes along Bunker Hill Drive, lots 1 through 4, would each have individual driveways. The first level of the homes would be visible from the street; however, the back of the home would descend along the slope similar to the existing homes north and south of the proposed lots. Given this, only one level would be visible from the street.

As shown in **Figure 6**, lots 5 and 6 along Ticonderoga Drive would have individual driveways, while lots 7 and 8 would share a driveway to minimize grading. Both levels of these homes would be visible from the street since the land in this portion of the site slopes upwards away from the road.

### **Open Space**

Lot 9 (approximately 84 acres of the site) would remain undeveloped and would be kept as open space. No public access to the open space is proposed with this project. Currently, access is provided near the intersection of Bunker Hill Drive and Polhemus Road to private maintenance vehicles for the open space portion of the site. This maintenance road provides limited access restricted to vehicles associated with Ticonderoga Partners and would remain in its existing condition as part of the project. The open space is proposed to be maintained in ownership and managed by Ticonderoga Partners.

### **Fire Defense Zone**

A fire defense zone (FDZ) easement is planned behind lots 1 through 4 and would overlap onto lot 9 (see **Figure 5**). The FDZ would extend approximately 75 feet south past the rear property line of the lots. This easement would provide a buffer between the proposed lots and the woodland plant community south of lots 1 through 4. The individual homeowners of these lots would be responsible for maintaining the FDZ by clearing all fallen leaves and branches on the ground; no trees or shrubs would be removed as part of the FDZ.

## Project Design

The homes proposed for lots 1 through 8 would be custom design. Conceptual designs for the proposed homes are shown in **Figure 12, Conceptual Exterior Lots 1-4** and **Figure 13, Conceptual Exterior Lots 5-8**. As shown, the facades along Bunker Hill Drive would be one level, showing only the garage, entry and associated windows. The conceptual exteriors along Ticonderoga Drive would be two-story structures, with both levels visible from the street.

### **Landscape Design**

The single-family homes would be constructed with some minimum front yard landscaping that may include lawn, shrubs, trees, and automatic irrigation systems. The landscaping in the rear yards and embellishments to the front yard would be up to the discretion of individual home owners. There are no specific landscaping plans proposed at this time.

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### **Parking**

Parking (covered, garage) would be provided on each site for the eight single-family homes. No off-site parking spaces are proposed for this project.

### Public Utilities

#### **Sanitary Sewer**

Sanitary sewer service would be provided to the project site by the Crystal Springs County Sanitation District. The homes would connect to existing sewer lines that run along Ticonderoga Drive and Bunker Hill Drive. The proposed sewer system would be gravity fed except for the lower levels of the homes along Bunker Hill Drive. The design of these homes would place the lower levels bathrooms below the existing sewer line along Bunker Hill Drive. Sewer lift pumps would be installed for these homes under the residential structure and would be electrically powered to lift the wastewater up to the level of the existing sewer line.

#### **Storm Drainage**

Bio-retention planters would be installed for the treatment of roof and driveway storm water runoff for the eight homes. No drainage facilities are planned for the open space area. The bio-retention planters would be gravity fed and placed strategically on the project site. The proposed location of the bio-retention planters is shown on **Figure 7, Proposed Grading and Detention Plan, Lots 1-4 (Bunker Hill Drive)** and **Figure 8, Proposed Grading and Detention Plan, Lots 5-8 (Ticonderoga Drive)**.

Four bio-retention planters would be placed in the rear yards of lots 1 through 4 at Bunker Hill Drive. Each approximately 160 square-foot planter would be built along the existing slope contours of each lot. Two approximately 160 square-foot bio-retention planters would be placed in the front yards of lots 5 and 6 along Ticonderoga Drive. Lot 8 would have one approximately 400 square-foot bio-retention planter placed east of the proposed dwelling unit and along the existing slope contour. This planter would treat storm water runoff from lots 7 and 8.

The specific design of the bio-retention planters would be finalized at the time of issuance of building permits. The planters are anticipated to be approximately 40 feet in length and approximately 4 feet wide, except for the planter proposed for lot 8 which would be approximately 80 feet long and approximately 5 feet wide. Each planter would be between 4- and 5-feet high depending on the depth of planting material. The plants and associated soil would function to filter storm water runoff from the proposed homes through

root uptake. Plants suitable for storm water treatment would be drought-tolerant and would need to withstand ponding for short periods of time. The storm water runoff would be absorbed and filtered by the plants and soil, then piped out from the bottom of the planter (box) to existing drainages south of Bunker Hill Drive or to the established street drainage system along Ticonderoga Drive (where appropriate).

Grasses and ferns are examples of plants that may be suitable for bio-retention planters. Maintenance of the planters would be minimal and would become the responsibility of the individual homeowners.

### **Domestic Water**

Domestic water service would be provided to the project site by Cal Water Service. Upon approval of the project, the applicant would be responsible for securing permits with Cal Water to extend the water lines from their existing termini in Ticonderoga Drive and Bunker Hill Drive to the proposed lots.

### **Gas and Electric**

The proposed project proposes to annex into the Bel Aire Lighting District. Pacific Gas & Electric would provide gas and electrical services to the proposed homes. The homes would connect to existing underground gas and electrical lines along Bunker Hill Drive and Ticonderoga Drive.

## **Construction Activity**

### Grading

Grading activities include cut (earth removal) and fill of earthwork; creation of engineered slopes and stepped foundations; installation of retaining walls, and drilled piers. These activities would prepare the lots for the building pads and provide slope stability for the foundation of future homes on the lots.

The average slope of the areas proposed for development is 40 percent. In total, there would be 1,500 cubic yards (CY) of cut and 1,100 CY of fill (including a 10 percent allowance for shrinkage, or settling, of dirt). The project applicant would use the cut earthwork material as fill on the project site. However, approximately 400 CY of earth would need to be hauled off-site. Piers drilled into the

underlying bedrock would be installed for each lot to provide slope stability for the future homes that would be built on each lot. A description of the grading plans for lots 1 through 4 and lots 5 through 8 is provided below.

**Lots 1 through 4**

Lots 1 through 4, along Bunker Hill Drive, would require approximately 500 CY of cut and 200 CY of fill earthwork (see **Figure 7**). A series of stepped cuts would be created to provide the platform necessary to build the homes. No fill slopes or retaining walls would be needed for this portion of the site because the terrace cuts and piers drilled into bedrock would fully support the dwelling units.

**Lots 5 through 8**

Lots 5 through 8, along Ticonderoga Drive, would require 1,000 CY of cut and 800 CY of fill earthwork (see **Figure 8**). Any identified landslide materials would be removed on this portion of the site to provide stable slopes for construction. Upon removal of landslide material, retaining walls, designed to withstand high lateral earth pressure from adjoining natural materials and/or backfill as well as from any surcharge loads, would be installed in the rear of lots 5 through 8. These retaining walls would be partially underground. Retaining walls would also be installed in the front of lots 5 and 6 to aide in maintaining the slopes behind the house and the more extensive cut required for lots 5 and 6. These retaining walls would be partially underground. The design of the retaining walls has not been finalized at this time, but would most likely be a solid masonry wall. Cut slopes at a ratio of approximately 4:1 (horizontal to vertical) would be required for lots 5 and 6.

Haul Routes

The excess earth materials would be disposed of at the Ox Mountain landfill in Half Moon Bay located approximately 8 miles west of the site. The County does not have weight restrictions for roads, so the haul routes may differ slightly from what is presented below. From Ticonderoga Drive, the haul routes would likely be to Polhemus Drive south and then to Highway 92. From Bunker Hill Drive, the haul routes would likely be west to Skyline Boulevard south and then to Highway 92. Given that a typical haul truck can carry approximately 12 CY of earth materials, approximately 34 trips would be associated with the disposal of excess earth materials generated by the proposed project.

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### Erosion Control Plan

Erosion control measures would be implemented as part of the project to ensure stability of the hillsides during construction. As shown on **Figure 9, Erosion Control Details (Silt Fence and Fiber Roll)**, the erosion control plan includes the installation of silt fences and fiber rolls on the perimeter of all lots. The proposed location for the silt fences and fiber rolls for homes along Bunker Hill Drive are shown in **Figure 10, Proposed Erosion Control Plan Lots 1-4** and for houses along Ticonderoga Drive are shown on **Figure 11, Proposed Erosion Control Plan Lots 5-8**. An explanation of the erosion control measures and how they function is provided below.

A silt fence is made of a filter fabric that is entrenched and attached to supporting poles placed no more than six feet apart. Either steel or wood poles would be used for the fence. The silt fence would be approximately 3-feet high from the ground. Silt fences are suitable for perimeter erosion control and are placed below areas where sheet water flow discharges from the site. The silt fence traps sediment by intercepting and detaining small amount of sediment-laden runoff from disturbed areas in order to promote sedimentation behind (upslope) from the fence (California Stormwater BMP Handbook 2003). Therefore, the silt fence would be effective in controlling erosion at the perimeter of the lots during construction.

Additionally fiber rolls would be used during the construction of the houses. A fiber roll consists of straw, flax, or other similar materials bound into a tight tubular roll. Fiber rolls are placed along the face and at the terminus of slopes to intercept runoff, reduce the flow velocity and provide removal of sediment from the runoff. Fiber rolls of varying lengths would be placed along the existing contours and at the bottom of the slopes of all proposed lots. The fiber roll aids in reducing erosion by interrupting the length of a slope (California Stormwater BMP Handbook 2003). The fiber roll would be attached to a wooden stake anchor placed at least 12 inches into the ground. The fiber roll would be approximately 10 inches in diameter and would vary in length according to its placement.

### Tree Removal

The RM zone restricts the removal of living trees that are more than 55 inches in circumference, measured at 4 and 1/2 feet above ground level. There are 15 coast live oak trees within the proposed plot plans that meet this threshold. Seven of these coast live oak trees would be removed within the boundaries of lots 1 through 3 during project construction and the other eight trees would be retained. The permit required for the RM zone would include the tree removal as part of the development of the project site. The applicant proposes to replaces with seven 15-gallon trees as part of the proposed landscaping.

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Phasing and Schedule

Construction activities are anticipated to commence April 2009 and be completed by October 2009.

**Related Discretionary Actions**

Permits that are required by San Mateo County for the proposed project are discussed below.

- **Major Subdivision Permit:** A major subdivision permit is required when a parcel is divided into five or more parcels. The proposed project would divide an approximately 99-acre parcel into nine parcels and one remainder parcel. Therefore, the project applicant is applying for a major subdivision permit with the County of San Mateo. In San Mateo County, subdivisions must be consistent with the County General Plan, be physically suitable for development, be physically suitable for the proposed density, not conflict with a Williamson Act Contract, and not cause adverse impacts to wildlife or people.
- **Resource Management Permit:** A resource management permit is required when development is proposed within the RM zone. The proposed project would construct eight single-family homes within this zone. The project would also remove seven coast live oak trees with a circumference of more than 55 inches at 4 and ½ feet from ground surface. The removal of these trees would be included with this permit.
- **Grading Permit:** A grading permit is required when more than 250 CY of earthwork is proposed for excavation or fill. The proposed project would require 1,500 CY of cut and 1,100 CY of fill (including a 10 percent allowance for shrinkage, or settling, of dirt), and would therefore require a grading permit.
- **Annexation into Special Districts:** Upon approval, the project site would need to be annexed into County Service Area 1, which includes police and fire services (funded by property tax and special taxes) as well as the Bel Aire Lighting District. The San Mateo County Local Area Formation Commission would consider the annexation applications upon project approval.

**Responsible and Trustee Agencies**

As defined by the California Environmental Quality Act (CEQA), "Responsible Agencies" are public agencies other than the Lead Agency that have discretionary approval over the project. Trustee agencies have jurisdiction over resources present in the project area by no permitting authority over the project. The Initial Study and EIR prepared for this project would serve as the primary source of environmental information for each responsible and trustee agency. These agencies and the nature of their approval authority over the project are described below:

- **San Francisco Bay Regional Water Quality Control Board (RWQCB):** The project will require coverage under the Statewide General Permit for discharge associated with construction activities pursuant to National Pollution Discharge Elimination System (NPDES) requirements. A Storm Water Pollution Prevention Plan (SWPPP) would be prepared along with the grading plan to fulfill the requirements of the State of California's General Permit.

- **California Department of Fish and Game:** The California Department of Fish and Game has jurisdiction over natural resources potentially occurring on and near the project site.

**Figures 1-13 to be inserted here.**

**II. ENVIRONMENTAL ANALYSIS**

Any controversial answers or answers needing clarification are explained on an attached sheet. For source, refer to pages 60.

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant		
<b>1. LAND SUITABILITY AND GEOLOGY</b>						
Will (or could) this project:						
a. Involve a unique landform or biological area, such as beaches, sand dunes, marshes, tidelands, or San Francisco Bay?				X		A,B,F
b. Involve construction on slope of 15% or greater?				X		E,I
c. Be located in an area of soil instability (subsidence, landslide or severe erosion) OR  Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X		B,D,I,Q

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
<p>d. Be located on, or adjacent to a known earthquake fault OR</p> <p>Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</p>				X		B,D,Q
<p>e. Involve Class I or Class II Agriculture Soils and Class III Soils rated good or very good for artichokes or Brussels sprouts?</p>	X					Q
<p>f. Cause erosion or siltation OR</p> <p>Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?</p>			X			Q,R
<p>g. Result in damage to soil capability or loss of agricultural land OR</p> <p>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	X					A,S

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
h. Be located within a flood hazard area OR  Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	X					G
i. Be located in an area where a high water table may adversely affect land use?	X					Q,R
j. Affect a natural drainage channel or streambed, or watercourse?				X		Q,R
k. Expose people or structure to potential adverse effect, including the risk of loss, injury, or death involving strong seismic ground shaking?				X		Q,R
l. Expose people or structure to potential adverse effect, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?				X		Q,R
m. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X				R

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
<b>2. <u>VEGETATION AND WILDLIFE</u></b>						
Will (or could) this project:						
<p>a. Affect federal or state listed rare or endangered species of plant life in the project area OR</p> <p>Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>				X		F,P
<p>b. Involve cutting of heritage or significant trees as defined in the County Heritage Tree and Significant Tree Ordinance OR</p> <p>Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>				X		I,A,P
<p>c. Be adjacent to or include a habitat food source, water source, nesting place or breeding place for a federal or state listed rare or endangered wildlife species OR</p> <p>Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>				X		F,P
<p>d. Significantly affect fish, wildlife, reptiles, or plant life?</p>				X		I,P

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
e. Be located inside or within 200 feet of a marine or wildlife reserve?	X					E,F,P
f. Infringe on any sensitive habitats?				X		F,P
g. Involve clearing land that is 5,000 sq. ft. or greater (1,000 sq. ft. within a County Scenic Corridor), that has slopes greater than 20% or that is in a sensitive habitat or buffer zone?				X		I,F,B
h. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X		P
i. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native nursery sites?				X		P
j. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X					P
<b>3. <u>PHYSICAL RESOURCES</u></b>  Will (or could) this project:						

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
a. Result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, oil, trees, minerals or top soil) OR  Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	X					I,B
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	X					B
c. Involve grading in excess of 150 cubic yards?				X		I
d. Involve lands currently protected under the Williamson Act (agricultural preserve) or an Open Space Easement OR  Conflict with existing zoning for agricultural use, or a Williamson Act contract?	X					I,K
e. Affect any existing or potential agricultural uses OR  Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	X					A,K,S
<b>4. <u>AIR QUALITY, WATER QUALITY, SONIC</u></b>  Will (or could) this project:						

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
a. Generate pollutants (hydrocarbon, thermal odor, dust or smoke particulates, radiation, etc.) that will violate existing standards of air quality on site or in the surrounding area OR  Violate any air quality standard or contribute substantially to an existing or project air quality violation?				X		I
b. Involve the burning of any material, including brush, trees and construction materials?	X					I
c. Conflict with or obstruct implementation of the applicable air quality plan?	X					B
d. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?		X				T
e. Create objectionable odors affecting a substantial number of people?	X					T
f. Expose sensitive receptors to substantial pollutant concentrations?				X		T
g. Be expected to result in the generation of noise levels in excess of those currently existing in the area, after construction OR  Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X		B, I

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
h. Involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material OR  Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X			I
i. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X			I
j. Be subject to noise levels in excess of levels determined appropriate according to the County Noise Ordinance or other standard?				X		A, B, C
k. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels	X					I
l. Generate noise levels in excess of levels determined appropriate according to the County Noise Ordinance standard?			X			I
m. Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X			I
n. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	X					J

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
o. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	X					I
p. Generate polluted or increased surface water runoff or affect groundwater resources OR  Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?		X				I
q. Violate any water quality standards or waste discharge requirements?		X				
r. Require installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity OR  Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?		X				Q,R
s. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		X				I

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
t. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	X					O
u. For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	X					J
v. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	X					I
w. Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X		Ma
x. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	X					G,I
y. Inundation by seiche, tsunami, or mudflow?	X					Q,R
<b>5. <u>TRANSPORTATION</u></b>  Will (or could) this project:						
a. Affect access to commercial establishments, schools, parks, etc.?	X					A,I

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
b. Cause noticeable increase in pedestrian traffic or a change in pedestrian patterns?	X					A,I
c. Result in noticeable changes in vehicular traffic patterns or volumes (including bicycles)?				X		I
d. Involve the use of off-road vehicles of any kind (such as trail bikes)?	X					I
e. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X		I
f. Result in or increase traffic hazards OR  Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X				I
g. Provide for alternative transportation amenities such as bike racks?		X				I
h. Generate traffic which will adversely affect the traffic carrying capacity of any roadway?				X		I
i. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	X					I

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
j. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	X					J
k. Result in inadequate emergency access?	X					Ma
l. Result in inadequate parking capacity?	X					I
m. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	X					B, Mg
<b>6. <u>LAND USE AND GENERAL PLANS</u></b>  Will (or could) this project:						
a. Result in the congregating of more than 50 people on a regular basis?	X					I
b. Result in the introduction of activities not currently found within the community?	X					I
c. Employ equipment which could interfere with existing communication and/or defense systems?	X					I
d. Result in any changes in land use, either on or off the project site?		X				I

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
e. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities) OR  Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?		X				I
f. Adversely affect the capacity of any public facilities (streets, highways, freeways, public transit, schools, parks, police, fire, hospitals), public utilities (electrical, water and gas supply lines, sewage and storm drain discharge lines, sanitary landfills) or public works serving the site?		X				I, Ma, Mb, Mc, Md, Me, Mf, Mg, Mh, U
g. Generate any demands that will cause a public facility or utility to reach or exceed its capacity?		X				I
h. Be adjacent to or within 500 feet of an existing or planned public facility?	X					I
i. Create significant amounts of solid waste or litter OR  Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		X				I, U
j. Substantially increase fossil fuel consumption (electricity, oil, natural gas, coal, etc.)?	X					I

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
k. Require an amendment to or exception from adopted general plans, specific plans, or community policies or goals OR  Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	X					B
l. Involve a change of zoning?	X					C
m. Require the relocation of people or businesses OR  Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere OR  Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	X					I
n. Reduce the supply of low-income housing?	X					I
o. Result in possible interference with an emergency response plan or emergency evacuation plan OR  Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	X					Ma
p. Result in creation of or exposure to a potential health hazard?	X					O
q. Physically divide an established community?	X					I

	IMPACT					SOURCE
	NO	YES				
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant	Cumulative	
r. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?		X				C
s. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?		X				C
t. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		X				I
u. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X				Md,I
v. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X				I
w. Comply with federal, state, and local statutes and regulations related to solid waste?		X				I,U
<b>7. <u>AESTHETIC, CULTURAL AND HISTORIC</u></b>						
Will (or could) this project:						

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant		
a. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor OR  Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	X					A,B
b. Obstruct scenic views from existing residential areas, public lands, public water body, or roads OR  Have a substantial adverse effect on a scenic vista?				X		A,I
c. Involve the construction of buildings or structures in excess of three stories or 36 feet in height?	X					I
d. Substantially degrade the existing visual character or quality of the site and its surroundings?				X		I
e. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?		X				I
f. Directly or indirectly affect historical or archaeological resources on or near the site OR  Cause a substantial adverse change in the significance of a historical or archaeological resource as define in section 15064.5?			X			H
g. Visually intrude into an area having natural scenic qualities?				X		A,I

	IMPACT					SOURCE
	NO	YES			Cumulative	
		Not Significant	Significant Unless Mitigated <sup>1</sup>	Potentially Significant		
h. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X			A
i. Disturb any human remains, including those interred outside of formal cemeteries?			X			A

- Note:
1. Impacts identified as “significant unless mitigated” applies where incorporation of mitigation measures reduces the environmental impact to a less-than-significant level. These mitigation measures will be incorporated into EIR that will be prepared for the project.
  2. Impacts identified as “potentially significant” require further study and analysis. Therefore, those impacts would be discussed further in the Draft EIR.

### III. EXPLANATION OF ENVIRONMENTAL IMPACTS

#### 1. Land Suitability and Geology

- a. **Potentially Significant.** The project site does not contain a unique landform such as beaches, sand dunes, marshes, sandstone rock outcrops, tidelands or portions of the San Francisco Bay. Therefore, there would be no impact to unique landforms with project implementation. However, the project site is predominantly characterized by coast live oak (*Quercus agrifolia*) woodland, coastal scrub, riparian forest, and valley needlegrass grassland. The coast live oak woodland may be considered a sensitive plant community and is protected by Public Resources Code (PRC) 21083.4 Oak Woodlands Conservation. As the project would remove stands of oak woodland, impacts to this biological area is considered potentially significant and will be further evaluated in the EIR.
- b. **Potentially Significant.** The areas of the project site proposed for development have slopes greater than 15 percent. The slope in the area along Bunker Hill Drive is approximately 35 percent. The slope in the area proposed for development along Ticonderoga Drive is approximately 29 percent. This is considered a potentially significant impact and will be further evaluated in the EIR.
- c. **Potentially Significant.** The preliminary geotechnical report prepared by TRC Lowney & Associates in February 2006 identified the following types of soils on the project site: existing fill from previous development in the area, clayey soil, greywacke sandstone, sheared bedrock, and bedrock of the Franciscan Formation. The report also identified landslide deposits near the western portion of the site (in the area where lots 5 through 8 would be constructed). Given the above, the potential exists for on- and off-site landslides, lateral spreading, subsidence, liquefaction or collapse during an episode of strong ground shaking. This issue will be further evaluated in the EIR.
- d. **Potentially Significant.** The project site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone and no known active faults are believed to exist within the site. The closest active fault to the site is the San Andreas Fault, which passes beneath the Crystal Springs Reservoir to the southwest approximately 1 mile from project site. Therefore, the site could experience strong ground shaking during the design life of the proposed project. This is considered a potentially significant impact and will be further evaluated in the EIR.
- e. **No Impact.** Class I and Class II soils consist of a wide variety of soils that may be used to cultivate crops. The soils are nearly level, deep, well drained, and easily worked. The soils present on the project site consist of clayey soil, greywacke sandstone, sheared bedrock, and bedrock of the Franciscan Formation. These types of soils are not normally considered well-drained soils. Additionally, the slopes that exist on the site preclude effective management of the land for agricultural purposes. Therefore, the soils on the project site are not considered good for artichokes or Brussels sprout, or any other crop cultivation and no impact would occur.
- f. **Significant Unless Mitigated.** There are several on-site natural drainage swales and channels that slope generally down to the east and contain ephemeral (short-term) flows which are collected in underground pipes along the southwestern portion of Polhemus Road. Surface water runoff collected in these underground pipes drain into the County's storm drain system or into Polhemus Creek, northeast of the project site. The proposed project would result in the modification and development of 3.25 acres of land within the 99-acre project site. No seeps, springs or wetland features

have been observed on the project site, within the 3.25 acres proposed for development. However, a small, unnamed intermittent drainage is located approximately 150 feet to the east of the project, which is within lot 9, the open space portion of the proposed project.

Development of the residential lots would include construction activities that could potentially disturb site soils and expose the project area to erosion by rain splash and overland flow of storm water for the duration of any construction activity. Construction activities would also involve soil disturbance through activities such as excavation, stockpiling, and grading. As a result, increased sediment could be picked up in storm water runoff and degrade the water quality of the nearby drainage swales and channels. Additionally, implementation of the proposed project would result in residential activities that could also degrade surface water resources. Activities may involve common urban pollutants such as litter, oil, gasoline, grease, paint, fertilizers, pesticides, and herbicides, as well as use of household cleaning products.

Water quality is regulated by both state and federal agencies under the authority of the Clean Water Act. As part of the requirements, all storm drainage that discharges into public water would be required to meet water quality standards outlined in the National Pollutant Discharge Elimination System (NPDES) permit requirements. The County of San Mateo requires that all projects implement construction Best Management Practices (BMPs) in adherence with Section 4.100.140 of the County's Municipal Code." According to Section 4.100.140, any construction contractor performing work shall provide filter materials at the catch basin to retain any debris and dirt flowing into the County's storm sewer system. The County may establish controls on the volume and rate of storm water runoff from construction activities to minimize the discharge of pollutant. The following mitigation measure is proposed, and would further reduce impacts to a less than significant level:

**Mitigation Measure Hydro-1:** The contractor/developer shall develop an erosion control plan that includes erosion control measures to ensure stability of the hillside during construction. The erosion control plan shall include fiber rolls placed along hillsides and silt fences placed along the perimeter of hillside construction to collect silt and slow storm water runoff. The erosion control plan shall adhere to the erosion control details shown on **Figure 9, Erosion Control Details (Silt Fence and Fiber Roll)** in the project description of the Initial Study. The erosion control plan shall place the silt fences and fiber rolls for homes along Bunker Hill Drive as shown in **Figure 10, Proposed Erosion Control Plan Lots 1-4** in the project description of the Initial Study, and for houses along Ticonderoga Drive as shown on **Figure 11, Proposed Erosion Control Plan Lots 5-8** in the project description of the Initial Study. The erosion control plan shall be approved by the County Planning and Building Department prior to start of construction at the site.

Silt fences are suitable for perimeter erosion control and are placed below areas where sheet water flow discharges from the site. The silt fence traps sediment by intercepting and detaining small amount of sediment-laden runoff from disturbed areas in order to promote sedimentation behind (upslope) the fence (California Stormwater BMP Handbook 2003). Therefore, the silt fence would be effective in controlling erosion at the perimeter of the lots proposed for development during construction.

Additionally fiber rolls would be used during the construction of the houses. Fiber rolls are placed along the face and at the terminus of slopes to intercept runoff, reduce the flow velocity and provide removal of sediment from the runoff. Fiber rolls, of varying lengths would be placed along the existing contours and at the bottom of the slopes of all proposed lots. The fiber roll aids in reducing erosion by interrupting the length of a slope (California Stormwater BMP Handbook 2003). Therefore, the fiber roll would be effective in reducing the runoff and improving water quality.

Implementation of the Plan, compliance with Section 4.100.140 of the County's Municipal Code, compliance with the NPDES requirements, and incorporation of **Mitigation Measure Hydro-1** would minimize impacts to surface water quality during construction activities, reducing potential impact to a less-than-significant level.

Bio-retention planters would be installed for the treatment of roof and driveway storm water runoff for the eight homes to minimize surface water runoff and reduce the amount of pollutants that could be discharged off-site. The bio-retention planters would be gravity fed and placed strategically on the project site. The proposed location of the bio-retention planters is shown in the **Project Description** on **Figure 7, Proposed Grading and Detention Plan, Lots 1-4 (Bunker Hill Drive)** and **Figure 8, Proposed Grading and Detention Plan, Lots 5-8 (Ticonderoga Drive)**.

The following mitigation measure is proposed to reduce potentially significant impacts to surface water quality associated with residential activities during operational conditions of the project.

**Mitigation Measure Hydro-2:** The contractor/developer shall install four bio-retention planters in the rear yards of lots 1 through 4 at Bunker Hill Drive. The bio-retention planters shall be approximately 160 square-foot planters and be built along the existing slope contours of each lot. Two approximately 160 square-foot bio-retention planters shall be placed in the front yards of lots 5 and 6 along Ticonderoga Drive. Lot 8 shall have one approximately 400 square-foot bio-retention planter placed east of the proposed dwelling unit and along the existing slope contour. This planter would treat storm water runoff from lots 7 and 8.

Each planter shall be between 4- and 5-feet high depending on the depth of planting material. The plants and associated soil would function to filter storm water runoff from the proposed homes through root uptake. Plants shall be drought-tolerant and should be able to withstand ponding for short periods of time.

The storm water runoff would be absorbed by the plants and soil, and it would be filtered and then piped out from the bottom of the planter (box) to existing drainages south of Bunker Hill Drive or to the established street drainage system along Ticonderoga Drive (where appropriate). Implementation of the bio-retention planters would minimize impacts to surface water quality following completion of construction activities, reducing potential impacts to a less than significant level.

*Cumulative Impacts:* Future development in San Mateo County would change absorption rates, drainage patterns, or the rate or amount of surface runoff. These impacts would be mitigated on a site-specific basis through proper engineering design and compliance with RWQCB requirements. As these measures are all required as a matter of law, cumulative impacts would not be significant and the project's contribution to cumulative impacts would not be considerable.

- g. **No Impact.** The project site is undeveloped and characterized by rolling landscape with hills, canyons and dense vegetation. The soil types are not suitable to support agriculture as described above under **Item 1e**. Furthermore, the project site is considered "Other Land" by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP). This land classification includes, "low density rural development, brush, timber, wetland, and riparian areas not suitable for livestock grazing." Vacant and non-agricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as "Other Land" as well. FMMP land classifications that surround the project site are "Urban and Built-Up" land. Therefore, no impact would occur.
- h. **No Impact.** According to the Flood Insurance Rate Maps (FIRM) produced by the Federal Emergency Management Agency (FEMA), the project site is not located in a flood hazards zone, and is not in an area that may be inundated by a 100-year flood. Therefore, project implementation would not place people or structures within a flood zone.

- i. **No Impact.** According to the preliminary geotechnical report prepared by TRC Lowney & Associates, no groundwater was found in the area proposed for development at the project site in borings that were drilled to a depth of approximately 20 feet. While there may be areas of the project site that have a higher water table due to the various elevations and slopes that exist, the areas proposed for development would not be adversely affected by a high water table. Therefore, no impact would occur.
- j. **Potentially Significant.** No seeps, springs or wetland features have been observed on the project site within the 3.25 acres proposed for development. However, a small, unnamed intermittent drainage is located approximately 150 feet to the east of the proposed development, within lot 9, the open space portion of the proposed project, which could potentially be adversely affected by the proposed project. Therefore, related impacts are potentially significant and will be further evaluated in the EIR.
- k. **Potentially Significant.** See response to **Item 1c**.
- l. **Potentially Significant.** See response to **item 1c**.
- m. **Not Significant.** Fine-grained sediments that undergo a cyclic change in volume due to changes in moisture content are considered expansive and can exhibit “shrink-swell” potential. Soils that are expansive and have shrink-swell potential can damage foundations and structures, but do not typically create substantial risks to human life. According to the geotechnical investigation report prepared by Soil Foundation Systems in June 1993, the silty and sandy nature of the soils on the site yield a low to moderately low expansion potential. Therefore, impacts are not considered significant.

## 2. Vegetation and Wildlife

- a. **Potentially Significant.** The coast live oak woodland on the project site provides suitable habitat for special-status wildlife species, including the San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), Cooper’s hawk (*Accipiter cooperi*), and pallid bat (*Antrozous pallidus*). These species are not state- or federally-listed as Threatened or Endangered, but are otherwise considered to be of special-status pursuant to Section 15380 of the CEQA Guidelines. Although it is unlikely that any endemic rare plant species are present based on the quality of the grasslands on site, additional plant surveys would be required to confirm the absence of special-status plants from the project site. Should special-status plant or wildlife species occur on or near the project site, construction-related activities could result in the loss or disturbance to these resources. Therefore, impacts to special-status plant and wildlife species are potentially significant and will be further evaluated in the EIR.
- b. **Potentially Significant.** The proposed project includes the removal of oak trees protected by the RM Zoning District of San Mateo County. This is considered a potentially significant impact and will be further evaluated in the EIR.
- c. **Potentially Significant.** The oak woodland on and adjacent to the project site provides suitable nesting and roosting habitat for special-status wildlife species (see discussion under Item 2a, above). Should special-status wildlife species occur on or near the project site, construction-related activities could result in the loss or disturbance of these resources. Therefore, impacts to special-status wildlife species are potentially significant and will be further evaluated in the EIR.
- d. **Potentially Significant.** See discussion under **Items 2a** and **2c**.
- e. **No Impact.** The proposed project is not located within 200 feet of an established marine or wildlife preserve. Therefore, no impact would occur.

- f. **Potentially Significant.** The California Department of Fish and Game (CDFG) Wildlife and Habitat Data Analysis Branch has developed a List of California Terrestrial Natural Communities. For the purposes of this Initial Study, plant communities denoted on the list as “high priority for inventory in California Natural Diversity Data Base,” or that are otherwise regulated by local, state, and/or federal resource agencies, are considered of “special status.” Stands of purple needlegrass (*Nassella pulchra*) occur within the grassland portions of the project site. Purple needlegrass grassland is identified as a high priority for inventory and thus is considered a sensitive plant community. Additionally, the coast live oak woodland on the project site may be considered a sensitive plant community as it is protected by Public Resources Code (PRC) 21083.4 Oak Woodlands Conservation. As the project would result in the removal of stands of purple needlegrass and oak woodland, impacts to sensitive plant communities are potentially significant and will be further evaluated in the EIR.
- g. **Potentially Significant.** The proposed project includes the clearing of land greater than 5,000 square feet and has slopes greater than 20 percent. This is considered a potentially significant impact and will be further evaluated in the EIR.
- h. **Potentially Significant.** No seeps, springs or wetland features have been observed on the project site, within the 3.25 acres proposed for development. However, a small, unnamed intermittent drainage is located approximately 150 feet to the east of the proposed development, within lot 9, the open space portion of the proposed project, which could potentially be adversely affected by the proposed project. Therefore, related impacts are potentially significant and will be further evaluated in the EIR.
- i. **Potentially Significant.** The project site is located adjacent to a woodland which could function as a wildlife movement corridor. Therefore, related impacts are potentially significant and will be further evaluated in the EIR.
- j. **No Impact.** No Habitat Conservation Plans or Natural Community Conservation Plans have been adopted that encompass the project site and its vicinity. Therefore, the proposed project would not conflict with any approved local, regional, or state habitat conservation plan. No impact would occur.

### 3. Physical Resources

- a. **No Impact.** The project would not result in the removal of a natural resource for commercial purposes. The proposed project would remove vegetation, trees, and soils associated with construction, but these materials would not be used for commercial purposes upon removal. Mineral materials on the project site are not considered to be of value to the region or the residents of the state according the County General Plan. Therefore, no impact would occur.
- b. **No Impact.** There are no known locally-important mineral resources on the project site denoted in the County General Plan. Therefore, no impact would occur.
- c. **Potentially Significant.** The project would involve a total of 2,600 cubic yards (CY) of grading. There would be approximately 1,500 CY of cut and 1,100 CY of fill (including a 10 percent allowance for shrinkage, or settling, of dirt). This would leave an excess of 400 CY of earth that would be disposed at the Ox Mountain landfill near Half Moon Bay. The proposed grading would remove and replace soils from the project site and could present potential impacts associated with slope stability. The impact of grading will be further discussed in the EIR.

- d. **No Impact.** The project site is not currently under a Williamson Act contract. There are no other easements on the land such as agricultural preserve or permanent open space. The existing zoning on the project site, Resource (RM) and Residential Estate (RE/SS-107), allows for single-family residential development. Therefore, the proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. Therefore, no impact would occur.
- e. **No Impact.** No agricultural uses exist at the project site. As discussed above under Item 1e, the soils present on the site are not suitable for agricultural production. Surrounding land uses are mainly single-family residential, with some commercial uses at the southeastern boundary of the project site. The proposed project would not affect any existing or potential agricultural uses. Therefore, no impact would occur.

#### 4. Air Quality, Water Quality, Sonic

- a. **Potentially Significant.** Development of the proposed project would generate pollutant emissions as a result of its construction and subsequent operational activities. During project construction, air emissions would be generated from the use of heavy-duty diesel construction equipment, site grading, construction worker vehicles, asphalt paving, and architectural coating activities (i.e., painting). The Bay Area Air Quality Management District (BAAQMD) does not set quantitative significance thresholds for construction emissions due to the temporary and short-term nature of the activities. According to the BAAQMD *CEQA Guidelines*, the primary pollutant of concern during construction is particulate matter (PM<sub>10</sub>). The BAAQMD does not require quantification of PM<sub>10</sub> emissions, but rather emphasizes implementation of all feasible control measures to minimize the generation of PM<sub>10</sub>. The BAAQMD has provided a list of PM<sub>10</sub> control measures in their *CEQA Guidelines* that when fully implemented, would significantly reduce PM<sub>10</sub> emissions during construction activities.

During construction of the proposed project, the developer would be required to implement certain control measures from Table 2 of the BAAQMD *CEQA Guidelines* in order to minimize generation of PM<sub>10</sub>. These control measures are listed below:

##### Basic Control Measures (for all construction sites)

- Water all active construction areas at least twice daily.
- Cover all trucks hauling soil, sand and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

Optional Control Measures (for construction sites that are large in area, located near sensitive receptors, or which for any other reason may warrant additional emissions reductions.)

- Install wheel washers for all existing, or wash off the tires or tracks of all trucks and equipment leaving the site.
- Install windbreaks, or plant trees/vegetative windbreaks at the windward side(s) of construction areas.
- Suspend excavation and grading activity when sustained winds exceed 25 mph.
- Limit the area subject to excavation, grading and other construction activity at any one time.

Following buildout of the proposed project, operational emissions would be generated by area/stationary sources and mobile sources associated with the residential units. Area/stationary sources include landscape maintenance equipment, consumer products, periodic architectural coatings

maintenance, and natural gas combustion for heating. Mobile sources include motor vehicle trips associated with the residents of the proposed project. The BAAQMD has adopted the following thresholds of significance for operations emissions of Reactive Organic Gases (ROG), Nitrous Oxide (NO<sub>x</sub>), and PM<sub>10</sub>:

- 80 pounds per day of ROG;
- 80 pounds per day of NO<sub>x</sub>; and
- 80 pounds per day of PM<sub>10</sub>.

If operational emissions resulting from the day-to-day activities associated with the proposed project would exceed any of the thresholds of significance, operational impacts would be considered significant and all feasible mitigation measures are required to be implemented. The estimated mobile source and area source emissions associated with project operation have been calculated using the land use and transportation computer model URBEMIS2002 (Version 8.7.0). URBEMIS2002 is distributed and approved for use by the Air Resources Board (ARB) and recommended for quantification of construction and operational emissions by the BAAQMD. The operational emissions that would occur directly and indirectly from the proposed project are presented below in **Table 1, Highland Estates Project Estimated Operational Emissions.**

**Table 1  
Highland Estates Project Estimated Operational Emissions**

Emissions Source	Emissions in Pounds per Day				
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>
<b>Summertime Emissions<sup>1</sup></b>					
Operational (Mobile) Sources	0.68	0.75	7.91	0.01	0.85
Area Sources	0.71	0.10	0.30	0.00	0.00
<b>Summertime Emission Totals</b>	<b>1.39</b>	<b>0.85</b>	<b>8.21</b>	<b>0.01</b>	<b>0.85</b>
BAAQMD Thresholds	80	80	—	—	80
<b>Exceeds Threshold?</b>	<b>NO</b>	<b>NO</b>	—	—	<b>NO</b>
<b>Wintertime Emissions<sup>2</sup></b>					
Operational (Mobile) Sources	0.74	1.14	8.58	0.00	0.85
Area Sources	5.21	0.26	8.35	0.02	1.24
<b>Wintertime Emission Totals</b>	<b>5.95</b>	<b>1.40</b>	<b>16.93</b>	<b>0.02</b>	<b>2.09</b>
BAAQMD Thresholds	80	80	—	—	80
<b>Exceeds Threshold?</b>	<b>NO</b>	<b>NO</b>	—	—	<b>NO</b>

Source: Impact Sciences, Inc. Emissions calculations are provided in **Appendix A.**

Totals in table may not appear to add exactly due to rounding in the computer model calculations.

<sup>1</sup> Summertime Emissions” are representative of the conditions that may occur during the ozone season (May 1 to October 31).

<sup>2</sup> Wintertime Emissions” are representative of the conditions that may occur during the balance of the year (November 1 to April 30).

As shown above, implementation of the proposed project would not generate operational emissions that exceed the BAAQMD-established thresholds of significance. Therefore, the operational emissions associated with the development envisioned by the proposed project are not considered significant. However, construction activities would generate emissions that could potentially impact adjacent residents residing in the project area if proper measures are not incorporated. This is considered a potentially significant impact and will be evaluated in the EIR.

- b. **No Impact.** The proposed project would not involve burning of any brush, trees, or construction materials. The vegetation that would be removed would be cleared and disposed of at a landfill that accepts green waste. Development of the proposed project would not require demolition activities as the site is currently undeveloped. It is anticipated that construction activities will require cut and fill operations that would result in a net export of earth material. Excess earth materials would be hauled to the Ox Mountain landfill in Half Moon Bay. The proposed project includes the construction of eight single-family residential units. No burning activities are anticipated to occur as result of the daily activities associated with the developed site. Therefore, no impact would occur.
- c. **No Impact.** Future residential development built on the site could generate additional criteria air pollutants during construction and operation that could potentially conflict with applicable air quality plans. The additional homes proposed on the site would result in increases in emissions of criteria air pollutants from mobile source (vehicle) and area/stationary source (e.g., consumer products natural gas combustion).

The BAAQMD is the regional governmental agency that regulates sources of air pollution in the nine counties of the San Francisco Bay area. According to BAAQMD, the air district currently does not meet state and national standards for ozone or state standards for respirable particulate matter (PM<sub>10</sub>). In order to address this, BAAQMD has developed the Bay Area 2000 Clean Air Plan. The 2000 CAP is the third triennial update of the District's original 1991 Clean Air Plan. The 2000 CAP includes a control strategy review to ensure that the plan continues to include "all feasible Measures" to reduce ozone, an update of the District's emission inventory, estimates of emission reductions achieved by the plan, and an assessment of air quality trends. The County General Plan was adopted in 1986. Given this, the 2000 CAP includes development identified in the County's General Plan. The project does not require a General Plan Amendment, and thus consistent with the General Plan. Therefore, the project is consistent with the 2000 CAP.

- d. **Not Significant.** The BAAQMD is in non-attainment of the federal and state standards for ozone and PM<sub>10</sub>. However, as shown in **Table 1** above, the project would not emit daily direct or indirect emissions of ROG, NOX, and PM<sub>10</sub> that would exceed BAAQMD recommended thresholds. Furthermore, mitigation measures would be implemented pursuant to the BAAQMD requirements to reduce PM<sub>10</sub> emissions during construction to a less-than-significant level. Lastly, the BAAQMD does not consider ozone precursors associated with construction to impede attainment or maintenance of ambient air quality standards. Given the above, the proposed project would not substantially contribute considerably to a cumulative net increase in emissions of ozone precursors and PM<sub>10</sub>. Therefore, impacts are considered less than significant.
- e. **No Impact.** Residential land uses are not generally associated with odor problems. According to the BAAQMD, facilities such as wastewater treatment plants, sanitary landfills, petroleum refineries, and chemical manufacturing plants are typically the types of land uses that emit objectionable odors. No such facilities are proposed as part of the project. Therefore, no impact would occur.
- f. **Potentially Significant.** According to the BAAQMD *CEQA Guidelines*, sensitive receptors generally include residential neighborhoods, hospitals, retirement homes, and places where people with compromised health are located. The project site is located in a residential neighborhood; and therefore sensitive receptors are present near the project site. As discussed above under **Item 4a**, the construction-related activities would result in a

temporary increase of air pollutants at the project site. Use of heavy-duty equipment would generate the highest amount of air pollutants during construction. Heavy-duty equipment is used at the start of a construction phase to excavate and flatten the site. The duration of this phase would last approximately two months. This is considered a potentially significant impact and will be further evaluated in the EIR.

- g. **Potentially Significant.** According to the San Mateo County General Plan, the maximum exterior noise level for noise sensitive land uses is 60 dB(A) Community Noise Exposure Level CNEL, which is an overall 24-noise measurement. Residential land uses are considered noise sensitive, as are schools, hospitals, and parks. Following buildout of the proposed project, new daily vehicle trips would be generated in the project area. The proposed project is anticipated to generate 77 trips per day. Trip generation was calculated using standardized rates developed by the Institute of Transportation Engineers and is explained in more detail below in Section 5. Transportation. These trips would be distributed throughout the local roadways in the project area. Although project-generated trips would add noise to the area, the magnitude of newly added trips is not expected to cause a significant increase in noise levels in the project area.

Construction activities would result in short-term noise impacts. Grading activity associated with construction would take approximately two months to complete. As discussed in the Project Description, 400 CY of earth materials would be hauled off-site to the Ox Mountain Landfill. It would take approximately 34 truck trips to dispose of this material. The haul routes would take large, heavy-duty dump trucks past residential uses, which are considered sensitive receptors. Trucks associated with grading on Bunker Hill Drive would follow the road west to I-280 and trucks associated with grading along Ticonderoga Drive would follow that road east, turn right onto Polhemus Road and would then connect to Highway 92. Given the proximity of the project site to Ox Mountain, it is anticipated that up to 5 truck trips could be completed daily. The disposal of excess earth materials could be completed within a timeframe of two weeks, depending on the construction schedule, weather, and equipment availability. These trips would generate short-term noise impacts to the surrounding area. This is considered a potentially significant impact and will be further evaluated in the EIR.

- h. **Significant Unless Mitigated.** The proposed project would allow for the development of residential homes. Residential land uses generally involve routine use of small amounts of household hazardous materials, such as household cleaners, paints, paint thinners, and pesticides. Typically, hazardous products used by the project's residents are packaged and labeled per state and federal standards and are not be used in large quantities. Therefore, the project's impact with respect to this criterion is considered less than significant.

Hazardous wastes associated with residential uses typically involve empty or partially filled containers of liquid chemical products, fertilizers, used motor oil, automotive or electronic batteries, old computers, etc. Homeowners typically dispose of such wastes through the County's Household Hazardous waste program that offers free collection of hazardous materials to County residents. No significant environmental or human health hazards are expected to occur in connection with the residential uses allowed by the project.

Construction equipment typically consists of heavy-duty trucks, dozers, dump trucks, street sweepers, and standard-size vehicle trucks. These vehicles are operated with fuels, including gasoline and diesel. Other minor amounts of hazardous material may be present at the site during construction activities. Accidental spills of fuels and other hazardous materials could potentially create a hazardous situation on- and off-site. Proper safety procedures would minimize the event of a hazardous situation related to construction accidents. The following mitigation measure is proposed for the project and would reduce the impact to a less than significant level.

**Mitigation Measure HazMat – 1:** The primary contractor responsible for construction on the site shall prepare a safety plan. The safety plan shall include measures to reduce and minimize accidents on-site (housekeeping), and measures that address the proper procedures to clean

up and contain spills. The safety plan shall be approved by the County's Building Department prior to the start of construction activity on the site.

*Cumulative Impacts:* Impacts relating to the exposure of humans to hazards and hazardous materials are site specific in nature and are generally due to past land uses. Residential development projects do not contribute to the creation of substantial amounts of hazardous materials and waste, but conversion of land from commercial/industrial to residential can sometimes result in the release of hazardous substances or contaminated soils. However, any future development projects would be required to comply with state and federal regulations relating to toxic substance control. Implementation of required regulations would reduce potential cumulative impacts to less than significant. Therefore, the development of the project would not contribute to cumulative impacts.

- i. **Significant Unless Mitigated.** See response to item **4h** above.
- j. **Potentially Significant.** See response to Item **4g** above.
- k. **No Impact.** The project operation would not generate groundborne noise or vibration at levels that would expose people or structures to risk of harm. No pile driving would occur during the construction phase of the project. There are no nearby operable rail lines, airports, or other sources of groundborne noise or vibration. Highway 92 and I-280 are less than one mile from the project site, but given the existing physical barriers in between the freeways and the project site, no groundborne noise or vibration is expected to occur on the project site. Therefore, no impacts would occur.
- l. **Significant Unless Mitigated.** See response to item **4h** above.
- m. **Significant Unless Mitigated.** See response to item **4h** above.
- n. **No Impact.** The project is not located within an airport land use plan or in the vicinity of a public or private airstrip. The closest airport is San Carlos Airport located approximately 5 miles southeast from the project site. Therefore, implementation of the project would not expose residents or workers to excessive noise levels associated with aircraft overflights and impacts would occur.
- o. **No Impact.** See discussion under **Item 4n** above.
- p. **Not Significant.** See discussion above under **Item 1f** above for a discussion regarding surface water quality.

The source of potable water for this portion of the County comes from the California Water Service contracts for water from the Hetch-Hetchy and Crystal Springs Reservoir water systems. There are no existing groundwater water wells in the project vicinity that supply water to the project area. Project implementation would convert 3.25 acres of undeveloped land into impervious surface by the construction of eight residential homes. However, the area proposed for development on-site is not known as a significant groundwater recharge area, and thus implementing the project would not deplete groundwater supplies or interfere substantially with groundwater recharge that would result in a deficit in aquifer volume or lowering of the local groundwater table (Soil Foundation Systems, 1993). Furthermore, the constructed homes would be connected to the existing water supply system provided by the California Water Services. Please refer to Item **1i** for a detailed discussion regarding water supply to the project site. Given the above, the project would not affect groundwater resources.

- q. **Not Significant.** As discussed under above **Item 1f**, the proposed project would be required to adhere to the NPDES permit requirements and the County's Municipal Code requirements that regulate water quality during construction and operation of the proposed project. Implementation of these requirements would ensure that water quality standards and waste discharge requirements are met during the construction and operation of the proposed project. Therefore, impacts to water quality standards and waste discharge requirements are considered less than significant.
- r. **Not Significant.** The proposed homes would connect to the existing Crystal Springs County Sanitation District (District) and would therefore not require septic systems. The District operates sewer lines within the County and has approximately 1,500 individual connections. There is an existing Sanitary Sewer Agreement between the District, the Town of Hillsborough and the City of San Mateo. This agreement allows the District and Hillsborough to send wastewater, through shared sewer trunk lines, to the City of San Mateo Wastewater Treatment Plant. The jurisdictions contribute their fair share of costs for maintenance and upgrades to the wastewater collection system.

The proposed homes would connect to the wastewater treatment plant by the existing sewer lines that run along Ticonderoga Drive and Bunker Hill Drive. The proposed sewer system would be gravity fed, except for the lower levels of homes planned along Bunker Hill Drive. As these homes would descend from the street, it is possible that the lower bathrooms would be below the existing sewer lines on Bunker Hill Drive. Sewer lift pumps would be installed for these homes under the residential structure and would be electrically powered to lift the wastewater up to the level of the existing sewer line.

Currently, the sewer collection system is over capacity during the wet seasons through the Town of Hillsborough and the City of San Mateo. The City of San Mateo has developed plans to upgrade these lines to accommodate existing wet season flows. However, these capital improvements rely on fees collected from the District, the Town of Hillsborough and the City of San Mateo to finance the project. The District currently is working toward paying the fee to contribute to the upgrade of the sewer line. Consequently, no new connections to the District would be issued from the County Department of Public Works until the fee is paid.

The proposed project would add eight single-family homes to the District service area. These homes are expected to generate approximately 220 gallons of wastewater per residential home, per day, or a total of 1,760 gallons<sup>1</sup> per day for the project. Based on communication with the staff at the wastewater treatment plant, the eight new connections would not substantially worsen the existing collection system as the daily flows would be a small portion of the estimated 330,000 gallons currently flowing through the system. The percentage increase of wastewater flows upon project implementation would be less than 1 percent<sup>2</sup> of the current collection system. Given the above, project implementation would not substantially impact the existing capacity issue with the sewer collection system. Furthermore, the proposed residential homes would not be able to connect to the sewer collection system until the District pays their fair share contribution toward the improvement planned for the sewer collection system. Lastly, the project applicant would be required to pay sewer connection fees at that time of connection to the existing sewer collection system through the building permit process. Given the above, assuming the District pays their fair share contribution, connecting the proposed eight homes to the existing sewer system would result in less-than-significant impacts.

- s. **Not significant.** The area of the project site along Bunker Hill Drive that is proposed for development is within a quarter mile of the Highlands Elementary School. However, the proposed residential homes are not expected to emit hazardous materials or handle hazardous materials. As discussed above under **Item 4h**, there may be some household hazardous materials present in the proposed homes, but these would not be different

<sup>1</sup> 8 homes x 220 gallons per day =1,760 total gallons per day

<sup>2</sup> 1,760 gallons per day/ 330,000 gallons per day =0.53%

than materials used by existing residential uses and any hazardous wastes generated would be disposed of through the County Household Hazardous Waste program. However, some hazardous materials may be present during construction activities. Construction equipment typically consists of heavy-duty trucks, dozers, dump trucks, street sweepers, and standard-size vehicle trucks. These vehicles are operated with fuels, including gasoline and diesel. Other minor amounts of hazardous material may be present at the site during construction activities. Accidental spills of fuels and other hazardous materials could potentially create a hazardous situation on- and off-site. Implementation of **Mitigation Measure Haz-Mat 1**, identified above, would reduce this impact to a less than significant level. Furthermore, construction is a temporary condition at the project site. Given the above, impacts would not be significant.

- t. **No Impact.** A records search was conducted by Impact Sciences for the project site through the Envirostor Database operated by the California Department of Toxic Substances Control. This database contains information regarding federal superfund sites, state response sites, voluntary cleanup sites, and school cleanup sites. Included in the State Response sites are hazardous materials sites compiled pursuant to Government Code Section 65962.5.

The records search indicated that there are no known hazardous materials sites within the project site. The nearest site, a voluntary cleanup site, is located approximately 0.5 miles south of the project site. This site is the PG&E San Mateo Natural Gas Pipeline. It runs east of the Crystal Springs Reservoir and is within unincorporated San Mateo County land. The area through which the pipeline runs is owned by the City and County of San Francisco and is managed by the San Francisco Public Utilities Commission as part of the Crystal Springs watershed. The pipeline provides gas service to urban areas along the San Mateo peninsula and is predominantly buried underground except for exposed areas along stream channel crossings. Polychlorinated Biphenyls (PCBs) may be present as a trace contaminant of hydrocarbon liquids within the natural gas pipeline. PCBs are considered a carcinogen. Although there was no confirmed release of PCBs for this pipeline, PG&E performed a voluntary cleanup of the site. The site was certified in 2004 for completing all remedial action necessary to clean the site. Therefore, this site does not pose a hazardous threat to the future residents of the proposed project.

No other sites were found within a 5-mile radius of the project site. Given that there are no hazardous materials sites on the project site, and the nearest known site completed cleanup in 2004, there is no hazard to the public and the environment and the impact is considered less than significant.

- u. **No Impact.** The project site is approximately 5 miles northwest of the San Carlos Airport, and lies outside the boundaries of the San Carlos Airport Land Use Plan. Therefore, implementation of the project would not expose people on the project site to hazards from aircraft overflights.
- v. **No Impact.** The project site is not located within the vicinity of a private airstrip. Therefore, implementation of the project would not result in any safety hazards related to private airstrips.
- w. **Potentially Significant.** The project site is surrounded by open spaces and existing residential neighborhoods. According to the County General Plan, the project is not adjacent to or intermixed with areas identified as wildlands. However, the homes along Bunker Hill Drive descend into a canyon that contains dense trees and foliage. Therefore, the risk associated with wildland fires is considered potentially significant and will be further evaluated in the EIR.
- x. **No Impact.** The project site is not located within the 100-year floodplain according to FEMA (see discussion above under **Item 1h**). Furthermore, there are no levees or dams within the project vicinity. Therefore, no impact from flooding is likely to occur and no further discussion of this topic is required.

- y. **No Impact.** Active faults within the San Francisco Bay Area have largely horizontal movement and are not expected to generate significant water waves in the San Francisco Bay. Given the distance of the project site from the bay's edge, the potential for flooding from a seiche would be minimal. The project's location near the middle of the San Mateo peninsula effectively shields it from tsunamis. Given that the topography of the project site, there could be mudflow movement on portions of the project site during storm events. However, the risk associated with mudflow is not expected to inundate the project site. Therefore, implementation of the project would result in no impact from the risk of inundation from seiche, tsunami, or mudflow.

**5. Transportation**

- a. **No Impact.** The project site is an undeveloped parcel adjacent to an existing residential neighborhood. Access to the project site would be provided by existing roadways (i.e., Bunker Hill Drive and Ticonderoga Drive). Project implementation would develop 3.25 acres of undeveloped land into eight residential lots. Implementation of the proposed project would not affect any existing roadway circulation patterns (see **Figure 4**). Access to surrounding commercial establishments, schools, or parks would not be affected as a result of the proposed project during construction or operation. Therefore, project implementation would have no impact to existing commercial establishments, schools, and parks.
- b. **No Impact.** The proposed project would include the development of eight single-family homes. Existing and future residents near the project site would utilize existing sidewalks along Bunker Hill Drive and the southern sidewalk along Ticonderoga Drive. No roadways or pedestrian walkways would be altered as a result of the proposed project.
- c. **Potentially Significant.** The proposed project would add vehicle trips to the surrounding street system. The Institute of Transportation Engineers (ITE) has established trip generation rates for a variety of land uses that is based on averages for daily trips, AM peak hour trips, and PM peak hour trips. The AM peak hour is generally defined as 7:00 AM to 9:00 AM and the PM peak hour is from 4:00 PM to 6:00 PM. According to the ITE, the trip generation rate for residential uses is 9.57 daily trips per unit, 0.75 AM peak hour trips per single-family unit, and 1.01 PM peak hour trips per unit. **Table 2, Highland Estates Project Trip Generation**, uses the ITE rates to show how many vehicle trips would result with project implementation.

**Table 2  
Highland Estates Project Trip Generation**

Daily Trips	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
77	2	4	6	5	3	8

Source: ITE 2007.

As shown above, the project would add a total of 77 vehicle trips throughout the day. In the peak hours, six new trips would be added in the AM, and eight new trips would be added in the PM. The local intersections that would accommodate these additional trips include, but are not limited to the following:

- Bunker Hill Drive/I-280 NB Ramps;
- Bunker Hill Drive/Polhemus Road;
- Polhemus Road/De Anza Boulevard;
- Polhemus Road/Ticonderoga Road;
- State Route 92 (SR 92) WB Ramps/Ralston Avenue; and
- SR 92 WB Ramps/Ralston Avenue.

Additional vehicles trips associated with the proposed project could potentially impact the capacity and level of service for the roadways and intersections described above. Therefore, this impact is considered potentially significant and will be further evaluated in the EIR.

- d. **No Impact.** The proposed project involves the construction of eight single-residential homes and the preservation of approximately 84 acres of open space area. No trails or other recreational activities are proposed for the open space area. Residential uses typically do not result in the use of off-road vehicles. Therefore, physical impacts related to the use of off-road vehicles would is not expected to occur with project implementation.
- e. **Potentially Significant.** See discussion under **Item 5c** above.
- f. **Not Significant.** As discussed above under **Item 5c**, the addition of the proposed project would not generate a substantial amount of motor vehicle trips in the project vicinity. Accordingly, the project would not result in a traffic hazard or an increase in traffic hazards. The project design would add individual driveways for the proposed homes, with two homes along Ticonderoga Drive sharing one driveway. These design features are not expected to create traffic-related hazards. Therefore, the impact is considered less than significant.
- g. **Not Significant.** The proposed project consists of single-family residential homes and the preservation of open space. Individual residents are not required to provide alternative transportation amenities. The significance criterion does not apply to the proposed project.
- h. **Potentially Significant.** As discussed under **Item 5c** above, the carrying capacity of the surrounding roadways is not expected to be significantly affected by the addition of 6 AM peak hour trips, 8 PM peak hour trips, and 77 daily trips.
- i. **No Impact.** The City/County Association of Governments (C/CAG) is the Congestion Management Agency (CMA) that sets the state and federal funding priorities for improvements affecting the San Mateo County Congestion Management Program (CMP) roadway system. C/CAG-designated CMP roadway system components near the project site include SR 92, and II-280. C/CAG established the level of service standard for major roadways in San Mateo County. As discussed in Item 5c above, the additional project vehicle trips would not contribute substantially to the local roadway system. Therefore, project implementation would not individually or cumulatively exceed a level of service standard established by the CMP.
- j. **No Impact.** The project would not affect air traffic patterns since an airport is not part of the project or within 5 miles of the project. Therefore, no impact would occur, with project implementation, to air traffic patterns.

- k. **No Impact.** The project site is an undeveloped parcel adjacent to an existing residential neighborhood. Access to the project site would be provided by existing roadways (i.e., Bunker Hill Drive and Ticonderoga Drive). Project implementation would develop 3.25 acres of undeveloped land into eight residential lots. Implementation of the proposed project would not affect any existing roadway circulation patterns (see **Figure 4**). The proposed project would provide individual driveways to each residential home, except for the two most eastern homes along Ticonderoga Drive which would share one wider driveway. Given the above, no impact would occur to emergency access with project implementation.
- l. **No Impact.** According to Section 6118 of the County Code, two parking spaces are required for each proposed single-family residential home. The proposed project would provide covered garage parking for two spaces on-site for each home. Therefore, no impact would occur.
- m. **No Impact.** The County has adopted policies related to alternative transportation (Policies 12.23-12.40 in the County General Plan). These policies are normally intended for larger commercial, office, retail, and industrial-type developments. The proposed project includes the development of eight single-family homes and the preservation of open space. These homes are located near public transportation facilities thereby providing future residents access to alternative modes of transportation available to the project area. Public transit service is currently provided to the project area by SamTrans, a San Mateo County bus system. There is one fixed route near the project site (260). This bus line runs from the College of San Mateo, downtown Belmont, Norte Dame de Namur University, and to Redwood Shores. The nearest bus stop for this line to the project site is within the Crystal Springs Shopping Center on Polhemus Road. The current ridership for this bus line is 18 passengers per bus, with an overall capacity of 41 passengers per bus. Therefore, no impact would occur.

## **6. Land Use and General Plans**

- a. **No Impact.** The proposed project involves the construction of eight single-family homes and the preservation of open space. It is not expected that these land uses would result in the congregation of 50 or more people on a regular basis.
- b. **No Impact.** The proposed project involves the construction of eight single-family homes and the preservation of open space. These uses are common and consistent with the existing land uses in the community. Therefore, the single-family residential uses of the proposed project would not be a new type of activity in the area.
- c. **No Impact.** The equipment that would be used for the proposed project included standard construction equipment. The types of construction vehicles that may be used include, dozers, graders, street sweepers, dump trucks, and construction worker vehicles. Equipment that may be used by future residential homeowners of the site may include gardening equipment and personal electronics. While it is unknown exactly what specific types of equipment may be used upon project implementation, the equipment allowed by law for both construction and private home use would not interfere with existing communication and/or defense systems.
- d. **Not Significant.** Project implementation would result in changes in land use to the project site; no changes in land use off-site are proposed. The approximately 99-acre site is currently undeveloped open space. The proposed project would develop approximately 3.25 acres of the project site into single-family residential uses. Although the project would change the existing uses of the land, the single-family residential uses are allowed under the current zone for the project site by the County of San Mateo RM Zoning Ordinance. Therefore, the change in land use is not considered a significant impact.

e. **Not Significant.** The project would not introduce new industry, commercial facilities, or recreation activities to the area. The project would create nine new lots, eight of which would be the single-family homes and the ninth lot, approximately 84 acres in size would be designated as permanent open space. The proposed project is in an already developed neighborhood with existing sewer and water infrastructure systems. The project would not expand existing utilities such as wastewater, water service and circulation systems beyond those necessary to provide services to the eight homes. Therefore, this would be a less than significant impact.

f. **Not Significant.**

*Streets, Highways, Freeways*

See discussion under **Item 5c** above.

*Public Transit*

As discussed above under **Item 5m**, public transit service is currently provided to the project area by SamTrans, a San Mateo County bus system. There is one fixed route near the project site (260). The current ridership for this bus line is 18 passengers per bus, with an overall capacity of 41 passengers per bus. According to the San Mateo County Housing Element, the average population for single-family residential units in the Highlands neighborhood is 2.97 persons per dwelling unit. The project would add approximately 24 persons to the area. The additional residents generated by the project are not expected to adversely affect the capacity of these bus routes (Samtrans 2007). Therefore, impacts are not considered significant.

*Schools*

The San Mateo-Foster City School District administers elementary and middle schools in the project area. The current student generation rate for new construction is 1 student for every 4 single-family dwelling units for elementary schools, and 1 student for every 10 single-family dwelling units for middle school. Given this, the project would generate 2 elementary school students and one middle school student. The nearest elementary school is Highlands Elementary School. The current capacity of the school is 412 and as of March 2007, the current enrollment was 405 students. The project would generate 2 elementary school students and would thereby increase the enrollment of the Highlands Elementary School to 407. As shown, Highlands Elementary has sufficient capacity to serve the project. The closest middle school to the project site is Borel Middle School. The current enrollment is 915 students and the School District indicated that the addition of one student to the campus would not significantly affect the school (San Mateo-Foster City School District 2007). Therefore, impacts are not considered significant.

The nearest high school to the project site is Aragon High School and is administered by the San Mateo Union High School District. The student generation rate for high school students is 0.12 students per single-family dwelling unit. Given this, the proposed project would generate one high school student. The current capacity of Aragon High School is 1,500 students. The school year for 2006-2007 had a student enrollment of 1,523 students, which currently exceeds the capacity. The School District indicated that while the current enrollment is over capacity, there are expansion projects planned for the high school that would commence construction in the summer of 2007. It is expected that these expanded facilities would add classroom space, facilities and faculty areas. The School District indicated that upon project implementation, the addition of one student is not expected to significantly affect the capacity of Aragon High School (San Mateo Union High School District 2007). Therefore, impacts are not considered significant.

*Parks*

The proposed project does not include any public parks or recreational uses. The portion of the site that would be designated as open space would not provide access to the public for trails or other outdoor uses. The nearest recreational facilities to the site are the Highlands Recreation Center, play fields on the Highlands Elementary school site, and the County-operated Crystal Springs Trail. The proposed project would be required to pay a "park in-lieu fee" to the County Parks Department. This fee is assessed on all proposed subdivision projects based upon the number of units and the assessed value of the land. The project would contribute its share of the "park in-lieu fee" to fund maintenance and operation of County owned parks. It is not anticipated that the 24 new residents added to the area upon project implementation would increase the use of parks and recreational uses such that deterioration would be accelerated or construction of expanded or new facilities would be necessary. Therefore, impacts are not considered significant.

*Police (Sherriff Office)*

Upon approval, the project site would need to be annexed into County Service Area 1, which includes police and fire services (funded by property tax and special taxes). Within this service area, the San Mateo County Sherriff's Department serves the site of the proposed project as a special service district from its facility in Redwood City. The Sherriff's Office also operates a substation within the Highlands neighborhood. This substation provides supplemental patrol services as well as facilitates access to community services for the area. The Sherriff's Office has a total of 75 deputies. Response times to the project site vary from 5 to 25 minutes depending on the type of call and location of the responding unit. Mutual assistance is also provided by the California Highway Patrol and the City of San Mateo. There are no plans to construct or expand the Sherriff Office facilities. The Sherriff's Office has indicated that the addition of eight single-family homes to the area is not expected to increase response times or require additional deputies to serve the site (San Mateo County Sherriff's Office 2007). Therefore, impacts are not considered significant.

*Fire Services*

Upon approval, the project site would need to be annexed into County Service Area 1, which includes police and fire services (funded by property tax and special taxes). The California Department of Forestry and Fire Protection (CDF) is responsible for fire protection within this service area and in San Mateo County as it is designated as a State Responsibility Area (SRA) for the protection from wildland type fires. San Mateo County also contracts with CDF to provide structural fire suppression, life safety inspections, and medical emergencies to unincorporated portions of the County, which includes the project site. The nearest fire station to the project site is located approximately 1 mile south at 50 Paul Scannell Drive. A minimum of six firefighters are assigned to this station, 24 hours a day on a year-round basis. Two battalion chiefs, one of which acts as the County Fire Marshal, and an assistant chief are also stationed there. The County Fire Marshal has indicated that the proposed homes and their driveway access points would not significantly affect service to the project site. Additionally, no new staff, equipment, or stations would be required as a result of project implementation. Therefore, impacts are not considered significant.

*Hospitals*

The closest hospital is the San Mateo Medical Center, a County operated hospital. The administrative staff has indicated that due to the recent hospital renovation the existing capacity of the hospital could sufficiently accommodate the additional residents resulting from the project (San Mateo Medical Center 2007). Additionally, it is not anticipated that all future residents of the proposed project would utilize this hospital. There are a variety of other facilities within San Mateo County that may be used depending on personal medical insurance, type of ailment, and personal preference. No capacity issues are expected at nearby hospitals as a result of project implementation. Therefore, impacts are not considered significant.

*Public Utilities*

The proposed project would connect to existing utility lines for PG&E (electricity and natural gas), water, and storm drainage that exist on Ticonderoga Drive, Bunker Hill Drive, or run through the project site. The private companies and public agencies that administer these services have indicated that

the proposed project could be accommodated by their existing services, and no issues with regard to need for expanded capacity or resources is expected. Issues involving sanitary sewer capacity and landfill capacity are discussed under **Item 4r**, and below under **Item 6i**. The City of San Mateo indicated that the current capacity of their wastewater treatment plant is 15.7 millions gallons per day (mgd). The current average flow that is received by the plant is approximately 12 mgd. This leaves a remaining capacity of 3.7 mgd. The proposed project would generate approximately 1,760 gallons per day. The additional wastewater flows would not create the need for an expansion of the wastewater treatment plant that would result in an environmental impact. Therefore, impacts are not considered significant.

*Public Works*

The County Department of Public Works has indicated that the proposed project would not present any issues with regard to capacity of County-operated sanitary sewer systems. Existing issues associated with capacity of the wastewater treatment plant and sanitary sewer collection system is discussed above, under **Item 4r**. Therefore, impacts are not considered significant.

- g. **Not Significant.** Please see discussion above under **Item 6f**.
- h. **No Impact.** The closest public facilities to the project site are the California Department of Forestry Belmont station at 50 Paul Scannell Drive (formerly Tower Road) and the San Mateo County Youth Services Center is located at 222 Paul Scannell Drive south of the project site. Both of these public facilities are more than 500 feet from the southern project boundary.
- i. **Not Significant.** According to the San Mateo County Housing Element, the average population for single-family residential units in the Highlands neighborhood is 2.97 persons per dwelling unit. The project would add approximately 24 persons to the area. Assuming a solid waste generation rate of 2.2 tons per year per residential unit, the amount of solid waste generated by the project would be approximately 18 tons per year (CIWMB 2007).

The Ox Mountain landfill has a permit from the California State Integrated Waste Management Board to operate until 2018, with a total permitted capacity of 35.9 million cubic yards. The maximum daily waste tonnage that it is permitted to receive is 3,598 tons, which is approximately 1.3 million tons per year. The amount of waste (18 tons per year) generated by the proposed project on a yearly basis would represent less than one percent of the total amount of solid waste the landfill is permitted to accept.

As discussed above, the project would generate approximately 400 CY of excess earth materials that would be disposed at the Ox Mountain landfill. The solid waste associated with construction would be a one-time disposal and would not significantly affect the capacity of the landfill. Given that the earth materials would be comprised of soils, the weight of 400 CY of soil would be approximately 31,200 pounds or 15.6 tons. As discussed in the Project Description, the disposal of soil would take approximately 34 truck trips over a period of several days. Therefore, the project during construction and occupancy is not expected to generate significant amounts of solid waste and would be sufficiently accommodated by the Ox Mountain landfill. Given this, impacts are not considered significant.

*Cumulative Impacts:* The development of future residential and commercial land uses in the County would increase the demand for solid waste disposal. Service ability and capacity are evaluated for each project during the application review process. Cumulative development could result in the need for additional services, but it is anticipated that these needs could be met without exceeding current capacity given that the proposed land uses would slightly increase the intensity of land uses in the area. There are approximately 20 pending or approved projects within the City of San Mateo, the Town of Hillsborough and San Mateo County that would likely contribute solid waste to the Ox Mountain landfill. If all projects were implemented, the total annual solid waste produced would be approximately 1,247 tons per year. The project would contribute 18 tons to this total. This is

approximately one percent of the total 1.3 million tons per year that the Ox Mountain facility is permitted to accept. Therefore, cumulative impacts are not considered significant and the project's contribution to cumulative impacts would not be considered considerable.

- j. **No Impact.** The proposed project would involve construction vehicles and private automobiles related to the proposed use on the site. Both construction vehicles and personal automobiles would require gasoline or diesel to operate. The duration of construction and the amount of homes that would be constructed is not considered a substantial increase in fossil fuel consumption in the project area. Therefore, no impact would occur.
- k. **No Impact.** The proposed project requires the following permits from San Mateo County: a major subdivision permit, a resource management permit, and a grading permit. The proposed project would not require an amendment or exception to the San Mateo County General Plan. The project is also consistent with the current zoning ordinance, and would not require a conditional use permit or variance. There are no other applicable specific plans, or community policies or goals that apply to the project site. Therefore, no impact would occur.
- l. **No Impact.** The proposed project would not involve a change in zoning. The proposed development is consistent with the RM zone. Therefore, no impact would occur.
- m. **No Impact.** Project implementation would result in the development of 3.25 acres of undeveloped land into residential homes. The site is currently undeveloped and would not displace any individuals or existing homes as a result of project implementation. Therefore, no impact would occur.
- n. **No Impact.** The proposed project would not remove any existing units of low-income housing from the supply that currently exists within the County. Therefore, no impact would occur.
- o. **No Impact.** See response above under **Item 6f**. The County does not have a specific adopted emergency response plan or evacuation plan. Project implementation would not change the circulation or configuration of the existing roadways. Access to the project site would be provided by the existing roadways. Therefore, no impact would occur.
- p. **No Impact.** See discussion above under **Item 4h**. Occupancy of the project would have activities associated with single-family homes occurring on a regular basis. There would be vehicle trips associated with the homes as well as storage of belongings and equipment typical for residential purposes. It is not expected that these homes would create or expose existing or future residents to health hazards. Therefore, no impact would occur.
- q. **No Impact.** The project site is undeveloped open space. The project would construct single-family homes along existing roadways and fill in areas where there is a gap in existing single-family homes. Specifically, homes planned along Ticonderoga Drive would extend to the east from where the existing neighborhood currently ends. There is a gap along Bunker Hill Drive where the proposed project would add single-family homes in-line with existing uses which occur to the west and east of the proposed area for development. No new roadways would be constructed as part of the project. The proposed project would add a small number of residential homes to an already established community. The location of these homes would not separate established land uses or neighborhoods. For these reasons, the project would not physically divide an established community. Therefore, no impact would occur.
- r. **Not Significant.** See discussion under **Item 6f**, above.
- s. **Not Significant.** See discussion under **Item 4r**, above.

t. **Not Significant.** The proposed project would generate wastewater from eight single-family residential units. No other uses are proposed for the site. Wastewater associated with residential land uses is not expected to exceed wastewater treatment requirements set by the San Francisco Bay Regional Water Quality Control Board (Board). The permit issued by the Board for the San Mateo Wastewater Treatment Plant allows for the treatment and disposal of residential wastewater. No disposal of hazardous or atypical substances is expected to occur at the proposed homes. Therefore, the project would comply with applicable regulations and this impact is considered less than significant.

u. **Not Significant.** See **Item 4r** for a discussion of the wastewater collection system and **Item 6f** for a discussion of wastewater treatment facilities.

*Cumulative Impacts:* The City of San Mateo operates the wastewater treatment plant and analyzes flow that is anticipated to enter the facility. An Environmental Impact Report was prepared for the wastewater treatment plant in 1990. That document recommended additional capacity be added to the plant to accommodate future anticipated growth in the area. The treatment plant was expanded in 1998 and the capacity was increased to 15.7 mgd. An additional capacity study was conducted by the City of San Mateo in 2000 as part of its Sanitary Sewer Agreement with the Town of Hillsborough and the Crystal Springs County Sanitation District. The study found that the wastewater treatment plant capacity would be sufficient to accommodate future cumulative growth in the three jurisdictions. However, improvements would be needed to the sewer lines that convey wastewater to the plant (see **Item 4r**). Given the above, the wastewater treatment plant has the capacity to accommodate future growth in the area including the development of the proposed project. Therefore, impacts are not considered significant.

v. **Not Significant.** See **Item 1f above**.

w. **Not Significant.** Solid waste generated by the project would be disposed of at the Ox Mountain Landfill, which is operated by BFI/Allied Waste Systems. The proposed project would generate approximately 18 tons per year of solid waste. The type of waste associated with residential uses is typically does not contain substantial amounts of hazardous or toxic materials. San Mateo County has a Household Hazardous Waste program for proper disposal of potentially toxic items such as paint and oil (see discussion under **Item 4h**). The Ox Mountain landfill operates with a permit from the California Integrated Waste Management Board to accept waste associated with residential uses. Because the project would comply with all applicable regulations, impacts related to solid waste disposal would be less than significant.

*Cumulative Impacts:* The development of future residential and commercial land uses in the County would increase the demand for solid waste disposal. Cumulative development could result in the need for additional services, but it is anticipated that these needs could be met with existing facilities. Pending and approved development for the County consists of residential, commercial, and office uses. The solid waste associated with these land uses would be accepted at the Ox Mountain Landfill and would comply federal, state, and local regulations related to the contents of solid waste.

## 7. Aesthetic, Cultural, and Historic

a. **No Impact.** The project site is located approximately one half mile from Interstate 280, which is designated as a State Scenic Highway. However, the project site is not visible from the Interstate, and would therefore not impact the existing scenic views. The project site is not within a County Scenic Corridor. The closest road that is designated in the San Mateo County General Plan is Polhemus Road. Because the areas of the project site proposed for development are not visible from Polhemus due to the topography of the project site, the County Scenic Corridor would not be affected by the project site. Therefore, no impact would occur.

- b. **Potentially Significant.** Views of the project site from surrounding areas consist of expansive open space of dense vegetation. Project implementation would erect homes on an undeveloped site. According to the County General Plan, there are no designated scenic vistas on the project site or in this area of the County. Furthermore, the County does have an ordinance that protects views. However, project implementation could potentially change the existing views off-site currently available from surrounding areas. This is considered a potentially significant and will be further discussed in the EIR.
- c. **No Impact.** None of the residential homes proposed for construction would exceed 36 feet in height. The homes located along Bunker Hill Drive would be between 12 and 14 feet high from street level. The tallest homes would be located on Ticonderoga Drive and would have a height between 28 and 30 feet, depending on the location of the second story rooflines and gables. Therefore, no proposed residential dwelling unit would exceed 36 feet in height and no impact would occur.
- d. **Potentially Significant.** The project would permanently alter the visual character of the project site by constructing single-family residences on a currently undeveloped site in a residential neighborhood. Furthermore, the project could degrade the quality of the existing visual character if the design and massing of the proposed structures are incompatible with surrounding land uses. This is considered a potentially significant impact and will be discussed in the EIR.
- e. **Not Significant.** The development of open space with residential land uses would create new sources of light and glare. Structures, including residential homes and surface driveways would be developed on the site. Typical residential lighting that occurs at night would occur with project implementation. However, these new sources are not anticipated to affect day and nighttime views in the area given that the type of lighting associated with the proposed project would be similar to the existing residential neighborhood. For these reasons, the introduction of new sources of light and glare with project development would not substantially intrude upon day or nighttime views in the project area. Therefore, this impact is considered less than significant.
- f. **Significant unless Mitigated.**  
A literature review was completed by the Northwest Information Center in order to identify any cultural resources on the project site. A copy of the literature review is attached as **Appendix B** to this Initial Study. According to the review, Native American cultural resources in this part of San Mateo County are normally found along the former bay margin, former marshlands, and near sources of fresh water. Native American cultural resources have been found in the area of San Mateo County adjacent to seasonal and perennial watercourses. Given the similarity of environmental factors on the project site and the ethnographic sensitivity of the area, there is a possibility that unrecorded Native American cultural resources exist within the project area. One documented archaeological resource was found to be on the project site. Condor Country Consulting completed an archaeological literature search which indicated that the known Native American resource was not within the areas proposed for development on the project site, but a pedestrian survey of the 3.25 acres proposed for development had not been completed by an archaeologist. On May 7, 2007 a site survey was performed for the 3.25 acres proposed for development along Bunker Hill Drive and Ticonderoga Drive to confirm the presence of any undocumented cultural resources. Based on the results of the literature review and site reconnaissance, the identified site is not within the areas the 3.25 acres proposed for development. Maintenance access is currently provided near the intersection of Bunker Hill Drive and Polhemus Road to private maintenance vehicles for the open space portions of the site. This access would be maintained with project implementation. No roadways or other activities that would alter the existing physical conditions of the site for that access area is proposed as part of the project. Any proposed changes to the physical environment outside of the 3.25 acres proposed for development would require additional analysis in determining potential impacts to Native American cultural resources.

During the site survey, no architectural or other historic period resources were identified on the project site. Therefore, there would be no substantial adverse change to historical resources.

However, given the undeveloped nature of the project site, there is a possibility for pre-historic archaeological resources or unknown human remains to be discovered during construction. The following mitigation measures are proposed to reduce potentially significant impacts to a less-significant-level.

**Mitigation Measure Cult-1:** Prior to clearing, grading, excavation, or construction on the project site, the prime construction contractor shall provide a signed letter of acknowledgement that they are aware of the potential for unidentified buried or otherwise obscured archaeological or cultural deposits on the project site and that they accept responsibility to halt construction activity should cultural resources or human remains be unearthed during project construction. The letter of acknowledgement shall identify that the prime construction contractor has been cautioned by the County of San Mateo regarding the legal and/or regulatory implications of knowingly destroying cultural resources or removing artifacts, human remains, bottles, and/or other cultural resources from the project site.

**Mitigation Measure Cult-2:** The County shall identify a qualified archaeologist prior to any demolition, excavation, or construction. The archaeologist shall have the authority to perform spot check monitoring of subsurface construction and watch for and evaluate artifacts or resources that may be uncovered. The archaeologist shall also have the authority to temporarily halt excavation and construction activities in the immediate vicinity (within a fifty-meter radius) of a find if significant or potentially significant cultural resources are exposed by construction operations.

**Mitigation Measure Cult-3:** Reasonable time would be allowed for the qualified archaeologist to notify the proper authorities for a more detailed inspection and examination of the exposed cultural resources. During this time, excavation and construction would not be allowed in the immediate vicinity of the find; however, construction activities could continue in other areas of the project site.

**Mitigation Measure Cult-4:** If any find were determined to be significant by the qualified archaeologist, representatives of the construction contractor, the County staff, and the qualified archaeologist would meet to determine the appropriate course of action.

**Mitigation Measure Cult-5:** All cultural resources recovered as part of the monitoring program would be subject to scientific analysis, professional museum curation, and a report prepared according to current professional standards.

*Cumulative Impacts:* Impacts to cultural resources are generally site-specific. The measures described above are consistent with state laws and CEQA regulations relating to the preservation of cultural resources. Other development projects in San Mateo County and the City of San Mateo, Hillsborough, and Belmont would have to follow similar procedures and thus future development in the County would have less than significant cumulative impacts to cultural resources. The project incorporates above-mentioned measures and would therefore, not represent a considerable contribution to cumulative impacts.

- g. **Potentially Significant.** See **Item 7b** above. The project would construct new single-family homes on a site that is currently undeveloped. The introduction of these homes would alter the scenic qualities of the site to surrounding uses. This is considered a potentially significant impact and this issue will be further discussed in the EIR.
- h. **Significant unless Mitigated.** The surface soils at the project site consist of clayey soil, greywacke sandstone, sheared bedrock, and bedrock of the Franciscan Formation. These soils are considered unlikely to contain paleontological resources. The bedrock associated with the Franciscan Formation may have the potential for marine paleontological resources. The Franciscan Formation was formed during the Cretaceous period and may be composed of marine and continental rocks. The rocks associated with marine life may yield paleontological resources.

Site preparation for the proposed project would involve extensive grading, some filling and construction of homes and retaining walls. While the site does not contain any known unique paleontological resources, unique paleontological resources could exist on site. During project construction, grading and excavating activities would occur within the Franciscan Formation, and paleontological resources could be encountered. Project impacts related to paleontological resources would be significant unless mitigated. The following mitigation measures are proposed to reduce this impact to a less-than-significant-level.

**Mitigation Measure Cult-6:** The County shall identify or retain the services of a qualified paleontologist prior to any demolition, excavation, or construction. The project paleontologist shall attend the pre-grading meeting to discuss how to recognize paleontological resources in the soil during grading activities. The prime construction contractor and any subcontractor(s) shall be cautioned on the legal and/or regulatory implications of knowingly destroying paleontological resources or removing paleontological resources from the project site.

**Mitigation Measure Cult-7:** If paleontological resources are encountered during the course of site development activities, work in that area shall be halted and the project paleontologist shall be notified of the find. The project paleontologist shall have the authority to temporarily divert or redirect grading to allow time to evaluate any exposed fossil material. "Temporary" shall be two working days for the evaluation process.

**Mitigation Measure Cult-8:** If the project paleontologist determines that the resource is significant, then any scientifically significant specimens shall be properly collected by the project paleontologist. During collection activities, contextual stratigraphic data shall also be collected. The data will include lithologic descriptions, photographs, measured stratigraphic sections, and field notes.

**Mitigation Measure Cult-9:** Scientifically significant specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and offered for curation to a suitable repository that has a retrievable storage system, such as the University of California, Berkeley, Museum of Paleontology.

**Mitigation Measure Cult-10:** The project paleontologist shall prepare a final report at the end of the earthmoving activities; the report shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. The project paleontologist shall send one copy of the report to the County of San Mateo; another copy should accompany any fossils, along with field logs and photographs, to the designated repository.

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- i. **Significant unless Mitigated.** See discussion above under **Item 7f.** Additionally, no formal cemeteries were found on the project site during the site survey. Incorporation of the following mitigation measure would ensure that impacts related to human remains encountered during construction would be reduced to a less-than-significant level.

**Mitigation Measure Cult-11:** If human remains are discovered at the project site during construction, work at the construction site at which the remains have been uncovered shall be suspended, and the County of San Mateo Public Works Department and County coroner shall be immediately notified. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

**IV. RESPONSIBLE AGENCIES.** Check what agency has permit authority or other approval for the project.

AGENCY	YES	NO	TYPE OF APPROVAL
U.S. Army Corps of Engineers (CE)		X	
State Water Resources Control Board		X	
Regional Water Quality Control Board	X		The project will require compliance with the NPDES requirements and the preparation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would be prepared along with the grading plan to fulfill the requirements of the State of California's General Permit to discharge stormwater associated with construction activity.
State Department of Public Health		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	
U.S. Environmental Protection Agency (EPA)		X	
County Airport Land Use Commission (ALUC)		X	
CalTrans		X	
Bay Area Air Quality Management District		X	
U.S. Fish and Wildlife Service		X	
Coastal Commission		X	
City		X	
Sewer/Water District:	X		The applicant will be required to pay connect fees to connect to the existing sewer collection system.
Other: California Department of Fish and Game	X		The California Department of Fish and Game has jurisdiction over natural resources potentially occurring on the project site.

**V. MITIGATION MEASURES**

Mitigation measures have been proposed in project application.

Other mitigation measures are needed.

<u>Yes</u>	<u>No</u>
X	X

The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:

**Mitigation Measures Proposed as Part of the Initial Study**

**Mitigation Measure Hydro-1:** The project applicant shall develop an erosion control plan that includes erosion control measures to ensure stability of the hillside during construction. The erosion control plan shall include fiber rolls placed along hillsides and silt fences placed along the perimeter of hillside construction to collect silt and slow storm water runoff. The erosion control plan shall adhere to the erosion control details shown on **Figure 9, Erosion Control Details (Silt Fence and Fiber Roll)** in the project description of the Initial Study. The erosion control plan shall place the silt fences and fiber rolls for homes along Bunker Hill Drive as shown in **Figure 10, Proposed Erosion Control Plan Lots 1-4** in the project description of the Initial Study, and for houses along Ticonderoga Drive as shown on **Figure 11, Proposed Erosion Control Plan Lots 5-8** in the project description of the Initial Study. The erosion control plan shall be approved by the County Planning and Building Department prior to start of construction at the site.

**Mitigation Measure Hydro-2:** The contractor/developer shall install four bio-retention planters in the rear yards of lots 1 through 4 at Bunker Hill Drive. The bio-retention planters shall be approximately 160 square-foot planters and be built along the existing slope contours of each lot. Two approximately 160 square-foot bio-retention planters shall be placed in the front yards of lots 5 and 6 along Ticonderoga Drive. Lot 8 shall have one approximately 400 square-foot bio-retention planter placed east of the proposed dwelling unit and along the existing slope contour. This planter would treat storm water runoff from lots 7 and 8.

Each planter shall be between 4- and 5-feet high depending on the depth of planting material. The plants and associated soil would function to filter storm water runoff from the proposed homes through root uptake. Plants shall be drought-tolerant and should be able to withstand ponding for short periods of time.

**Mitigation Measure Cult-1:** Prior to clearing, grading, excavation, or construction on the project site, the prime construction contractor shall provide a signed letter of acknowledgement that they are aware of the potential for unidentified buried or otherwise obscured archaeological or cultural deposits on the project site and that they accept responsibility to halt construction activity should cultural materials or human remains be unearthed during project construction. The letter of acknowledgement shall identify that the prime construction contractor has been cautioned by the County of San Mateo on the legal and/or regulatory implications of knowingly destroying cultural resources or removing artifacts, human remains, bottles, and/or other cultural materials from the project site.

**Mitigation Measure Cult-2:** The County shall identify a qualified archaeologist prior to any demolition, excavation, or construction. The archaeologist would have the authority to perform spot check monitoring of subsurface construction and watch for and evaluate artifacts or resources that may be uncovered. The archaeologist would also have the authority to temporarily halt excavation and construction activities in the immediate vicinity (within a fifty-meter radius) of a find if significant or potentially significant cultural resources are exposed and/or adversely affected by construction operations.

**Mitigation Measure Cult-3:** Reasonable time would be allowed for the qualified archaeologist to notify the proper authorities for a more detailed inspection and examination of the exposed cultural resources. During this time, excavation and construction would not be allowed in the immediate vicinity of the find; however, those activities could continue in other areas of the project site.

**Mitigation Measure Cult-4:** If any find were determined to be significant by the qualified archaeologist, representatives of the construction contractor and the City, and the qualified archaeologist, would meet to determine the appropriate course of action.

**Mitigation Measure Cult-5:** All cultural materials recovered as part of the monitoring program would be subject to scientific analysis, professional museum curation, and a report prepared according to current professional standards.

**Mitigation Measure Cult-6:** The County shall identify a qualified paleontologist prior to any demolition, excavation, or construction. The project paleontologist shall attend the pre-grading meeting to discuss how to recognize paleontological resources in the soil during grading activities. The prime construction contractor and any subcontractor(s) shall be cautioned on the legal and/or regulatory implications of knowingly destroying paleontological resources or removing paleontological resources from the project site.

**Mitigation Measure Cult-7:** If paleontological resources are encountered during the course of site development activities, work in that area shall be halted and the project paleontologist shall be notified of the find. The project paleontologist shall have the authority to temporarily divert or redirect grading to allow time to evaluate any exposed fossil material. "Temporary" shall be two working days for the evaluation process.

**Mitigation Measure Cult-8:** If the project paleontologist determines that the resource is significant then any scientifically significant specimens shall be properly collected by the project paleontologist. During collecting activities, contextual stratigraphic data shall also be collected. The data will include lithologic descriptions, photographs, measured stratigraphic sections, and field notes.

**Mitigation Measure Cult-9:** Scientifically significant specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and offered for curation to a suitable repository that has a retrievable storage system, such as the University of California, Berkeley, Museum of Paleontology.

**Mitigation Measure Cult-10:** The project paleontologist shall prepare a final report at the end of the earthmoving activities; the report shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. The project paleontologist shall send one copy of the report to the County of San Mateo; another copy should accompany any fossils, along with field logs and photographs, to the designated repository.

**Mitigation Measure Cult-11:** If human remains are discovered at the project site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the County of San Mateo Public Works Department and County coroner shall be immediately notified. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

**VI. MANDATORY FINDINGS OF SIGNIFICANCE**

	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal, or eliminate important examples of the major periods of California history or prehistory?	X	
2. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?		X
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable?	X	
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?	X	

Discussion:

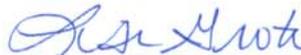
1. **Yes.** The project has the potential to impact biological resources that occur within the project site, including special status species, riparian habitat, and oak woodlands. The project site may contain special-status bird species including Cooper's hawk. The proposed project may result in the loss of suitable nesting and foraging habitat and potentially the direct loss of active nests. This is a potentially significant impact and will be discussed in the EIR.
2. **No.** Implementing project would result in both short- and long-term gains to the environment. Short- and long-term gains would consist of a new residential area with open space. These gains would not be to the disadvantage of any long-term environmental goals.
3. **Yes.** The project has the potential to contribute to cumulative impacts associated with the environmental topics identified as Significant in this Initial Study. The EIR will identify approved and pending projects in the vicinity, as well as planned improvements, to examine the combined effects of the project together with the effect of future projects.
4. **No.** The project has the potential to directly or indirectly impact human beings as identified throughout this Initial Study with respect to those environmental topics determined to be significant. The project has the potential to degrade aesthetics, remove habitat related to biological resources and pose potential risks involved with geological issues. These are considered significant impacts and will be discussed in the EIR.

On the basis of this initial evaluation:

I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Planning Division.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because of the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.



\_\_\_\_\_  
Lisa Grote

\_\_\_\_\_  
Date: May 11, 2007

\_\_\_\_\_  
Director of Planning and Building

## VII. SOURCE LIST

- A. Field Inspection
- B. County General Plan 1986
- C. County Ordinance Code
- D. Geotechnical Maps
  - 1 USGS Basic Data Contributions
    - a. #43 Landslide Susceptibility
    - b. #44 Active Faults
    - c. #45 High Water Table
  - 2 Geotechnical Hazards Synthesis Maps
- E. USGS Quadrangle Maps, San Mateo County 1970 Series (See F. and H.)
- F. San Mateo County Rare and Endangered Species Maps, or Sensitive Habitats Maps
- G. Flood Insurance Rate Map – National Flood Insurance Program
- H. County Archaeologic Resource Inventory (Prepared by S. Dietz, A.C.R.S.) Procedures for Protection of Historic and Cultural Properties – 36 CFR 800 (See R.)
- I. Project Plans or EIF
- J. Airport Land Use Committee Plans, San Mateo County Airports Plan
- K. Williamson Act Maps
- L. Environmental Regulations and Standards:
  - Federal – Review Procedures for CDBG Programs 24 CFR Part 58
  - NEPA 24 CFR 1500-1508

	- Protection of Historic and Cultural Properties	36 CFR Part 800
	- National Register of Historic Places	
	- Floodplain Management	Executive Order 11988
	- Protection of Wetlands	Executive Order 11990
	- Endangered and Threatened Species	
	- Noise Abatement and Control	24 CFR Part 51B
	- Explosive and Flammable Operations	24 CFR 51C
	- Toxic Chemicals/Radioactive Materials	HUD 79-33
	- Airport Clear Zones and APZ	24 CFR 51D
State	- Ambient Air Quality Standards	Article 4, Section 1092
	- Noise Insulation Standards	

M. Consultation with Departments and Agencies:

- a. California Department of Forestry-Personal Communication with Pete Munoa, County Fire Marshal, April 30, 2007.
- b. Department of Public Works-Personal Communication with Mark Chow, Engineer, April 25, 2007
- c. San Mateo County Sherriff's Office-Personal Communication with Sergeant Jeff Kearnan, April 27, 2007
- d. City of San Mateo Public Works Department-Personal Communication with Darla Reams, Deputy Director of Public Works, April 19, 2007.
- e. San Mateo-Foster City School District-Personal Communication with Vicky Perez, Administrative Assistant for Business Services and Tatiana Sandoval, Administrative Assistant, April 10, 2007.
- f. San Mateo Union High School District-Personal Communication with Pam Chavez, Administrative Assistant to the Associate Supervisor of Business Services, April 11, 2007.
- g. SamTrans-Personal Communication with Doug Johnson, Manager of Operations Planning, May 7, 2007.
- h. San Mateo Medical Center-Personal Communication with David Hook, Director of Marketing and Communication, May 7, 2007.
- N. California Stormwater Best Management Practices Handbook for Construction, January 2003. Accessed electronically <http://www.cabmphandbook.com>
- O. Envirostor Database. Accessed April 16, 2007. <http://www.envirostor.dtsc.ca.gov>
- P. Thomas Reid Associates (TRA). 2006. Biological Assessment for Lots #1-8 within the Highlands Estates, San Mateo County, California
- Q. TRC Lowney and Associates, Geotechnical Investigation and Geologic Hazards Review, February 7, 2006.
- R. Soil Foundation Systems, Geotechnical Investigation, July 20, 1993.
- S. Department of Conservation, Farmland Mapping and Monitoring Program, Accessed electronically. <http://www.consrv.ca.gov/DLRP/fmmp/index.htm>
- T. Bay Area Air Quality Management District, Bay Area 2000 Clean Air Plan.
- U. California Integrated Waste Management Board. <http://www.ciwmb.ca.gov>



URBEMIS 2002 For Windows 8.7.0

File Name: C:\Documents and Settings\glu\Desktop\Ticonderoga Operational.urb  
Project Name: Ticonderoga Project Operational Emissions  
Project Location: San Francisco Bay Area  
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

SUMMARY REPORT  
(Pounds/Day - Summer)

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	0.71	0.10	0.30	0.00	0.00

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	0.68	0.75	7.91	0.01	0.85

SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	1.38	0.85	8.21	0.01	0.86

URBEMIS 2002 For Windows 8.7.0

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Project Name: Ticonderoga Project Operational Emissions  
Project Location: San Francisco Bay Area  
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

SUMMARY REPORT  
(Pounds/Day - Winter)

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	5.21	0.26	8.35	0.02	1.24

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	0.74	1.14	8.58	0.00	0.85

SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	5.95	1.40	16.93	0.02	2.09

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On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

DETAIL REPORT  
(Pounds/Day - Winter)

AREA SOURCE EMISSION ESTIMATES (Winter Pounds per Day, Unmitigated)					
Source	ROG	NOx	CO	SO2	PM10
Natural Gas	0.01	0.10	0.04	0	0.00
Hearth	4.54	0.16	8.31	0.02	1.24
Landscaping - No winter emissions					
Consumer Prdcts	0.39	-	-	-	-
Architectural Coatings	0.27	-	-	-	-
TOTALS(lbs/day,unmitigated)	5.21	0.26	8.35	0.02	1.24

UNMITIGATED OPERATIONAL EMISSIONS

	ROG	NOx	CO	SO2	PM10
Single family housing	0.74	1.14	8.58	0.00	0.85
TOTAL EMISSIONS (lbs/day)	0.74	1.14	8.58	0.00	0.85

Does not include correction for passby trips.  
 Does not include double counting adjustment for internal trips.

OPERATIONAL (Vehicle) EMISSION ESTIMATES

Analysis Year: 2009 Temperature (F): 40 Season: Winter

EMFAC Version: EMFAC2002 (9/2002)

Summary of Land Uses:

Unit Type	Acreage	Trip Rate	No. Units	Total Trips
Single family housing	0.00	9.57 trips/dwelling unit	8.00	76.56
			Sum of Total Trips	76.56
			Total Vehicle Miles Traveled	561.80

Vehicle Assumptions:

Fleet Mix:

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	54.90	1.30	98.40	0.30
Light Truck < 3,750 lbs	15.10	2.60	95.40	2.00
Light Truck 3,751- 5,750	16.10	1.20	98.10	0.70
Med Truck 5,751- 8,500	7.30	1.40	95.90	2.70
Lite-Heavy 8,501-10,000	1.10	0.00	81.80	18.20
Lite-Heavy 10,001-14,000	0.30	0.00	66.70	33.30
Med-Heavy 14,001-33,000	1.00	0.00	20.00	80.00
Heavy-Heavy 33,001-60,000	0.90	0.00	11.10	88.90
Line Haul > 60,000 lbs	0.00	0.00	0.00	100.00
Urban Bus	0.20	0.00	50.00	50.00
Motorcycle	1.60	75.00	25.00	0.00
School Bus	0.10	0.00	0.00	100.00
Motor Home	1.40	7.10	85.70	7.20

Travel Conditions

	Residential			Commercial		
	Home- Work	Home- Shop	Home- Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	11.8	4.6	6.1	11.8	5.0	5.0
Rural Trip Length (miles)	15.0	10.0	10.0	15.0	10.0	10.0
Trip Speeds (mph)	30.0	30.0	30.0	30.0	30.0	30.0
% of Trips - Residential	27.3	21.2	51.5			

Changes made to the default values for Land Use Trip Percentages

The Trip Rate and/or Acreage values for Single family housing  
have changed from the defaults 9.57/2.67 to 9.57/

Changes made to the default values for Area

The landscape year changed from 2005 to 2009.

Changes made to the default values for Operations

The pass by trips option switch changed from on to off.  
The operational emission year changed from 2005 to 2009.

URBEMIS 2002 For Windows 8.7.0

File Name: C:\Documents and Settings\glu\Desktop\Ticonderoga Operational.urb  
Project Name: Ticonderoga Project Operational Emissions  
Project Location: San Francisco Bay Area  
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

DETAIL REPORT  
(Pounds/Day - Summer)

AREA SOURCE EMISSION ESTIMATES (Summer Pounds per Day, Unmitigated)					
Source	ROG	NOx	CO	SO2	PM10
Natural Gas	0.01	0.10	0.04	0	0.00
Hearth - No summer emissions					
Landscaping	0.03	0.00	0.26	0.00	0.00
Consumer Prdcts	0.39	-	-	-	-
Architectural Coatings	0.27	-	-	-	-
TOTALS(lbs/day,unmitigated)	0.71	0.10	0.30	0.00	0.00

UNMITIGATED OPERATIONAL EMISSIONS

	ROG	NOx	CO	SO2	PM10
Single family housing	0.68	0.75	7.91	0.01	0.85
TOTAL EMISSIONS (lbs/day)	0.68	0.75	7.91	0.01	0.85

Does not include correction for passby trips.  
 Does not include double counting adjustment for internal trips.

OPERATIONAL (Vehicle) EMISSION ESTIMATES

Analysis Year: 2009 Temperature (F): 85 Season: Summer

EMFAC Version: EMFAC2002 (9/2002)

Summary of Land Uses:

Unit Type	Acreage	Trip Rate	No. Units	Total Trips
Single family housing	0.00	9.57 trips/dwelling unit	8.00	76.56
			Sum of Total Trips	76.56
			Total Vehicle Miles Traveled	561.80

Vehicle Assumptions:

Fleet Mix:

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	54.90	1.30	98.40	0.30
Light Truck < 3,750 lbs	15.10	2.60	95.40	2.00
Light Truck 3,751- 5,750	16.10	1.20	98.10	0.70
Med Truck 5,751- 8,500	7.30	1.40	95.90	2.70
Lite-Heavy 8,501-10,000	1.10	0.00	81.80	18.20
Lite-Heavy 10,001-14,000	0.30	0.00	66.70	33.30
Med-Heavy 14,001-33,000	1.00	0.00	20.00	80.00
Heavy-Heavy 33,001-60,000	0.90	0.00	11.10	88.90
Line Haul > 60,000 lbs	0.00	0.00	0.00	100.00
Urban Bus	0.20	0.00	50.00	50.00
Motorcycle	1.60	75.00	25.00	0.00
School Bus	0.10	0.00	0.00	100.00
Motor Home	1.40	7.10	85.70	7.20

Travel Conditions

	Residential			Commercial		
	Home- Work	Home- Shop	Home- Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	11.8	4.6	6.1	11.8	5.0	5.0
Rural Trip Length (miles)	15.0	10.0	10.0	15.0	10.0	10.0
Trip Speeds (mph)	30.0	30.0	30.0	30.0	30.0	30.0
% of Trips - Residential	27.3	21.2	51.5			

Changes made to the default values for Land Use Trip Percentages

The Trip Rate and/or Acreage values for Single family housing  
have changed from the defaults 9.57/2.67 to 9.57/

Changes made to the default values for Area

The landscape year changed from 2005 to 2009.

Changes made to the default values for Operations

The pass by trips option switch changed from on to off.  
The operational emission year changed from 2005 to 2009.



# CONDOR COUNTRY CONSULTING

May 9, 2007

Ms. Shauna Stringham  
Environmental Planner  
Impact Sciences, Inc.  
2101 Webster Street, Suite 1825  
Oakland, CA 94612

Re: Cultural Resources Archaeological Survey Report for portions of APN 041-101-290,  
unincorporated San Mateo County, California

Dear Ms. Stringham:

Condor Country Consulting is pleased to provide you with this letter report to report the results of the archaeological survey performed at the proposed lot numbers 1-8, and a small portion of proposed lot 9 of Assessor Parcel Number 041-101-290 located near the community of San Mateo, San Mateo County, California.

Condor Country Consulting was contracted by Ms. Shauna Stringham to perform an archaeological survey of these proposed subdivided lots of the parcel.

This report is intended to provide you with a compliance document that the County can use for its California Environmental Quality Act (CEQA) checklist dealing with cultural resources.

The Study Area (Figures 1 through 4) for the parcel is concurrent with the subject parcel boundaries.

This letter presents the results of the archaeological survey of the Study Area.

## *PROJECT DESCRIPTION*

The project proponent is proposing the Highland Estates residential development project (proposed project). The proposed project, located in an unincorporated portion of San Mateo County, would subdivide an approximately 99-acre parcel, into nine lots. Eight lots (lots 1-8) would be developed with single family homes at a density of 2.46 units per acre and one approximately 84-acre lot (lot 9) would be designated for open space. As a result of the subdivision, one approximately 12-acre designated remainder parcel (southeastern portion of Lot 9) would remain which would not be used for the purposes of sale, lease, or financing. No development is proposed for this parcel as part of this proposed project.

## *STUDY AREA*

The Study Area consists of the proposed lots 1-8 of Assessor's Parcel Number 041-101-290, along with a small portion of lot 9 which consists of a 75-foot fire defense zone easement behind lots 1-4 (See Figures 5, 6 and 7).



This Negative Archaeological Survey Report presents the results of the archaeological survey of the Study Area.

### *STUDY FINDINGS*

An archaeological survey of the study area was conducted on May 7, 2007. No intact prehistoric or historic archaeological materials, evidence of archaeological deposits, or indications of prehistoric occupation were found on the surface of the Study Area. Areas of open ground were subjected to intensive pedestrian survey utilizing transects spaced no more than 5 meters apart. The ground surface throughout and along the edge of the parcel was periodically scraped with a hoe and examined for evidence of cultural resources with negative results. All rodent holes and the road cut along Ticonderoga Drive were closely examined for any indicators of midden soils or other indicators of an archaeological deposit. The likelihood of intact sites in the Study Area appears low due to the steepness of the parcel.

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## **INTRODUCTION**

### *PRESENT ENVIRONMENT*

The Study Area is located immediately west of the city of San Mateo, within unincorporated San Mateo County. The study area is located on top of Pulgas Ridge, approximately 0.5 miles east of the Upper Crystal Springs Reservoir. The area is known as the Highlands, which was first developed by non-Native Americans in 1835 with the settlement by Maria de la Soledad and Ortega de Arguello. The immediate Study Area has been subject to landform modification from the construction of the Highlands subdivision (1955-1965).

The climate of central San Mateo County is classified as Mediterranean, with mild, wet winters, and hot, dry summers. Regional climate is controlled primarily by the Pacific high-pressure system over the eastern Pacific Ocean, although local climate is strongly influenced by topography and delta breezes from the Pacific Ocean and San Francisco Bay. Precipitation occurs mainly during the months of November through April and is generally associated with winter storm systems. Any rainfall that occurs during the summer is usually light and associated with isolated showers or thundershowers. The early Spanish and Mexican ranching use of the area has resulted in the disappearance of much of the original grassland community. Grasslands persist, but the dominant species differ from those found in the early 1800s by Anglo-European settlers (Brown 1985:84)

### *PALEOENVIRONMENT*

Central California was subjected to a series of climatic fluctuations over the past several millennia. Generally warm/dry episodes were interspersed with intermittent cool/moist periods (Moratto et al. 1978). The Altithermal Period (a warm/dry episode) ended approximately 2900 years ago leading to changes in animal and plant populations and distributions. A subsequent climatic cooling trend was established for the next 1400 years which was then somewhat abruptly replaced by climatic warming which continues to the present. Following the introduction of livestock by Euroamericans the



abundant and widespread native grasslands of central California were replaced by the non-native species that dominate today. It is thought Purple Needlegrass, a bunchgrass found only in California, may have been the dominant species.

*FORMATION OF THE BAY (the following discussion is adapted from Morgan and Dexter 2007)*

At the end of the last glacial epoch, sea levels worldwide began to rise rapidly, at the rate of about two centimeters per year. By about 10,000 years ago the rising sea flooded in through the Golden Gate to form San Francisco, San Pablo, and Suisun Bays. The bays enlarged as sea levels continued to rise at the same rate until about 8,000 BP (Atwater et al 1976, 1977). The effects of rising sea levels in inundation of former dry lands must have varied widely, depending on localized slope and topography along the shores of the bay.

By about 6,000 before present (BP) sea level rise had declined to a much slower rate of two millimeters per year. Between 6000 and 5000 years ago, this slow inundation was outstripped by sedimentation from bay side tributaries, and extensive mud flats and tidal marshes began to develop along the bay shores (Ingram 1995; Lightfoot 1997). The marshes along the edge of the San Francisco Bay present east of the Study Area probably formed at this time. Tidal marshes probably reached their maximum extent by about 2000 years ago (J. West cited in Banks & Orlin 1984:3.2). Sea levels have continued to rise at a slower rate, and with occasional reversals, into modern times.

The subsidence of the bayshore, if it was gradual, probably would have gone virtually unnoticed by local inhabitants. However, it may have resulted in gradual or even sudden ecological changes in the bayshore. Bayshore subsidence may also have changed the gradient of creeks entering the bay, such that the waters slowed and began to deposit higher amounts of silt closer to shore. If this occurred, it could have resulted in the accelerated growth of shoreline marshes and the burial of earlier land surfaces. This probably would have had an effect on species inhabiting this marine/terrestrial ecotone.

While the rising sea levels that filled and shaped the bay are the basic framework of the natural setting, shorter-term climatic and ecological fluctuations also may have been significant not only to bay hydrology, but also to human use of the bay shore. The Recess Peak Glacial Advance, marked by cooler temperatures and increased precipitation, began sometime around 2700 to 2800 years ago (J. West cited in Banks & Orlin 1984:3.2), and reached a peak with records amounts of annual rainfall between 1900 and 1500 years ago. Rainfall then declined rapidly and gave way to a warmer climate, which predominated between about 1500 and 900 years ago (Bryne et al. 2001). After this time, pulses in glaciation have continued to result in alternating epochs of warm dry climate and cooler moister climate into modern times. A worldwide phenomenon known as the Medieval Climatic Anomaly may have been expressed in the Bay Region by two prolonged periods of drought, between 1300 and 1100 BP and again between 800 and 650 BP (Ingram 1995). Perhaps most marked of recent climatic fluctuations is the so-called "Little Ice Age," a period of prolonged cooler winters between 650 and 150 BP (Simons et al. 2002).

Whether the effects of these worldwide climatic trends were felt in the Bay Region is uncertain. However, even climatic fluctuations on a small scale may have had significant--if short term--effects on the Bay Region. For instance, increased rainfall during wet epochs might have induced



rapid erosion along rivers and creeks, with increased siltation at creek mouths on the San Francisco Bay. Drought years also might have changed siltation patterns by decreasing circulation in the bay.

### *HISTORIC LAND CHANGES*

The greatest land changes in the Study Area are related to early settlement by Euroamericans in the 1800s.

Agriculture and livestock were introduced to the area by 1830. The arrival of cattle and horses constituted one of the principal reasons for the disappearance of the California grasslands (Brown 1985: 88). By 1851 wild oats were introduced as a food source and dominated the valleys and foothills of the Mt. Diablo area. Today nearly 400 species have been introduced to the California grasslands brought inadvertently from the Mediterranean by Spanish explorers (Allan et al 1997:2,5).

Later developments of suburban housing and the development of the interstate have radically altered the landscape. Aside from the 1955-1965 highlands subdivision, Interstate-280, and points further east, the immediate areas to the west of the Study Area remains largely unchanged since its agricultural beginnings.

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## **CULTURAL SETTING**

### *PREHISTORY*

Lillard, Heizer and Fenenga (1939) developed an early systematic cultural chronology for Central California. The Central California Taxonomic System (CCTS), as their culture chronology came to be known, identified three broad divisions, or Horizons, among sites in the Sacramento Valley, based primarily upon analyses of burials and associated artifacts. The Early, Transitional (later known as Middle) and Late Horizons, were viewed as both cultural and chronological. These Horizons framed much of the cultural chronological thinking about archaeological sites in Central California for several decades.

However, by the late 1940s, the need for refinement in this scheme as applied to the San Francisco Bay region was increasingly clear. Analysis of assemblages from deep well-stratified sites like ALA-309 (the Emeryville Shellmound) offered opportunities for this kind of refinement. Notable in this regard is Beardsley's typological examination of mortuary data in the Bay Region (1954). Beardsley examined burial lots from a number of shellmound sites throughout the Bay Region and characterized each burial as to stratigraphic position, burial position and orientation, and types and numbers of grave associations. Based on these analyses, Beardsley identified two distinctive components in assemblages from the Emeryville cone, the Ellis Landing Facies, lying in the lower portion of the deposit, which he associated with the Middle Horizon in the CCTS, and an upper component that he described as the Emeryville Facies of the CCTS early Late Horizon. Beardsley noted that a third component, described as the Fernandez Facies, is weakly represented in the uppermost levels of the mound. Distinctive artifacts and other identifiable traits are associated



with each of these Facies, such that it is possible to identify similar components, presumably chronologically related, among other archaeological sites in the region.

Beardsley's analyses were undertaken before the advent of radiocarbon assay, so he lacked the means of obtaining absolute dates for archaeological components. Further, Beardsley sought to tie his analyses in many respects to the CCTS, the applicability of which has since been questioned. Nonetheless, the components Beardsley defined have stood up very well under more recent analyses, although discussion continues regarding the appropriate relationship between the Facies Beardsley defined and larger chronological and cultural units. There has been some difficulty in correlating absolute dates obtained through radiocarbon assays with the relative dates tied to Facies linked to the CCTS.

David Fredrickson (1973 and 1974) re-examined the CCTS and proposed a cultural classification scheme to address early cultures of the North Coast range. Expanding on his earlier work at such sites as CA-CCO-30 just south of the city of Walnut Creek, Fredrickson introduced the concept of "*Pattern*" in his 1974 article "Cultural Diversity in Early Central California: A View from the North Coast Range" (Fredrickson 1974). *Pattern* is a term for a chronological era. Fredrickson defined three major cultural patterns, the Windmill, the Berkeley, and the Augustine (West and Welch 1996:4-5). Windmill Pattern refers to earlier prehistoric sites and is restricted to the eastern Delta, the area around the Camanche Reservoir, and adjacent areas of the lower Sacramento Valley from the middle of the Cosumnes River to Stockton. Windmill relates to the Early Horizon of the CCTS while the Berkeley Pattern can be equated with the Middle Horizon in the lower Sacramento Valley, but some early phases could relate to the early period in the San Francisco Bay Area. The Augustine Pattern refers to sites occupied late in the prehistoric (West and Welch 1996:5). Patterns are subdivided into *Periods*, with the Berkeley Pattern extending from the Lower, through the Middle and Upper Archaic periods, and the Augustine Pattern represented by the Lower and Upper Emergent periods.

An additional cultural development that should be noted is the Meganos Complex. This cultural display occurs in the Berkeley and Augustine Patterns (West and Welch 1996:5). Concerning Fredrickson's work subsequent refinement by Elsasser introduced additional standardized terminology. In Elsasser's analysis, *Patterns* are crosscut by geographic *Districts* (*Provinces* in the CCTS), which are geographic areas possessing a broadly similar and contiguous environment. Patterns also are made up of *Facies*, "a group of intimately related components, being defined as an archaeological record of human occupation at a specific locality at a specific time (Elsasser 1978:37)". These are sometimes referenced as "*Phases*". Elsasser (1978) summarizes the assemblages of a number of District-specific facies within each pattern. Bennyhoff (1986), in a review of Emeryville and other Bay Region data, suggests that a better understanding of Bay Region prehistory may lie in further refinement of these facies, and exploration of the links between facies in adjoining Districts.

Scholars have debated whether the Early Horizon inhabitants of the San Francisco Bay region were culturally related to more interior populations or developed independently (Bickel 1981; and Gerow with Force 1968). The exact dynamics of cultural change and interchange between these two groups is still being unraveled by archaeologists.

The earliest time that humans first set foot in the region is unknown. Evidence of the first human visitation or occupation in the area may lie under water. There is evidence from archaeological sites



in the region which point to people being in the San Francisco Bay area at least 5,000 years ago. If we look farther afield there is evidence from the Clear Lake area to the north of San Francisco of human occupation perhaps 10,000 years ago or more. Archaeological evidence in closer proximity to the proposed subdivision suggest human occupation from as early as 389 B.C. (Moratto 1984:258).

By examining and comparing the archaeological finds from sites in the Central Valley of California, the Monterey Coastal region and the San Francisco Bay Area itself, a few generalizations can be made about the people who inhabited this region. Typically sites are found in settings adjacent to water resources which would have placed humans in close proximity to a wide variety of plant and animal resources.

These people were not farmers, nor were they highly focused on procuring a single food source such as acorns. Instead they were hunter-gatherers who could be thought of as “generalists”; that is their diet would reflect a population that collected, gathered and hunted a wide variety of foods. A diet rich in fish, shellfish, game such as deer, and gathered seeds would have been the norm for many of these people. Based on the numerous grave goods found with human burials from this early period (typically found in a prone position and facing west) some archaeologists have concluded that trade networks with other groups had already been established and ceremonialism was an important aspect of daily life. Artifacts that might be found in association with a burial might include large projectile (spear or dart) points, fishing weights, hooks, animal bone, seed grinding implements, and shell beads.

About 4,000 years ago the archaeological sites from the San Francisco Bay Area and surrounding regions begin to suggest a greater specialization. Sites from this period are found in a wider variety of environmental settings which suggests populations were focused on more specific food resources. The sites tend to contain an abundance of milling and grinding stones suggesting a greater reliance on plant resources. The chronological sequence for the Study Area begins with sites dating from 2,500 years ago. Unfortunately these early sites have been buried as a result of extensive deposition of alluvium accompanied by a raise in sea level in the past 15,000 years (Moratto 1984) and are not well documented in this part of California (Ragir 1972).

It has been suggested that the Early Middle Horizon (4500 to 2500 years ago), or now referred to as Windmiller, are associated with an influx of peoples from outside of California. The archaeological evidence suggests these Early Middle Horizon populations employed technologies adapted to river-wetland environments (Moratto 1984:207). Typical Windmiller sites are often situated in riverine, marshland and valley floors, settings that offered a variety of plants and animal resources. These sites often contain burials that are extended ventrally and oriented to the west. Burial artifacts include a variety of fishing paraphernalia (net weights, spear points and bone hooks), large projectile points, as well as faunal and large and small mammal remains.

The subsequent Middle Horizon or Berkeley Pattern covers a period from 2,500 to 1,500 years ago in the northern California delta area. Sites from this period are more numerous and are better documented in the region. The sites evince an economy focused on riverine environments, but are more widely distributed than earlier patterns. As described by Allan et al (1997:9), sites from this period include deeply stratified midden deposits, containing large assemblages of milling and grinding stones for the processing of vegetal resources, as well as smaller and lighter projectile points. Further distinguishing traits from earlier patterns include artifacts such as slate pendants,



steatite beads, stone tubes and ear ornaments. A shift in burial patterning is also evident with variable directional orientation, flexed body positioning and a general reduction in mortuary goods (Fredrickson 1973; Moratto 1984).

David Fredrickson (1973) has defined the late prehistoric period that ranges from 1,500 to 150 years ago as the Augustine Pattern in the delta region. The pattern is characterized by intensive hunting, fishing and gathering, a focus on acorn processing, large population increases, intensified trade and exchange networks, more complex ceremonial and social attributes, and the practice of cremation in addition to flexed burials. Moratto (1984:211) adds that grave goods were often burned in the burial pit before interment of the body. As pointed out by Allan et al (1997:9), certain artifacts also typify the pattern: bone awls for use in basketry manufacture, small notched and serrated projectile points, the introduction of the bow and arrow, occasional pottery, clay effigies, bone whistles, and stone pipes. Artifact typologies suggest a southward-moving influx of Wintun populations in to Sacramento Valley during the late prehistoric period. This was apparently not a peaceful expansion as evidence from several sites evinces mutilation of skeletons and Wintuan-type barbed points imbedded in human remains (Johnson et al., 1976; Moratto 1984: 212; Ragir 1972).

The Meganos Complex intrudes into the Berkeley and Augustine Patterns (Fredrickson 1974:48; West and Welch 1996:5) in the lower San Joaquin Valley and the western Delta region. It is identified as having a large number of extended burials, but without any preference as to orientation. Also, its cemeteries are not associated with midden contexts (West and Welch 1996:5).

#### ETHNOGRAPHY

The study area is located within the traditional territory of the Ohlone, or Costanoan (Levy 1978:485-49). Evidence suggests the ancestors of the Ohlone settled in the vicinity of the Study Area during the Middle Horizon of California prehistory.

The greater territory of the Ohlone stretched from Monterey Bay in the south to the vicinity of the Carquinez Straights in the north, and from the Pacific Ocean eastward to the Coast Range. Traditionally, the Ohlone were divided into tribelets, which were politically distinguished and exhibited cultural and linguistic variation from other tribelets within the larger Ohlone culture. Each tribelet was headed by a chief, which was a hereditary position that passed down the male lineage (Levy 1978:487).

The study area is located close to the location of the main village of the *lamš'in* (*Las Pulgas*) tribelet. Upon contact with the Spanish many, if not most, of the Ohlone were converted to Christianity. The first recorded baptism of a *lamš'in* Ohlone was in 1777 at Mission San Francisco (Milliken 1995:270).

Local subsistence was comprised of animal sources and seasonally available plant sources. Typical fauna hunted or collected by the Ohlone included fish, mussels, deer, rabbit, and fowl. Some examples of plant resources were the all-important acorn, seeds (such as sunflower, alfilaria, clover, bunchgrass, wild oat and a yellow flower), roots, mushrooms, and plants used as greens (Levy 1978:491).



The vast grasslands, wetlands, and tule marshes along the sloughs and braids of the creeks entering San Francisco Bay dominated the environment in this area. The rich abundance of fish, waterfowl, tule roots, and shellfish in this region allowed for the settlement of permanent villages, and a sedentary settlement pattern. Tule was used as food and to make boats (Heizer and Whipple 1971:10, 12) and domed dwelling structures thatched with tule, but little is known of the Ohlone and crafts other than their know production of basketry materials (Levy 1978:492).

### *HISTORIC PERIOD*

The historic period of San Mateo County can be divided into three major periods. The following discussion is derived from Allan, et al. (1997).

Spanish Period (in California)	1775-1822
Mexican Period	1822-1848
American Period	1848-present

Euroamerican contact with the Ohlone first occurred during a series of Spanish expeditions into the San Francisco bay area between 1769 and 1776. Groups near the Study Area were visited by Anza and Font during this period on their passage through the region in 1776 (Bolton 1930: [3]144, [4]383-383). The Spanish-colonial presence was firmly established in Alta California in 1775 when Captain Juan Manuel Ayala's expedition studied the San Francisco Bay and ventured up the Sacramento and San Joaquin Rivers in search of a suitable mission site. The first mission in the region, Mission Dolores, was established the following year in San Francisco. By 1806 to 1810 most of the Indians from the inner Bay Area had already been baptized and peoples who lived further from the missions began to experience the same events and processes that earlier caused the first migration to the missions. Foremost in the list of these processes were famine and diseases such as measles and syphilis (Milliken 1995:172,193,218-219).

The Mexican Period was marked by secularization as the Spanish-colonial mission system collapsed and their lands fell out of Mission control. Many Costanoans (Ohlone), Patwin, Miwok and Yokut formed multiethnic communities around the Bay Area in an attempt to maintain some aspects of their traditional lifestyle. These communities gradually shrank in size.

By 1845 most the land holdings were in the form of large Ranchos which was the norm until the mid-1800s. One of these, Las Pulgas, with an area of 35,240 acres was granted to Louis Arguello on December 10, 1835 (California Geneology, 2002). Deterioration of the relations between the United States and the Mexico resulted in the Mexican-American War of 1847, which resulted in Mexico relinquishing California to the United States under the Treaty of Guadalupe Hidalgo of 1848.

The discovery of gold at Sutter's Mill in 1848 brought an influx of people into the northern half of California as emigrants sought gold or jobs producing goods or services for gold miners. Land use changes resulted as livestock grazed some native grasses to extinction, woodlands were cut for lumber and railroads, and mines and agriculture developed on nearly all arable lands. The area immediately surrounding the Study Area has been dominated by agriculture from the gold rush to the 1920s.



Immediately surrounding the two study areas is the Highlands neighborhood. The San Mateo Highlands Eichler subdivision, the largest contiguous Eichler development (over 700 homes), was built over an 11-year period from 1955 to 1965. More information on this development can be found at the Enter the World of Eichler Design web page (2007).

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## **RESULTS OF THE RECORD AND LITERATURE SEARCH**

There are no recorded archaeological sites within the Study Area. On behalf of Impact Sciences, Inc., Mr. Sean Dexter conducted an in-person record search (#06-1720) on May 4, 2007 at the Northwest Information Center (NWIC) of the California Historical Resources Information Center, located at Sonoma State University. The record search at the NWIC included searches of archaeological site and historic property files, the National and California Registers of Historic Places, the Historic Property Data File for San Mateo County, California Historic Landmarks, and historic General Land Office Maps.

No prehistoric or historic cultural resources have been recorded within the specific Study Area.

However, the prehistoric deposit known as CA-SMA-311 is located immediately northeast of the proposed lot 9 of Assessor Parcel Number 041-101-290. It is possible that the site actually extends onto the proposed lot 9 (but well outside of the current study area).

Two previous archaeological studies (Hamilton 1936, and Chavez 1982) have been conducted in study area and/or the immediate project vicinity; all previous reports were examined. Hamilton (1936) surveyed a small portion of lot 9 and recorded site CA-SMA-311. Chavez (1982) surveyed lots 5-8 and the results were negative for archaeological resources.

---

## **ARCHAEOLOGICAL SURVEY FIELD METHODS**

The entire study area (proposed lots 1-8 and the fire management zone) was subject to an archaeological survey. The result of the current cultural resources investigation was negative. All portions of the Study Area with exposed ground surface (the entirety of the eight lots and fire management zone) were subject to a pedestrian survey by Mr. Sean Dexter, Principal Archaeologist, and Mr. Armando Cuellar, Staff Archaeologist, of Condor Country Consulting.

Mr. Dexter and Mr. Cuellar surveyed the entire study area using linear transects 5 meters apart. Ground cover was limited to emergent grasses and low shrubs including poison oak, and afforded poor to fair visibility (approximately 30%). Mr. Dexter stopped every 20 meters to scrape the ground surface with a hoe to inspect the immediate subsurface for cultural materials or evidence of previous human occupation. Soil around rodent holes, and the Ticonderoga Road cut were examined for any evidence of color or texture change.

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## **RESULTS**

There were extensive scatterings of recent man-made historic materials present on all eight lots and fire management zone including broken bottles, landscaping debris, plastic and recycled metal planting pots, and beer cans. None of the materials observed appeared to be temporally diagnostic, nor were any of these materials definitively over 50 years of age, although the metal

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beer cans and planting pots (reused 2-gallon sanitary cans) probably date to the establishment of the Highlands subdivision between 1955-1965. No foundations from demolished homes were noted on the parcel.

The results of the survey in all sections of the Study Area were negative for archaeological resources. Soil color and texture was consistent throughout the parcel, a light brown loam with angular pebbles, and no traces on midden were noted.

**No resources defined by CEQA as “cultural resources” were located within the study area.**

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## REMARKS

No further archaeological work is recommended within the current Study Area. If in the future the project expands to other parcels, especially lot 9, or includes unsurveyed lands then additional archaeological work may be necessary.

Likewise, if buried cultural materials are encountered during ground disturbing activity associated with the development of this parcel, it is recommended that all work in the vicinity of the discovery halt until a qualified archaeologist makes an assessment of the find and follows the proper protocol for the specific type of cultural material.

Sincerely,

Sean D. Dexter  
Principal Archaeologist  
Condor Country Consulting

SDD:sdd

enclosures: Figures  
Résumés of researchers



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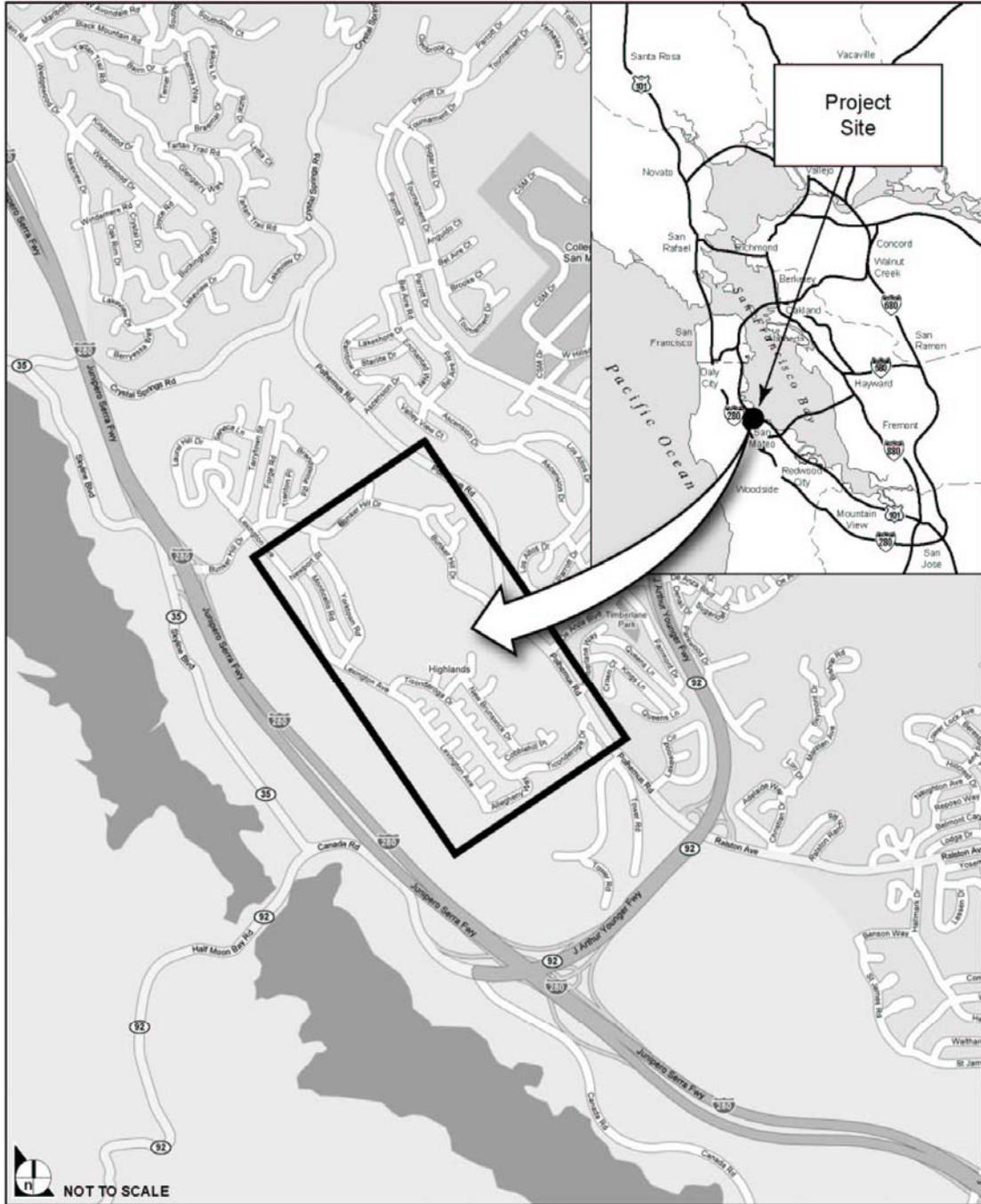
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SOURCE: Impact Sciences - April 2007

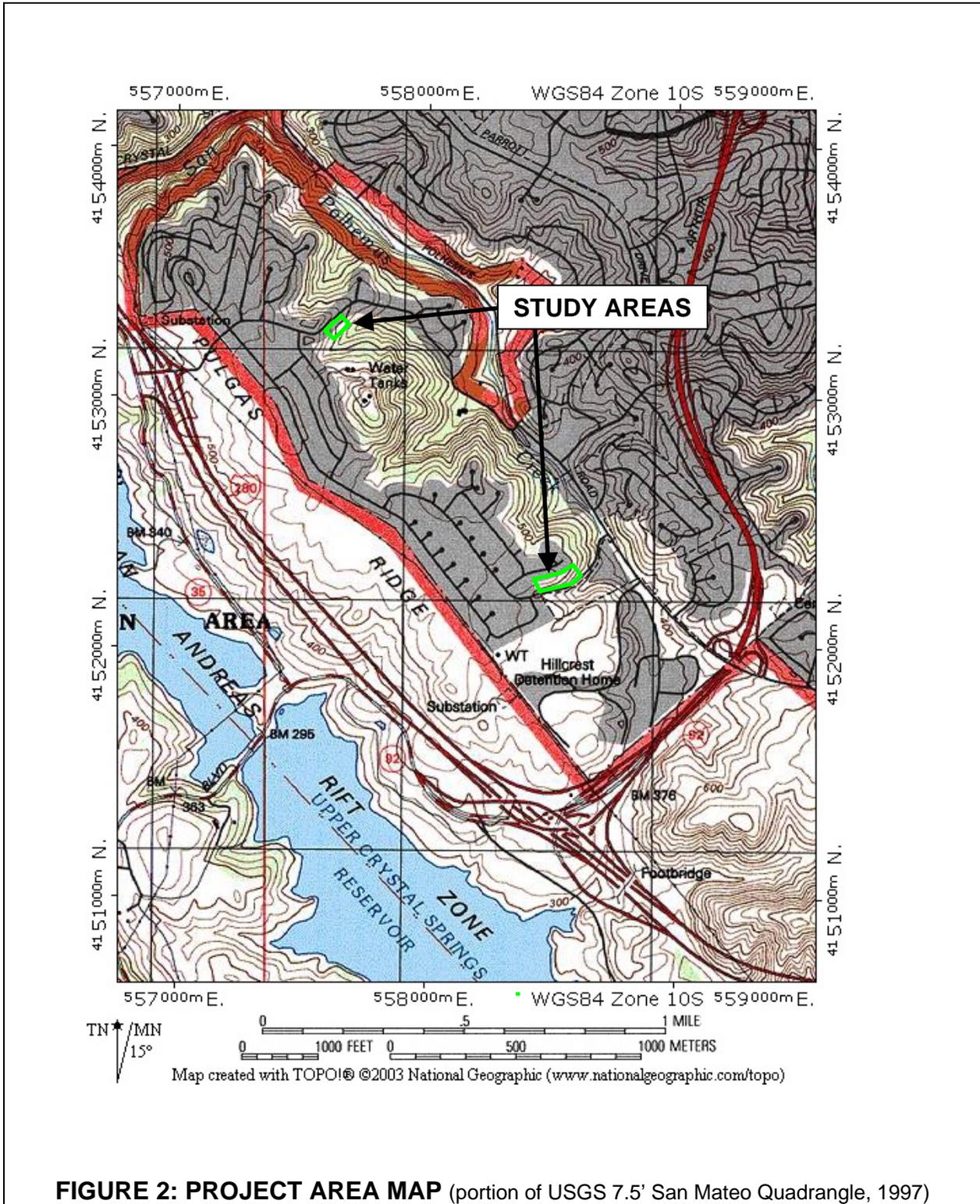
FIGURE 1

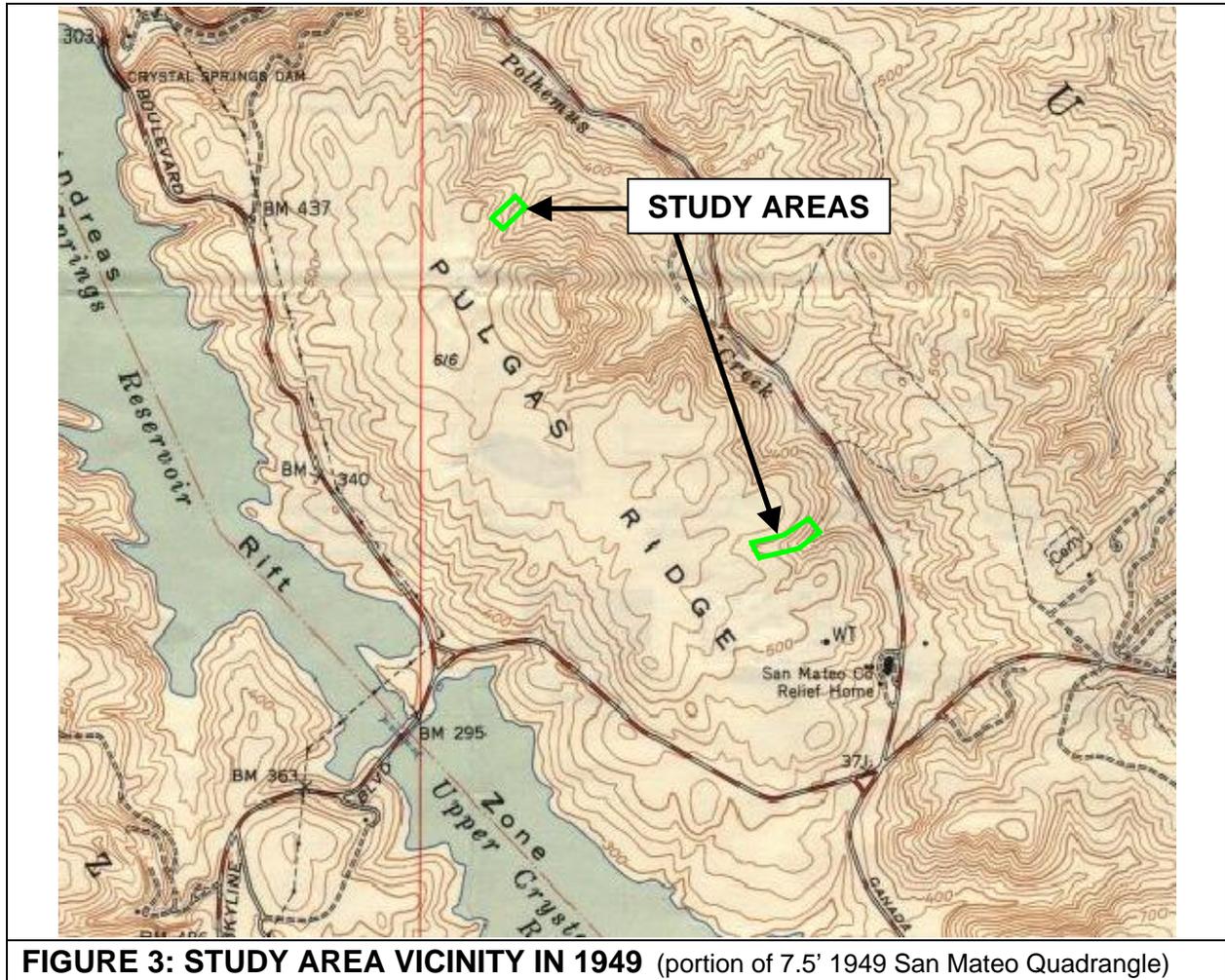


Regional and Site Location Map

902-001-04/07

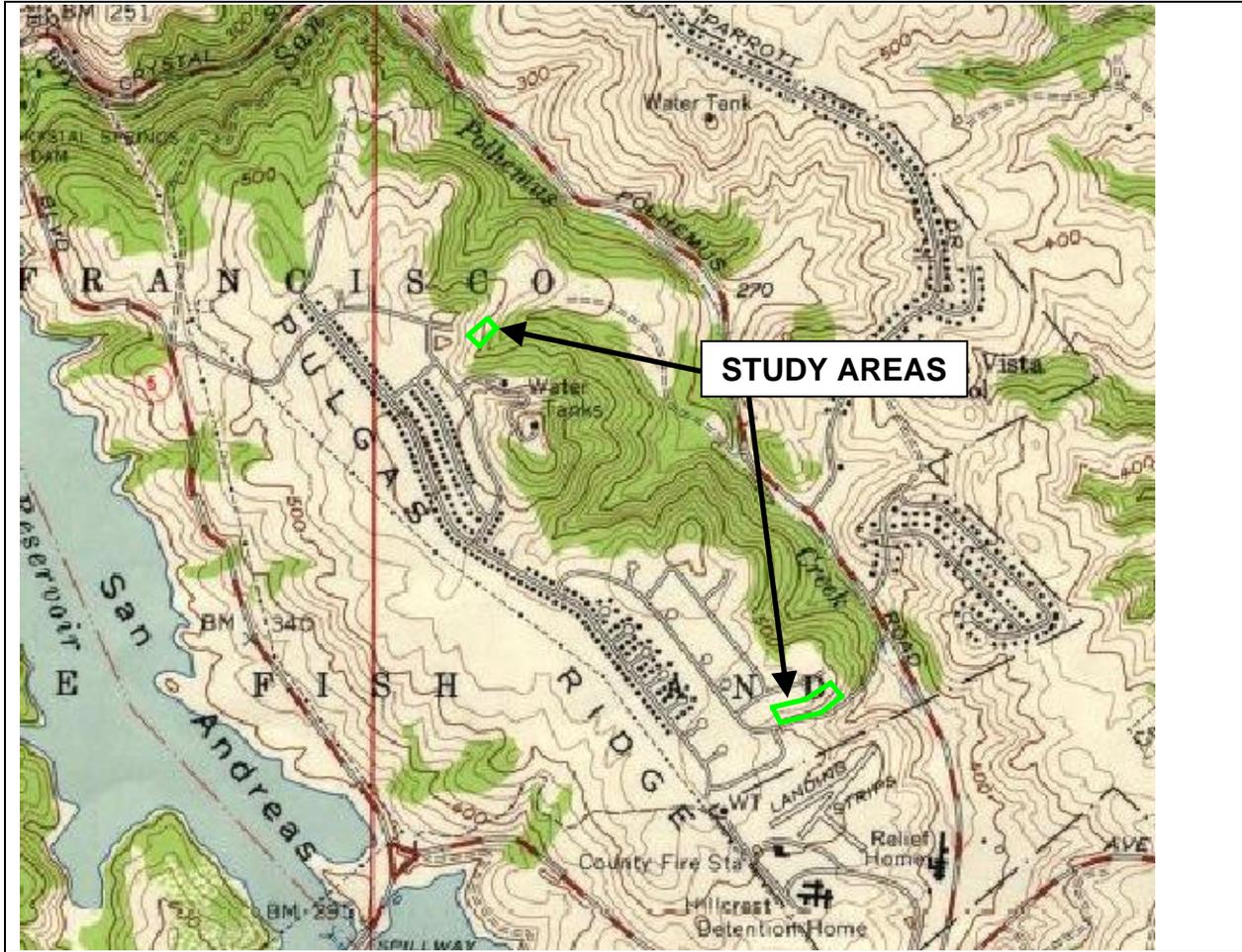






**FIGURE 3: STUDY AREA VICINITY IN 1949** (portion of 7.5' 1949 San Mateo Quadrangle)





**FIGURE 4: STUDY AREA VICINITY IN 1956** (portion of USGS 7.5' 1956 San Mateo Quadrangle)





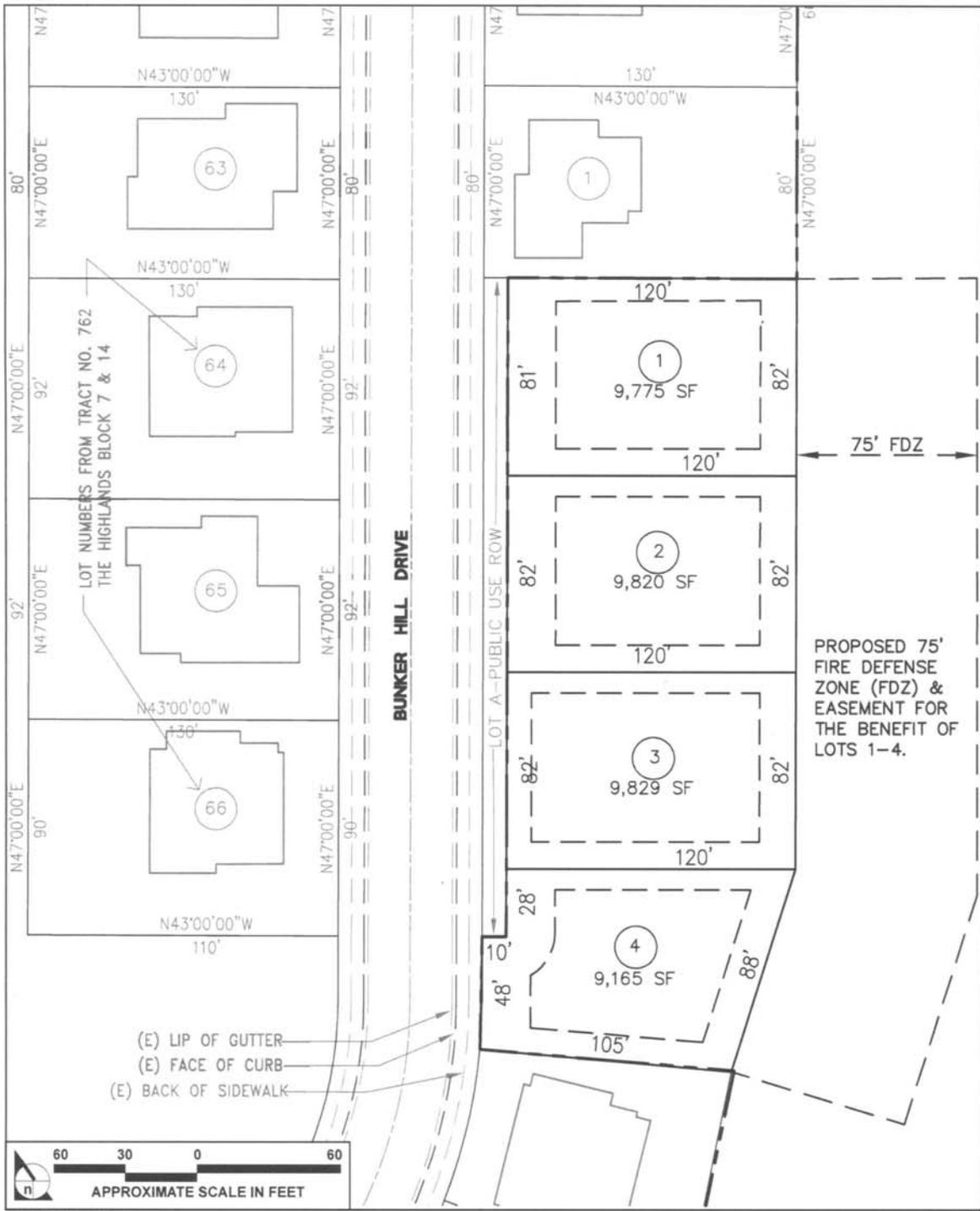


FIGURE 6

Proposed Lotting Plan Lots 1-4

902-001-04/07



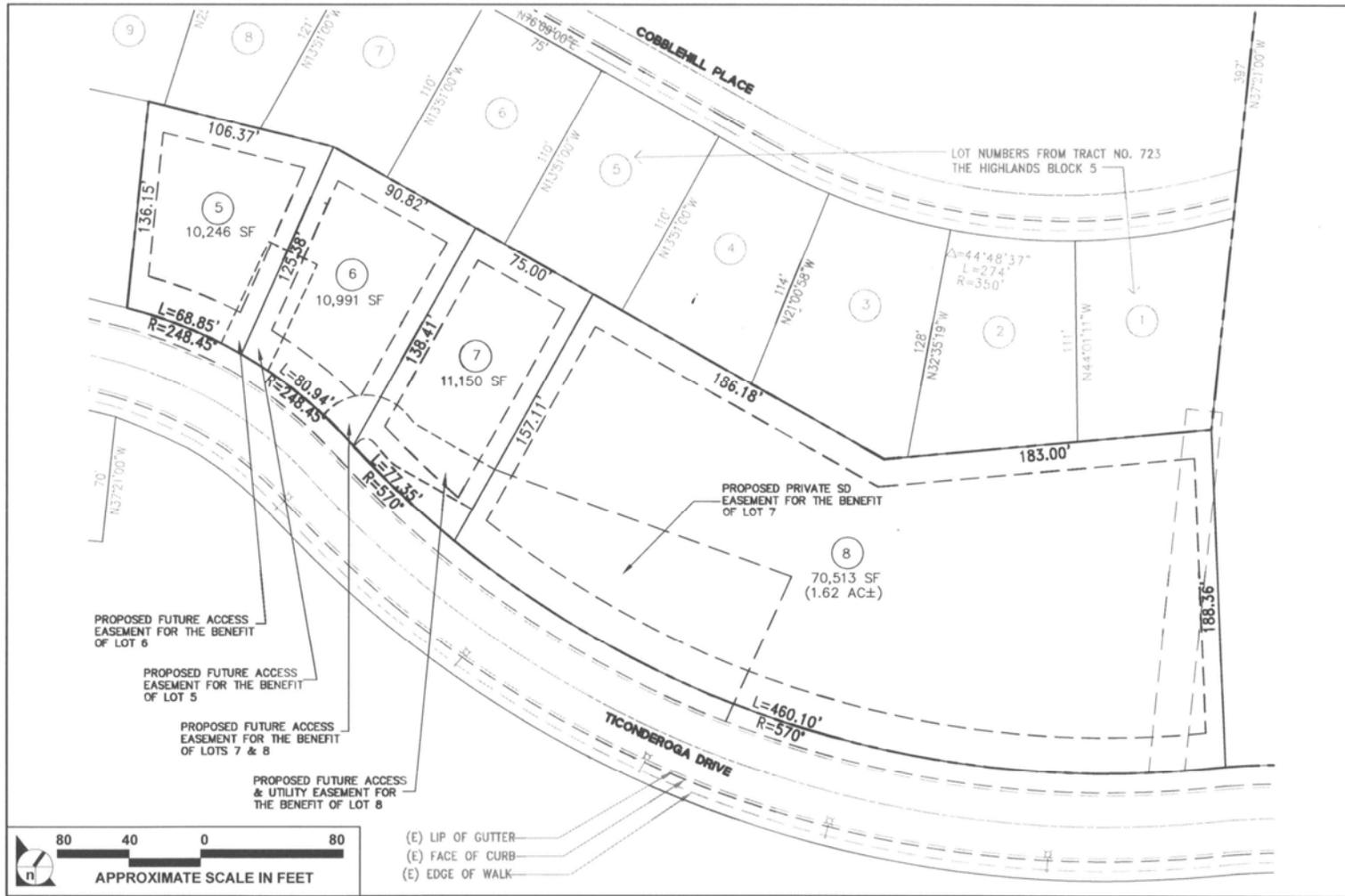


FIGURE 7

Proposed Lotting Plan Lots 5-8

902-001-04/07





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February 5, 2009

Via Email

Chris Ranken, Chairperson  
William Wong, Commissioner  
David Bomberger, Commissioner  
Gail Slocum, Commissioner  
Steve Dworetzky, Commissioner  
San Mateo County Planning Commission  
455 County Center  
Redwood City, CA 94063

Re: Highland Estates Project – File Number PLM2006-00357

Dear Chairperson Ranken and Commissioners:

This letter is submitted on behalf of the Highlands Community Association (HCA), the Baywood Park Homeowners Association, the Baywood Plaza Community Association, the Polhemus Heights Community Association, and the owners of Hillsborough West Apartments and Crystal Springs Shopping Center. These community groups represent more than 1,800 families in the areas that surround the project site. These groups have been actively engaged on Mr. Chamberlain's proposals for the project site for more than 20 years, and the HCA has been involved in the planning for the site since at least 1976.

The purpose of this letter is to address only the procedural question of the timelines that apply to the County's evaluation of the Project. We will submit substantive comments on the Draft EIR by the February 17 deadline.

2279-001a

We write this letter because, as a preliminary matter, it is important for the County to understand the timelines that are legally applicable to this project. This Project includes, among other things, a change to the Resource Management Zoning District Requirements. This is a *legislative* matter subject to the discretion of the County. Because this legislative action is an explicit component of the Project, many of the assertions by the Project applicant about the deadlines that apply to the County are incorrect.

The Applicant has asserted that the Permit Streamlining Act (PSA) and its time limits apply to the Project. This is incorrect. The PSA applies to "development projects" that consist of only adjudicatory applications such as a tentative map or conditional use permit. (Govt. Code § 65928) However, this Project, which requires a zoning change, is a legislative action, which is not covered by the PSA. (*Land Waste Management v. Contra Costa County Board of Supervisors* (1990) 139 Cal.App.3d 153) Therefore, the Applicant is wrong: the time limits in the PSA do *not* apply to this project.<sup>1</sup>

At the January 14, 2009 hearing, there was discussion concerning the CEQA requirement for certifying the EIR within one year. CEQA Guidelines Section 15108 requires that "[w]ith a private project, the Lead Agency shall complete and certify the final EIR as provided in Section 15090 within one year after the date when the Lead Agency accepted the application as complete." This section of the Guidelines is based on Public Resources Code section 21151.5, which sets the one-year requirement only for *private* projects described in section 21065(c). It does not include *public* actions such as the change in RM District requirements that are part of this Project. Therefore, the Applicant is again wrong: CEQA's one year requirement does *not* apply to this project.<sup>2</sup>

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<sup>1</sup> We also note that even if the PSA applied to this Project, the County would only be required to approve or disapprove the Project within 180 days of certifying the EIR. Govt. Code § 65950(a)(1). Thus, the Applicant is also wrong about the effect the PSA would have on the County even if it did apply.

<sup>2</sup> Although entirely academic, we note that on August 7, 2008, the project planner Matt Seubert sent an email to Sam Naifeh concerning Project completeness. "Completeness of application: The County has not deemed the application complete. The County is continuing to work with the applicant on revisions to the PUD language for the application to reach completion." Recently, on January 26, 2009, Project planner Camille Leung reconfirmed that the application has not been deemed complete in an email stating: "The County has not yet deemed this application complete." Thus, even if the PSA or CEQA time limits applied, the one year clock has not yet started.

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We look forward to continuing to work with the County to see the Project site developed in an appropriate manner.

Sincerely,



Marc D. Joseph

MDJ:bh

cc: Via Email  
Mark Church, Chair and Supervisor  
Richard Gordon, Supervisor  
Rose Jacobs-Gibson, Supervisor  
Carole Groom, Supervisor  
Adrienne Tissier, Supervisor  
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Re: Highland Estates Project – File Number PLM2006-00357

Dear Ms. Leung:

This letter is submitted on behalf of the Highlands Community Association (HCA), the Baywood Park Homeowners Association, the Baywood Plaza Community Association, the Polhemus Heights Community Association, Ticonderoga Townhomes, and the owners of Hillsborough West Apartments and Crystal Springs Shopping Center. These community groups represent more than 1,800 families in the areas that surround the project site. These groups have been actively engaged on Mr. Chamberlain's proposals for the project site for more than 20 years, and the HCA has been involved in the planning for the site since at least 1976.

In this letter we provide our comments on the Draft Environmental Impact Report. The comments supplement the oral comments provided at the February 11, 2009 hearing. We understand from the statement made at the beginning of that hearing that the DEIR will be recirculated. We appreciate the County Planning Staff recognizing that the DEIR should be recirculated. We provide these comments to help ensure that the new DEIR fully satisfies CEQA's goals of fully informed decision making and fully mitigating all significant environmental impacts.

**History.** The Introduction of this DEIR provides a thorough history of the *development* proposals on this parcel for the last 20 years, ranging from 199 units down to the present proposal of 11 units (pages 1.0-1 to -2). However, that history should also include the *planning* actions that have occurred on that parcel for the last 60 years:

2279-002a

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- Before 1958, the hillside was zoned for single-family units.
- In 1958, the development capacity of that hillside was consolidated into two parcels that were later built as the Hillsborough West Apartments and Ticonderoga Townhomes. The remainder of the parcel was then down-zoned to the lowest density zoning the County had at the time – RE/SS-107. This allowed the owner of the parcel to use all the development capacity in areas that made sense, the flatter areas, and protect the steeper portions of the parcel.
- In 1976, after the County created the Resource Management (RM) zone as its open space zone, the entire 99-acre parcel, except a 12-acre portion, was rezoned to RM.
- In 2004, after repeated proposals by the applicant to change zoning to create significant additional capacity, the Board of Supervisors considered the history of the planning of this parcel and the underlying hazards and characteristics. The Board adopted a resolution to reaffirm the County's General Plan designation and zoning. Based on analysis done at the time, it was understood that zoning allowed 7 units on the entire 99-acre parcel.
- In 2007, in response to another application that proposed to leave the future of the 12-acres unknown, the Board of Supervisors rezoned the 12-acre portion from RE/SS-107 to RM and changed the zoning text to require a conservation easement after any land division action.

In summary, in the last 60 years, the County has transferred the development capacity of this parcel to other locations where it was used, and has then taken repeated actions that reflect its concern about this sensitive, hazard-prone parcel. This planning history needs to be included in the DEIR and the relationship of the project to the County's planning determinations must be discussed. (CEQA Guidelines section 15125(d).)

Any actions taken that would be inconsistent with the explicit determination of the Board to zone the entire 99 acres as RM, or inconsistent with the requirements of the RM zone, would be a significant environmental impact. (CEQA Guidelines, appen. G, section IX (b); *The Pocket Protectors v. City of Sacramento* (3d Dist. 2004) 124 Cal.App.4<sup>th</sup> 903.)

**RM Zoning and Compliance with RM Development Review Criteria.** One of the most important aspects of this project is that it is located in the RM zone, and that there are Development Review Criteria (RM DRC) (Chapter 20A.2 of the Zoning Ordinance) to guide development on these open space lands.

The DEIR essentially ignores the RM DRC and jumps directly to calculating the maximum number of units permissible on the site. However, Section 6314 of the County zoning ordinance states that the density calculation is for “maximum limits, and, where applicable, more restrictive requirements imposed by the application of the [Development Review Criteria] shall supersede the [calculation.]” In other words, the calculation of the number of units allowed on this parcel is not a “right” – the calculated maximum density must then be considered against the RM DRC. The 11 units that the County has calculated as a maximum cannot just be crammed on the parcel, regardless of the site characteristics – it is very possible that not all of these units can be built. The density calculation is a maximum upper limit, within which the DRC should be applied to determine the allowable development.

The DEIR states that an RM permit is required (page 3.0-29), and that compliance with the RM DRC is required (page 4.1-17), but does not conduct *any* analysis of compliance with RM DRC. The EIR must analyze the RM DRC and whether this project (and its alternatives) complies or not. If a project fails to comply with general plan or zoning criteria, like this project fails to comply with the DRC, there is a significant impact under CEQA. The DEIR is legally deficient in failing to analyze this significant impact.

**Dedication of open space under RM zoning requirement.** – The overwhelming majority of the project site is not proposed to be developed. Yet its fate is just as much a part of the project as the portions that will be developed, and the DEIR must evaluate the project’s impacts on this dedicated open space. Despite this, the DEIR does not provide a clear, stable description of the fate of the remaining open space. The DEIR does not describe who will own the site, what the impacts to the site will be, what development restrictions will be placed on this site, or how its natural values will be preserved. Each of these omissions make the DEIR legally deficient.

Section 6317A of the County Zoning Code requires that after a land division of an RM parcel, the “applicant grant to the County (and the County accept) a conservation easement containing a covenant, running with the land in perpetuity,

which limits the use of the land covered by the easement to uses consistent with open space." The EIR is inconsistent in describing how this would occur with the proposed project:

- Page 3.0-1 says it "would be maintained as open space and would not be used for the purposes of sale, lease, or financing. No development is proposed for this parcel as part of this proposed project."
- Page 3.0-10 says "the open space *may* be dedicated to a public entity or non-profit organization, with potential future development as a passive use park to serve the neighboring community" (emphasis added).
- Page 3.0-35 states "RM regulations require the granting of an open space easement to the County for all land division projects. The remaining area of the project site not specified for residential development *may* be offered for dedication to a public entity or non-profit organization for open space purpose, for potential development as a passive use park. This step would occur following the completion of all legal requirements for the residential development" (emphasis added).
- Page 4.4-37 says that the "12<sup>th</sup> parcel will be designated as permanent open space."
- Page 4.2-29 describes the loss of purple needlegrass, which is a sensitive plant community. For mitigation, the DEIR states "a deed restriction (or other conservation mechanism approved by the County of San Mateo) shall be placed over a portion of the serpentine grassland that is twice the acreage (2:1) of the stands of purple needlegrass to be lost on lot 8; future development of this portion of the serpentine grassland shall be prohibited."
- Page 2 of the County Staff Report to the Planning Commission (dated January 14, 2009) states "The remaining area of the project site will be restricted to open space uses..., with potential development as a passive use park to serve the neighboring community. A portion of the parcel along Lexington Avenue may be used to provide additional parking for the Highlands Recreation Center

The courts have repeatedly held that "an accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient [CEQA document]." (*County of Inyo v. City of Los Angeles* (3d Dist. 1977) 71 Cal.App.3d 185, 193.) CEQA requires that a project be described with enough particularity that its impacts can be assessed. (*Id.* at 192.) It is impossible for the public to make informed comments on a project of unknown or ever-changing description. "A curtailed or distorted project description may stultify the objectives of the reporting

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process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental costs . . . ." (*Id.* at 192-193.) "A curtailed, enigmatic or unstable project description draws a red herring across the path of public input." (*Id.* at 197-198.) Without a complete project description, the environmental analysis under CEQA is impermissibly narrow, thus minimizing the project's impacts and undercutting public review. (See, e.g., *Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376.)

This failure to describe the project precisely and the resulting failure to analyze its impacts deprive both the public and governmental decisionmakers of their right to review the environmental impacts of the project. Environmental problems should be considered at a point in the planning process "where genuine flexibility remains." (*Mount Sutro Defense Committee v. Regents of University of California* (1978) 77 Cal.App.3d 20, 34 [143 Cal.Rptr. 365].) The DEIR fails to meet this legal standard.

Because dedication of the conservation easement is a mandatory part of this project, required by the County's Zoning Code, the project description must be crystal clear and consistent in describing exactly the fate of the open space parcel, its ownership and the conservation easement that will be required. Failure to provide this specific information makes it impossible to evaluate any potentially significant impacts of the various possible future scenarios for this parcel – which is the overwhelming bulk of the project site.

The DEIR also does not discuss the public meetings with the Highlands Recreation District to discuss possible "donation" of the land and how this would comply with the requirements of Zoning Code Section 6317A. This analysis must be included in the EIR.

**Allowable density of development.** – The Project Description regarding allowable density of development (page 3.0-6) is incomplete and incorrect. In describing the RM zoned lands, the DEIR states: "the allowable density for the RM portion of the project site is eight single-family dwelling units." There is no supporting documentation of the calculations of density based on the RM zone's Density Matrix. In a letter of October 17, 2005, even the Applicant's representative could only justify 6 units. The County's density analysis was 5. The twelve-acre parcel allowed up to 2 at the time of its rezoning to RM. Thus, the RM zoned allowable density appears to range from 5 to 8 units.

Further in this same paragraph, the DEIR states that the 0.05-acre area of the site, which is zoned R-1/S-8 is "also eligible for a density bonus and would be rezoned to RM, bringing the total to nine residential units proposed." The DEIR does not provide any basis for allowing this substandard, unbuildable parcel to be eligible for a density bonus.

The final sentence states that the Applicant has requested two 10 percent development bonuses, which would bring the total allowable density to 11 single-family units. Granting of any bonus is not a right, and is allowable only upon demonstration that the development will further the goals and policies of the county's Open Space and Conservation Element. Zoning Code section 6318 (a) allows a 10 percent density bonus where over 80% of the site is preserved as open space; if granted, and assuming the density calculation under the Density Matrix is correct, this would allow a total of 10 single-family units. Section 6318 (b) allows a second 10 percent density bonus only if one or more of the following criteria are met: (1) auxiliary transportation modes will be used to reduce the total land area devoted to structures, (2) building and site design, structural systems and construction methods will be employed which both reduce the land area to be altered from a natural state and preserve the overall natural appearance and scale of the area, and/or (3) housing units constructed would help promote the objectives of the County's Housing Element. Due to the geologic and seismic constraints on the site, and the mitigation measures necessary to ensure the safety and stability of the proposed house sites, some of which are as yet unknown, this additional bonus cannot be justified.

**Geologic/Seismic.** – The DEIR concludes that "adequate information is available, based on all of the site explorations that have been completed to date, to analyze the geology and soils impacts of the project according to the requirements of CEQA." However, obviously recognizing that this conclusion is unsupported and unsupportable, the DEIR proposes mitigation to include a site-specific, geotechnical investigation in order to reduce the potentially significant impact to a less-than-significant level (pages 4.3-22 to -25). Not fully evaluating the potentially significant threats to health and safety from the geotechnical hazards of a project that proposes to build houses on an active landslide is an obvious violation of CEQA. Frankly, we are astonished that the DEIR would take this approach when both the County's geotechnical consultant and our geotechnical consultant<sup>1</sup> conclude

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<sup>1</sup> The February 13, 2009 letter from Cotton, Shires & Associates, Inc. is attached.

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that more subsurface investigation is mandatory. Just saying, "we'll do it later after the project is approved" is not good enough, and not consistent with CEQA.

An EIR must identify and analyze all direct and indirect potentially significant environmental impacts of a project. (Pub. Res. Code § 21100(b)(1); CEQA Guidelines § 15126.2(a).) A significant environmental effect is "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance." (CEQA Guidelines § 15382.) In preparing an EIR, a lead agency is required to

analyze the relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human uses of land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality and public services. The EIR [must] also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.

(*Id.* at § 15126.2(a).) The CEQA statute, its Guidelines, and the cases interpreting them are unambiguous: a lead agency must undertake a "thorough investigation" in a good faith effort to identify all of the reasonably foreseeable direct and indirect environmental impacts which might result from a project. "[A]n agency must use its best efforts to find out and disclose all that it reasonably can." (CEQA Guidelines § 15144.)

The primary function of an EIR is 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* (1993) 6 Cal.4th 1112, 1123.) To fulfill this function, an EIR must be detailed, complete, and must "reflect a good faith effort at full disclosure." (CEQA Guidelines § 15151; *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 721-722.) An adequate EIR must also contain facts and analysis, not just an agency's conclusions. (*Citizens of Goleta Valley v. Bd. Of Supervisors* (1990) 52 Cal.3d 553, 568.) However, the DEIR fails to meet this overriding purpose

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of CEQA by failing to investigate and analyze the most glaring potentially significant impact – the threat to public safety from unsafe geologic conditions.

As described fully in our scoping letter of June 2007, CEQA case law does not allow future studies as mitigation because doing so deprives the public the opportunity to review and comment on those mitigation measures, prevents the decision makers from complying with their obligations to make findings based on substantial evidence as required by CEQA Guidelines section 15091, and makes it impossible for anyone to analyze the impacts of that mitigation before the project is approved, as is required under CEQA.

This project is not the same as one on the San Mateo flatlands, where the only question might be whether the necessary pilings under the proposed house are 10 or 20 feet deep. The Ticonderoga lots are located on an active landslide. The Bunker Hill lots are directly above a landslide that destabilized a neighbor's pool located up the drainage behind the lots. The Cobblehill and Cowpens houses are at the top of a ridge that has landslides beneath it. There is an open question as to whether the proposed lots are even buildable, and, if they are, what physical measures must be taken to make them buildable. Suppose that the site-specific investigation showed that there would be a high risk of slope failure if a particular house were built as proposed. The public would never have an opportunity to comment on that analysis and the Board of Supervisors would never have made an informed decision. Or suppose that the site-specific, geotechnical investigation shows that extensive grading is required, with off-site retaining walls and loss of another 50 trees. The impacts of that "mitigation" were not disclosed in the EIR, subject to comment by the public or consideration by the Board. That is why CEQA does not allow an agency to defer analysis to future mitigation.

In addition to the CEQA requirement, the RM DRC (in Section 6324.2(f)) requires that "[t]he applicant shall demonstrate that the development will not contribute to the instability of the parcel or adjoining lands and that all structural proposals including excavation, ... have adequately compensated for adverse soil engineering characteristics and other subsurface conditions." By relying on the future site-specific, geotechnical investigations, the applicant has not made the required demonstration.

The County should not approve a subdivision that creates unbuildable parcels, but it still does not have the necessary information to know whether any of these sites are safely buildable. Because the so-called "mitigation" will follow the

subdivision approval, it would not have the information before considering whether to approve the project. As stated on page 3.0-29 of the DEIR, one of the County's requirements for a major subdivision is that it "be physically suitable for development." With all the liability that the County assumes by granting this subdivision, it must require concrete answers before granting the discretionary subdivision.

Our fears about the instability of the site are well founded. The Polhemus landslide, located just down the road, was constructed in similar geologic material after approval by the County Building Department and failed within 6 months. The Broadmoor slide occurred just over a year ago, after the County approved a building permit for new construction. If problems are discovered during the building permit process, it will be too late to undo the subdivision action.

The multiple geotechnical evaluations performed throughout the years on this parcel have relied on just a few borings. As discussed thoroughly by geotechnical experts during the scoping process and in the attached letter from Cotton, Shires & Associates, this parcel consists of Franciscan *mélange*, which is bedrock that has been chewed up as a result of its proximity to the San Andreas Fault. It has hazard-laden, unpredictable variability laterally and with depth, which is why proper design-level geotechnical investigation needs to occur before any approvals are granted.

A particularly disturbing letter was included in the Geotechnical Appendix of the DEIR. Treadwell and Rollo, the firm that the County hired to conduct additional geotechnical review, originally proposed 12 new borings to 50 feet and 4 new hand-dug test pits to 40 feet as part of their DEIR analysis. However, after discussion with County staff and the EIR consultant, the Treadwell and Rollo scope was revised to remove these additional borings and test pits because the EIR consultant was "*trying our best to keep costs minimal for the County and applicant* and meeting the needs of the CEQA document at the same time." This is embarrassing for the County and, more important, illegal. 1) The County cannot circumvent its obligations under CEQA to fully analyze significant environmental impacts just to save money for an applicant. 2) These borings do not cost the County any money. 3) The applicant is required to bear the costs of processing the application, whatever they may be. Moreover, these costs will still be borne by the applicant, just later in the process. It does not cost the applicant more money to make him do the investigation when it is required – before any discretionary approval is granted.

Also very disturbing is Mitigation Measure GEO-2 which states that "alluvial deposits in the southernmost main drainage behind Hillsborough West Apartments shall be over-excavated as recommended by the project Geotechnical Engineer." What does this mean? There is nothing proposed near these apartment buildings. Is this recognition that off-site stability actions will be required for the Cobblehill and Cowpens lots, and these actions are not analyzed in this DEIR? This stabilizing action must be fully described and analyzed in the DEIR or it is not adequate.

As noted by the Acting County Geologist on the last page of the Geotechnical Appendix prepared by Treadwell & Rollo, Lot 11 is more complex, which "may affect the design parameters and placement of house foundations." This is yet another recognition of why the geotechnical subsurface investigation must be conducted before the project can be approved. Building placement and foundation stability techniques are unknown.

The County should not violate CEQA, its own Resource Management Development Review Criteria and good planning practice simply to defer required cost for this applicant and provide him with a subdivision which creates rights for him. That is what this DEIR does and it must be corrected. The attached separate comment letter from Cotton Shires should be used as the basis for the required additional subsurface investigation, along with genuine consultation between Cotton Shires and Treadwell & Rollo.

**Visual resources.** Another gaping hole in the DEIR analysis is the views of the *back* of the proposed Cobblehill and Cowpens houses. If the project were built as proposed, people on Polhemus Road would have clear views of the grading, tree loss and 2.5- to 3-story backs associated with the proposed Cobblehill houses. Page 4.1-17 of the DEIR states that Polhemus is a scenic road but that "the project would not involve any visible changes from this viewpoint or involve work within the Polhemus right-of-way." Page 4.4-44 states "because the areas of the project site proposed for development are not visible from Polhemus Road due to the topography of the project site, the County Scenic Corridor would not be affected by the project site." This is absolutely incorrect – these homes would be visible from Polhemus Road, a County Scenic Road and the gateway to our communities. The impacts would likely be significant, and the DEIR is legally deficient if it does not provide a visual simulation and a factually accurate evaluation of the impacts.

In addition, the DEIR does not provide a view from residences on Crown Court and Queens Lane (which would have direct views of the downhill sides of the Cobblehill and Cowpens houses). This view for visual simulations was promised by the County several years ago. In addition, because a hazards mitigation in the DEIR (page 4.4-22) would require the new homes to have a 100-foot firebreak cleared from the limits of the house (into the open space), this removal of vegetation must be depicted in the visual simulations. In summary, visual simulations from:

- 1) Polhemus Road near Lakewood Drive,
- 2) the residences of Crown Court that look directly at the site, and
- 3) Timberlane Way

must be included in the DEIR in order for it to be adequate. The simulations must be conducted to show the proposed houses, including the grading, vegetation removal, and firebreak clearance.

**Alternatives Analysis.** The DEIR does not include an adequate range of alternatives as required under CEQA. Under CEQA, a DEIR must analyze "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives," focusing on alternatives that would "avoid or substantially lessen any significant effects of the project, *even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.*" (CEQA Guidelines § 15126.6(a-b)(emphasis added); *Citizens for Quality Growth v. City of Mount Shasta*, 198 Cal.App.3d 433, 443-445 (1988).) A "feasible" alternative is one that is "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors." (CEQA Guidelines § 15364.) A determination that an alternative is not economically feasible must be supported by evidence and analysis showing that it cannot reasonably be implemented due to economic constraints. (*King County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 737.) "The fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible." (*Id.*)

The DEIR correctly states that alternatives are supposed to be designed to reduce the significant impacts of the proposed project. However, it does not provide or analyze these sorts of alternatives.

*Alternative 3* (the Alternative Project Scheme) (page 6.0-9) would move the four Ticonderoga Homes and place them further down the slope, so that six homes would come down the hill from the end of Cobblehill. First, it is unlikely that it is even feasible to have a road for vehicles and fire trucks down this steep slope. In addition, previous iterations of development proposals indicated that the entire slope would need retaining walls if any development on the slope were constructed, but this engineering is not described or analyzed in the DEIR. The visual analysis of this alternative on page 6.0-11 states that the alternative “would not visually intrude into an area having natural scenic qualities...impacts would be slightly reduced under this alternative as compared to the proposed project.” This is patently incorrect, as most of the open space slope visible from Polhemus Road under this alternative would consist of new large homes and cleared ground instead of native mature vegetation. The analysis also states that this alternative would remove a similar number of trees compared to the proposed project. This is also incorrect. This alternative would result in significantly *greater* impacts compared to the proposed project and therefore should be moved to the “alternatives considered but not evaluated in detail” section.

*Alternative 4* (Reduced Project Scheme) (page 6.0-13) incorrectly interprets Section 6317A of the County Zoning Code by describing the project as 8 units, which would leave 3 density credits available subject to County discretion (page 6.0-14). This is not accurate. Once the land division occurred, the remainder would be conveyed to the County for open space uses only. A visual analysis of Alternative 4 from Polhemus Road and Crown Court residences also should be conducted to see if this alternative would truly reduce the impacts of the proposed project and therefore whether it should be considered as an alternative under CEQA.

The *Current Zoning* alternative (page 6.0-3) is not studied because the DEIR assumed that it would result in greater development. This is not possible – this proposal uses every density bonus available and does not use the Development Review Criteria to correctly reduce the maximum density. The Current Zoning alternative should study the definition of current zoning that was used in prior versions of this project, which was 7 units.

The *Alternative Off-Site Locations* alternative (page 6.0-3) is not studied because it is described incorrectly. It is described as a project on a 99-acre parcel, and the DEIR concluded that the applicant does not own or control a similar property in the County. First, CEQA analysis does not require that the applicant

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own the parcel. Second, the proposed project is 11 homes; the open space is a by-product of this particular action. The DEIR should analyze 11 homes at an off-site location.

The *Environmental Superior Alternative* must be reconsidered after an appropriate range of alternatives is developed in the DEIR.

**Hydrology.** – The DEIR does not contain a hydrology analysis. This area is named Crystal Springs because of a complex artesian system. Local residents have often observed water flowing from many spots in the hillside even long after storms. The interaction between geology and hydrology is critical when understanding the stability of these potential lots. The omission of an analysis of the hydrology of the project site is a major defect in the DEIR. A hydrology analysis must be included in the DEIR.

**Lot line adjustment of small lot.** – The project includes a 0.05-acre sliver of land that is proposed to be rezoned to RM. The EIR states the existing zoning designation (R-1/S-8) requires a minimum lot size of 7,500 square feet per dwelling unit, but omits the fact that this substandard 2,200 square foot lot is unbuildable due to steep slope and presence of a creek. The DEIR should explain how a 0.05-acre lot (which is less than 2,200 square feet, less than a third of the minimum lot size) can equal a new 18,000 square foot lot. This is a perfect example of why the County should not grant a subdivision before it knows whether the proposed lots are buildable and what is required to make them buildable.

It should also be noted that the proposal is not a correct use of a lot line adjustment. Instead, the site should remain in its present location, with the lot line adjusted to allow it to become the minimum lot size. A lot line adjustment is not used to create a wholly new parcel not even tangentially related to the existing parcel.

**Size of Lot 8.** – The EIR states that Lot 8 is 1.64 acres “due to existing slope and vegetative communities present on the site.” These conditions are only on the site because the parcel line has been drawn that way. All other sites have slope and vegetation concerns. A lot this size should not be allowed because it gives the homeowner of Lot 8 ability to further develop or landscape this site. The parcel line for Lot 8 should be redrawn to be a similar size to the other lots, and the remainder of Lot 8 should become part of the larger open space. Failure to do so creates additional potentially significant impacts that have not been analyzed in the DEIR.

**Significant tree mitigation.** – The project would remove nine “Significant” trees (as defined under the County’s Significant Tree Ordinance) with a circumference of more than 38 inches at 4.5 feet above the ground. The DEIR notes on page 4.2-15 that the RM District is exempt from the Tree Ordinance because the RM has its own requirement of prohibiting removal except under approved projects that comply with the RM Development Review Criteria. One would presume that the RM zone is exempted from the tree ordinance because the RM DRC are stricter than the ordinance. These nine significant trees that would be removed are Coast live oaks (*Quercus agrifolia*) that have a diameter at breast height of 12” to 32”. The DEIR is silent on any other trees that would be removed because they are not “significant.” The mitigation identified on page 4.2-26 is “tree replacement shall occur at a minimum 1:1 ratio for all protected trees removed with a circumference of or exceeding 55 inches (17.5 inches diameter breast height).” Page 3.0-28 states that the “Project Applicant proposes to replace protected trees that would be removed during construction with nine 15-gallon trees as part of the proposed landscaping.” The oak woodlands on the site is a significant resource in its own right, in addition to the larger “significant” specimens.

The DEIR must describe *all* trees to be removed, not just the protected trees. Then, the County should decide whether it is willing to accept the “minimum” mitigation for the removal of these substantial, mature native trees in the RM zone. We believe that adequate mitigation would consist of relocating trees if feasible, and, if not feasible, replacement at a ratio that actually compensates for the loss of these trees, such as 1:1 for canopy lost, not for trees removed. A 15-gallon tree does not compensate for a 20” dbh Coast live oak. Mitigation measures must also include tree protection for those trees not identified by the DEIR to be removed, and consequences for any damage or removal of those trees that have not been identified for removal.

**Air quality mitigation.** – Mitigation measures on page 4.4-19 mention two phases of construction. Does this project really have two phases? If so, it must be described that way in the project description and analyzed throughout the document.

**Proper estimate of truck traffic.** – Table 3.0-2 on page 3.0-26 assumes that there would be 3,700 cubic yards (cy) of cut and 5,700 cy of fill, resulting in a net 2,000 cy of import, or 167 trips for import (page 3.0-27). However, page 4.4-40 notes that the project “would potentially include unusable fill that would require off-site

disposal." Given the landslide and colluviums deposits on-site, it is likely that those deposits could not be used for fill. Conservatively, if none of the cut materials could be used as fill and would therefore be disposed, and all necessary fill would then be brought on-site, the necessary trips would be associated with 3,700 + 5,700 cy or 9,400 cy of material hauling, or almost 5 times the amount assumed in the project description. The project description should have an estimate of the amount of cut that would be moved off-site because it would not be suitable as fill material, and the amount that would then need to be imported. The revised number of truck trips should be considered in the traffic, air quality, and greenhouse gas emission analyses of the DEIR.

**Public transportation.** – Page 4.4-25 (among others) notes that this project would encourage transit ridership because it would be located near two bus routes. The location of this project does *not* encourage transit ridership because of the very limited bus service. As described in the Fehr & Peers study, the only transit to serve this area are two SamTrans routes that operate for an hour in the morning and an hour in the afternoon to bring children to and from school. It is safe to assume that no project residents would ride public transportation, so the DEIR is correct in stating that the project would not affect bus capacity. However, the DEIR should not state that the project is in compliance with County policy of encouraging transit ridership. This County policy is meant to encourage development in proximity to transit lines such as Caltrain or sufficient transit with the minimal headways that encourage ridership. This project does not encourage transit ridership.

**Guest parking spaces.** – Page 4.4-35 notes that the Ticonderoga houses would have two garage parking spaces. What is the proposal for guest spaces? Is it possible for guests to park along Ticonderoga safely, given the line-of-sight and width of the road? The Fehr & Peers traffic analysis considers intersection impacts. However, as discussed in our scoping comments, the issues along Ticonderoga Drive are *safety* issues: line-of-sight, ability to see when traveling uphill when the sun is low, increased pedestrian use of road if used as guest parking, and ability to pull in and out of driveways on this hill. This issue already occurs along this road near Ticonderoga Townhomes, and neighbors raised the concern during scoping. The DEIR needs to analyze the traffic safety along Ticonderoga Drive.

**Construction in excess of 36' in height.** – Page 4.4-45 states that no proposed residential dwelling unit would exceed 36 feet in height, measured from street level, so there would be no impact. However, the Cobblehill and Cowpens homes will be

visible from the back side, and the DEIR should consider whether it appears 36' tall from the back (visible) side.

**Bio-retention planters.** – Page 3.0-20 indicates that bio-retention basins are planned as part of the project. Locations are shown in figures but there is no description of these planters. Page 4.1-24 states that “bio-retention planters would be painted green to blend with the grass.” These therefore appear to be physical features and not bioswales. What are these features, and would they require upkeep? The project description in the DEIR should describe these features and their impacts should then be analyzed.

**California red-legged frogs.** – On page 4.2-23, the DEIR states that, based on the CNDDDB, the CRLF has been documented on the other side of I-280. The DEIR should also refer to previous biological studies conducted for this site (most recently by Thomas Reid Associates for the applicant) that indicated suitable CRLF habitat along Polhemus. In addition, a CRLF mitigation site is located not far downstream of the parcel. The existing conditions should include this information.

**Purple needlegrass.** – The DEIR identifies purple needlegrass, a sensitive plant community, on Lots 1 and 8. The DEIR should evaluate whether the purple needlegrass would still be lost on Lot 8, if Lot 8 is reconfigured to the appropriate size. In addition, the mitigation measure is not sufficient. It states that future development of some of the serpentine grassland in the open space would be prohibited as mitigation for the purple needlegrass that would be removed. However, future development would already be prohibited by the conservation easement that is required under the RM zone, so this mitigation is nothing “extra” to compensate for the loss of purple needlegrass. Instead, the mitigation should be restoration of non-native plant areas to create native grasses at a ratio of 2:1.

**Assessor's Parcel Map.** – Page 3.0-2 refers to Figure 3.0-3 to show the location of the two subject parcels. However, these parcels are not apparent on this figure. Given the complex nature of the proposed rezoning and lot line adjustments, clear existing and proposed zoning figures should be included in the DEIR in order to understand the proposed project actions.

**Mitigation Measures.** – The mitigation measures developed in the DEIR need to contain performance standards, including a monitoring program that would be an integral part of project development. The assumptions made in the DEIR to assess

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environmental impacts should be limits for future development of the subdivision, whether by the applicant or any subsequent owner of the parcels.

\* \* \*

The DEIR must be revised to include all of the information and analyses described in this letter. Then, as the Staff acknowledged at the beginning of the recent public hearing, the DEIR must be recirculated for public comment. Recirculation is required by CEQA. (Pub. Res. Code § 21092.1; CEQA Guidelines § 15088.5.)

Sincerely,

  
Marc D. Joseph

MDJ:bh

cc: Chris Ranken, Chairperson  
William Wong, Commissioner  
David Bomberger, Commissioner  
Gail Slocum, Commissioner  
Steve Dworetzky, Commissioner

**From:** "Jean-Pierre Bernard" <jpbernard@bdna.com>  
**To:** "Camille Leung" <CLEung@co.sanmateo.ca.us>, "Lisa Grote" <LGrote@co.sanm...>  
**Date:** 2/18/2009 3:01 PM  
**Subject:** RE: Density Matrix Analysis for APN 041-101-290

Hi Camille,

Thanks for your response. My address is:  
2288 Cobblehill Place  
San Mateo, CA 94402  
Best regards,

JP

Jean-Pierre Bernard | BDNA Corporation & PS'Soft Inc. | 650 641 6063 direct | 650 576 3090 mobile | 650 641 6164 fax | jpbernard@pssoft.com | www.psssoft.com | www.bdna.com

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

From: Camille Leung [mailto:CLEung@co.sanmateo.ca.us]  
Sent: Wednesday, February 18, 2009 2:54 PM  
To: Jean-Pierre Bernard; Lisa Grote  
Subject: Re: Density Matrix Analysis for APN 041-101-290

Hi Jean-Pierre,

Thank you for your comments on the Draft EIR. We will note these changes. Please send us your mailing address if you wish to be added to the mailing list for this project.

Thanks!

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
(650) 363-1826

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>>> "Jean-Pierre Bernard" <jpbernard@bdna.com> 2/17/2009 7:49 PM >>>  
Re: Comment on Project Description in Draft EIR for PLN2006-00357

Dear Lisa,

We've noted another question item in the Draft EIR for PLN2006-00357:

The DEIR project description states on Project description (page 3.0-6) that the County of San Mateo prepared a density analysis for the RM portion of the project site, based on San Mateo County Density Matrix for APN 041-101-290. This would allow 5 units in the RM District. The applicant challenged the County Density Matrix in 2005.

The Draft EIR provides no documentation of the San Mateo County implementation of County verification procedure as outlined in the San Mateo County Planning Administrator memorandum dated September 27, 1993 entitled Challenging Density Analysis Results (attached). The memorandum's procedure outlines applicable areas which are in the project site (see memo item 2.b. landslide susceptibility map USGS MF 360 and 2.c. regarding slope as well as scenic corridor). The memo notes in regard to preexisting County data and calculations that "Where referenced maps can be proved inaccurate by more detailed study, the appropriate density accumulation shall be allowed." The memorandum goes on to delineate how more detailed study, accuracy of data, and calculations need to be proven to the County.

The DEIR does not provide documentation for verification of data, measures, and calculations with the procedure actually employed by County for accepting or rejecting the applicant's challenge to the County Density Matrix for APN 041-101-290. No documents are supplied and analyzed showing how the applicant's data and calculations were verified.

After the San Mateo County Board of Supervisors' decision of September 11, 2007, approximately 12 acres were added to the RM District making the parcel uniform and increasing by one unit allowable houses in the Density Matrix for the RM District.

The allowable density under the County Density Matrix states the following in the project description (page 3.0-6):

"According to a density analysis prepared by the County of San Mateo, the allowable density for the RM portion of the project site is eight single family dwelling units."

This project description statement conflicts with previous County Density Matrix Analysis of record and the Resource Management criteria for density matrix calculations.

We would appreciate if your services could please respond to the above comment, as well as to the following requests:

- 1) Documentation of County Density Matrix used for the DEIR, and San Mateo County verification of any alternative density matrix data and calculations submitted as a challenge to the County Density Matrix.
- 2) Revision and correction of the error in the project description for the number of units actually allowed.
- 3) Correction of the application and all related Draft EIR sections in regard to correct number of allowable units in RM District.

Sincerely,

Jean-Pierre Bernard

San Mateo Highlands resident

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**From:** Planning-Commission  
**To:** Camille Leung  
**Date:** 1/6/2009 11:05 AM  
**Subject:** Fwd: PLN2006-00357

**CC:** Lisa Grote  
Camille,

I am not sure is you have this e-mail.

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>>> "Mark Brennan" <[Mark\\_Brennan@gap.com](mailto:Mark_Brennan@gap.com)> 1/1/2009 9:12 AM >>>  
Planning Commission;

I am writing to express my opposition to file #: PLN2006-00357 by Ticonderoga Partners, LLC; in particular the proposed Highlands Estates Subdivision. In particular, I object to and reclassification of RM zone.

Regards,

Mark D. Brennan

1127 Parrott Dr.

San Mateo, CA 94402

**From:** Lisa Grote  
**To:** Camille Leung  
**Date:** 1/13/2009 9:21 AM  
**Subject:** Fwd: PLN2006-00357

FYI and for the file as a comment letter. Please check to see whether or not they are on the mailing list. Thanks.

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>>> "Deke & Corrin Brown" <d.cbrown@comcast.net> 1/12/2009 7:32 PM >>>  
Lisa Grote,

We live in the San Mateo Highlands (since 1975). It has come to our attention 2nd and 3rd hand that there has been activity concerning the open space that surrounds our home. Previous commitments promised that we would be notified of any new activity. Our concern is that commitments regarding the safety of our homes is being disregarded as well as the promises made by your office. Please send us a copy of the current EIR.

We are also upset that a meeting has been scheduled during the work week and is being held so far away from the Highlands. Especially in these tough economic times, it is very difficult for us to take time off of work. We hope these issues are simply an oversight and can be recovered.

Lastly, we have been dealing with this zoning issue for 30 years, is it not time for closure? From an environmental, safety, and quality of life point of view the message needs to be made clear to the developers. Development is too risky.

Sincerely,  
Deke & Corrin Brown  
15 Woodcreek Ct.  
San Mateo, CA 94402-4050

**Camille Leung - Re: Highlands Project Comment**

---

**From:**  
**To:** "Camille Leung"  
**Date:** 1/20/2009 12:28 PM  
**Subject:** Re: Highlands Project Comment  
**CC:**

---

Hi Camille -

This email is to thank you for sending the Highland Estates DEIR. We have reviewed the DEIR and the City of San Mateo has no comments on it or the project at this time. Again, thanks for the opportunity to review the document.

Stephen Scott

Stephen Scott, AICP  
Principal Planner/Zoning Administrator  
City of San Mateo  
330 W 20th Avenue  
San Mateo, CA 94403  
650-522-7207  
"Camille Leung" <CLEung@co.sanmateo.ca.us>

"Camille Leung"  
<CLEung@co.sanmateo.ca.us>

Tosscott@cityofsanmateo.org  
cc  
SubjectHighlands Project Comment

01/20/2009 11:30 AM

Hi Steven,

I apologize for the long delay. Please send your comments to this email address. Thank you!

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063

(650) 363-1826

-----  
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Think before you print.

RICHARD COLE  
1431 TARRYTOWN STREET  
SAN MATEO, CALIFORNIA 94402-3819  
650-345-0567

Hand Delivered, DEIR Hearing, 2/11/09

February 11, 2009

Ms. Camille Leung  
County of San Mateo Planning Department  
455 County Center Drive, 2nd Floor  
Redwood City, CA 94063

Ref.: Highland Estates Draft EIR

Dear Ms Leung:

The following are my comments on the referenced DEIR, keyed to page and section number.

p. 1.0-1 Sect. 1.2 92 acres are to be open space. Please specify who would own it. The EIR will not be complete without this information. Decision makers should know NOW that there is a committed owner of the open space. [This comment applies also to the text at the top of p. 3.0-10 (Section "Open Space"), which is much too vague about who would own the open space after project construction.]

Sect. 1.2(cont.) "As part of the proposed project, the County would also adopt a zoning text amendment to RM District regulations ....This zoning text amendment, if approved by the County Board of Supervisors, would apply not only to the proposed project, but to all residential projects proposed in the RM District."

This is the tail wagging the dog. A Countywide change in such important regulations must not be hidden in the application for a single project. It must be proposed separately and circulated Countywide for citizen review and comment.

Ms. Camille Leung  
February 11, 2009  
Page Two

Sect. 1.3 The "evolution of various residential projects" has occurred for more than twenty years. The "Bunker Hill Estates proposal" (199 units) goes back, I believe, before 1988, which, as I have been told, was the year in which Chamberlain proposed the 92-unit (74 + 18) monstrosity that ultimately received more than ten years of County review. Note: 1988, NOT 1999. Thus, the 150-unit proposal must also have come in before 1988, unless Chamberlain was doing his {hundreds} numbers manipulation all in one year. In any event, even if my recollection of the above dates is wrong, the 92-unit proposal was filed before 1996, not as late as 1999.

Why am I so sure that the 92-unit proposal came in before 1999? First, I wrote a letter to the County about it in 1996. Second, the Administrative Draft EIR on it was completed in 1997 or 1998. 1997 was the year in which the mediation (NOT "negotiation") process, initiated by two County Supervisors, started.

Is this all nitpicking? NO. If County staff cannot get the proposal chronology right, how can anyone have confidence in anything else (for example, the history of geotechnical investigation and County review) in the Draft EIR?

p. 2.0-19 Geology Impact GEO-1 Mitigation Measure GEO-1. "A design level geotechnical investigation shall be prepared prior to any project grading."

A full geotechnical investigation must be done BEFORE the EIR process is completed, ideally before the Final EIR is submitted to the decisionmakers, so that the Planning Commission and the Board of Supervisors know the full impacts of project construction BEFORE they approve the project. Decisionmakers' learning the adverse impacts of a project as late as the construction phase violates the letter and the spirit of the California Environmental Quality Act (CEQA) as well as its implementing Guidelines and case law on the subject. Exploratory investigations can produce their own adverse environmental effects.

Ms. Camille Leung  
February 11, 2009  
Page Three

These activities can be more easily regulated and monitored BEFORE the project is approved, rather than during construction, when the die has already been cast.

p.2.0-21 Geology Impact GEO-2 and Mitigation Measure GEO-2

"A site-specific design level investigation shall be completed during the design phase.....This investigation shall include the identification of all areas of potential soil instability. (All lots)"  
This reads like the ideal mitigation to be carried out DURING EIR preparation, not after project approval. Find out about soil instability long after project approval? This kind of delayed mitigation is a travesty and a sham, as in GEO Impact and Mitigation-1 above. Shouldn't the Planning Commission and the Board of Supervisors know the areas of potential soil instability (all lots) NOW, when they are making decisions about whether they should consider approval of the project?

I believe that County staff should reexamine ALL these summary tables and the underlying impact and mitigation sections (including, but not limited to, expansive soils, Franciscan melange, serpentine rock, asbestos in soils) and revise the DEIR accordingly, so that the Final EIR will be a truly useful guide for the decisionmakers.

For example, the following wording in Mitigation GEO-2 should be a red flag to County staff and decisionmakers NOW:

".....in order to significantly reduce fill settlement. In particular, alluvial deposits in the southernmost main drainage behind the Hillsborough West Apartments shall be overexcavated.....(All lots)"

p. 4.3-10 Fig. 4.3-2 . Project Site Boring Locations

This Figure indicates the inadequacy of the earlier borings for the currently proposed project, as I shall demonstrate in the following.

First, there are NO borings on any of the four (4) Ticonderoga lots (Nos. 5-8). The only subsurface observations on

Ms. Camille Leung  
February 11, 2009  
Page Four

those lots come from the trenching by Berlogar, Long and Associates in 1980, a mere 29 years ago [sarcasm intended], as indicated in the Figure. If you examine your DEIR carefully, you will notice that Berlogar, et al. are not described along with the other investigating geologic firms on p. 4.3-09 et seq., nor is that firm's report even cited in your Reference list, Section 8, on p. 8.0-1. Thus, the reader cannot find out first hand something as fundamental as the depth of trenching, much less what the trench demonstrated. The only thing we have to go on is what Treadwell and Rollo have to say, if anything, on the subject (as described, if done, by your EIR consultant).

So, if Treadwell and Rollo try to convince the County that it is safe to build the Ticonderoga portion of this project, you and your EIR consultant have certainly not made the case for it in this DEIR.

Figure 4.3-2 shows that no borings were done on Lots 9 or 10, at least during the long history of this project site.

From Fig. 4.3-2 it appears that one boring was done, by Soil Foundation Systems in 1992, on the western border of Lot 11, but I do not have the time to look any further in your sloppily prepared report for the relationship between that location and the proposed home footprint, and in any event I have little interest in Lot 11.

Finally, we come to Bunker Hill Lots 1-4, sitting on the edge of a deep canyon replete with landslides, with a history of a swimming pool that slid down into the canyon from a lot at its west end.

**THIS SHOULD TELL THE DECISIONMAKERS THAT FOR THE FAMILIES THAT WILL OCCUPY HOMES 1-4, GEOTECHNICAL SAFETY IS A LIFE-AND-DEATH ISSUE.**

Fig. 4.3-2 shows that there were two (2) borings done on Lot 2 in 1993 by Soil Foundation Systems, and NO borings, at least during the long history of this project site, on Lots 1, 3 or 4.

Ms. Camille Leung  
February 11, 2009  
Page Five

I understand that Cotton, Shires are recommending at least two (2) borings on every lot. I understand also that current regulations, not in force twenty (20) years ago, call for drill holes at least 30 inches in diameter, so that a geologist can descend to the bottom of the drill hole for direct observation of the hole walls. That tells me that the developer (better, the County, at developer expense) must redo all the drilling, and then some. REDUCING THE DEVELOPER'S COSTS BY NOT REQUIRING HIM TO DO THE RECOMMENDED DRILLING WOULD BE AN IRRESPONSIBLE ACT.

p. 8.0-1 Chapter 8. References

Under 8.3, Geology and Soils, there are only three (3) references to project-specific site investigations, not including Treadwell and Rollo. On p. 4.3-09 et seq. in the main text, as described above, there are seven (7) references to project-specific site geologic investigations, not including Treadwell and Rollo. Chapter 8 should include a complete listing of all cited articles, books, reports, etc., which it clearly does not. Furthermore, all cited documents should be readily available to the reader of the DEIR, either in an accessible library or in the DEIR itself, for example in the Appendix. That is not true here. For example, not one of the site-specific geology reports cited by Treadwell and Rollo is readily available to the DEIR reader, meaning that the reader, including the decisionmaker, is at the mercy of Treadwell and Rollo's interpretation for ALL the important site-specific geology. The interested reader can check NOTHING independently.

In the References chapter, the EIR consultants cite an (Administrative) DEIR produced in 1998 by another consultant for an earlier project on the site. That is not a citable document. As this DEIR states, that EIR never completed the public-review process.

Finally, this DEIR overlooks two important impacts, not produced BY the proposed project, but that will be experienced by

Ms. Camille Leung  
February 11, 2009  
Page Six

families living in the project dwellings. They are facts that I believe must be disclosed by the developer to buyers of homes.

First, the San Francisco Public Utilities Commission has begun construction of its bypass water tunnel deep under Polhemus Road north of Bunker Hill. Construction is to take three (3) years, starting early in 2009. For all of that time, there will be noisy tunneling equipment, vibration, and explosions, much of it occurring 24/7 over almost the full week. Traffic, particularly along Crystal Springs Road west of Polhemus, will be affected.

I understand that bypass-tunnel construction will extend well into the year 2012. The County's schedule for Highland Estates means that residential project occupancy could start in the year 2010. Therefore, buyers of project housing could be exposed to the adverse effects of the bypass-tunnel construction for up to two (2) years. Must be in the EIR.

Second, residents of Highlands neighborhoods, including the proposed Highland Estates, are facing substantial increases in sewer rates, possibly 200%. A joint investigation by neighborhood homeowner associations and County of San Mateo Public Works staff is underway. I believe that the result will be a delay in the high payments, but only a slight reduction in the ultimate obligation. Sewer rates of up to \$2,000 per home per year are not a minor fact of life. The developer should disclose this to buyers, and the EIR must discuss it.

In summary: I have made some very serious comments. If you deal with them in a responsible way, I suggest you recirculate the DEIR, especially if the Planning Commission stops the process now for a full site-specific geotechnical investigation, preferably done by the County at developer expense.

Yours very truly,



c: Neighbors, Officials



COMMITTEE FOR  
GREEN FOOTHILLS

February 12, 2009

Chris Ranken, Chair and  
Members of the Planning Commission  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94028

**Re: February 11, 2008 Public Meeting on Draft EIR for Highlands Estates**

Dear Chair Ranken and Members of the Commission,

Many thanks to all of you, Planning staff and County Counsel for the excellent public meeting last night at the Highlands School.

I did not speak because all of my points were eloquently addressed by others. Having been involved in the review of projects at innumerable public hearings for over 30 years on behalf of Committee for Green Foothills, this meeting ranks right at the top for professionalism and clarity of presentation by the community members, and their geotechnical consultants, Cotton Shires and Associates.

Obviously it is critical for you as decision-makers, as well as concerned members of the public, to fully understand the potential impacts of this proposed subdivision, and to ensure that the 11 lots are safe to build on. Most importantly, it is crucial to fully disclose what measures will be necessary to ensure that these lots can be developed, given the geologic conditions of the site.

This analysis and disclosure is required not only by CEQA but also the Resource Management District Development Review Criteria. The fundamental questions regarding the constraints to development of this challenging site must be addressed now. It was gratifying to hear at the beginning of the meeting that the consultations between the applicant's geotechnical consultant, Treadwell and Rollo, and Cotton, Shires will be taking place. It was also encouraging that the applicant's attorney agreed that safety issues need to be addressed now.

On behalf of Committee for Green Foothills, I urge that the borings, test pits, and any other investigations of the geologic conditions recommended by Ted Sayre of Cotton, Shires be done prior to recirculation of the Draft EIR, so that the information from this work can inform us all.

Thank you again for this community meeting.

COMMITTEE FOR  
GREEN FOOTHILLS

3921 E. Bayshore Road  
Palo Alto, CA 94303

650.968.7243 PHONE  
650.968.8431 FAX

info@GreenFoothills.org  
www.GreenFoothills.org

Sincerely,

A handwritten signature in cursive script that reads "Lennie Roberts".

Lennie Roberts, Legislative Advocate  
Committee for Green Foothills

Cc: Lisa Grote, Community Development Director  
John Nibbelin, County Counsel  
Supervisor Mark Church



**COTTON, SHIRES & ASSOCIATES, INC.**  
CONSULTING ENGINEERS AND GEOLOGISTS

---

February 13, 2009  
G3278D

**TO:** Cary Wiest, President  
THE SAN MATEO HIGHLANDS COMMUNITY ASSOCIATION  
1851 Lexington Avenue  
San Mateo, California 94402

**SUBJECT:** Supplemental Geologic and Geotechnical Evaluations  
**RE:** Highland Estates Project  
San Mateo County, California

At your request, we have completed a supplemental geologic and geotechnical review of the proposed development for 11 new residential lots along Ticonderoga Drive, Bunker Hill Drive, Cobble Hill Place, and Cowpens Way using:

- Geologic Evaluation - Environmental Impact Report, Highlands Estates Residential Development Project (report), prepared by Treadwell & Rollo, dated September 23, 2008;
- Draft EIR - Section 4.3 Geology and Soils, prepared by Impact Sciences, dated December 2008;
- Geotechnical Investigation and Geologic Hazards Review - Four Single Family Residences Ticonderoga Drive (report) prepared by TRC Lowney, dated February 7, 2006;
- Geotechnical Feasibility - Highland Estates Residential Development (letter-report) prepared by Lowney Associates, dated September 17, 2002; and
- Geotechnical Investigation Report and Supplemental Geotechnical Report - Highland Estates prepared by Soil Foundation Systems, dated July 1993 and November 1994.

In addition, we have reviewed pertinent background maps and reports from our office files.

**DISCUSSION**

We understand that the referenced Draft Environmental Impact Report was prepared primarily to address potential environmental impacts associated with the proposed residential development of 11 individual lots as depicted on Figure 4.3-2 of

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330 Village Lane  
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Central California Office  
6417 Dogtown Road  
San Andreas, CA 95249-9640  
(209) 736-4252 • Fax (209) 736-1212  
e-mail: cottonshires@starband.net

the DEIR. Proposed Bunker Hill Lots 1 through 4 contain precipitous slopes in an area impacted by past landsliding and reported springs and seeps. In addition, the proposed project includes development of four lots along Ticonderoga Drive (Lots 5, 6, 7, and 8) that are partially or fully underlain by the TRC Lowney (2006) mapped landslide. Remaining lots 9, 10, and 11 contain some areas of mapped potentially unstable colluvial soil and creeping earth materials. We understand that the Acting County Geologist has indicated that geotechnical conditions present on Lot 11 may affect the design parameters and placement of house foundations.

In order to determine what geotechnical mitigation measures are required for the project, adequate geotechnical investigation must be completed. Only after necessary geotechnical investigation is finished can proposed mitigation measures be defined and evaluated for environmental impacts (e.g., visual, biology, etc.).

In our previous project geotechnical evaluation (letter dated June 1, 2007), we peer reviewed a proposal to mitigate the landslide extending across the Ticonderoga Drive lots by removal of landslide debris and/or installation of retention systems and subdrain systems, with details of the landslide mitigation apparently to be determined during project construction. However, we concluded that the length, width, and depth of site landsliding, and properties of underlying sheared Franciscan Melange bedrock, were not sufficiently characterized to allow determination of the scale/extent of necessary mitigation measures. In order to allow environmental evaluation of potential mitigation impacts, we recommended that necessary subsurface geologic data first be collected to better characterize the landslide and help define the dimensions of needed slope stabilization measures. We outlined the specific types of subsurface investigation and geotechnical evaluations that typically would need to be completed. This work was necessary to demonstrate project feasibility and to define the type and extent of necessary mitigation measures (for both the Ticonderoga Drive and Bunker Hill Drive lots).

One of the limitations with previous borings and test pits completed for the Highland Estates Development is that the surface landslide dimensions and depth of landsliding across the four Ticonderoga Drive Lots were never determined. Borings and test pits along Ticonderoga did not identify the landslide basal rupture surface (deepest failure plane). Completed small diameter borings were only periodically sampled and did not detect a failure plane. Local test pits extended into slickensided, sheared clay with rock inclusions at depth (Franciscan Melange or displaced debris). The performed subsurface exploration is not adequate for landslide characterization. The sheared materials at depth offer questionable support for planned new fill material and associated surcharge loading. Current landslide evaluation methodology (i.e., such as published implementation guidelines for State Special Publication 117) should be followed.

### RECENT SUPPLEMENTAL GEOLOGIC EVALUATIONS

The recent supplemental evaluation completed by Treadwell & Rollo included site reconnaissance, aerial photograph review, geotechnical document review, consulting with regulatory staff, and preparation of geologic cross sections. Supplemental subsurface investigation was not completed to characterize the landslide mapped through Lots 5, 6, 7, and 8. Treadwell & Rollo concluded that site development was feasible from a geologic perspective, but recommended that additional subsurface exploration be completed for Lots 5 through 8 (within the limits of the landslide) to provide more detailed recommendations for repair of the slope. In addition, further project-specific design level geotechnical investigations were recommended where significant grading alterations of slopes are planned. Based on the scope of work completed to date, Treadwell & Rollo notes that the landslide along Ticonderoga Drive appears relatively shallow, toeing out at or just below Ticonderoga Drive.

### DEIR EVALUATIONS

The referenced DEIR incorrectly indicates that Treadwell & Rollo completed a quantitative slope stability analysis of the Ticonderoga landslide, and that the landslide is of small to moderate size covering Lots 6, 7, and part of Lot 5 (page 4.3-15). In fact the plan view dimensions of this landslide (as mapped by TRC Lowney) are 270 feet in width by 150 feet (or more) in length, clearly extending into Lot 8. No documentation of a slope stability analysis completed by Treadwell & Rollo is provided in the referenced report.

A buttress fill mitigation is proposed in the DEIR for Lots 5 through 8. The DEIR does not provide information and analysis of the size of the mitigation footprint, or the total volume of earth materials that must be excavated, transported, recompacted and revegetated. The buttress fill stabilization concept needs to include specification of the above noted physical parameters. A second slope stabilization alternative should also be identified and evaluated in the DEIR for comparison of environmental impacts.

The DEIR also indicates that Treadwell & Rollo concluded that adequate information was available to analyze the geology and soil impacts of the project according to the requirements of CEQA. We find no documentation in the referenced Treadwell & Rollo report presenting this conclusion. Treadwell & Rollo has indicated that they submitted an initial proposal including 12 supplemental borings to 50 feet and 4 test pits (shafts) to 40 feet; however, this exploratory testing has not been completed.

### CONCLUSIONS AND RECOMMENDATIONS

Adequate characterization of the length, width, and depth of the existing mapped landslide across Ticonderoga Drive Lots 5 through 8 has not been completed. Treadwell & Rollo's preliminary conclusion (that the landslide toes out at or just below Ticonderoga Drive) points out the degree of uncertainty associated with the size of this landslide. If the landslide extends beneath a portion of Ticonderoga Drive, then the performance of the roadway should be evaluated considering the basic grading configuration of the upslope lots. A landslide mitigation plan should be developed to ensure that the subject landslide is fully stabilized, and that new fill surcharge loading (associated with lot development) will not result in adverse impacts to Ticonderoga Drive. Determination of the actual landslide mitigation footprint will allow evaluation of possible traffic impacts along Ticonderoga Drive, and also allow evaluation of possible environmental impacts associated with the mitigation. Accurate plan view landslide dimensions, and appropriate supplemental subsurface data are critical to defining the size and impacts of landslide mitigation measures. The current DEIR does not provide adequate geotechnical information on these lots.

All lots should be tested and evaluated consistent with current geotechnical standards of practice. Development within hillside Franciscan Melange terrain is potentially hazardous and warrants detailed geologic and geotechnical investigation. We recommend that Treadwell & Rollo collect sufficient surface and subsurface data from the 11 proposed lots to confirm previous feasibility assessments, and perform needed testing to adequately characterize present geotechnical constraints. Treadwell & Rollo should prepare a detailed engineering geologic map covering the proposed 11 lots, including accompanying geologic cross sections through each lot depicting subsurface conditions based on the subsurface investigation. This investigative work should be sufficient to confidently determine the type and extent of necessary geotechnical mitigation measures. We anticipate meeting with Treadwell & Rollo and discussing the scope of appropriate testing on all lots. Additional data collection may show that development within certain portions of Lots 9 and 11 should be avoided considering geotechnical constraints (areas of thick colluviums or potentially unstable slopes). We also plan on discussing appropriate geotechnical investigation to address the following concerns and questions presented by the public at the February 11 County Planning Commission Meeting:

- Geotechnical merits of DEIR mitigation measure GEO-2;
- Spring activity, stabilization piers and historic landsliding considerations for the Bunker Hills lots;
- The potential for asbestos exposure from project grading;
- Hydrology analyses and the potential for increased peak discharge to initiate debris flows or erosion;
- Appropriate surface drainage control;
- Evaluation of project slope stability under seismic ground shaking conditions; and

- Evaluation of the potential for adverse off-site impacts from the proposed project (landsliding into adjacent developed property).

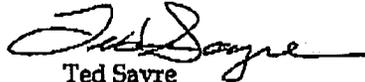
It is our understanding that the above items, and several other topics resulting from public comment on the DEIR, must be addressed during the environmental review process (prior to certification of the final EIR). We intend to summarize our upcoming meeting communications with Treadwell & Rollo in a separate memorandum.

LIMITATIONS

This review has been performed to provide technical advice to assist with the evaluation of development plans. Our services have been limited to review of the documents previously identified, and a visual review of the property. Our opinions and conclusions are made in accordance with generally accepted principles and practices of the geotechnical profession. This warranty is in lieu of all other warranties, either express or implied.

Respectfully submitted,

COTTON, SHIRES AND ASSOCIATES, INC.



Ted Sayre  
Principal Engineering Geologist  
CEG 1795



David T. Schrier  
Principal Geotechnical Engineer  
GE 2334

TS:DTS:kd

COTTON, SHIRES & ASSOCIATES, INC.

# Department of Public Works



## COUNTY OF SAN MATEO

555 COUNTY CENTER, 5th FLOOR • REDWOOD CITY • CALIFORNIA 94063-1665 • PHONE (650) 363-4100 • FAX (650) 361-8220

**BOARD OF SUPERVISORS**  
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DIRECTOR

January 21, 2009

Ms. Camille Leung, Project Planner  
San Mateo County Planning and Building Division  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063

Dear Ms. Leung:

**Re: Proposed Highlands Estates Subdivision Administrative Draft Environmental Impact Report (SCH #2007052068)  
Comments from the Crystal Springs County Sanitation District – Sanitary Sewer  
Comments – Solid Waste**

We are providing comments on the Highlands Estates Draft Environmental Impact Report (DEIR), dated December 2008 prepared by Impact Sciences, Inc. for the County of San Mateo Planning and Building Division. The comments relate to the sanitary sewer elements of the DEIR in our capacity as the staff that administers the Crystal Springs County Sanitation District (CSCSD), and the solid waste elements.

### **Sanitary Sewer Comments**

#### **Page 3.0-20 - "Sanitary Sewer"**

The DEIR states that the project would be provided sewer service by the CSCSD. The project area is currently within the CSCSD boundaries and the project *proposes* to connect eleven building sewer laterals to the existing CSCSD sewer facilities.

#### **Page 4.4-30 – "Air Quality, Water Quality, Sonic"**

The DEIR asks: "Would the project: Require the installation of a septic tank/leachfield sewage disposal system or require hookup to an existing collection system which is at or over capacity..."

Some responses to the above question should be clarified or expanded based on the information provided below:

- The CSCSD is a party to an existing sanitary sewerage agreement among CSCSD, the City of San Mateo (San Mateo), the Town of Hillsborough (Hillsborough), and the County of San Mateo. It is not a three party agreement as stated in the DEIR but rather, an agreement among four parties.
- The DEIR states that the sewer collection systems in Hillsborough and San Mateo are over capacity during wet weather events. In addition, it should be noted that, the San Francisco Bay Regional Water Quality Control Board (RWQCB) has prepared a tentative

Ms. Camille Leung, Project Planner, San Mateo County Planning and Building Division  
**Re: Proposed Highlands Estates Subdivision Administrative Draft Environmental  
Impact Report (SCH #2007052068)  
Comments from the Crystal Springs County Sanitation District – Sanitary Sewer  
Comments – Solid Waste**

January 21, 2009

Page 2

Cease and Desist Order (CDO) that includes the CSCSD, Hillsborough, and San Mateo. The RWQCB has also recommended fines associated with Administrative Civil Liabilities (ACL) Claims against the CSCSD, Hillsborough, and San Mateo. The ACL fines are being imposed pursuant to the California Water Code Sections 13350 and 13323. The tentative CDO is pursuant to California Water Code Section 13301.

- The ACL's and tentative CDO are the result of enforcement actions being taken by the RWQCB for sewer system overflows (SSO) that have occurred within the jurisdictions of the three sewer collection entities (CSCSD, Hillsborough, and San Mateo). The majority of SSOs that have occurred in the Hillsborough and San Mateo sewer collection systems are the result of wet weather events and the introduction of extraneous water through inflow and infiltration into the sewer collection systems. We believe that additional sewer connections may have an adverse impact on wet weather SSOs.
- The tentative CDO specifies many activities to be undertaken by the CSCSD, Hillsborough, and San Mateo, including capital improvement projects along with associated timelines for completion. Many of the capital improvement projects required must be completed by Hillsborough and San Mateo and are required due to capacity issues (lack of capacity during wet weather events). The tentative CDO is anticipated to significantly affect the CSCSD financially as it will have an obligation to undertake certain capital improvement projects and to contribute a proportional share of the costs of the San Mateo and Hillsborough projects. The tentative CDO and ACL can be viewed on-line at the RWQCB's website at:

[http://www.waterboards.ca.gov/sanfranciscobay/board\\_decisions/tentative\\_orders.shtml](http://www.waterboards.ca.gov/sanfranciscobay/board_decisions/tentative_orders.shtml)

- San Mateo currently operates under Order No. R2-2007-0075 from the RWQCB associated with their wastewater treatment plant. The Order mandates specific capital improvement projects and timelines for their completion. A majority of these projects are required due to wet weather capacity issues. Sewage from the CSCSD relies on San Mateo's infrastructure that requires improvement.
- Staff believes that the additional flows from the proposed subdivision will exacerbate the downstream capacity problems unless the wet weather issues are resolved. The project could mitigate its impact on the downstream systems by completing capital improvement projects within the CSCSD that would reduce inflow and infiltration in an amount equal to the projected sewage discharge amount to the CSCSD from the project. This type of mitigation would offset the project's effect on downstream San Mateo and Hillsborough pipes by reducing or eliminating wet weather inflow and infiltration from the CSCSD that would otherwise be conveyed to the downstream agencies' sewer systems.

Ms. Camille Leung, Project Planner, San Mateo County Planning and Building Division  
**Re: Proposed Highlands Estates Subdivision Administrative Draft Environmental  
Impact Report (SCH #2007052068)  
Comments from the Crystal Springs County Sanitation District – Sanitary Sewer  
Comments – Solid Waste**

January 21, 2009

Page 3

- The project applicant should be required to demonstrate that the CSCSD sewer mains utilized to transport sewage from the subdivision has the peak wet weather capacity for conveying the additional flow to be generated by the eleven proposed residences. If it's determined that the lines are insufficient to convey additional flow, the developer may need to upgrade the sewer lines to accommodate this subdivision. This study and work will not, however, resolve the downstream capacity issues.
- Based on the above information, we do not believe that the following statement contained on Page 4.4-32 of the DEIR is accurate: "Given the above, connecting the proposed 11 homes to the existing sewer system would result in less than significant impacts" because the DEIR does not adequately address the impact of the project to the existing sewage infrastructure during wet weather events. However, as discussed above these impacts could be mitigated.

**Page 4.4-43 – "Land Use and General Plans"**

This page of the DEIR discusses wastewater treatment requirements, new wastewater treatment facilities or expansion of existing facilities. The information provided above may need to be incorporated into this section of the DEIR to more accurately depict the current wastewater situation.

**Solid Waste Comments**

The following comments relate to the "Other Resource Topics" section of the DEIR, contained in Section 4.4, Other Resource Topics, subsection 4.4.3.6 (Land Use and General Plans).

**Page 4.4-40 Public Works**

In the second paragraph from the bottom, the first sentence reads: "The Ox Mountain landfill has a permit from the California State Integrated Waste Management Board to operate until 2018, with a total permitted capacity of 35.9 million cubic yards." Part of the statement should be updated. The remaining capacity at Ox Mountain Landfill is 28,012,050 cubic yards (per letter dated Oct 10, 2008 from BFI Waste Systems - see attachment.)

The sentence beginning at the end of the page states: "Therefore, the project during construction and occupancy is not expected to generate significant amounts of solid waste and any associated waste would be sufficiently accommodated by the Ox Mountain landfill." No mention is made of recycling in this statement.

The County of San Mateo Construction and Demolition Ordinance No. 04099 requires that 100% of inert solids (asphalt, brick, concrete, dirt, fines, rock, sand, and stone) be salvaged, reused, or recycled. In addition, 50% of all other construction and demolition debris in a project must also be salvaged, reused, or recycled. It will be necessary to add the following text: "The maximum amount of materials will be diverted in all project phases of this project per San Mateo County's Construction and Demolition Ordinance.

Ms. Camille Leung, Project Planner, San Mateo County Planning and Building Division  
**Re: Proposed Highlands Estates Subdivision Administrative Draft Environmental  
Impact Report (SCH #2007052068)  
Comments from the Crystal Springs County Sanitation District – Sanitary Sewer  
Comments – Solid Waste**

January 21, 2009

Page 4

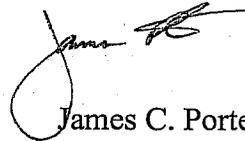
**Page 4.4-44**

The first sentence of the second paragraph reads: "Solid Waste generated by the project would be disposed of at the Ox Mountain Landfill, which is operated by BFI/Allied Waste Systems." This is incorrect. Although Ox Mountain accepts Municipal Solid Waste, it does not recycle construction and demolition debris. Compliance is required for all Unincorporated San Mateo County projects per Construction and Demolition Ordinance No. 04099: 100% of inert solids (asphalt, brick, concrete, dirt, fines, rock, sand, and stone) must be salvaged, reused, or recycled. In addition, 50% of all other construction and demolition debris in a project must also be salvaged, reused, or recycled.

The DEIR does not mention that adequate space should be provided for waste/recycling containers in the proposed buildings. Please incorporate.

Should you have any questions or need additional information regarding the sanitary sewer comments, please contact Julie Young or Ann Stillman at (650) 363-4100. Lillian Clark may be contacted at (650) 363-4100 if you have any questions or need additional information regarding the solid waste comments.

Very truly yours,



James C. Porter  
Director of Public Works

JCP:AMS:LC:sdd

F:\users\admin\p&s\CSCSD\2009\Highlands Estates Subdivision DEIR Comments - 1-09.doc

G:\users\utility\sewers\Districts\Crystal Springs CSD\Property Information\Highlands Estate Subdivision\EIR\Highlands Estates Subdivision DEIR Comments - 1-09.doc

F-351 (26C)

cc: Ann M. Stillman, Principal Civil Engineer, Utilities-Flood Control-Watershed Protection  
Lillian Clark, RecycleWorks Program Manager, Waste and Environmental Services  
Julie Young, Senior Civil Engineer, Utilities-Flood Control-Watershed Protection

To: Camille Leung  
County of San Mateo  
455 County Center, 2<sup>nd</sup> floor  
Redwood City, CA 94603

from: Donald Coyne  
2253 Bunker Hill Drive  
San Mateo, CA 94402

**Subject: Highlands Estates Environmental Impact**

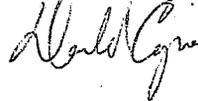
In regards to the Highlands estates project, the developer proposes to develop the maximum, legally allowable, number of lots on the RM zoned land. On this RM zoned land, ( annoyingly visible from my yard ), three residences in particular have each taken portions of the developer's land. In this case approximately 9000 square feet, ( the size of a proposed lot on Bunker Hill ), has been converted from open space to residential use, with landfill, lawns ,high fences ,decks out-buildings ,and a storage and clean up area for a painting contractor. By a neglect of his responsibility as land owner, that I have reason to believe, is intended to soften opposition to his project in the neighborhood, the developer has allowed this to occur. As a result, one parcel sized portion of natural oak woodland is now in residential use and I face the negative impact of loss of: privacy, of enjoyment and of monetary value of my property. Hopefully this problem will not be passed along to the organization accepting the responsibilities of the project's donated remainder.

RECEIVED

2000 DEC 16 P 4: 04

SAN MATEO COUNTY  
PLANNING DIVISION

Sincerely,  
Donald Coyne



**From:** Diana Shu  
**To:** Donald Coyne  
**Date:** 2/13/2009 12:18 PM  
**Subject:** Re: Highlands Estates Environmental Impact  
**Attachments:** bunkerhill.doc

**CC:** Camille Leung  
Hi Mr Coyne,

Thank you for coming to the Highland Estates EIR meeting.

Attached is an aerial photo of your neighborhood. If these are the encroachments onto private property, that you are speaking of, then I will let Camille know so that she can pass this onto Ticonderoga Partners as they may have easements that we are not aware of.

Generally, we do not get involved with private disputes, but thank you for bringing it to our attention as there may be building violations that we may need to consider.

Thanks  
Diana

Save Paper.  
Think before you print.

>>> "Donald Coyne" <[dacoyne@gmail.com](mailto:dacoyne@gmail.com)> 2/13/2009 11:25 AM >>>  
Dear Ms Shu Thanks for coming to the Highlands EIR meeting. We spoke briefly about the matter of approximately nine thousand square feet of the developers property that neighbors on Bunker Hill have annexed into their backyards. Many aspects of this concern me but primarily it is because these additions; tall fences, an out-building, decks, lawns, landfill, and non-native trees, interrupt my view and ruin my privacy .

Sincerely Donald Coyne



Encroachments onto private property belonging to Ticonderoga Partners.



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

POST OFFICE BOX 47  
YOUNTVILLE, CALIFORNIA 94599  
(707) 944-5500



December 9, 2008

Ms. Camille Leung  
County of San Mateo  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94603

Dear Ms. Leung:

Subject: Notice of Preparation for the Highlands Estates Draft Environmental Impact Report, SCH #2007052068, San Mateo County

The Department of Fish and Game (DFG) has reviewed the documents provided for the subject project, and we have the following comments.

Please provide a complete assessment (including but not limited to type, quantity and locations) of the habitats, flora and fauna within and adjacent to the project area, including endangered, threatened, and locally unique species and sensitive habitats. The assessment should include the reasonably foreseeable direct and indirect changes (temporary and permanent) that may occur with implementation of the project. Rare, threatened and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, Section 15380). DFG recommended survey and monitoring protocols and guidelines are available at [http://www.dfg.ca.gov/wildlife/species/survey\\_monitor.html](http://www.dfg.ca.gov/wildlife/species/survey_monitor.html).

Please be advised that a California Endangered Species Act (CESA) Permit must be obtained if the project has the potential to result in take of species of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of a CESA Permit is subject to CEQA documentation; therefore, the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the project will impact CESA listed species, early consultation is encouraged, as significant modification to the project and mitigation measures may be required in order to obtain a CESA Permit.

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, DFG may require a Lake and Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of an LSAA is subject to CEQA. DFG, as a responsible agency



Ms. Camille Leung  
December 9, 2008  
Page 2

under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSAA notification process, please access our website at <http://www.dfg.ca.gov/habcon/1600/>; or to request a notification package, contact the Lake and Streambed Alteration Program at (707) 944-5520.

If you have any questions, please contact Ms. Suzanne DeLeon, Environmental Scientist, at (831) 440-9433; or Mr. Richard Fitzgerald, Coastal Habitat Conservation Supervisor, at (707) 944-5568.

Sincerely,



Charles Armor  
Regional Manager  
Bay Delta Region

cc: State Clearinghouse

**DEPARTMENT OF TRANSPORTATION**

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



*Flex your power!  
Be energy efficient!*

February 3, 2009

SM092148  
SM-092-R7.929  
SCH 2007052068

Ms. Camille Leung  
County of San Mateo  
Planning and Building Division  
455 County Center  
Redwood City, CA 94063

Dear Ms. Leung:

**HIGHLAND ESTATES – DRAFT ENVIRONMENTAL IMPACT REPORT AND TRANSPORTATION IMPACT ASSESSMENT**

Thank you for continuing to include the California Department of Transportation (Department) in the environmental process for the Highland Estates project. The following comments are based on the Draft Environmental Impact Report (DEIR) and the Transportation Impact Assessment (TIA) dated September 2008. Our previous comments still apply and are incorporated here by reference.

***Highway and Traffic Operations***

1. The TIA, should analyze the Interstate (I)-280/Bunker Hill and Bunker Hill/Skyline Boulevard intersections. These intersections are direct routes to the project site from the west.
2. The TIA needs to address construction stage traffic activities of the project. What will be the circulation pattern of construction vehicles in order to minimize traffic delays and noise in the surrounding area?
3. Based on the Cumulative (Year 2030) Conditions shown on Table 5, page 34, the TIA should discuss possible mitigation measures for the impacted study intersections of westbound (WB) Polhemus Road and eastbound (EB) State Route (SR) 92 in order to reduce the level of service (LOS) F to acceptable LOS D or better.
4. TIA, pages 5, 26 and 34, the total project vehicle trips generated in the respective AM and PM peak hours as shown in the Summary, Table 3 and Table 6 do not match. Please confirm.
5. TIA, page 28, Figure 7, the peak hour project trip distribution does not add up to 100%. Please clarify.
6. TIA, page 28, Figure 7, the inbound traffic volume from SR 92 at study intersection #3 is missing. Please correct.

7. TIA, page 28, Figure 7, a portion of project trips is passing through the intersection of Bunker Hill Drive and Lexington Avenue. Therefore, this intersection should be included in the studied intersections.
8. TIA, page 28, Figure 7, the actual peak hour project trip generation and distribution may require revision based on the final verified project trips generated and distributed.
9. The overall project trips generated may not have a significant impact on the state route ramps in the project vicinity, however, the appropriate traffic data and assessment needs to be provided. Please provide data for overall project trips on SR 92 and I-280.

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

Sincerely,



LISA CARBONI  
District Branch Chief  
Local Development – Intergovernmental Review

c: State Clearinghouse

**From:** Lisa Grote  
**To:** Camille Leung  
**Date:** 1/13/2009 9:47 AM  
**Subject:** Fwd: Chamberlain Project

For the file.

Save Paper.  
Think before you print.

>>> <TnTHuygen@aol.com> 1/12/2009 5:16 PM >>>  
Honorable Mark Church,

1. I am disturbed by the fact that the EIR was sprung on us just before Christmas, and that we did not get a chance to examine it because we did not get a copy nor were we given the time to do so.
2. We were promised a meeting in the Highlands at a time convenient to many, instead there is a hearing in Redwood city at a time convenient to few.

I hope you take action to correct this situation.

Trudie Huygen  
2239 Cobblehill Place  
San Mateo, Ca 94402

\*\*\*\*\*A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

(<http://pr.atwola.com/promoclk/100000075x1215855013x1201028747/aol?redir=http://www.freecreditreport.com/pm/default.aspx?sc=668072%26hmpgID=62%26bcd=DecemailfooterNO62>)

17 February 2009

Mr. Chris Ranken, Chairperson  
Mr. David Bomberger, Commissioner  
Ms. Gail Slocum, Commissioner  
Mr. William Wong, Commissioner  
Mr. Steve Dworetzky, Commissioner  
San Mateo County Planning Commission  
455 County Center  
Redwood City, CA 94063

Re: Highlands Estate Project – File Number PLM2006-00357

Thank you for taking suspending the public hearing and continuing to allow for comment and evaluation of the DEIR for the Highlands Estate Project. This letter addresses the dedication of open space under the Resource Management (RM) zoning requirements.

Pursuant to Section 6317A of the County Zoning Code, after subdivision of the RM parcel, the remaining land is required to be held as open space. Therefore, the vast majority of the project site will not be developed. While the DEIR acknowledges this, nevertheless the DEIR fails to address what will happen to the remaining land in any detail.

The Highlands Recreation District, in cooperation with the County, held three public meetings to discuss the possible donation of the land to the District. These meetings were held to get input from the communities surrounding the parcel which will be held in open space as a result of the subdivision. An extensive summary of these meetings was prepared. After the public meetings, the Highlands Recreation District sent a request to the County for additional information based upon the comments made in the public meetings. See attached letter. The County responded to some of the questions and referred the Recreation District to the developer for those questions it could not answer. The DEIR does not address the public process that was initiated nor does it address various concerns that have been raised by the community

As a Highlands Recreation District Board Member as well as a community member, I believe the DEIR should thoroughly evaluate what will be done with the remaining property to ensure it is properly preserved and any questions concerning the open space are answered.

Regards,



Pamela Merkadeau

**From:** Lisa Grote  
**To:** Camille Leung  
**Date:** 1/13/2009 12:32 PM  
**Subject:** Fwd: Highlands Estates - Concerns re EIR and process

FYI and for the file w/copy to the consultants.

Save Paper.  
Think before you print.

>>> "Chris Misner" <[chrismisner@yahoo.com](mailto:chrismisner@yahoo.com)> 1/11/2009 11:48 AM >>>  
To the Honorable Mark Church,

I am writing to tell you that I am irate at the way the EIR is being handled on the Highlands Estate's proposal.

Here are my concerns:

- 1) The EIR was filed just before Christmas, thus reducing the effective comment period because of the holidays
- 2) We were promised that the review of the Highlands Estates proposal would be held in the Highlands at a time convenient for the residents. Instead, we got short notice for a daytime meeting that few people can attend at County Center this week
- 3) I have not received a copy of the EIR

As our representative who has been very engaged on this issue, I hope you will step in and correct this - to make sure the process and agreements with the neighborhood are honored.

Thank you,  
Chris Misner  
2227 Cobblehill Pl

**From:** "Sam Naifeh" <samnaifeh@sbcglobal.net>  
**To:** "Camille Leung" <CLEung@co.sanmateo.ca.us>  
**Date:** 1/9/2009 7:39 PM  
**Subject:** Planning Commission Agenda Item 8 scheduled for January 14,2008

**CC:** "Cary Wiest" <wiestandassoc@sbcglobal.net>  
Dear Camille

Thank you for sending a copy of a summary for Planning Commission Agenda Item 8 scheduled for January 14, 2008.

On page 5 in the second paragraph of Discussion is a statement:

"Treadwell & Rollo, the geotechnical firm retained by Impact Sciences completed is evaluation, which included the following: ... consulting with with County personnel and representatives from Cotton, Shires and Associates, Inc. a geotechnical firm retained by neighborhood groups in the Highlands area, to gain a full understanding of their concerns..."

Please explain the nature and extent of the Treadwell & Rollo consultation with Cotton, Shires and Associates, Inc. and provide documentation of the full understanding of concerns which was gained.

We very much need this information on Monday January 12 if at all possible, as the hearing is set for Wednesday morning.

Sam

TO: Sam Naifeh  
FROM: Ted Sayre—Cotton, Shires and Associates, Inc.  
RE: Highland Estates Project, San Mateo County  
DATE: January 12, 2009

Received  
1/14/09

In reply to your recent request, I have reviewed phone slips and recent documents from our Highlands Estates office file. On November 2, 2007, I received a brief phone call from a representative of Treadwell & Rollo requesting information and clarification of our formal Geotechnical Evaluation letter of June 1, 2007. In this letter we recommended that additional detailed geotechnical investigation be completed for four planned lots along Ticonderoga Drive, as well as for additional planned house sites along Bunker Hill. Our letter outlined a program of site subsurface exploration intended to sufficiently characterize local landslides (and other pertinent geologic conditions) in order to allow determination of necessary mitigation measures to ensure safe development of these sites.

In reply to the Treadwell & Rollo inquiry phone call, I responded that we would like to receive a listing of project questions prior to establishing an informational meeting or possible other interactions on the project. The site geotechnical issues are complex and it appeared that we would need to meet and go over maps, cross sections and boring logs to explain the additional work required. To the best of my knowledge, we did not receive the requested listing of questions or have additional interaction with Treadwell & Rollo about the subject project.

---

**From:** Sam Naifeh [mailto:samnaifeh@sbcglobal.net]

**Sent:** Monday, January 12, 2009 7:48 AM

**To:** Ted Sayre

**Subject:** Treadwell & Rollo Brief Contact with Cotton, Shires, and Associates about geotechnical issues with Highland Estates Proposal

Dear Mr. Sayre

We received a copy of a statement dated January 14 for the Planning Commission from San Mateo County which states: Treadwell & Rollo, the geotechnical firm retained by Impact Sciences completed is evaluation, which included the following: ... consulting with County personnel and representatives from Cotton, Shires and Associates, Inc. a geotechnical firm retained by neighborhood groups in the Highlands area, to gain a full understanding of their concerns..."

As my notes recall, the Treadwell & Rollo representative contacted you in a two minute phone call about inquiring into the Cotton, Shires & Associates, Inc. (CSA) letter of June 1, 2007 and you invited him to send you his questions so that you could respond to any question beyond what is already in the CSA letter. Treadwell & Rollo never followed up on that initial brief telephone contact.

Please confirm whether my understanding about CSA contact to date with Treadwell & Rollo on the Highland Estates development proposal is accurate.

**From:** Planning-Commission  
**To:** Camille Leung  
**Date:** 1/13/2009 8:22 AM  
**Subject:** Fwd: HCA Letter to Hon Gail Slocum, Chair Planning Commission on Highland Estates DEIR  
**Attachments:** HCA Letter to SM County Planning Commission.pdf

FYI

Save Paper.  
Think before you print.

>>> "Sam Naifeh" <[samnaifeh@sbcglobal.net](mailto:samnaifeh@sbcglobal.net)> 1/9/2009 11:51 AM >>>  
The San Mateo  
Highlands Community Association  
1851  
Lexington Avenue, San Mateo, CA 94402

Dear Chairperson Slocum

Please see our attached letter in regard to the Draft EIR on the Highland Estates development proposal File No. PLN2006-00357.

Please write or call if you have any questions.

Thank you

Sam Naifeh  
2059 New Brunswick Drive'  
San Mateo, CA  
572-8787 home  
342-2126 office

THE SAN MATEO HIGHLANDS COMMUNITY ASSOCIATION  
1851 Lexington Avenue, San Mateo, CA 94402

January 9, 2009

The Honorable Gail Slocum, Chair  
County of San Mateo Planning Commission  
455 County Government Center  
Redwood City CA 94063

RE: Highland Estates Draft EIR File No. PLN2006-00357

Dear Chairperson Slocum:

We are writing in regard to the Highland Estates Draft EIR. The County published this Draft EIR on December 19, 2008, and scheduled a regular Planning Commission hearing for 9:30 a.m. on January 14, 2009, with a close of public comment on February 3, 2009. We are concerned that this timing will prevent a thorough review of the adequacy of the DEIR and compliance with the required Resource Management processes.

While a forty-five day comment period may appear adequate for an 11-unit subdivision, this is not an ordinary 11-unit project. It is located in the County's Resource Management zone, which has strict process requirements and development criteria, which befit the County's open space zoning. It is located on a parcel with serious stability and geotechnical issues. It is located at the visual gateway to the community. It has a 20-year planning and land use history. A compromised review period for this Draft EIR cannot truly provide information for this critical approval process. Delivery of the DEIR during the holidays will result in rushed or incomplete review by the public and the San Mateo County Planning Commission.

Compliance with sensitive Resource Management Development Review Criteria needs to be demonstrated. While we have not completed our review of the DEIR, we know that the application does not comply with Resource Management requirements and Development Review Criteria (RM Zone DRC). As a sobering example, RM Zone DRC state: "The applicant shall demonstrate that the development will not contribute to the instability of the parcel or adjoining lands" [Section 6324.2. Site Design Criteria. (f)]. Cotton, Shires & Associates, Inc., Consulting Engineers and Geologists, disagreed with the applicant's geotechnical conclusions on eight lots currently proposed, citing the need for testing up front because of risk to adjacent lands, including existing homes and public roadway. ✓ Cotton, Shires & Associates substantial input (Attachment A), provided during project scoping, documents what is necessary to be consistent with RM requirements.

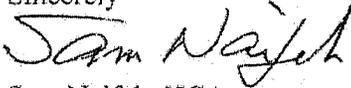
In 1995, County staff recognized that geotechnical investigation needed to be conducted in advance of discretionary approval of a subdivision in order to protect the County (Attachment B). Their concerns are directly relevant to the current application and consistent with CEQA requirements, the County's RM Development Review Criteria, and good planning practice. A brief review of the DEIR shows that the necessary geotechnical work has still not been done, and mitigation has been developed so that necessary geotechnical investigation would occur after the County granted a subdivision. As County planners noted, there is a risk that the County would be creating unbuildable lots through its

approval of the project. We need additional time to determine with Cotton, Shires & Associates whether the proposed approach could be allowed under CEQA and County regulation, or would represent the County's best interests.

Neighboring communities have been actively involved in proposals on this property for more than 20 years. San Mateo County has made commitments to the community regarding participation (e.g., 90-day review of DEIR and evening meetings in the community). Despite our history on these proposals, area community representatives were not given courtesy advance notice of the impending publication of this DEIR. In addition, we have a major public meeting sponsored by Public Works on Sanitation District two days before the scheduled January 14<sup>th</sup> Planning Commission hearing, which would be a hearing over-load for the community, and not allow thoughtful response on either issue. The DEIR was apparently delivered to only a few people on or after December 20<sup>th</sup>. The President of the HCA received his copy after he returned from his holidays on January 5<sup>th</sup> County DEIR online access has been inconsistent and unreliable apparently due to changes in the internet site. Our own District One Commissioner only just received the Draft EIR three days ago and will be away during the scheduled meeting.

We request that the review period be extended so that it is a 90-day review beginning December 19, 2008. We also request that the Planning Commission continue the January 14 hearing to a time in early March, when it can be held in the evening at Highlands Elementary School. This will allow the issues for this project to be fully reviewed and also will allow our District One commissioner to be present.

Sincerely



Sam Naifeh, HCA

cc: Members: County of San Mateo Planning Commission

- The Honorable William Wong
- The Honorable David Bomberger
- The Honorable Chris Ranken
- The Honorable Steve Dworetzky
- Eugene Ciranni, President San Mateo Oaks
- Thomas L. Frankel, Owner Hillsborough West and Thomas Frankel Properties
- Jane Knapel, President Ticonderoga Homeowners Association
- Gerald McClellan, Vice President of San Mateo United Homeowners' Associations
- Steve and Merry Lee Musich, Owners Crystal Springs Shopping Center
- Gerald Ozanne, President Baywood Park Homeowners Association
- Alan Palter, President, Baywood Plaza Community Association
- Cary Wiest, President Highlands Community Association
- Bill Yip, Polhemus Heights Community Association

HCA Letter to Gail Slocum, Chair  
San Mateo County Planning Commission  
January 9, 2009  
Page 2 of 2

## **Attachment A**

Cotton, Shires & Associates, Inc. Letter  
RE: Supplemental Geologic and Geotechnical Evaluations  
Highland Estates Proposal  
June 1, 2007

Submitted for "Highland Estates" EIR Scope of Work Meeting  
Held at Highlands Elementary School LGI Room  
June 5, 2007



**COTTON, SHIRES & ASSOCIATES, INC.**  
CONSULTING ENGINEERS AND GEOLOGISTS

June 1, 2007  
G3278C

**TO:** Cary Wiest, President  
THE SAN MATEO HIGHLANDS COMMUNITY ASSOCIATION  
1851 Lexington Avenue  
San Mateo, California 94402

**SUBJECT:** Supplemental Geologic and Geotechnical Evaluations  
**RE:** Highland Estates Project  
San Mateo County, California

At your request, we have completed a supplemental geologic and geotechnical review of the proposed development of four new residential lots along Ticonderoga Drive and four additional lots along Bunker Hill Drive using:

- Highland Estates Proposed Development Scheme "OS" (13 sheets) prepared by BKF and Mark Gross & Associates, dated January 2007;
- Email from TRC Lowney to the Chamberlain Group, dated May 24, 2006;
- Geotechnical Investigation and Geologic Hazards Review - Four Single Family Residences Ticonderoga Drive (report) prepared by TRC Lowney, dated February 7, 2006;
- Geotechnical Feasibility - Highland Estates Residential Development (letter-report) prepared by Lowney Associates, dated September 17, 2002; and
- Geotechnical Investigation Report and Supplemental Geotechnical Report - Highland Estates prepared by Soil Foundation Systems, dated July 1993 and November 1994.

In addition, we have reviewed pertinent background maps and reports from our office files and completed an inspection of the proposed development areas in May 2006.

**DISCUSSION**

Prior to County approval of the referenced site Development Scheme "OS," we understand that full and accurate information on the safety of proposed construction must be presented. We understand that the applicant must demonstrate that the development will not contribute to the instability of the subject property or adjoining

Northern California Office  
330 Village Lane  
Los Gatos, CA 95030-7218  
(408) 354-5542 • Fax (408) 354-1852  
e-mail: losgatos@cottonshires.com

[www.cottonshires.com](http://www.cottonshires.com)

Central California Office  
6417 Dogtown Road  
San Andreas, CA 95249-9640  
(209) 736-4252 • Fax (209) 736-1212  
e-mail: cottonshires@starband.net

lands. Proposed site grading including establishment of driveways and building pads must be designed to address identified adverse soil engineering characteristics.

The following evaluations of this letter are completed from a "peer review" perspective. Our comments represent an evaluation of whether submitted geotechnical documents are consistent with prevailing standards of good geotechnical practice in the general Bay Area. These evaluations are completed by an Engineering Geologist and Geotechnical Engineer, each having approximately 20 years of professional experience in the Bay Area. In addition, these same individuals perform regular geologic and geotechnical peer reviews for 14 local communities served by Cotton, Shires & Associates. Through this process, we have gained extensive insight into prevailing geotechnical standards of practice and an understanding of the distribution of geologically hazardous areas in the Bay Area. Cotton, Shires & Associates specializes in the identification, characterization, and mitigation of slope instability problems.

#### RECENT GEOTECHNICAL COMMUNICATIONS

The referenced email from TRC Lowney to the Chamberlain Group indicates that the consultant has performed site observations of the planned lots along Bunker Hill Drive over the past few years and is in general agreement with the latest Soil Foundation Systems report conclusions and recommendations of 1993.

Regarding the four planned lots along Ticonderoga Drive, the consultant concludes that shallow landsliding (on the order of 5 to 8 feet deep) has occurred at the site but that the potential for landsliding of the underlying Franciscan bedrock is low. Existing landslides are to be mitigated by removal and/or installation of retention systems and subdrain systems. The consultant notes that required supplemental geotechnical services include observation of field conditions to verify that anticipated conditions are encountered (apparently during construction) and to provide supplemental geotechnical design recommendations to address actual observed conditions (as necessary).

#### FRANCISCAN MELANGE

The local bedrock material is of a type commonly referred to as Franciscan Mélange. This bedrock is actually a mixture of small to large blocks (inches to hundreds of feet in dimension) of various rock types (commonly chert, sandstone, greenstone, and serpentinite) dispersed in a sheared, softer matrix material. This assemblage is typically intensely fractured to crushed due to a long tectonic history of shearing, subduction, and uplift along the local Coast Ranges. Rock blocks within the mélange may be highly altered from their original compositions by percolation of hydrothermal fluids and degradation of initial minerals into various secondary clay alteration products. The distribution of various rock types within the enclosing sheared matrix material is highly variable. The strength properties of Franciscan Mélange are dependent on the percentage of sheared matrix material and the degree of alteration of the dispersed blocks of various rock types. The four planned house sites along Ticonderoga are in an area where highly sheared Franciscan Melange predominates. The planned house sites along Bunker Hill appear to be in an area where relatively less sheared bedrock is present.

### CONCLUSIONS AND RECOMMENDATIONS

Although the proposed Bunker Hill Lots are apparently located in an area where bedrock stability may be compatible with residential use, proposed house sites extend over very steep slopes in close proximity to documented areas of past landsliding. Given that geologic mapping of landslide boundaries have not been updated since 1993, it would be appropriate for a qualified Certified Engineering Geologist to complete updated geologic mapping of the lots and landslides that could potentially impact proposed site development. In addition, updated geotechnical criteria for foundation design and development of these lots should be completed considering current geologic information and the configurations of proposed residences. The need for a series of "stabilization piers" for these lots, as recommended by Soil Foundation Systems, should be addressed. Data from the one previous exploratory boring in this area should be supplemented by additional borings on these lots to provide an adequate basis for the design of stabilization piers and foundations.

Regarding the more highly constrained Ticonderoga lots, existing landslides mapped by Lowney extend beneath portions of all planned house sites. During our last site inspection (May 2006) we observed an unmapped active landslide within the western portion of Lot 8 that appeared to result from failure of sheared Franciscan rock materials. Consequently, we do not agree with the presented Lowney conclusion that the potential for landsliding of the Franciscan bedrock is low. The presented characterization of the length, width and depth of site landsliding is substantially incomplete. The presented landslide material dimensions in boring logs, provided cross sections and geologic mapping are not internally consistent. Some of the site landslide debris is proposed to be left in-place and to be supported by retaining walls. However, the size of the landslide mass to remain is not sufficiently known to allow the design of adequate supporting retaining structures.

Fundamentally, we find that the existing landslides and slope stability conditions within the Ticonderoga lots are not sufficiently defined to allow design of a stable buttress grading repair. Proposed fill prism construction (above existing grades) for driveway access on Lots 7 and 8 will result in surcharge loading of underlying mélange materials with the potential for inducing new slope instability.

Additional site subsurface exploration should be completed utilizing methods that provide conclusive identification of landslide basal rupture surfaces (large-diameter borings, test pits or shafts). Large diameter borings are excavations on the order of 30 inches in diameter that a geologist may be lowered into to perform detailed inspections. These exploration methods are in standard use and should allow direct examination of in-place earth materials (both landslide and mélange bedrock materials). Samples from identified shear surfaces should be obtained for strength testing and resulting data utilized in slope stability analysis. A minimum of two borings/subsurface exploration points should be obtained for each lot to allow preparation of accurate geologic cross sections through each lot. Exploratory excavations should extend approximately 10 feet or more into underlying mélange materials (as required by the inspecting geologist) to obtain an understanding of bedrock conditions. Supplemental geotechnical engineering evaluations, including detailing of earthen buttress dimensions and retaining wall design parameters, should be performed after site geologic characterization is complete.

Moving forward with development of the Ticonderoga lots based on current geotechnical data, with the plan of adjusting project geotechnical design aspects during the construction process, could result in safety issues to new residents and potential failures into the public roadway. Development of Franciscan Melange terrane and areas of existing landslides should not proceed without clear geologic characterization of bedrock and landslide conditions. Existing site geologic and geotechnical studies do not provide this necessary information.

We understand that a 12-acre portion of the Highland Estates property is under consideration for rezoning and potential development of two lots not yet identified. This area contains steep slopes prone to landslide mass wasting processes (including debris flows). Additional geotechnical studies would be needed to determine the suitability of the two specific residential building sites if proposed in this area.

#### LIMITATIONS

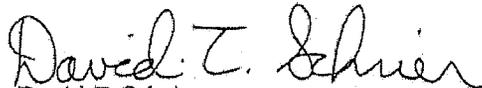
This review has been performed to provide technical advice to assist with the evaluation of development plans and discretionary permit decisions. Our services have been limited to review of the documents previously identified, and a visual review of the property. Our opinions and conclusions are made in accordance with generally accepted principles and practices of the geotechnical profession. This warranty is in lieu of all other warranties, either express or implied.

Respectfully submitted,

COTTON, SHIRES AND ASSOCIATES, INC.



Ted Sayre  
Principal Engineering Geologist  
CEG 1795



David T. Schrier  
Principal Geotechnical Engineer  
GE 2334

TS:DTS:kd

COTTON, SHIRES & ASSOCIATES, INC.

## Attachment B

### Correspondence

Date: January 5, 1995

Diane Regonini, Project Planner and Terry Burnes, Planning Administrator

RE Geotechnical Testing prior to subdivision approval

Please note in attachment text:

Planning focus on need to have geotechnical information in advance

Diane Regonini addresses whether geotechnical investigation could follow approval:

"We could condition approval on getting more information, but may find out that we approved a project that can't be built."

Terry Burnes response regarding geotechnical issues for Planning Commission (PC) and Board of Supervisors

"I'd rather not put the PC and Board out on a limb considering whether to change County land use policy for an unpopular project which may not even be technically feasible. I believe that, at some point during the hearing process, a Commissioner or Supervisor is going to turn to Phil and ask if the proposed project can be built and I don't think they will be satisfied with "Based on the information we have, I'm not really sure."

From: Diane Regonini (DIANER)  
To: terryb  
Date: Thursday, January 5, 1995 8:41 am  
Subject: Highlands Geotech

We have scheduled a conference call with Phil Burkland at 3:00 this afternoon to go over the results of his review of Chamberlain's revised geotech report. He is ready to send us a letter but didn't want it to contain any surprises. He gave me a preview on the phone yesterday. Basically, it appears that KC Sohn and team have not adequately responded to some of Phil's concerns. We could condition approval on getting more information, but may find out that we approved a project that can't be built. If it were redesigned we would have to do a supplemental EIR. We need to discuss our approach after we hear more from Phil. You are welcome to join us for the call or we can brief you afterwards.

CC: billr, jime

From: Terry Burnes (TERRYB)  
To: DIANER  
Date: Thursday, January 5, 1995 9:11 am  
Subject: Highlands Geotech -Reply

I'll try to join you for the conference call. I think we need to keep everything tentative until we have a chance to discuss Burkland's conclusions with Paul and Mike.

If the preliminary information you got from Phil Burkland is correct (that his concerns have not been fully addressed in the new report), however, my inclination would be to require Chamberlain to have another go at it. I believe that geology is the critical technical issue for this project and am not comfortable going into hearings on the project absent fairly definitive information in that area and a design that we know to be feasible from an engineering point-of-view. I'd rather not put the PC and Board out on a limb considering whether to change County land use policy for an unpopular project which may not even be technically feasible. I believe that, at some point during the hearing process, a Commissioner or Supervisor is going to turn to Phil and ask if the proposed project can be built and I don't think they will be satisfied with "Based on the information we have, I'm not really sure." But, that's my opinion absent a full report from Phil and this all needs to be discussed among us as a group.

One thing you need to get clear on with Phil is what it would take to answer his concerns, i.e. what additional explorations and analysis are needed, how those would be conducted, likely impact of that work on the site, timing, cost, etc.

Thanks.

CC: PaulK, BillR, JimE

**From:** Lisa Grote  
**To:** Camille Leung  
**Date:** 1/15/2009 3:58 PM  
**Subject:** Fwd: Re: Planning Commission Agenda Item 8 scheduled for January 14, 2008

**CC:** Audrey Darnell  
Hi Camille,

I agree with you. We should not retract the offer. I think it will be helpful for us as well to know more specifically what was discussed in the conversation.

Thanks,  
Lisa

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Think before you print.

>>> Camille Leung 1/15/2009 2:55 PM >>>  
Hi Lisa,

I spoke with Audrey today about Sam N.'s request for a summary of Treadwell & Rollo's conversation with Cotton Shires. She emphasized that it is common and appropriate CEQA practice to provide response to comments in the FEIR. This ensures that we treat all comments the same, collect them and respond to them all at once. But, I told her that Sam N. states that his ability to comment rests on getting this summary and that we have already told him we would try to get him this within 1 week. So I don't think we should retract this offer. What do you think?

Thanks :)

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
(650) 363-1826

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>>> Camille Leung 1/13/2009 3:38 PM >>>  
FYI - Sent to John N. and Mike M.

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
(650) 363-1826

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>>> Camille Leung 1/13/2009 3:33 PM >>>

Regarding request to continue Highlands Item tomorrow. Please advise. Also see next email.

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
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>>> Camille Leung 1/12/2009 10:43 AM >>>

Hi Sam,

Please note that the public comment period for this project expires on February 3. Therefore, there is no need to extend the comment period. There is also no need to continue the item on January 14. The hearing is simply an opportunity for the public to express concerns and comments regarding the EIR to the Planning Commission during the comment period. At the hearing, you can express this particular concern and get this into the project record. The official response will be in the Final EIR, which itself has its own public review and comment period. This is the established CEQA process for public comment and response.

However, I will try to get you the information as soon as possible, hopefully in a week. And you should still have plenty of time to draft a comment letter before the February 3 comment period end date. If by chance, it takes longer than one week, please put together a comment letter with your questions, and these concerns will be addressed in the Final EIR (to be circulated before the tentative Planning Commission hearing date of April 8, 2009).

Thank you :)

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>>> "Sam Naifeh" <[samnaifeh@sbcglobal.net](mailto:samnaifeh@sbcglobal.net)> 1/12/2009 10:01 AM >>>

Dear Camille

I appreciate your prompt response.

In order to know if a week's delay in providing this directly relevant information for the Planning Commission and area communities would be ok, we need to know whether the PC commission hearing on item 8 has been continued or whether the comment period had been extended.

Thanks  
Sam

From: Camille Leung <CLEung@co.sanmateo.ca.us>  
To: Sam Naifeh <samnaifeh@sbcglobal.net>  
Sent: Monday, January 12, 2009 9:52:33 AM  
Subject: Re: Planning Commission Agenda Item 8 scheduled for January 14, 2008

Hi Sam,

I think it will probably take a week or so... I hope that is ok...

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
(650) 363-1826

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>>> "Sam Naifeh" <samnaifeh@sbcglobal.net> 1/12/2009 9:38 AM >>>  
Dear Camille

Thanks very much for your email.

We look forward to receiving the summary of the topics discussed. Will that be available today?

With gratitude  
Sam

---

From: Camille Leung <CLEung@co.sanmateo.ca.us>  
To: Sam Naifeh <samnaifeh@sbcglobal.net>  
Cc: Lisa Grote <LGrote@co.sanmateo.ca.us>; Cary Wiest <wiestandassoc@sbcglobal.net>  
Sent: Monday, January 12, 2009 9:23:26 AM  
Subject: Re: Planning Commission Agenda Item 8 scheduled for January 14, 2008

Hi Sam and Cary,

The Geologic Evaluation in the Appendices of the Highlands Estates EIR states that the Treadwell and Rollo's scope of services included "reviewing a third party peer review letter by Cotton Shires and Associates (CSA) and consulting with Ted Sayre of CSA on 15 November 2007 about his concerns with the site". My understanding is that consultation with Mr. Sayre occurred over the telephone and that there no transcript of this. At this time I would direct you to this document (attached). In the meantime, I will work with Impact Sciences to try to get a summary of the topics discussed in this conversation.

Thanks!

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
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>>> "Sam Naifeh" <[samnaifeh@sbcglobal.net](mailto:samnaifeh@sbcglobal.net)> 1/9/2009 7:38 PM >>>  
Dear Camille

Thank you for sending a copy of a summary for Planning Commission Agenda Item 8 scheduled for January 14, 2008.

On page 5 in the second paragraph of Discussion is a statement:

"Treadwell & Rollo, the geotechnical firm retained by Impact Sciences completed its evaluation, which included the following: ... consulting with with County personnel and representatives from Cotton, Shires and Associates, Inc. a geotechnical firm retained by neighborhood groups in the Highlands area, to gain a full understanding of their concerns..."

Please explain the nature and extent of the Treadwell & Rollo consultation with Cotton, Shires and Associates, Inc. and provide documentation of the full understanding of concerns which was gained.

We very much need this information on Monday January 12 if at all possible, as the hearing is set for Wednesday morning.

Sam

**From:** "Sam Naifeh" <samnaifeh@sbcglobal.net>  
**To:** "Camille Leung" <CLEung@co.sanmateo.ca.us>  
**Date:** 1/26/2009 8:58 AM  
**Subject:** Re: Planning Commission Agenda Item 8 scheduled for January 14, 2008

**CC:** "Cary Wiest" <wiestandassoc@sbcglobal.net>  
Dear Camille

This note follows up on your previous message as noted below concerning a summary of the topics discussed in the telephone conversation between Treadwell & Rollo and Cotton Shires & Associates.

Your note indicates that we should have the summary. Please let me know if you have received it or when you will be able to get it to us.

Thank you  
Sam Naifeh

---

From: Camille Leung <CLEung@co.sanmateo.ca.us>  
To: Sam Naifeh <samnaifeh@sbcglobal.net>  
Sent: Monday, January 12, 2009 9:52:33 AM  
Subject: Re: Planning Commission Agenda Item 8 scheduled for January 14, 2008

Hi Sam,

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Planning and Building Department  
455 County Center, Second Floor  
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>>> "Sam Naifeh" <samnaifeh@sbcglobal.net> 1/12/2009 9:38 AM >>>  
Dear Camille

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We look forward to receiving the summary of the topics discussed. Will that be available today?

With gratitude  
Sam

From: Camille Leung <CLEung@co.sanmateo.ca.us>  
To: Sam Naifeh <samnaifeh@sbcglobal.net>  
Cc: Lisa Grote <LGrote@co.sanmateo.ca.us>; Cary Wiest <wiestandassoc@sbcglobal.net>  
Sent: Monday, January 12, 2009 9:23:26 AM  
Subject: Re: Planning Commission Agenda Item 8 scheduled for January 14, 2008

Hi Sam and Cary,

The Geologic Evaluation in the Appendices of the Highlands Estates EIR states that the Treadwell and Rollo's scope of services included "reviewing a third party peer review letter by Cotton Shires and Associates (CSA) and consulting with Ted Sayre of CSA on 15 November 2007 about his concerns with the site". My understanding is that consultation with Mr. Sayre occurred over the telephone and that there no transcript of this. At this time I would direct you to this document (attached). In the meantime, I will work with Impact Sciences to try to get a summary of the topics discussed in this conversation.

Thanks!

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>>> "Sam Naifeh" <samnaifeh@sbcglobal.net> 1/9/2009 7:38 PM >>>  
Dear Camille

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"Treadwell & Rollo, the geotechnical firm retained by Impact Sciences completed is evaluation, which included the following: ... consulting with with County personnel and representatives from Cotton, Shires and Associates, Inc. a geotechnical firm retained by neighborhood groups in the Highlands area, to gain a full understanding of their concerns..."

Please explain the nature and extent of the Treadwell & Rollo consultation with Cotton, Shires and Associates, Inc. and provide documentation of the full understanding of concerns which was gained.

We very much need this information oh Monday January 12 if at all possible, as the hearing is set for

Wednesday morning.

Sam

**From:** "Sam Naifeh" <samnaifeh@sbcglobal.net>  
**To:** "Camille Leung" <CLEung@co.sanmateo.ca.us>  
**Date:** 1/26/2009 9:04 PM  
**Subject:** Re: County Letter deeming the application for PLN2006-00357complete

**CC:** "Cary Wiest" <wiestandassoc@sbcglobal.net>  
Dear Camille

Thank you for your response confirming that the application for PLN 2006-00357 has not been deemed complete.

In that regard we have two requests:

- 1) What information has the County requested from the applicant in order to make the application complete?
- 2) What additional materials for the preparation of the Final EIR is the applicant going to provide?

With gratitude for your help,

Sam Naifeh

---

From: Camille Leung <CLEung@co.sanmateo.ca.us>  
To: Sam Naifeh <samnaifeh@sbcglobal.net>  
Cc: Cary Wiest <wiestandassoc@sbcglobal.net>  
Sent: Monday, January 26, 2009 5:23:53 PM  
Subject: Re: County Letter deeming the application for PLN 2006-00357complete

Hi Sam,

The County has not yet deemed this application complete. The County is currently working with the applicant to provide additional materials for the preparation of the Final EIR.

Thank you.

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
(650) 363-1826

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>>> "Sam Naifeh" <samnaifeh@sbcglobal.net> 1/26/2009 9:00 AM >>>

Dear Camille

Please send a copy of the County declaration which deemed the application for PLN 2006-00357 complete as soon as possible. If you have it scanned into documents, please send it electronically today or tomorrow.

Thank you  
Sam Naifeh

**From:** "Sam Naifeh" <samnaifeh@sbcglobal.net>  
**To:** "Camille Leung" <CLEung@co.sanmateo.ca.us>  
**Date:** 2/10/2009 12:38 PM  
**Subject:** Citation of San Mateo County Density Analysis for APN041-101-290 used for DEIR project description

Dear Camille

The DEIR project description states in the Project Description (page 3.0-6) that the County of San Mateo prepared a density analysis for the RM portion of the project site.

Please send by email a copy of the new Density Analysis and data on which the DEIR project description is based.

Thank you.

Sam Naifeh

**From:** Lisa Grote  
**To:** Camille Leung; Matthew Seubert  
**Date:** 2/11/2009 2:16 PM  
**Subject:** Fwd: Thank you Supervisor Church for meeting and the positive outcome (attached)

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>>> Michael Murphy 2/11/2009 2:11 PM >>>  
fyi

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Think before you print.

>>> "Sam Naifeh" <[samnaifeh@sbcglobal.net](mailto:samnaifeh@sbcglobal.net)> 2/10/2009 8:35 PM >>>

Dear Supervisor Church

Thanks very much for meeting with us on Friday February 6th.

We appreciate your concern about the significant public safety issues for this proposal and DEIR. We too are concerned that Cotton, Shires, and Associates were not consulted as planned this past October. Your concern appears to be resulting in a positive outcome.

Treadwell and Rollo contacted Cotton, Shires and Associates. The forwarded email below from Cotton Shires and Associates to Treadwell and Rollo indicates that the consultation should soon take place so that Treadwell and Rollo can provide to the County a scope of work in coordination with the concerns of Cotton, Shires, and Associates.

In addition, we share with you your concern about issues of fair and balanced approach to this proposal. The presentation of the proposal in the DEIR demonstrates the problem beginning with its introduction. The DEIR only states the often repeated message of the applicant that this proposal is a much reduced project. The applicant acquired the parcel knowing that the Resource Management zoning had been in place limiting it to seven units since 1975. The DEIR does not follow up with discussion of the fact that the applicant's proposals contrast with the long standing restrictive zoning on the parcel.

Finally, we share your hope that this proposal reach a final resolution this year. We do not want to see any further unnecessary delays, such as the current long delay in authorizing the appropriate geotechnical testing on the proposed lots, which should have already been carried out as required by CEQA. Approval of untested lots also passes problems on to future buyers of the lots unaware of significant problems on the hillside thus creating more problems. By contrast, testing the proposed lots allows decision makers to know what can be built for a final decision that brings closure to this overlong series of proposals.

We look forward to having the geotechnical engineers confer and move the process toward final disposition.

With gratitude to you for your problem solving leadership,

Sam Naifeh

----- Forwarded Message -----

From: Ted Sayre <[tsayre@cottonshires.com](mailto:tsayre@cottonshires.com)>  
To: Chris Hundemer <[crhundemer@treadwellrollo.com](mailto:crhundemer@treadwellrollo.com)>  
Cc: Sam Naifeh <[samnaifeh@sbcglobal.net](mailto:samnaifeh@sbcglobal.net)>; [wlestandassoc@sbcglobal.net](mailto:wlestandassoc@sbcglobal.net)  
Sent: Tuesday, February 10, 2009 10:11:46 AM  
Subject: FW: Highland Estates

Hi Chris-

I have spoken with my client (Highlands Community Association) and they concur that a meeting would be beneficial with your group so that a full discussion of geotechnical issues could occur. Please let me know how a joint consultation would best proceed, and please consider proposing some dates that may work for you/appropriate Treadwell & Rollo staff (assuming this is directed by your client). Can we meet at my office? I anticipate that this will be a geotechnical meeting without the need for a full entourage of non-technical parties. The intent of the meeting would be to discuss the apparent individual lot geotechnical constraints so that an appropriate scope of site investigation can be defined.

I have attached the following note to my client indicating the brief phone call we had yesterday-----expressing the desire to meet and sit down with maps, cross sections and subsurface data to ensure that we share a common understanding of how best to move ahead. Please give me a call with any questions.

Thanks, Ted  
Cotton, Shires and Associates  
(408) 354-5542

From: Ted Sayre  
[mailto:[tsayre@cottonshires.com](mailto:tsayre@cottonshires.com)]  
Sent: Tuesday, February 10, 2009 8:16 AM  
To: 'Sam Naifeh'  
Subject: T&R Phone Call

Hi Sam-

On February 9, I received a phone call from a representative of Treadwell & Rollo who indicated that they were working on putting together a proposed scope of supplemental geotechnical investigation regarding the proposed 11 Highland Estates lots. We spent only a few minutes on the phone, but I indicated that CSA concerns and background information on these lots would be best presented in a meeting where we could have maps, cross sections, boring logs, etc. in front of us.

I also indicated that our technical questions and concerns (outlined in our previous letter of June 2007) essentially remain unresolved, and that a meeting would be appropriate to more fully explain the critical subsurface data that is lacking, and the additional investigation that should be completed to help define the type and extent of necessary mitigation measures.

Please let me know what action you would like me to take in this matter, and whether it is appropriate to forward this summary of the recent phone call to Treadwell & Rollo for clarity.

Ted Sayre---Cotton, Shires and Associates

**From:** "Sam Naifeh" <samnaifeh@sbcglobal.net>  
**To:** "Camille Leung" <CLEung@co.sanmateo.ca.us>, "Lisa Grote" <LGrote@co.sanm...  
**Date:** 2/18/2009 9:17 AM  
**Subject:** Re: Public Records Act (California Government Code §§ 6250 - 6276.48) request to review records on H

**CC:** "Matthew Seubert" <MSeubert@co.sanmateo.ca.us>, "Cary Wiest" <wiestandassoc@co.sanmateo.ca.us>  
Dear Camille

Thank you for your email. Our request is for review of documents at this point.

We are not requesting copies of the documents at this time.

If we need copies of any documents at the time of review, we can make arrangements then for any copying which may be indicated.

Regards  
Sam Naifeh

---

From: Camille Leung <CLEung@co.sanmateo.ca.us>  
To: Lisa Grote <LGrote@co.sanmateo.ca.us>; Sam Naifeh <samnaifeh@sbcglobal.net>  
Cc: Matthew Seubert <MSeubert@co.sanmateo.ca.us>; Cary Wiest <wiestandassoc@co.sanmateo.ca.us>  
Sent: Wednesday, February 18, 2009 8:54:28 AM  
Subject: Re: Public Records Act (California Government Code §§ 6250 - 6276.48) request to review records on H

Hi Sam,

Your PRA request will take approximately 1 week to assemble. I will inform you when you can pick up copies of the requested documents and the fee for the copies :)

Thanks!

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
(650) 363-1826

---

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Save Paper.  
Think before you print.

>>> "Sam Naifeh" <samnaifeh@sbcglobal.net> 2/17/2009 1:49 PM >>>  
The San Mateo  
Highlands Community Association  
1851 Lexington Avenue,  
San Mateo, CA 94402

February 17, 2009

TO: Lisa Grote, Community Development Director  
Environmental Services Agency  
Planning and Building Division  
@ Fax: (650) 599-7332

FROM: Sam Naifeh  
@ Fax: (650)  
577-9505

RE: Public Records Act (California Government Code §§  
6250 - 6276.48) request to review records on Highland Estates  
Development  
Proposal PLN2006-00357

MEMO:

Dear Lisa

We have regularly made written requests, visits, and inquiries about County documents in regard to PLN2006-00357. In regard to the current Draft EIR for PLN2006-00357, we made a written request on January 5, 2009 for review of all documents, correspondence, and email between any representatives of the County and the Chamberlain Group or their representatives in regard to the Highland Estates development proposal PLN2006-00357.

A community representative subsequently called and came in to review the documents on at least two occasions. The documents provided fall far short of documents available which we are aware of. Adding to our concern on Friday February 13, 2009, we were made aware of documents and maps that we have never seen which are based on further underlying documentation we also have not been allowed to see.

We are concerned that documents not made available have impaired our ability to make comments on the current Draft EIR caused by time delays in providing documents which we have requested regularly over the past two years on the EIR.

We recognize the burden of this complex application on the County and the number of personnel involved ongoing with the proposal as well as the circumstance of turnover. However, area communities need to be

able to have access to records in order to work within the EIR process. We are compelled to make this Public Records Act request so that a) we can perform the due diligence required in order to make comments and b) the public interest and safety can be safeguarded.

We therefore request the following:

1. We submit this Public Records Act request for all documents, correspondence, and email between any representatives of the County and the Chamberlain Group or their representatives in regard to the Highland Estates development proposal PLN2006-00357.
2. We therefore request that any added comments, which emerge from subsequent review of the records, be incorporated in the revised scope of work currently being organized for the revised draft environmental impact report.

The community representative was informed of a letter a letter from County Counsel restricting the documents to be placed in the public file. He was told that he would also be provided with a copy of that letter when he came in. That letter was not provided. Please provide a copy of that letter as well. We again request that all documents requested be supplied in compliance with the Public Records Act.  
Please inform us when we can be provided with all documents under this



Land Services, 111 Almaden Blvd., Rm. 814, San Jose, CA 95115

December 17, 2008

County of San Mateo  
Department of Community Development  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94603  
Attn: Camille Leung  
Fax: 650-363-4849

RE: Review of Notice of Preparation of a Draft Environmental Impact Report ( DEIR)  
For: Development of 2 parcels on San Mateo Highlands  
Loc: bordered to the east by Polhemus Drive , the south by Ticonderoga  
Drive, the west by Ticonderoga Drive, Lexington Avenue, and the north  
by Bunker Hill Drive, San Mateo  
Project Title: Highlands Estates  
County's Ref: TBD  
State Clearinghouse # : TBD  
PG&E File : SJ 185 (Land)

Dear Ms. Leung,

Thank you for this opportunity to comment on this NOP of the Draft  
Environmental Impact Report ( DEIR ) for the above Project. PG&E has the  
following comments to offer:

PG&E owns and operates gas and electric facilities which are located within and adjacent to the proposed project. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their project plans. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

The developers will be responsible for the costs associated with the relocation of existing PG&E facilities to accommodate their proposed development. Because facilities relocation's require long lead times and are not always feasible, the developers should be encouraged to consult with PG&E as early in their planning stages as possible.

Relocations of PG&E's electric transmission and substation facilities (50,000 volts and above) could also require formal approval from the California Public Utilities Commission. If required, this approval process could take up to two years to complete. Proponents with development plans which could affect such electric transmission facilities should be referred to PG&E for additional information and assistance in the development of their project schedules.

We would also like to note that continued development consistent with the County's General Plans will have a cumulative impact on PG&E's gas and electric systems and may require on-site and off-site additions and improvements to the facilities which supply these services. Because utility facilities are operated as an integrated system, the presence of an existing gas or electric transmission or distribution facility does not necessarily mean the facility has capacity to connect new loads.

Expansion of distribution and transmission lines and related facilities is a necessary consequence of growth and development. In addition to adding new distribution feeders, the range of electric system improvements needed to accommodate growth may include upgrading existing substation and transmission line equipment, expanding existing substations to their ultimate buildout capacity, and building new substations and interconnecting transmission lines. Comparable upgrades or additions needed to accommodate additional load on the gas system could include facilities such as regulator stations, odorizer stations, valve lots, distribution and transmission lines.

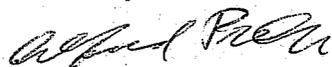
It is recommended that environmental documents for proposed development projects include adequate evaluation of cumulative impacts of utility systems, the utility facilities necessary to serve those developments and any potential environmental issues associated with extending utility service to the proposed project. This will assure the project's compliance with CEQA and reduce potential delays to the project schedule.

PG&E remains committed to working with the County to provide timely, reliable and cost effective gas and electric service to the planned area. We would also appreciate being copied on future correspondence regarding this subject as this project develops.

The California Constitution vests in the California Public Utilities Commission (CPUC) exclusive power and sole authority with respect to the regulation of privately owned or investor owned public utilities such as PG&E. This exclusive power extends to all aspects of the location, design, construction, maintenance and operation of public utility facilities. Nevertheless, the CPUC has provisions for regulated utilities to work closely with local governments and give due consideration to their concerns. PG&E must balance our commitment to provide due consideration to local concerns with our obligation to provide the public with a safe, reliable, cost-effective energy supply in compliance with the rules and tariffs of the CPUC.

Should you require any additional information or have any questions, please call me at (408) 282-7544.

Sincerely,



Alfred Poon  
Land Rights Protection  
Southern Area

# Regional Open Space

MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

February 11, 2009

Ms. Camille Leung  
Project Planner  
County of San Mateo  
Department of Planning and Building  
455 County Center, 2nd Floor  
Redwood City, CA 94063

SAN MATEO COUNTY  
PLANNING DIVISION

2009 FEB 12, P 3:50

RECEIVED

Re: Highland Estates Draft Environmental Impact Report and Zoning Amendment

Dear Ms. Leung:

On behalf of the Midpeninsula Regional Open Space District (District), I would like to thank you for the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the proposed Highland Estates project and Zoning Text Amendment (ZTA). The District's mission is to acquire and preserve a regional greenbelt of open space land in perpetuity; protect and restore the natural environment; and provide opportunities for ecologically sensitive public enjoyment and education." The District's jurisdictional boundaries encompass over 225,000 acres within San Mateo County; and the agency currently owns and manages over 23,000 acres in 14 Open Space Preserves within the County. Given the District's mission and extensive land ownership in the area, I would like to comment on a number of distressing impacts associated with the proposed zoning text amendment.

### *Fire Safety Defensible Space Requirement*

Under California Government Code Section 51182, property owners located in a very high fire hazard severity zone are responsible to "maintain defensible space no greater than 100 feet from each side of the structure, but not beyond the property line unless allowed by state law, local ordinance, or regulation..." San Mateo County Fire Protection Regulations state that:

"The County Fire Chief may require a distance of up to 100 feet to be cleared if the Fire Chief determines that the greater distance is necessary to protect improvements. Where the distance from the improvements to the property line of the parcel upon which the improvement is located is less than the distance required to be cleared, the person owning, leasing, or otherwise controlling the improved property shall bear any and all costs associated with clearing an area sufficient to provide the required fuel break, including costs of clearing any area that is adjacent to the property."

Under the proposed ZTA, the reduction of setback limits would potentially allow new structures to be constructed in closer proximity to open space areas, including public parks and open space preserves. Should this occur, surrounding open space lands would bear a greater burden to facilitate defensible space clearances for the adjacent developed parcels. This Burden can be substantial and should be born by the developer, homeowners and/or homeowners association not by the Midpeninsula Regional Open Space District. As such, the District requests that any new development be required to meet fire hazard mitigation and defensible space clearing requirements completely within the private parcel boundary. This requirement would also prevent the loss of natural resource value of adjacent open space lands that is associated with vegetation clearing, which includes the introduction of invasive weed species, a reduction in the acreage of desired vegetative communities, disruption to wildlife habitat, and reduction in visual

quality. To repeat, new development must be designed to accommodate defensible space clearing within the private property unless existing conditions preclude it. In this case, a genuine effort must be made to locate future development within the subject parcels as far away from the wildland-urban interface boundary as physically feasible, which may require smaller building footprints, to prevent overburdening adjacent open space land with providing fire protection for new development. Doing so will enable property owners to take full initiative to comply with and maintain their individual defensible space clearance requirements to fire-safe their properties.

#### *Habitat Fragmentation*

Modification of the setback limits can inadvertently result in greater habitat fragmentation should new development result in a lack of continuity of open space land. If the setbacks limits are to be changed countywide, the District respectfully recommends that one of the findings made during the development review process include County's staff evaluation that the applicant had made a genuine effort to reserve that portion of the parcel that will remain as open space in an area contiguous to surrounding open space. Such a required finding would help reduce habitat fragmentation while maximizing the total acreage of open space land to maintain high natural resource value within the County.

#### *Maintain Reserved Open Space in Natural Condition*

The District emphasizes the importance of maintaining the reserved open space within the RM zoned parcels in a natural condition. This includes restricting the removal of native vegetation and installation of any structure, facility, or landscape element that would change the natural soil permeability, which helps control storm water runoff, decrease the erosion potential, and encourage groundwater recharge. Incompatible features within the reserved open space area include swimming pools, non-native landscaping, tennis courts, gazebos, sheds, and impermeable driveways and parking areas. The District recommends revising the RM zoning amendment to include specific language on the types of physical improvements allowed in the reserved open space as well as clear restrictions of what is not allowed with accompanying examples for added clarity. Another option would be to place an open space or conservation easement on the reserved open space area to fully protect its natural resource values.

Thank you again for the opportunity to provide input into the environmental review process for this project. Please contact Julie Andersen, Resource Planner I, if you have any questions by calling (650) 691-1200.

Sincerely,



Stephen E. Abbors  
General Manager

cc: MROSD Board of Directors  
San Mateo County Planning Commission

**From:** "Jeannie Buscaglia" <jbuscaglia@openspace.org>  
**To:** "Camille Leung" <CLEung@co.sanmateo.ca.us>  
**Date:** 1/26/2009 11:02 AM  
**Subject:** RE: Highlands and RM Text Amendment EIR

**CC:** "Ana Ruiz" <aruiz@openspace.org>  
Camille,

Thanks, you've been very helpful! Putting Ana Ruiz on your list to get further notices is much appreciated.  
Regards, Jeannie

Jeannie Buscaglia  
Planning Department Administrative Assistant  
jbuscaglia@openspace.org  
Midpeninsula Regional Open Space District  
330 Distel Circle, Los Altos, CA 94022  
P: (650) 691-1200 - F: (650) 691-0485

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

From: Camille Leung [mailto:CLEung@co.sanmateo.ca.us]  
Sent: Monday, January 26, 2009 10:08 AM  
To: Jeannie Buscaglia  
Subject: Highlands and RM Text Amendment EIR

Hi Jeanie,

I apologize that you did not receive the Notice of Availability in the mail. I will make sure Ana gets future notices.

Here's the link to Draft EIR online:

[http://www.co.sanmateo.ca.us/smc/departement/esa/home/0,,5557771\\_5558931\\_1350363992,00.html](http://www.co.sanmateo.ca.us/smc/departement/esa/home/0,,5557771_5558931_1350363992,00.html)

See attached Notice of Availability for Draft EIR.

Thank you!

Camille M. Leung  
Planning and Building Department  
455 County Center, Second Floor  
Redwood City, CA 94063  
(650) 363-1826

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THE SAN MATEO HIGHLANDS COMMUNITY ASSOCIATION  
1851 Lexington Avenue, San Mateo, CA 94402

February 17, 2009

TO: Lisa Grote, Community Development Director  
Environmental Services Agency Planning and Building Division

FROM: Sam Naifeh, Member HCA Board

RE: Public Records Act (California Government Code §§ 6250 - 6276.48) request to  
review records on Highland Estates Development Proposal PLN2006-00357

MEMO:

Dear Lisa

We have regularly made written requests, visits, and inquiries about County documents in regard to PLN2006-00357 over the past two years. In regard to the current Draft EIR for PLN2006-00357, we made a written request on January 5, 2009 for review of all documents, correspondence, and email between any representatives of the County and the Chamberlain Group or their representatives in regard to the Highland Estates development proposal PLN2006-00357.

A community representative subsequently called and came in to review the documents on at least two occasions. The documents provided fall far short of documents available which we are aware of. Adding to our concern on Friday February 13, 2009, we were made aware of documents and maps that we have never seen likewise based on documents not provided.

We are concerned that documents not made available have impaired our ability to make comments on the current Draft EIR caused by time delays in providing documents which we have requested regularly over the past two years on the EIR.

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1. We submit this Public Records Act request to review all documents, correspondence, and email between any representatives of the County and the Chamberlain Group or their representatives in regard to the Highland Estates development proposal PLN2006-00357.
2. We therefore request that any added comments, which emerge from subsequent review of the records, be incorporated in the revised scope of work currently being organized for the revised draft environmental impact report.

Please inform us when we can be provided with all documents under this request.

Thank you,  
Sam

THE SAN MATEO HIGHLANDS COMMUNITY ASSOCIATION  
1851 Lexington Avenue, San Mateo, CA 94402

17 February 2009

Mr. Chris Ranken, Chairperson  
Mr. David Bomberger, Commissioner  
Ms. Gail Slocum, Commissioner  
Mr. William Wong, Commissioner  
Mr. Steve Dworetzky, Commissioner  
San Mateo County Planning Commission  
455 County Center  
Redwood City, CA 94063

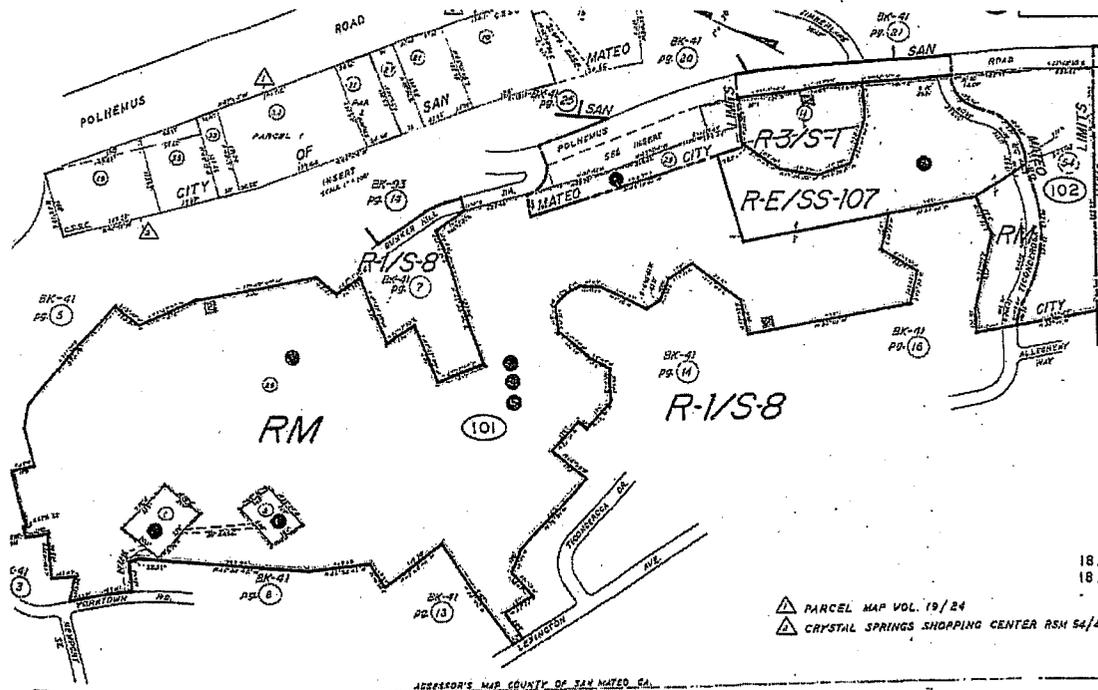
RE: Highlands Estates Draft EIR, SCH2007052068

Following are comments and concerns regarding the Draft Environmental Impact Report for the Ticonderoga Partners Development Project.

**I. IDENTIFICATION OF EXISTING LAND USE DESIGNATIONS AND ZONING.**

In 2005 a pre-application meeting was held and in 2006 another application was submitted to the County for the development of nine residential units on the project site, including eight of the 11 houses currently proposed. A slightly revised version of this project with eight residential units was proposed in 2006 and submitted as an application to the County in 2007. The County circulated a Notice of Preparation (NOP). DEIR at pg. 2.0-2. It appears three new lots were introduced with the current development plan. There is no explanation in the DEIR as to how the new lots were developed or the basis therefore.

Section 3.3 of the DEIR describes a 2,178 square foot (0.05 acre) parcel, commonly known by apn 041-072-030. This parcel is currently zoned Single Family Residential (R-8/S-8). The zoning requires a minimum of 7,500 square feet per dwelling unit. In addition, the zoning requires 10 ft front, 5 ft side and 20 ft rear setbacks. See project overview map below.



This parcel appears to be part of the revision to the application as it is an addition. The parcel has not previously been part of the application and in fact is new to both the proposed development and the developer. The first time the community became aware of this parcel was in a conversation related to the donation of the excess land to the Highlands Recreation District in the summer of 2007. Moreover, the applicant, Ticonderoga Partners /Ticonderoga Partners LLC, did not even obtain ownership of this parcel until June 3, 2005.

According to the San Mateo County Assessor Warren Slocum, this property, aprn 041-072-030, transferred to the Ticonderoga Partners /Ticonderoga Partners LLC from Bartholomew Associates on June 3, 2005. Bartholomew Associates is shown as the Grantor; there was no transfer tax paid and no conveyance tax paid. Both parties therefore represented that the parcel had/has ZERO value.

The parcel can reasonably be described as follows: 165.77 feet of frontage on Bunker Hill Drive. This section of Bunker Hill Drive has an active creek that runs parallel to the roadway and veers slightly northwest near Crystal Springs United Methodist Church. The creek location clearly effects any development on this parcel. The topography of this area sloped upwards from the street. In addition, this site is also in the sphere of the protected Red Legged Frog. The site area directly across the street is the mitigation area for the Red Legged Frog for the Polhemus Slide. This area is also due to be control flooded by the San Francisco P.U.C in the near future. (See the attached photographs of this area). Each of these factors support that the parcel is not developable and has zero value. See photographs below:



Bunker Hill Looking North



Bunker Hill Looking West to Parcel

The DEIR provides a Land Use Summary as shown in Table 3.0-1 below. DEIR at p. 3.0-7.

Table 3.0-1  
 Proposed Project Land Use Summary

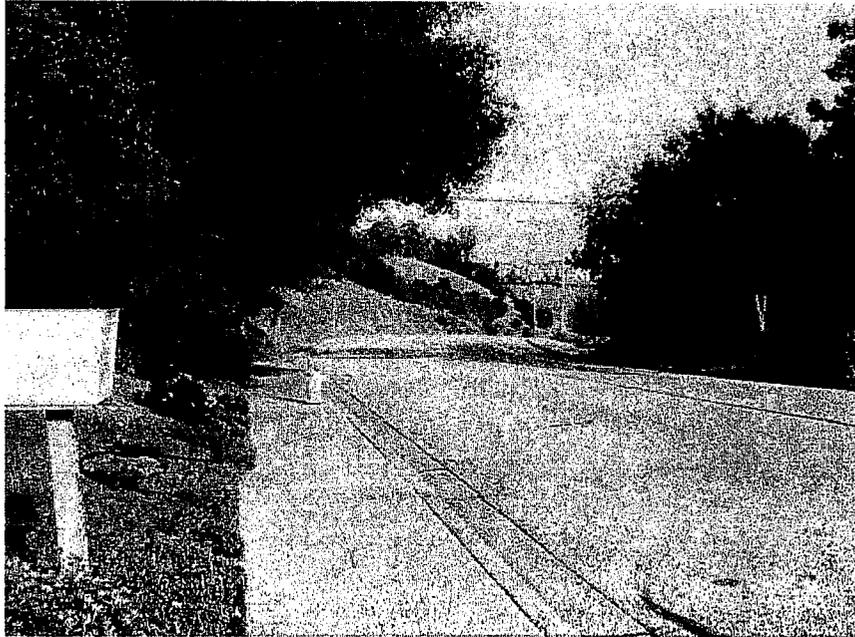
General Plan Land Use Designation	Existing Zoning District	Proposed Land Use	Acreage	Maximum Dwelling Units	% Total Area <sup>1</sup>
Open Space	RM	Single-Family Residential	4.27	9	4.4%
Open Space	RM	Open Space	92.43	N/A	95.3%
Open Space	R-1/S-8I	Single-Family Residential	0.21	1	0.002%
Open Space	R-1/S-8	Single-Family Residential	0.05	1	0.00005%
<b>TOTAL</b>	<b>N/A</b>	<b>N/A</b>	<b>96.97</b>	<b>11</b>	<b>100%</b>

Table 3.0-1 shows the .05 acre parcel and attributes one dwelling unit to this parcel even though the parcel is not developable due to its locations and characteristics as well as its size. Presumably, this .05 acre parcel has been transferred to one of the bonus lots, lots 9-11. The last parcel added, lot 11, is located at the end of Cowpens Way at the top of the Polhemus hillside with a panoramic bay view. The DEIR infers that this "exchange" is a contiguous lot-line adjustment when in fact it is a "lot substitution" in an entirely different area. See, e.g., Section 3.

This action bares the question, how can a 2,178 sqft lot that does not conform to the present zoning (and/or any "S" district in San Mateo County), with a creek development factor, a protected habitat most likely on the parcel, and not connected to any proposed parcel for which it is allegedly being substituted be approved? Essentially this undevelopable .05 acres parcel is being exchanged for a non-contiguous parcel 9 times it size.

The .05 acre parcel has admittedly no value (\$0) and in the proposed development plan is exchanged for a parcel that has an estimated value close to a million dollars (\$1,000,000). This exchange makes no sense, and provides a windfall for the developer. Such actions are improper and should not be allowed. The density bonus is being created by taking a recently acquired undevelopable lot and pretending it is developable and then moving its location to create an illusion of the developer clustering homes.





Ticonderoga Drive Looking East

If these parcels are developed, sidewalks would be a necessity for both the future owners of lots 5-8 and the general public for safety reasons. This particular portion of Ticonderoga Drive is at a grade where vehicles tend to travel at higher speeds because of the street grade. The four lots share two driveways. See picture below. Combining the driveways creates difficult angles for maneuvering vehicles (i.e., blind spots) and entering and exiting the roadway. In addition, these driveways will also have an effect on a driver's ability to view pedestrian traffic. Moreover, Figure 4.1-5 reflects retaining systems and aesthetic walls that will further obscure ingress and egress pedestrians and vehicle traffic. To further complicate the problems, the DEIR does not show additional onsite parking. Therefore, most guest vehicles will be parking on the roadway, which would result in pushing pedestrian traffic further in to the roadway if there are no sidewalks. Ticonderoga Drive is a feeder street into the neighborhood and as a result handles a significant amount of vehicle traffic for the development. This particular section of the roadway runs east/west, therefore, at times the sunsets in driver's eyes effecting drivers' vision. For all of these reasons, sidewalks are a necessity for public safety.



SOURCE: Impact Sciences, Inc. - September 2008

DEIR, portion of Figure 4.1-5

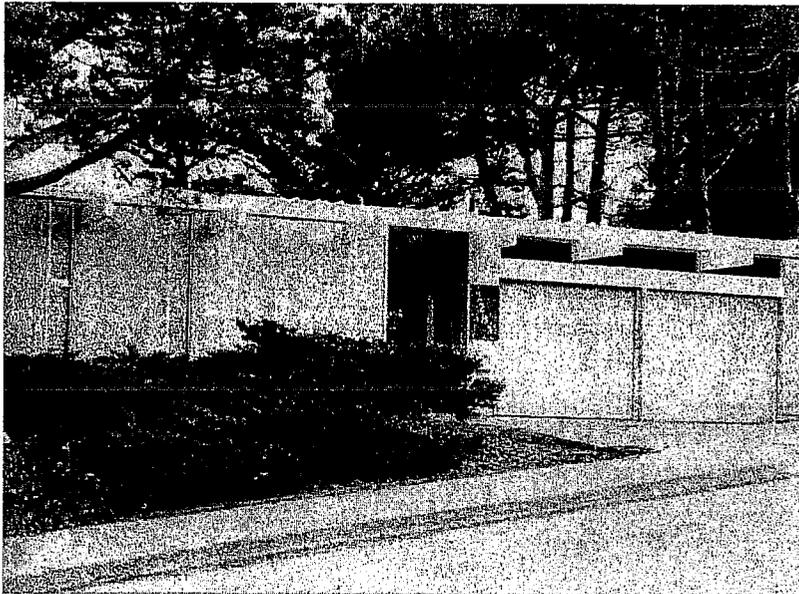
## II. INFILL LOT COMMENTS/VISUAL IMPACTS:

The proposed subdivision is very unusual – the proposed development is in four separate locations in an established subdivision. The proposed parcels are adjacent to a 50+ year old subdivision developed by Joseph Eichler. In each instance, the proposed new homes would abut Eichlers, a specific home style, often classified as “mid century modern.” The visual impacts are far greater when the proposed construction designs are NOT consistent within the surrounding homes as is the case with this proposed development. The DEIR reflects eleven lots in infill locations around a pre-existing Eichler Development that was built in the late 1950 through early 1960’s. Only one home that abuts the proposed project area, a home on Bunker Hill adjacent to proposed lot #4, has added a second story. The added second story does not have a pitched roof and the overall height was limited to +/- 20 feet. See picture below:



Bunker Hill Drive Looking South (home on east side of lot 1)

The conceptual designs that are depicted in the DEIR reflect a more traditional design with a standard roof pitch. The materials appear to be a prefab tile or a composition shingle in the submitted conceptual designs. While these designs are nice, the development of these homes will create a clear inconsistency, a hodgepodge feel) with the existing neighborhood. The homes on Ticonderoga Drive and Bunker Hill Drive are both feeder streets, therefore have a high amount of exposure. Building homes that are inconsistent with the surrounding homes will create a heavy visual detriment within the development and surrounding homes. A more contemporary design with low roof lines will reduce each unit's visual impact on its surrounding neighbors and the neighborhood as a whole. By making the design a condition of development, the visual impact of each home in the neighborhood would be reduced as well as the impact from the homes that can be seen from the Polhemus Scenic Corridor. See below for exemplary homes:



Bunker Hill Drive Looking South (home just west of lot 4)



Cobblehill Place Looking South (home west of lot 9)

The RM criteria, makes clear the standard for development that occurs within RM zoning. Moreover, it is clear that any development should be designed so that its effect will be minimal both from a structural perspective as well as an aesthetic perspective. Select portion of the RM zoning criteria are included herein for quick reference.

***(RM/DR) SECTION 6324.2. SITE DESIGN CRITERIA.***

- (a) Development shall be located, sited and designed to carefully fit its environment so that its presence is subordinate to the pre-existing character of the site and its surrounding is maintained to the maximum extent practicable.

...

In addition to requiring the design to be more contemporary in form, Section h (below) would help to further reduce the impact of the homes on the Polhemus Scenic Corridor.

- (h) The development shall employ colors and materials which blend in with, rather than contrast with, the surrounding soil and vegetative cover of the site. In forested areas, all exterior construction materials shall be of deep earth hues such as dark browns, greens and rusts. Materials shall absorb light (i.e., dark, rough textured materials). Exterior lighting shall be minimized, and earth-tone colors of lights used (e.g., yellow, brown toned lights, rather than blue toned fluorescents). In grassland, or grassland/forest areas, all exterior materials shall be of the same earth and vegetative tones as the predominant colors of the site (as determined by on-site inspections). Highly reflective surfaces and colors are discouraged.

**SECTION 6325.1. PRIMARY SCENIC RESOURCES AREAS  
CRITERIA.**

The following criteria shall apply within Scenic Corridors and other Primary Scenic Resources Areas as defined or designated in the Open Space and Conservation Element of the San Mateo County General Plan:

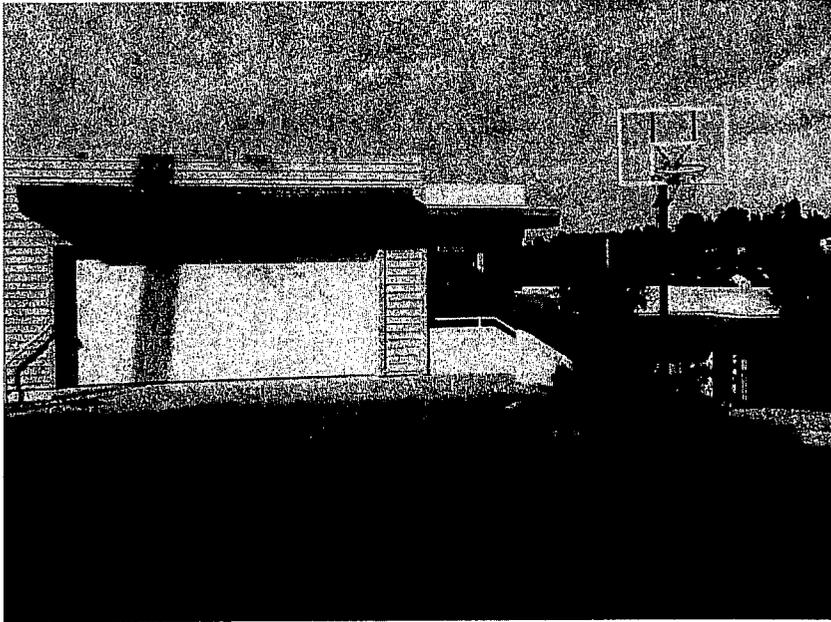
(a) Public views within and from Scenic Corridors shall be protected and enhanced, and development shall not be allowed to significantly obscure, detract from, or negatively affect the quality of these views. Vegetative screening or setbacks may be used to mitigate such impacts. Development visible from Scenic Corridors shall be so located and designed as to minimize interference with ridgeline silhouettes.

...

(c) Within a corridor, pathway pavements should be colored or selected to blend in with the surrounding landscape.

The DEIR stated that there was NO impact on Polhemus Scenic Corridor. In actuality, the only homes that would not be visible are lot numbers 1-4, which located on Bunker Hill Drive. The DEIR fails to address the effect of the new homes on the scenic corridor.

The most recent infill lot developed in the Highlands' neighborhood was located at 50 Lundys Lane off Bunker Hill Drive. See picture below. This home does back to open space and was constructed using a more contemporary design. The home color, which is earth tone, was also chosen with the effect it had on neighboring homes and the open space. By requiring a more contemporary design and a lower roof line, the new homes would blend in better with both the surrounding homes, and the hillside such a requirement is consistent with the RM development criteria – the development would be more in harmony with the surrounding area.



50 Lundys Lane

### III. GETTING DEVELOPMENT CONCERNS UP FRONT

The applicant may transfer the property at any time. If he so chooses, he could sell the subdivided but undeveloped parcel. Most buyers assumed that a certain degree of testing has been done based on the approval of a subdivision. For example, the necessary soils and geological testing as referenced in the DEIR Geology and Soils analysis section. The grant of the subdivision will give the developer a specified number of lots that any buyer would rely in purchasing the property. Therefore, it would be not only prudent but responsible to do sufficient geological testing in advance so that an unsuspecting third party, i.e., the buyer of the vacant parcel, lender on the parcel and/or insurance company, does not inherit the deficiencies after the parcel is vested. This is also important to protect the County from future claims of undevelopeable parcels.

I appreciate the opportunity to bring these concerns to your attention. Should you have further questions, please contact me.

Best Regards,

A handwritten signature in black ink, appearing to be 'Cary Wiest', written in a cursive style.

Cary Wiest  
President Highlands Community Association

## **Presentation To San Mateo County Planning Commission Meeting 1487**

**Wednesday, February 11, 2009**

Good Evening. My name Les Schlaegel. Along with my life partner of over 22 years, Dr. Gary Bozzini, I own the home located at 2216 Bunker Hill Drive, the house immediately down the hill from Lot #1.

Before beginning my remarks, I want to thank you and the county staff for taking time out of your personal lives to come to hear our community's concerns. In addition, I want to once again thank the members of the Land Committee of the Highlands Homeowners' Association. I appreciate their tireless efforts to help protect my home and our community.

I am not here to night to act like a NIMBY (Not In My BackYard).

Being a reasonable person, Lots 1-4 seem like a logical place to build.

New development should be done where areas are already developed.

But I am here tonight to share my concerns over the way in which the applicant throughout the EIR makes assurances of his ability to mitigate the problems that have been identified. In addition, I am here tonight to respectfully request the commissioners require the applicant to adhere to a more rigorous process and to use state-of-the-art geo/technical techniques to determine what all the issues are that need to be mitigated.

So, why I am so concerned? Well I have been concerned for several years about all the land movement around my home and then I read this EIR. Allow me to reading selectively from various parts of the EIR:

Impact Geo-1: The proposed project would involve development on slopes steeper than 15% and could expose people and structures to landslide hazards.

In summary, for the reason presented above impacts associated with land sliding and seismically induced land sliding in the project area would be considered potentially significant.

GEO-2: The proposed project is located on a geologic unit that may be unstable or could become unstable as a result of the project.

Therefore, the proposed project could expose structures or persons to risk associated with differential settlement and soil creep. The impact is considered potentially significant.

Geo-4: The proposed project could potentially expose people or structures to potential adverse effects including risk of loss, injury or death involving strong seismic ground shaking.

There is a high probability that the project site will be subject to violent ground shaking from an earthquake during the life of the project. As a result, seismically induced ground shaking is considered a potentially significant impact.

Geo -5 the proposed project could potentially expose residents to substantial risks to life or property from development on expansive soils

Expansive soils could be locally exposed during construction. Expansive soils are potentially damaging to foundations. ...that could eventually undermine structures. Because grading for the proposed project could involve the possible local exposure to expansive soils this impact is considered potentially significant.

The reason I have focused on the Geo considerations here is that it is my understanding there are some rules under the San Mateo County Zoning Regulations Resource Management Development Review Criteria. It is my understanding that an applicant must be able to show that he can meet every one of the criteria.

I have specific concerns about the applicant's ability to meet the criteria described in Section 6324.2 –Site Design Criteria (F) which reads “the applicant shall demonstrate that the development will not contribute to the instability of the parcel or adjoining lands.

Also, of concern is Section 6324.6 Hazards to Public Safety Criteria, Part (F) which reads: No land shall be developed which is held unsuitable by the Planning Commission. To determine the appropriateness of a development, the following shall be considered: 1) ...2) The danger that those structures or other improvements may slide or be swept onto other lands or downstream to the injury of others.

Members of the commission, Lots 1-4 are a rational place for houses. But you owe it to this community to require the applicant to meet today's' geo/engineering standards so that we all are comfortable in understanding the risks of development on these lots.

Therefore, I respectfully request the commissioners adopt the recommendations of the highly respected firm of Cotton Shires and Associates as detailed in their letter of June 1, 2007. On page 3 of that letter under the section entitled Conclusions and Recommendations, it reads

Although the proposed Bunker Hill Lots are apparently in an area where bedrock stability may be compatible with residential use, proposed house sites extend over very steep slopes in close proximity to documented areas of past land sidings. It would be appropriate to complete an updated geological mapping of the lots.

The need for a series of "stabilization piers" for these lots, as recommended by Soil Foundation Systems, should be addressed. Data from the one previous exploratory boring in this area should be supplemented by additional borings on these lots to provide an adequate basis for the design of stabilization piers and foundations.

Thank for you for your time.

Les Schlaegel

2261 Bunker Hill Dr.

San Mateo, CA 94402

650.349.9901

LSchlaegel@sbcglobal.net

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URBAN PLANNERS

January 21, 2009

*Via U.S. Mail & Facsimile*

Lisa Grote  
Community Development Director  
Environmental Services Agency  
County of San Mateo  
County Office Building  
455 County Center  
Redwood City, California 94063

Re: Public Records Act Request

Dear Ms. Grote:

On behalf of Chris Misner, I request that the County of San Mateo ("County") provide me with copies of all public records relating to the Chamberlain Group's proposal to subdivide and build housing on APN No. 041-101-290 ("Project") that are dated more recently than November 2006. This request seeks all documents related to the currently pending proposal or applications, including any comments from the public or agencies in response to the Initial Study for the Project. We do not need a copy of the Draft EIR for the Project or of any public notices previously sent to our offices. If you have any questions about the scope of this request, please do not hesitate to contact me for further clarification.

For the purposes of this request, the term "document" includes, but is not limited to, any written material, facsimile, e-mail, photograph, map, data, report, videotape, audiotape, note of telephone call or meeting, factual or legal analyses, and any and all correspondence and memoranda in any written form.

If you determine that any of the requested records are exempt from disclosure, we ask that you reconsider that determination in view of Proposition 59, which has amended the state Constitution to require that all exemptions to the Act be

Ms. Lisa Grote  
January 21, 2009  
Page 2

“narrowly construed.” Proposition 59 may modify or overturn authorities on which you have relied in the past.

If you nonetheless determine that the requested records are subject to a still-valid exemption, we would further request that: (1) you exercise your discretion to disclose some or all of the records notwithstanding the exemption; and (2) that, with respect to records containing both exempt and non-exempt content, you redact the exempt content and disclose the rest.

Should you deny part or all of this request, please provide a written response describing the legal authority or authorities on which you rely. Please also address the question whether Proposition 59 requires disclosure even though authorities predating Proposition 59 may appear to support your exemption claim.

The Public Records Act provides that you are to respond to this request within ten (10) days. (See Gov't Code § 6253(c).) Please provide an estimate of the cost of the documents prior to their copying. If you have any questions, or if there is anything I can do to facilitate the County's response to this request, please do not hesitate to contact me.

Thank you for your assistance.

Sincerely,

SHUTE, MIHALY & WEINBERGER LLP

A handwritten signature in black ink, appearing to read 'R Perl', with a stylized flourish at the end.

Robert "Perl" Perlmutter



ARNOLD SCHWARZENEGGER  
GOVERNOR

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



CYNTHIA BRYANT  
DIRECTOR

February 5, 2009

Camille Leung  
San Mateo County  
455 County Center, 2nd Floor  
Redwood City, CA 94603

Subject: Highlands Estates  
SCH#: 2007052068

Dear Camille Leung:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 3, 2009, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2007052068  
**Project Title** Highlands Estates  
**Lead Agency** San Mateo County

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**Type** EIR Draft EIR

**Description** The Project Applicant is currently proposing a series of actions that would result in the development of 11 residential lots, covering a total of approximately 4.53 acres. The portion of the project site zoned RM would include the development of nine lots, while the other two proposed dwelling units would be constructed on the single-family residential portion of the site. The subdivision plus the additional residential lots would result in a total of 11 single-family home lots, and 92.43 acres of the site would be designated as open space. Lots 1 through 4 would be located along Bunker Hill Drive, along the northern boundary of the site, and lots 5 through 8 would be located along Ticonderoga Drive, along the southern boundary of the site. Lots 9 and 10 would be located at the end of Cobblehill Place at the south side of the project and lot 11 would be located at the end of Cowpens Way in the southwesterly portion of the project site. Additionally, there are 2.08 acres of land owned by California Water Company that are completely surrounded by the 92.43 acres proposed for open space. These 2.08 acres are not part of this project. Access to this water tank area is provided from Yorktown Road.

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**Lead Agency Contact**

**Name** Camille Leung  
**Agency** San Mateo County  
**Phone** 650-363-1826  
**email**  
**Address** 455 County Center, 2nd Floor  
**City** Redwood City  
**Fax**  
**State** CA **Zip** 94603

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**Project Location**

**County** San Mateo  
**City** San Mateo  
**Region**  
**Lat / Long**  
**Cross Streets** Polhemus Road and Lexington Avenue  
**Parcel No.** 041-101-290, 041-072-030  
**Township** **Range** **Section** **Base**

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**Proximity to:**

**Highways** 92 and 280  
**Airports** No  
**Railways** No  
**Waterways** Crystal Springs Reservoir, Polhemus Creek  
**Schools** Highlands Elementary  
**Land Use** Vacant/[RM, R-14/S-81, R-1/S-8]/Open Space

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**Project Issues** Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

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**Reviewing Agencies** Resources Agency; Department of Fish and Game, Region 3; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Regional Water Quality Control Board, Region 2; Department of Toxic Substances Control; Native American Heritage Commission

Note: Blanks in data fields result from insufficient information provided by lead agency.

**Document Details Report  
State Clearinghouse Data Base**

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*Date Received* 12/19/2008

*Start of Review* 12/19/2008

*End of Review* 02/03/2009

County of San Mateo  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94603

To: Camille Leung

Re: Ticonderoga Partners LLC Highland Estates project

As a Highlands resident who lives on Ticonderoga Avenue, this project presents three concerns:

1. Driveway egress onto Ticonderoga Drive as driveway entrances will be on a steep and winding road without adequate visibility.
2. Hill instability given that each year there are significant mudslides in that fall onto Ticonderoga Drive.
3. Aesthetic consistency with the surrounding homes; our neighborhood is uniform in the modernist style and the architecture of these new homes should be consistent with modern design.

Thank you,

A handwritten signature in black ink, appearing to read "Melissa Wilson", followed by a long horizontal line extending to the right.

Melissa Wilson  
1976 Ticonderoga Drive  
San Mateo, CA 94402

**From:** <wuot@att.net>  
**To:** <cleung@co.sanmateo.ca.us>  
**Date:** 12/11/2008 10:09 AM  
**Subject:** Highlands Estates Concerns

Hello Camille,

Thank you for consideration of our initial comments regarding the Highlands Estates development in our neighborhood. We have lived in the Highlands for 30 years and have strong interest in preserving the integrity of the neighborhood. Our concerns follow:

- . Compromise the architectural integrity of the neighborhood
- . Block our view of the Bay
- . Addition traffic congestion from the increased density
- . Major new construction causing air pollution, noise pollution, debris and traffic

Please let us comment when the next level of information becomes available.

Regards

Mark and Gail Wuotila  
1651 Yorktown Rd  
San Mateo, CA 94402  
650 349 8597