

**Grading for Chamberlain Project Lots 5-8, in cubic yards (CY)**

DATE: 6/25/20

PLN APPROVAL (Source: BOS Staff Report, Final EIR)		Truck Trips based on 12cy = 1 truck load (Source: Final EIR)
TOTAL	Cut	Fill
Lots 5-8	4,700	700
Lots 9, 10	300	2,900
Lot 11	1,200	1,000
Overall - Import Only	0	900
	<b>6,200</b>	<b>5,500</b>

Note: Final EIR assumes balanced  
Grading for Lots and only  
calculates truck trip for imported  
materials (Rock, etc)

BLD PROPOSAL	FOUNDATION		SLOPE REPAIR --- Revised on BLD Plans		
	Cut	Fill	Balanced Fill	Offhaul (Source: Geo letter 7/8/17)	Offhaul Trips
Lots 5-8	5	1,220	-	-	-
	6	1,450	-	-	-
	7	1,560	-	-	-
	8	1,000	-	-	-
TOTAL		5,230	320	4,910	2,880
				7,790	649

BKF Agrees per  
7/17/19 Email;  
No Import Trips

Grading Quantities	Proposed		Difference
	Approved	Proposed	
Cut (5-8)	4,700	5,230	530
Fill (5-8)	700	320	-380
Cut (9-11)	1,500	1,380	-120
Fill (9-11)	3,900	2,180	-1,720

TRUCK TRIPS		
On & Off Haul Trips	Approved Trips	Proposed Trips
Lots 5-8	37.5	649.2
Lots 9-11	37.5	66
	75	715.2

Off Haul Only  
Import Only



# COUNTY OF SAN MATEO PLANNING AND BUILDING

County Government Center  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
650-363-4161 T  
650-363-4849 F  
planning.smcgov.org

## Invoice

Invoice #: 410380  
Date: 4/2/2021  
Applicant: JACK CHAMBERLAIN  
Applicant Address: 655 SKY WAY, SUITE 230, SAN CARLOS, CA 94070-0000  
Project Address: SAN MATEO HIGHLANDS null  
Project Parcel #: 041072030  
Owner:  
Owner Address:

<b>Case Number</b>	<b>Description</b>	<b>Amount Paid</b>
PLN2020-00412	CEQA - EIR Preparation	\$6,211.00
	Legal Counsel Surcharge	\$1,110.55
	Invoice Total:	\$7,321.55
	<b>Balance Due:</b>	<b>\$0.00</b>



# COUNTY OF SAN MATEO PLANNING AND BUILDING

County Government Center  
455 County Center, 2nd Floor  
Redwood City, CA 94063  
650-363-4161 T  
650-363-4849 F  
planning.smcgov.org

## Invoice

Invoice #: 407342  
Date: 11/19/2020  
Applicant: JACK CHAMBERLAIN  
Applicant Address: 655 SKY WAY, SUITE 230, SAN CARLOS, CA 94070-0000  
Project Address: SAN MATEO HIGHLANDS null  
Project Parcel #: 041072030  
Owner:  
Owner Address:

<b>Case Number</b>	<b>Description</b>	<b>Amount Paid</b>
PLN2020-00412	CEQA - EIR Preparation	\$16,000.00
	Invoice Total:	\$16,000.00
	<b>Balance Due:</b>	<b>\$0.00</b>

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

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

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

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

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

Very truly yours,

Dave

BC: concerned parties, commenters on the project

1. There is no set application form or fee for a minor modification. The Applicant has paid fees for preparation of the EIR Addendum. See attached invoices.
4. The builder's application for renewal of expired grading permit, all lots
  1. The Grading Permit has not expired and, therefore, does not require renewal, as, per Section 9282, a substantial amount of work authorized by the permit was commenced within eight (8) months of the date of issuance ["issuance" is of the grading permit hard card].

Thanks

**From:** Dave Michaels <[dm94402@gmail.com](mailto:dm94402@gmail.com)>  
**Sent:** Tuesday, June 15, 2021 10:02 PM  
**To:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>; Steve Monowitz <[smonowitz@smcgov.org](mailto:smonowitz@smcgov.org)>; Amy Ow <[aow@smcgov.org](mailto:aow@smcgov.org)>  
**Subject:** Comments and Request for missing grading data (EIR Addendum Highlands)

**CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.**

---

Dear Ms. Leung,

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

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

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

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

Questions related to item 1 above

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

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

**From:** Dave Michaels  
**To:** Camille Leung; Steve Monowitz; Amy Ow  
**Subject:** RE: Comments and Request for missing grading data (EIR Addendum Highlands)  
**Date:** Friday, July 2, 2021 7:05:15 PM  
**Attachments:** Invoice 410380\_040221.pdf  
Invoice 407342\_111920.pdf  
Grading and Truck Trips\_062520.pdf

---

**CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.**

---

Dear Ms. Staff, responding to Ms. Leung's email below. Ms. Leung cites section 9282 but it sounds like 9292 was intended. 9292 supports my inquiry and casts doubts on Staff's assertion below that the applicant and project are not subject to expiration, extension, renewal or amendment rules, fees, or terms. The project record makes clear the Highland Estates project is subject to these. I have copied this and related sections below as well as related sections from the BOS Approval and County's own accelca site.

The Director does not have the authority to amend or renew this permit because he is not the approving authority. Furthermore, I disagree with the County's use of minor modifications which serve to obscure or eliminate paper and record trails.

**From BOS Approval: Condition 2:** This subdivision approval is valid for two years, during which time a Final Map shall be filed. An extension to this time period in accordance with Section 7013.5.c of the Subdivision Regulations may be issued by the planning and Building Department upon written request and payment of any applicable extension fees (if required).

**From the Count's Accela site for the Project:** *Grant Permit Extension 03/06/2012 Pete Bentley DONE 3/6/12 PSB - Applicant [sic] in this AM and paid extention [sic] fee. Final Map approval and conditions now extended for 1 year to April 27, 2013.*

**SECTION 9292. DURATION OF PERMIT.** If a substantial amount of work authorized by any permit is not commenced within eight (8) months of the date of issuance or as otherwise indicated on the face of the permit, or on the improvement agreement, or if said work is not completed within one (1) year of commencement or as otherwise indicated on the permit or the improvement agreement, the permit shall expire and become void.

**SECTION 9293. RENEWAL.** The renewal of an expired permit **may be administratively approved by the Planning Director providing no changes to the plans have been made.** An application for such renewal must be made in writing no later than one month prior to the expiration date, in the same manner as specified for in the original application. The fees for such renewal will be one half (1/2) the original fee. Two renewals may be granted. Extensions beyond two renewals require a complete new application and must be submitted with full fees.

**SECTION 9294. PERMIT AMENDMENT.** Upon application by the permittee, the permit required by this chapter may be amended by the approving authority. **Application for and action on an amendment shall be accomplished in the same manner specified by this chapter for initial approval of the permit.** All sections of this Chapter 5 shall apply to the permit amendment.

I reiterate my request for copies of the builder's applications for extensions, renewals and amendments in the project record and respectfully request that the Director and County put this proposed grading amendment through the proper procedure under the original approving authority as outlined in the county code.

Very truly yours,  
Dave

----- Forwarded message -----

From: Camille Leung <cleung@smcgov.org>  
Date: Wed, Jun 23, 2021 at 12:00 PM  
Subject: RE: Comments and Request for missing grading data (EIR Addendum Highlands)  
To: Dave Michaels <dm94402@gmail.com>, Steve Monowitz <smonowitz@smcgov.org>, Amy Ow <aow@smcgov.org>

Hi Dave,

Please see my responses after each of your requested documents:

1. A spreadsheet referenced on page 17 (attached) of the EIR addendum called "County of San Mateo, Spreadsheet for Grading for Chamberlain Project lots 5-8 June 25, 2020"
  1. Please see attached
2. A Spreadsheet referenced in the first line of BKF's 2019 Memo (attached) "BKF has completed a review of the Spreadsheet Camille provided on Monday February 25 2019"
  1. I have requested this from BKF as my Outlook archive only goes back to July 2019. I will send it along once I receive it.
3. Builder's grading application for the grading increase on lots 5-8, including reasons provided, fees paid, etc.