

with trunk circumference of more than 55 inches beyond those approved by the Board of Supervisors. Such Activity would require application for and issuance of a separate Resource Management (RM) Permit. All trees not approved for removal under this permit shall be protected during grading operations."

- Newly-discovered impact of backup generators: The Addendum including the Caleemod model don't address the backup gas generators that were heavily used during construction of lots 9-11. This should be included in the modeling for both noise and particulate.
- There was increased grading on lots 9-11 beyond the numbers approved, and we also now know that GEO-2b was not performed on 9 and 10. This adds up to a newly discovered unmitigated impact.
- Both the Addendum, and the Cornerstone report within it, separately and specifically cite January 20, 2010 plans by BKF as the plans used for the creation of the 2015 Cornerstone report. But these aren't in the records. The approved BKF plans from the staff report are dated both February 2, 2010 and March 25, 2008.
- Setback on lot 11 was reduced by more than four feet (the exact amount has not yet been disclosed) without any board action or environmental review. The first minor mod moved it 6 feet and the second minor mod moved it an additional four feet.

Very truly yours,
Dave

From: [Dave Michaels](#)
To: [Camille Leung](#); [Amy Ow](#)
Subject: Comment: Highlands points EIR
Date: Friday, July 2, 2021 5:00:49 PM

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Dear Staff please see additional comments below.

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- The Addendum states that Cornerstone Earth Group is the "current geotechnical engineer-of-record". However the grading quantities provided by Cornerstone in 2017 based on their own 2015 report are not being used. In other words the estimates of the "current geotechnical engineer-of-record" are not being used. Instead the quantities from BKF that are more favorable to the applicant are being used.
- The Addendum references BKF's 2019 memo -- in that memo BKF admits that their grading numbers do not represent actual grading numbers and quote some specific language in the grading ordinance to defend this omission. This memo essentially admits that there will be more earthwork than the quantities illustrate, and it was also based on concurrent grading of 9-11 and 5-8 which would reduce full truck trips as some cut and fill would be used between sites. The public reads these numbers and expects them to be actual numbers, and expects them to be provided in plain language. We do not expect to have to decipher complex engineering documents and obscure interpretations of grading code in order to discover the actual numbers. Do the numbers in the requested modification represent actual earthwork numbers in full, in cubic yards, or are some numbers left out?
- This Addendum purports to be an Addendum to the EIR for the whole project, not just 5-8, even though it was created to justify increased grading on just those lots. As an addendum for the whole project, it's in the public's greater good to consider impacts of the whole project that are now known, including newly discovered impacts AES on lot 11, the increased grading on lots 9-11, and failure to perform GEO 2b on lots 5-10
- How was the floor area calculated for Caleemod in the CEQA document? Caleemod defines building footprint vs driveway parking area for residential buildings. Even if the public disagrees with Staff's decision re: floor area in 2016, this doesn't change the requirements for Caleemod modeling.
- How were trees calculated for Caleemod in the Addendum? It seems to compare 7 significant tree removals previously approved but doesn't include the additional tree removals approved without an RM permit and seems to be comparing that number to 14 trees of any size, and just on lots 5-8. I can't tell if this number overestimates or underestimates the net trees, but I can see that the math doesn't at face value make sense. Does this 14 include all landscape trees on 5-8, or just replacement-level trees on 5-8? Were the trees counted only above a certain size, or simply "hardwood" of any size? The landscape plans do not indicate which are hardwood and the grading plans are impossible for laypersons to understand. A verbal clarification would be appreciated and a markup of the landscape plan would likewise be helpful, as well as the tree survey that precipitated the additional trees removed without an RM permit.
- From conditions: "This permit does not authorize the removal of any additional trees