

## Camille Leung

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**From:** Jack Chamberlain <jtuttlec@aol.com>  
**Sent:** Tuesday, February 19, 2019 10:37 AM  
**To:** Camille Leung  
**Subject:** Re: Highlands

Thanks Camille

In a message dated 2/19/2019 10:33:59 AM Pacific Standard Time, cleung@smcgov.org writes:

Hi Jack,

Janneth Lujan (650-363-1859) is Steve's Secretary. I copied her email address in this email.

Thanks!

**From:** Jack Chamberlain [mailto:jtuttlec@aol.com]  
**Sent:** Tuesday, February 19, 2019 10:17 AM  
**To:** Camille Leung <cleung@smcgov.org>  
**Subject:** Highlands

Camille ,

At our Thursday meeting, Steve asked me to contact his secretary to set up a meeting with him.

What is her name and what is his phone number?

Thanks,

Jack

## Camille Leung

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**From:** Jack Chamberlain <jtuttlec@aol.com>  
**Sent:** Thursday, February 21, 2019 6:13 PM  
**To:** Camille Leung  
**Subject:** Re: Violation/Complaint

Thanks Camille, we are going to follow up on this. An example of the kind of people that we have dealing with for years Jack.

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

From: Camille Leung <cleung@smcgov.org>  
To: Jack Chamberlain <jtuttlec@aol.com>  
CC: Joan Kling <jkling@smcgov.org>; Rita Mclaughlin <rmmclaughlin@smcgov.org>; Steve Monowitz <smonowitz@smcgov.org>  
Sent: Thu, 21 Feb 2019 14:46  
Subject: Violation/Complaint

Hi Jack,

Based on our site visit on 2/12 and observation of unpermitted tree trimming/removal at 2067 New Brunswick (neighbor to Lot 11), I filled out this Complaint Form for our Code Compliance Section to follow-up on. They will contact you if they need more information. You can also send additional information to Joan or Rita and they can follow-up with you.

Thank you

Camille Leung, Senior Planner  
Planning & Building Department  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063  
650-363-1826  
[cleung@smcgov.org](mailto:cleung@smcgov.org)

## Camille Leung

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**From:** Camille Leung  
**Sent:** Monday, February 25, 2019 1:59 PM  
**To:** Jack Chamberlain; 'Roland Haga'; 'Scott Fitinghoff'  
**Cc:** Janneth Lujan; Steve Monowitz; Sherry Liu  
**Subject:** RE: Highlands lot 5-8  
**Attachments:** Total Grading and Truck Trips\_100418\_4.xlsx

Hi Jack, Roland, and Scott

Thanks for a good meeting. Please see attached for Excel spreadsheet. Please explain any revised estimates in an accompanying letter so that we understand how quantities were reached.

Thanks!

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**From:** Camille Leung  
**Sent:** Friday, February 22, 2019 9:11 AM  
**To:** Janneth Lujan <JLujan@smcgov.org>  
**Subject:** RE: Highlands lot 5-8

Yes thank you

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**From:** Janneth Lujan  
**Sent:** Thursday, February 21, 2019 4:00 PM  
**To:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
**Subject:** Fw: Highlands lot 5-8

2/25 at 1:00, does that work for you?

Janneth

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**From:** Jack Chamberlain <[jtuttlec@aol.com](mailto:jtuttlec@aol.com)>  
**Sent:** Thursday, February 21, 2019 12:37:38 PM  
**To:** Janneth Lujan  
**Cc:** [rhaga@bkf.com](mailto:rhaga@bkf.com); [sfitinghoff@cornerstoneearth.com](mailto:sfitinghoff@cornerstoneearth.com)  
**Subject:** Re: Highlands lot 5-8

Janneth,

Looks like Monday the 25th at 1:00 pm will work for us.

Jack

In a message dated 2/21/2019 8:05:08 AM Pacific Standard Time, [JLujan@smcgov.org](mailto:JLujan@smcgov.org) writes:

| Good morning,

I apologize but it looks like the 2/28 will no longer work. Is there any way that you can be available in the afternoon on 2/25 between 12-3:30 pm?

Otherwise please let me know and I can look at other dates and times.

Regards,

Janneth

*Janneth Lujan*

Executive Secretary for Steve Monowitz

Planning and Building Department

Planning Commission Secretary

[jlujan@smcgov.org](mailto:jlujan@smcgov.org)



Planning and Building Department

455 County Center, 2nd Floor

Redwood City, CA 94063

(650) 363-1859 T

(650) 363-4849 F

[www.planning.smcgov.org](http://www.planning.smcgov.org)

Proud Vice President of:



**From:** Jack Chamberlain [<mailto:jtuttlec@aol.com>]  
**Sent:** Wednesday, February 20, 2019 1:23 PM  
**To:** Janneth Lujan <[JLujan@smcgov.org](mailto:JLujan@smcgov.org)>  
**Subject:** Re: Highlands lot 5-8

Janneth,

Roland Haga, my Civil Engineer and Scott Fitinghoff, my Geo-technical Engineer, have both confirmed 2/28 at 10:00 am.

With your confirmation, we will be there next Thursday morning.

Thanks for your help

Jack

In a message dated 2/19/2019 3:06:48 PM Pacific Standard Time, [JLujan@smcgov.org](mailto:JLujan@smcgov.org) writes:

Mr. Chamberlain,

Please see before for two possible meeting dates available with Steve Monowitz, send me confirmation and I can send out a calendar appointment.

2/25 at 1:00 pm

2/28 at 10:00 am

Regards,

*Janneth Lujan*

Executive Secretary for Steve Monowitz

Planning and Building Department

Planning Commission Secretary

[jlujan@smcgov.org](mailto:jlujan@smcgov.org)



**COUNTY OF SAN MATEO**  
**PLANNING AND BUILDING**

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Proud Vice President of:



**From:** Jack Chamberlain [<mailto:jtuttlec@aol.com>]  
**Sent:** Tuesday, February 19, 2019 10:47 AM  
**To:** Janneth Lujan <[JLujan@smcgov.org](mailto:JLujan@smcgov.org)>  
**Subject:** Highlands lot 5-8

Janneth,

At a meeting that we had with Steve last Thursday, he suggested that I contact you to set up a meeting to discuss the grading on on the subject lots.

I wish to schedule a meeting with Steve at his earliest convenience. This meeting will include Roland Haga and Scott Fitinghoff.

You might select several times so I can coordinate with the other two.

Thanks,

Jack Chamberlain

## Camille Leung

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**From:** Timothy Fox  
**Sent:** Monday, February 25, 2019 4:24 PM  
**To:** Wendy Jones  
**Cc:** Diane Kindermann Henderson; Mariapilar Coffey; Amy Ow; Camille Leung  
**Subject:** RE: PRA Request  
**Attachments:** Binder PRA12218 to 022219.pdf; Binder PRA12218 to 022219\_Email Atts.pdf

Ms. Kindermann:

The records responsive to your most recent request are attached. Please transmit a check payable to County of San Mateo for \$39.30 representing 393 pages at \$.10 per page.

Tim Fox

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**From:** Wendy Jones <wjones@aklandlaw.com>  
**Sent:** Friday, February 15, 2019 4:18 PM  
**To:** Steve Monowitz <smonowitz@smcgov.org>; Timothy Fox <tfox@smcgov.org>  
**Cc:** Diane Kindermann Henderson <DKindermann@aklandlaw.com>  
**Subject:** PRA Request

Please see the attached PRA Request.

Thank you,

**Wendy Jones**  
**Legal Secretary for Diane Kindermann**



A Professional Corporation  
2100 21st Street | Sacramento, CA 95818  
tel: (916) 456-9595 | fax: (916) 456-9599  
[website](#) | [blog](#) | [email](#)

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## Camille Leung

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**From:** Camille Leung  
**Sent:** Tuesday, March 05, 2019 1:29 PM  
**To:** Steve Monowitz; Victoria Mejia  
**Subject:** SWCA Highlands Contract - Change order  
**Attachments:** Highland Estates Change Order Scope and Cost Estimate\_rev022719.pdf

Hi Steve and Victoria,

I needed to amend the scope of the contract with SWCA for Mitigation Monitoring of the Chamberlain Project in order for SWCA to help the County with the biological permitting analysis of the outfall design on Lot 11. These activities are considered out of scope as the contract was focused on condition compliance and construction monitoring.

I added \$5,000 (38 hours) to the budget to cover any additional out-of-scope tasks, as authorized by the County.

SWCA has made the edits to the change order text that I asked for. Any other changes? If no other changes, Steve can you authorize the change order? This will allow SWCA to bill for the recent Lot 11 site visit.

Thanks!

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**From:** Kristen Outten [mailto:koutten@swca.com]  
**Sent:** Wednesday, February 27, 2019 10:37 AM  
**To:** Camille Leung <cleung@smcgov.org>; Victoria Mejia <vmejia@smcgov.org>  
**Subject:** RE: EXTERNAL:Re: San Mateo Highlands site visit

Hello Camille,

Please find attached our revised change order scope and cost estimate with the suggested revisions. Let me know if you have any questions or would like to discuss further.

Thanks,  
Kristen

---

**From:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
**Sent:** Friday, February 22, 2019 5:11 PM  
**To:** Kristen Outten <[koutten@swca.com](mailto:koutten@swca.com)>; Victoria Mejia <[vmejia@smcgov.org](mailto:vmejia@smcgov.org)>  
**Subject:** RE: EXTERNAL:Re: San Mateo Highlands site visit

Hi Kristen and Victoria,

Thanks Kristen for preparing this! Please see me edits attached. Victoria, does this look ok? Any other changes you need?

I'm guessing we need Steve to formally approve the amendment, right?

Thanks!

---

**From:** Kristen Outten [<mailto:koutten@swca.com>]  
**Sent:** Tuesday, February 19, 2019 5:09 PM  
**To:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
**Cc:** Victoria Mejia <[vmejia@smcgov.org](mailto:vmejia@smcgov.org)>  
**Subject:** RE: EXTERNAL:Re: San Mateo Highlands site visit

Hello Camille,

As requested, I have prepared a change order scope and cost estimate for additional, as needed, support services for the San Mateo Highlands Subdivision Project. Please note that support under this change order will require authorization from you on a case by case basis before spending these funds. Let me know if you have any questions or would like to discuss further.

Thanks,  
Kristen

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**From:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
**Sent:** Tuesday, February 12, 2019 2:22 PM  
**To:** Kristen Outten <[koutten@swca.com](mailto:koutten@swca.com)>  
**Cc:** Victoria Mejia <[vmejia@smcgov.org](mailto:vmejia@smcgov.org)>  
**Subject:** RE: EXTERNAL:Re: San Mateo Highlands site visit

Hi Kristen,

Thanks for the reminder. I talked with Victoria yesterday. She said that we will need to amend the contract (currently \$62,552) before we pay for the out-of-scope services (ok to attend meeting today). The amendment will just be administrative (no hearing) as the contract would still be less than \$100K.

Can you send me a draft of the changes to the contract (tracked changes)? Should we just have a separate section for as-needed services with an hourly rate so we will not have to amend the contract for future out-of-scope work?

Thanks!

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**From:** Kristen Outten [<mailto:koutten@swca.com>]  
**Sent:** Tuesday, February 12, 2019 1:40 PM  
**To:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
**Cc:** Camille Leung <[cmleung@aol.com](mailto:cmleung@aol.com)>  
**Subject:** RE: EXTERNAL:Re: San Mateo Highlands site visit

Hi Camille,

I figured I'd follow up with you prior to today's site visit to make sure Victoria didn't have any issues with us providing out of scope tasks. I will plan on attending today's site visit unless I hear otherwise from you.

Thanks,  
Kristen

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**From:** Camille Leung <[cmleung@aol.com](mailto:cmleung@aol.com)>  
**Sent:** Friday, February 8, 2019 9:17 PM  
**To:** Kristen Outten <[koutten@swca.com](mailto:koutten@swca.com)>

Cc: [cleung@smcgov.org](mailto:cleung@smcgov.org)

Subject: EXTERNAL:Re: San Mateo Highlands site visit

Hi Kristen,

That sounds fine to me. I'll also make sure with Victoria as she will be back on Monday.

Thanks!

Sent from my iPhone

On Feb 8, 2019, at 4:31 PM, Kristen Outten <[koutten@swca.com](mailto:koutten@swca.com)> wrote:

Hello Camille,

I just accepted the invite for next Tuesday's site visit. Due to the nature of the project, there have been a handful of out of scope items that have come up, and I anticipate there will be more in the months and years ahead. I am more than ok with this; however, I wanted to confirm with you first that requested out of scope items would be covered under a change order if/when we exhaust out existing budget. I suggest we continue to spend from the existing pot of money, and then request a change order if we run out at any point. Please confirm this approach works for you.

Thanks,  
Kristen

**Kristen Outten**

Project Manager / Senior Biologist

**SWCA Environmental Consultants**

60 Stone Pine Road, Suite 100

Half Moon Bay, CA 94019

P 650.440.4160 x 6404 | C 831.331.5264 | F 650.440.4165

<image001.png>

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## Camille Leung

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**From:** Liesje Nicolas <liesjenicolas@gmail.com>  
**Sent:** Thursday, March 07, 2019 9:45 AM  
**To:** Dave Pine  
**Cc:** Steve Monowitz; Deke & Corrin Brown; Sam Naifeh; Chris Misner; Pamela Merkadeau; John Nibbelin; Camille Leung; Rick Priola; Liesje Nicolas; Mark Luechtefeld; Dylan Ashbrook; Christine Tam; Christopher Karic; Dave Michaels; Carole Groom; David Canepa; Warren Slocum; Don Horsley; Thomas Frankel; Jane Knappel  
**Subject:** Re: Highland's Neighbors requests about Chamberlain project  
**Attachments:** HCA Letter Feb 27 2019 to Dave Pine RE previously requested County Information on proposed Chamberlain permit.pdf

THE SAN MATEO HIGHLANDS COMMUNITY ASSOCIATION  
San Mateo, CA 94402

February 27, 2019

The Honorable Dave Pine, Vice President  
San Mateo County Board of Supervisors  
400 County Center  
Redwood City, CA 94063

RE: Community concern that San Mateo County is not enforcing regulations, priorities, and responsibilities for safety of current residents' lives and property in proposed Chamberlain project construction permit applications on high risk lot sites in known steep unstable hillsides in earthquake country.

Dear Dave,

It appears that 2009 final environmental impact report is no longer adequate because of changes in the project and conditions at the sites.

All here are currently experiencing steady atmospheric river storms that create landslides in vulnerable hillsides and fire damaged areas. The County has given notice to the public on the safety risks from increased unpredictability of severe weather conditions including sea level rise from which San Mateo County is already considered at most risk in California. The increasingly high-risk weather patterns have added direct impacts on the unstable hillsides in the Highlands–Baywood area.

You have witnessed the local consequences of disturbing the unstable soils on steep hillsides in the Highlands Baywood RM zoned districts which are specifically established to protect the safety of the public.

### Conditions of Approval repeatedly ignored

As you know, your district's residents have been repeatedly subjected to distressing reality of learning that this project's Conditions of Approval have been ignored from early on in this project's administration, beginning with Conditions Number One through Four. It took seven and a half years and persistent community efforts for the County to provide a contract under Condition Number Four in compliance with the Conditions

of Approval. Neighbors have asked about when the Final Map as called for under Conditions of Approval One through Three will be delivered. Conditions of Approval one through four are supposed to put safeguards in place under the BOS 2010 Approval document for the protection of lives and safety as well as the property of current residents.

Emblematic of the repeated pattern of ignoring the 2010 Conditions of Approval and County rules on this project was a resultant situation of endangerment of parents while bringing their children to and from school during the construction on lots 1-4, which persisted even after notification to the County. Residents had to call the sheriff and take pictures of the violating situation before the developer's contractors complied, and then only partially so. This and subsequent situations have eroded local area residents' confidence in the County's duty to protect safety of those of us who live here. Protections in County regulation are there to save lives and property.

For example:

(f) The 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, and proposed roads and other pavement have adequately compensated for adverse soil engineering characteristics and other subsurface conditions.

From Resource Management District CHAPTER 20A.2. DEVELOPMENT REVIEW CRITERIA  
SECTION 6324.2. SITE DESIGN CRITERIA.

Residents have reported difficulty in obtaining requested information as noted in the email below.

**Request Number One:**

- A. Please provide the response for all items requested to Dave Michael's urgent requests in the attached email thread below.
- B. Please provide the MMRP check list or equivalent tracking document for Condition of Approval Number Four

Geological Hazards

In our informing you of our community concerns this letter calls your attention to three serious issues that exemplify the apprehensions of area residents at this time and makes specific requests in addition to the requests outlined in the email below

Highlands Community Association has retained a geotechnical engineering and engineering geology experts, Cal Engineering, who have done a preliminary review.

While the review is ongoing, so far the following concerns have been raised, which we are bringing to the County's attention for your response, prior to the issuance of any grading hard card or permit:

We are informed that it is unclear from the complex project history to what extent the project civil engineer and project geotechnical consultant have explored how best to achieve dispersal of collected surface drainage on Lots 9, 10, and 11. Our consultant is encouraging the project civil engineer and project geotechnical consultant to consider how to optimize the handling of surface drainage as they finalize plans.

Cornerstone Earth Group will need to carefully review project plans to confirm that the intent of their recommendations is incorporated. A particular area of focus of their review and field observation should be the design and construction of surface drainage dissipater and conveyance structures."

The neighborhood is very concerned about this.

**Request Number Two:**

- A. Please provide the neighborhood in writing a complete response regarding this concern, and also provide the community reasonable time to review your response prior to any issuance or any hard card or permit.
  
- B. In order to ensure a complete review, please provide the entire geological engineering and geotechnical engineering project file along with current and up to date submissions Civil Improvement Plans Lots 5-11, grading plans, County geological engineering and geotechnical engineering information and reports on this project.

Drainage: Non compliance with County rules of the Highland Estates Storm Drain Report for Lots 5-11

Our concerns with the inadequacy of the geotechnical issues and related engineering measures are exemplified in the following statement in the applicant's storm water report:

"Though the project proposes to implement several source control and stormwater treatment measures per Sections C.3.c and C3.d of the MRP, the *project cannot meet all recommendations due to site constraints, underlying soil characteristics and steep slope conditions.*" (emphasis added)

"Highland Estates Storm Drain Report for Lots 5-8, Ticonderoga Drive; Lots 9-10; Cobblehill Place; Lot 11 Cowpens Way" dated February 25, 2016 submitted by BKF Engineers"

There are inaccuracies and errors in the report and the report itself states that it cannot comply with County requirements.

Mitigation effectiveness relies on appropriate calibration of parameters for currently anticipated extreme variations in rainfall with 100 year storms more common and anticipation of a 500 year storm as an necessary means of measuring adequacy of the mitigation and its back up structure as outlined in County requirements.

Stability of adjacent properties, lots 5-11 themselves, and the hillside below which encompasses Hillside Garden Apartments on 810 Polhemus Road depends on adequacy of mitigations of the downslope drainage. There is no drainage and mitigations failure analysis for lots 5-11. Stability and safety of adjacent properties also includes the residents of Hillside Garden Apartments and Ticonderoga Townhomes. Department of Public Works requirements have not been complied with.

**Request Number Three**

- A. Please send the County review of the applicant's drainage analysis, any related correspondence between the County and the applicant, and any additional submission of the Storm Drain Report to the County by the applicant and additional County review of any updated Storm Drain Report on all lots.

Please include engineering risk and failure analysis of the mitigation measures and their parameters for currently anticipated extreme variations in rainfall with 100 year storms more common and anticipation of a 500 year storm.

B. Along with the above noted request, please send the County evaluation and up to date assessment of this report and explain how the County will: 1) certify to taxpayers the safety of the applicant's mitigations that the applicant's engineer states cannot be met; 2) provide warranty or bond at the expense of the applicant for taxpayers and local residents; 3) how the County will require that adverse consequences of the land alterations get paid by the developer.

Fire: All lots proposed for construction are in state and federal highest fire risk designation:

All lots are in the areas proposed for construction are designated as Very High Fire Hazard Severity Zones (VHFHSZ) under local, state, federal fire safety guidelines.

Severe fire hazards have long been designated Very High Fire Hazard Severity Zones (VHFHSZ) in the area lots before BOS approval. We are all aware of the unprecedented fires here in northern California and statewide. Extremes of rain and drought are dramatically increased since the 2010 Approval. The applicant has long been aware that the lots proposed for construction are adverse to impossible candidates for construction. Now residents and County taxpayers are witnessing even greater significant increase in fire hazard for the entire area since 2010. We have not seen any updates on the specific fire risks created by these houses, e.g., lot 11 house currently proposed to be inserted in to the vulnerable surrounded by no build and conservation easement areas.

**Request Number Four**

Please provide analysis of the increased fire hazard to preexisting houses and provide an update on the fire hazards that specifically addresses the added risk of significant drought and other fire hazard conditions that have worsened rather than improved in the lot areas proposed for construction.

The applicant has taken thirty years to begin to provide proper information

We are acutely aware that, after thirty years of silence, this applicant has only begun to provide information that might meet the standard of care level, which is only the minimum amount of information needed for decision making. However, even if at that minimum, the current applicant information still appears inadequate. A standard of care only serves as a starting point for getting to proper information needed to fulfil the County responsibility to the public. We are aware of recognized higher standards of safety for construction especially on high risk land. Neighbors need to know how and whether the County will enforce the proper level of priority on safety of the public in administering this project's proposed house construction. We are also aware that the geological and geotechnical information being provided comes with warning labels that essentially present the information with the caveat that any number of circumstances might mean that you can't depend upon the reports they supply.

**Request Number Five**

Please provide documentation in regard to the safety of the public which substantiates:

- A. San Mateo County's priority level on safety and implementation of its position of the public's safety in the Department of Planning and Building, Department of Public Works, and the Board of Supervisors as well as;
- B. San Mateo County's priority level on safety and implementation of its position on public's safety in the conduct and work products of County engineers and engineering consultants who are assigned to evaluate any aspect of this project's construction.
- C. Please send the current check list and status of information and submission requirements along with the relevant supporting documents.

Directly relevant history of San Mateo County permit reviews and decisions on this same hillside

Alternative siting and locations appear to warrant becoming a necessary part of the County process on this specific set of permit applications. History and precedent in San Mateo County permit reviews and decisions on this same hillside where construction permits are being sought today demonstrate previous County priority on safety.

The County of San Mateo approved three apartment units for the construction of Hillside Garden Apartments; however, Mr. Thomas Frankel was not able to construct the third unit even though it was originally approved because of serious, significant issues with drainage and land stability.

Hillside Garden Apartments and its residents are located in District One. Mr. Frankel was a regular participant in the meetings culminating in the 2010 approval, but he has informed us that he has not received information from the County since the 2010 approval. Residents of Hillside Garden Apartments actively expressed concerns for their safety and well-being in relation to the various Chamberlain proposals. They too have been left out of the communications loop especially on mitigations that directly affect their safety.

**Request Number Six**

Please confirm that no permit will be granted until the concerns of our area communities are resolved.

Sincerely,  
Liesje Nicolas, President HCA

CC: San Mateo County Board of Supervisors  
Hon. Carole Groom, President  
Hon. David J. Canapa  
Hon. Don Horsley  
Hon. Warren Slocum

On Wed, Dec 5, 2018 at 10:28 PM Dave Michaels <[dm94402@gmail.com](mailto:dm94402@gmail.com)> wrote:



Dear Mr. Monowitz, I'm writing in reference to your email below dated 6/19 regarding grading changes and related documents, and in reference to Supervisor Pine's emails of September and October 2017 regarding the publication of the entire project history.

In Supervisor Pine's email of 9/19/17, he graciously promised the following:

"To provide as much transparency as possible, the Planning Director has decided to make available ALL public records concerning the Chamberlain development that have been generated since the Board of Supervisors approved the project on April 27, 2010.

Specifically, before the end of this month, staff will set up a page hosted on the Planning Department website where staff will post these public records. Staff will first post on this page the documents that have already been forwarded to you so that all of those documents will be in one place and available to anyone else who may be interested in viewing them. Staff will then add additional documents so that the entire record following the Board of Supervisors' action on April 27, 2010 will eventually be available to you and others."

After consulting with the various neighbor groups who have trying to track this project, it appears there is a tremendous amount of confusion and frustration as to how to be kept up-to-date on the project.

Just a couple of brief examples:

- On 10/30, a 9/20 BKF letter was forwarded to neighbors by Camille Leung. This letter states that it is in response to "County of San Mateo comments received on September 9, 2018 via email for Highland Estates lots 5-11". However, I don't know where to locate said "comments" in order to make sense of BKF's letter.
- The county website portal page for the project references: "09/13/2018 Response to GEO soils info", "10/10/2018 Response to GEO comments" and "11/21/2018 Response to GEO comments". Again, I don't know where to locate these comments, this soil info, or the responses to them.

The County's portal website is a place for citizens to visit for updates, since we are obviously not in the Planning Department from day-to-day. It's literally referred to as the Citizen's Portal. Therefore it should achieve its goal of updating Citizens, be updated frequently, and be written in clear layperson's language. However, the updates on this website are cryptic, sporadic and incomplete. For example: what does "Response to GEO comments" mean -- response from whom, to whom? Was the response verbal or in writing? And, most importantly: what was the response? Moreover, there are numerous comments on the portal regarding "resubmittals" of various documents. It would be appropriate for the comments to include what is different about these updated resubmittals, since we are not professional plan readers. For example: "builder submitted new civil plans on x date for lots x and y, which have updated drain placement". The overarching lack of info puts neighbors in a position where we don't even know what questions to ask or what documents to ask for. This was supposed to be resolved by putting the entire project record online and updating it regularly.

On that note, there is confusion among neighbors regarding the availability of the entire record online. Neighbors report the info to be incomplete and confusing. For example, at <https://planning.smcgov.org/highlands-estates-subdivision-records> there is nothing about lots 1-4 and nothing at all for the past ten months (ten months during which crucial grading communication has occurred). If the "entire record following the Board of Supervisors' action on April 27, 2010" were intended to be made available to increase transparency, shouldn't all emails, letters or documents to, from and between members of the County Staff from 2010 to the present be uploaded to this page?

Since there are so many of us who are interested in/committed to remaining informed, how can we increase transparency right now? Several options I can think of are:

- complete the online project repository of the entire record from 2010 to the present, and update it on a regular schedule the neighbors can follow (example: at the end of each week)
- index the entire record reasonably clearly - where document titles and dates relate to contents, and where documents referenced on the Citizen's Portal are intuitive to locate
- provide reasonable time after the promised "entire record" has been uploaded -- for constituents to review, ask questions and share comments
- provide updates regularly, given the disruption to our lives, as to estimated timelines so we are mentally prepared for construction
- increase the radius for mailing notifications from 200 square feet to 600 square feet
- have an "opt-in" email notification list that mirrors the radius mailings (i.e. emailed same day as radius notification mailings)
- provide a clear process for the above email opt-in, that includes a confirmation when someone opts in
- more thorough, more frequent, and clearer language in the updates to county's Citizen Portal webpage
- keep the lines of communication open for feedback and refinements to these suggestions

I am writing this at a time when concern appears to be growing exponentially, not abating, in the Highlands about the scope of changes in this project. I am by no means a neighborhood spokesperson, and I'm only one of many concerned constituents. I can say with a fair amount of confidence, though, that the "weather" in the neighborhood about the changes to this project is characterized by confusion, dread, and a fair amount of fear. This seems unnecessary when we have the ability to increase transparency to keep citizens up to date and in-the-loop, so that we can feel as at ease as possible during a stressful and disruptive event such as neighborhood construction. My experience is that most of us around here are not "NIMBYs" and don't oppose the project as it was approved. Where people seem to be losing faith is in the gaps in communication and transparency as described here.

Finally, there has been a tremendous amount of discussion neighborhood-wide recently about "sinking" of Ticonderoga Road at the location of lots 5-8. The worrisome info that's widely circulating is that the reflectors installed along the fence at that site are for the purpose of height surveys, and that height surveys have been conducted by the county (by a separate department, unrelated to this project) at that location due to the history of landslides and erosion at that exact location. Folks seem extremely concerned - even scared - about this. I am not familiar with this issue. Can you shed any light about this, and provide any/all height surveys done at this location to the community? Surely these documents should be readily included in any discussion about construction, grading and trucking trips at lots 5-8, or be the basis for a new supplement to the EIR.

Mr. Monowitz: Please hold off on issuing any grading hard cards or permits until neighbors have received all project documents as promised and have been provided a reasonable amount of time to review and ask questions.

Neighbors: by way of this email, I am asking you to share and discuss these issues as widely and openly as possible with others who might not be copied on this email (including those who are not online, whom I might not know personally, or who have recently come on board in their involvement).

Best  
Dave

On Tue, Jun 19, 2018 at 9:10 AM Steve Monowitz <[smonowitz@smcgov.org](mailto:smonowitz@smcgov.org)> wrote:

Dear All,

County staff, with the assistance of Cotton Shires, has completed our initial review of the report submitted by the project engineer regarding the grading and earthwork activities required to complete the project. Yesterday, we submitted the following comments, which identify the need for clarifications and supplemental information. The response we receive from the project engineer will be made available for review once we receive it. Please feel free to contact me or Camille if you have questions in the meantime.

Sincerely,

Steve Monowitz

Community Development Director

San Mateo County Planning and Building Department

(650) 363-1861

**Subject:** County Comments on BKF Memo

Hi Roland,

Thank you for your memo of May 14, 2018. Here are the County's comments:

1. The earthwork volumes listed in BKF report for Lots 5-11 deviate from the 2015 Cornerstone report, as they do not include the amount of earthwork for landslide repair. For Lots 9-11, the grading volumes in Table 2 are the same as those shown on the Building plans as "excluding earthwork from site strippings and soil stabilization factors". For Lots 5-8, the grading volumes in Table 2 are the same as those shown on the Building plans as "excluding earthwork from geotechnical slope remediation activities".

Please update the grading volumes included in Table 2, as well as the narrative of the memo, to include the volume of grading required to implement the recommendations contained in the Cornerstone report, and a description of how implementation of these recommendations relates to the grading activities described by the May 14<sup>th</sup> memo.

2. Grading plans submitted to the Building Inspection Section for all lots do not show grading necessary for slope repair work. A separate building permit for slope repair for Lots 9-11 and Lots 5-8 will need to be submitted prior to issuance of Building permits for houses on these lots.

3. Please provide a separate analysis of grading and truck trips for Lots 9-11 and Lots 5-8, as there is a potential for rough grading on Lots 9-11 to be completed far in advance of grading on Lots 5-8. Please describe the estimated truck trips under a concurrent grading scenario for Lots 5-11 and under a separate grading phases (Lots 9-11 then Lots 5-8) scenario.

4. For Lots 9-11, please correct the net volume of material from 800 cu. yds. import to 800 cu. yds. export. Additional comments on the Drainage Plan and Grading Plan for Lots 9-11 will be provided to you by the County's Geotechnical Section in a separate letter.

Thank you

Camille Leung, Senior Planner  
Planning & Building Department  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063  
Phone - 650-363-1826  
Fax – 650-363-4849

---

**From:** Dave Pine  
**Sent:** Monday, June 11, 2018 10:13 PM  
**To:** Deke & Corrin Brown <[d.cbrown@comcast.net](mailto:d.cbrown@comcast.net)>; Sam Naifeh <[samnaifeh@sbcglobal.net](mailto:samnaifeh@sbcglobal.net)>; Chris Misner <[chrismisner@yahoo.com](mailto:chrismisner@yahoo.com)>; Dave Michaels <[dm94402@gmail.com](mailto:dm94402@gmail.com)>; Pam Merkadeau <[pamela@merkadeau.com](mailto:pamela@merkadeau.com)>  
**Cc:** Steve Monowitz <[smonowitz@smcgov.org](mailto:smonowitz@smcgov.org)>; John Nibbelin <[jnibbelin@smcgov.org](mailto:jnibbelin@smcgov.org)>  
**Subject:** RE: Highland's Neighbors requests about Chamberlain project

In the event you have not already received it directly from the Planning Department, I have attached to this email a "*Technical Memorandum for Highland Estates Lots 5 -11 Grading Earthwork*" prepared by BKF dated May 14, 2018. BKF is the developer's civil engineer.

The BKF report is now being reviewed by Sherry Liu (a geotechnical engineer with the SMC Planning Department) and Steve Monowitz. As you have requested, and at my urging, the report will also be reviewed by Cotton Shires.

Based on my conversations with Steve Monowitz, it is my understanding that the developer would like to construct the homes on lots 9-11 and lots 5-8 at the same time. As you know, the homes on lots 9-11 have been on the cusp of receiving a building permit since the winter grading moratorium expired on April 15th. However, issuing a construction permit for the homes on lots 5-8 is contingent on whether the proposed changes to the grading plan for lots 5-8 are permissible under the permit approved by the Board of Supervisors on April 27, 2010.

**By way of this email, I am asking Steve Monowitz to update all of us on the status of the review of the BKF report.**

Best,

Dave

Dave Pine

President

San Mateo County Board of Supervisors

400 County Center, 1st Floor

Redwood City, CA 94063

(650) 363-4571 (w)

(650) 814-3103 (m)

[dpine@smcgov.org](mailto:dpine@smcgov.org)

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**From:** Steve Monowitz

**Sent:** Thursday, March 29, 2018 10:35 AM

**To:** Deke & Corrin Brown <[d.cbrown@comcast.net](mailto:d.cbrown@comcast.net)>

**Cc:** Sam Naifeh <[samnaifeh@sbcglobal.net](mailto:samnaifeh@sbcglobal.net)>; Chris Misner <[chrismisner@yahoo.com](mailto:chrismisner@yahoo.com)>; Dave Michaels <[dm94402@gmail.com](mailto:dm94402@gmail.com)>; Pam Merkadeau <[pamela@merkadeau.com](mailto:pamela@merkadeau.com)>; John Nibbelin <[jnibbelin@smcgov.org](mailto:jnibbelin@smcgov.org)>; Dave Pine <[dpine@smcgov.org](mailto:dpine@smcgov.org)>

**Subject:** RE: Highland's Neighbors requests about Chamberlain project

Dear Mr. and Mrs. Brown,

I wanted to add to Supervisor Pine's email and respond to the remaining issues that you raised in your email of March 26<sup>th</sup>.

The grading exception request for lots 9-11 referenced in your message was not approved. While the winter grading moratorium expires on April 15<sup>th</sup>, eliminating the requirement for an exception to the winter grading moratorium, we will continue to ensure that future grading activities are conducted in compliance with the conditions of approval and applicable regulations.

With regard to changes on lots 5-11, there have been no changes to lots 9-11 other than those described in the minor modification document provided to you by Supervisor Pine. We are currently working with the permittee to understand the scope of the changes to the grading plan for lots 5-8, and will provide more details about this matter once it is more fully understood. Any changes that are proposed will be carefully reviewed by both Cotton Shires and our Department's Geotechnical Engineer.

If you have any questions or need more information, please feel free to contact me.

Sincerely,

Steve Monowitz

Community Development Director

San Mateo County Planning and Building Department

(650) 363-1861

---

**From:** Dave Pine

**Sent:** Monday, March 26, 2018 11:58 PM

**To:** Deke & Corrin Brown <[d.cbrown@comcast.net](mailto:d.cbrown@comcast.net)>

**Cc:** Sam Naifeh <[samnaifeh@sbcglobal.net](mailto:samnaifeh@sbcglobal.net)>; Chris Misner <[chrismisner@yahoo.com](mailto:chrismisner@yahoo.com)>; Dave Michaels <[dm94402@gmail.com](mailto:dm94402@gmail.com)>; Pam Merkadeau <[pamela@merkadeau.com](mailto:pamela@merkadeau.com)>; Steve Monowitz <[smonowitz@smcgov.org](mailto:smonowitz@smcgov.org)>; John Nibbelin <[jnibbelin@smcgov.org](mailto:jnibbelin@smcgov.org)>

**Subject:** RE: Highland's Neighbors requests about Chamberlain project

Deke & Corin,

Thank you for your email that I received on Sunday.

Steve Monowitz, the Director of the Planning and Building Department, was not in the office on Monday. I will try to connect with him on Tuesday so we can review your inquiry and get back to you later this week.

In the meantime, attached are the documents that I have immediate access to:

- a) Proposed minor modifications to Lot 9 and Lot 11.
- b) Letter from Daniel Cucchi opposing the minor modifications.
- c) Letter from Chief Deputy County Counsel John Nibbelin responding to Mr. Cucchi's letter.
- d) Contract with SWCA Environmental Consultants dated January 12, 2018.

I believe documents a) through c) above respond to request 3) in your email.

The contract with SWCA Environmental Consultants was put in place as required by Condition of Approval A.4. That condition states:

*“The applicant shall enter into a contract with the San Mateo County Planning and Building Department for all mitigation monitoring for this project prior to the issuance of any grading permit "hard card" for the project...Planning staff may, at their discretion, contract these services to an independent contractor at cost, plus an additional 10 percent for contract administration.”*

The construction monitoring services to be provided by SWCA are described in Exhibit A to the contract beginning on page 11. I do not believe SWCA has been involved in reviewing changes in the grading plans, and I will check with Mr. Monowitz as to how that is being handled.

Once again, a more complete response to your inquiry will follow later this week.

Best,

Dave

Dave Pine

President

San Mateo County Board of Supervisors

400 County Center, 1st Floor

Redwood City, CA 94063

(650) 363-4571 (w)

(650) 814-3103 (m)

[dpine@smcgov.org](mailto:dpine@smcgov.org)

---

**From:** Deke & Corrin Brown [<mailto:d.cbrown@comcast.net>]

**Sent:** Sunday, March 25, 2018 10:58 AM

**To:** Dave Pine <[dpine@smcgov.org](mailto:dpine@smcgov.org)>; Liesje Nicolas <[ljesjenicolas@gmail.com](mailto:ljesjenicolas@gmail.com)>; Sam Naifeh <[samnaifeh@sbcglobal.net](mailto:samnaifeh@sbcglobal.net)>; Chris Misner <[chrismisner@yahoo.com](mailto:chrismisner@yahoo.com)>; Dave Michaels <[dm94402@gmail.com](mailto:dm94402@gmail.com)>; Pam Merkadeau <[pamela@merkadeau.com](mailto:pamela@merkadeau.com)>

**Subject:** Highland's Neighbors requests about Chamberlain project



Dear Supervisor Pine,

Regarding the Chamberlain development in the Highlands -

We have been unable to locate documentation for the following items.

1) There has been discussion about a decision on an 'Exception to the Grading Moratorium' for Mr. Chamberlain. Please provide the issues or other consideration for that decision, any related documents detailing that exception to grading, and its current status.

2) Please provide updates or changes on documents and maps for grading Lots 5-11. Especially the clarification for the grading.

3) You informed us that Mr. Daniel Cucchi sent a letter to the County regarding Minor Modification. Please send a copy of Mr. Cucchi's letter and the response from county counsel, which you mentioned to us.

When we met with Mr. Monowitz and later with you, we requested that Cotton Shires review current grading plans and any subsequent changes and to perform the construction monitoring on all lots. Please let us know the status of that request.

As you can imagine our entire neighborhood is watching all of this rain and contacting us regularly regarding this project.

This has become a major issue with your constituents in the Highlands and surrounding Communities. Our community made significant contributions to resolving and preventing problems with this project before you took office. Neighbors are concerned that the community's voices are being heard and responded to. Please let us know if we can be of any help.

Sincerely,

Deke & Corrin Brown

## Camille Leung

---

**From:** Diana Shu  
**Sent:** Tuesday, March 12, 2019 4:48 PM  
**To:** Camille Leung  
**Subject:** Re: Bond for Highlands Estates (Chamberlain Project)

They did all their offsite work ahead of the recordation

How are we doing? Please provide us with your feedback at:

<https://www.surveymonkey.com/s/DPWTraffic>

You can easily see my real-time availability and schedule time with me at <https://calendly.com/dshu>

Diana Shu  
752 Chestnut St  
Redwood City, CA 94063  
650-599-1414 (w)  
dshu@smcgov.org

---

**From:** Camille Leung  
**Sent:** Monday, March 11, 2019 5:03 PM  
**To:** Diana Shu  
**Cc:** Steve Monowitz  
**Subject:** Bond for Highlands Estates (Chamberlain Project)

Hi Diana,

For Highlands Estates (Chamberlain Project), the Final Map process was split into 2 maps. The first recorded map was for Lots 1-4. The second map was for Lots 5-11.

Steve has requested the following information: Did DPW secure bonds when the final maps when they were recorded? If so, what was the amount and stated purpose of the bond(s)?

Thank you for your help!

Camille Leung, Senior Planner  
Planning & Building Department  
San Mateo County  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063

Phone - 650-363-1826

Fax – 650-363-4849

## Camille Leung

---

**From:** Camille Leung  
**Sent:** Wednesday, March 13, 2019 11:11 AM  
**To:** Steve Monowitz  
**Subject:** FW: Bond for Highlands Estates (Chamberlain Project)

Hi Steve,

From Diana's response, it looks like Chamberlain chose to construct improvements rather than bond for improvements, prior to map recordation.

---

**From:** Diana Shu  
**Sent:** Tuesday, March 12, 2019 4:48 PM  
**To:** Camille Leung <cleung@smcgov.org>  
**Subject:** Re: Bond for Highlands Estates (Chamberlain Project)

They did all their offsite work ahead of the recordation

How are we doing? Please provide us with your feedback at:  
<https://www.surveymonkey.com/s/DPWTraffic>

You can easily see my real-time availability and schedule time with me at <https://calendly.com/dshu>

Diana Shu  
752 Chestnut St  
Redwood City, CA 94063  
650-599-1414 (w)  
[dshu@smcgov.org](mailto:dshu@smcgov.org)

---

**From:** Camille Leung  
**Sent:** Monday, March 11, 2019 5:03 PM  
**To:** Diana Shu  
**Cc:** Steve Monowitz  
**Subject:** Bond for Highlands Estates (Chamberlain Project)

Hi Diana,

For Highlands Estates (Chamberlain Project), the Final Map process was split into 2 maps. The first recorded map was for Lots 1-4. The second map was for Lots 5-11.

Steve has requested the following information: Did DPW secure bonds when the final maps when they were recorded? If so, what was the amount and stated purpose of the bond(s)?

Thank you for your help!

Camille Leung, Senior Planner  
Planning & Building Department  
San Mateo County  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063  
Phone - 650-363-1826  
Fax – 650-363-4849

## Camille Leung

---

**From:** Sherry Liu  
**Sent:** Tuesday, March 19, 2019 9:44 AM  
**To:** rhaga@bkf.com  
**Cc:** Scott Fitinghoff; Jack Chamberlain; Camille Leung  
**Subject:** BLD2016-00159, 88 COWPENS WAY, LOT 11 SAN MATEO -

Hi Roland,

We have received your 16th resubmittal for Lot 11 today regarding relocation of the storm drain outlet. In association with the revised plan, we also need:

1. A letter from the Project Biologist to confirm the riparian boundary, as well as confirmation of the feasibility of the propose location;
2. A letter from the Project Geotechnical Consultant to confirm the feasibility of the proposed location, the geotechnical design aspects for the storm drainage outlet, and to provide construction observation responsibilities and proposed deliverable.

Thank you!  
All the best,  
Sherry

Sherry Liu  
Geotechnical & Civil Section  
Planning & Building Department  
County of San Mateo  
<https://planning.smcgov.org>

## Camille Leung

---

**From:** Amy Ow  
**Sent:** Tuesday, March 19, 2019 3:37 PM  
**To:** Camille Leung; Victoria Mejia  
**Subject:** RE: SWCA Highlands Contract - Change order

Hi Camille,

Once I get the ok from Victoria, I will change it.

Thank you,  
Amy

---

**From:** Camille Leung  
**Sent:** Tuesday, March 19, 2019 3:35 PM  
**To:** Amy Ow <aow@smcgov.org>; Victoria Mejia <vmejia@smcgov.org>  
**Subject:** RE: SWCA Highlands Contract - Change order

Hi Amy,

Can we double the added budget to \$10,000 and make the number of hours 76 hours. Contractor is ok with the change as this was their original proposal and I reduced it. Then some new work came along 😊

All else looks good.

Thank you!!

---

**From:** Amy Ow  
**Sent:** Tuesday, March 19, 2019 3:30 PM  
**To:** Victoria Mejia <[vmejia@smcgov.org](mailto:vmejia@smcgov.org)>  
**Cc:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
**Subject:** RE: SWCA Highlands Contract - Change order

Hi Victoria and Camille,

Attached in the contract amendment for the Highland Estates project. Please let me know if any additional changes are needed.

Thank you,  
Amy

---

**From:** Victoria Mejia  
**Sent:** Tuesday, March 19, 2019 2:29 PM  
**To:** Amy Ow <[aow@smcgov.org](mailto:aow@smcgov.org)>  
**Cc:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
**Subject:** FW: SWCA Highlands Contract - Change order

Amy,

Here's another contract amendment that need to go on the county form. Can you draft an amendment using the proposed language of SWCA. Once you have a draft, please send to me and Camille for review. We're adding \$5,000 and the contract is still under \$100K so it does not need to go to the Board.

Thanks!

Victoria

---

**From:** Camille Leung  
**Sent:** Tuesday, March 05, 2019 1:29 PM  
**To:** Steve Monowitz <[smonowitz@smcgov.org](mailto:smonowitz@smcgov.org)>; Victoria Mejia <[vmejia@smcgov.org](mailto:vmejia@smcgov.org)>  
**Subject:** SWCA Highlands Contract - Change order

Hi Steve and Victoria,

I needed to amend the scope of the contract with SWCA for Mitigation Monitoring of the Chamberlain Project in order for SWCA to help the County with the biological permitting analysis of the outfall design on Lot 11. These activities are considered out of scope as the contract was focused on condition compliance and construction monitoring.

I added \$5,000 (38 hours) to the budget to cover any additional out-of-scope tasks, as authorized by the County.

SWCA has made the edits to the change order text that I asked for. Any other changes? If no other changes, Steve can you authorize the change order? This will allow SWCA to bill for the recent Lot 11 site visit.

Thanks!

---

**From:** Kristen Outten [<mailto:koutten@swca.com>]  
**Sent:** Wednesday, February 27, 2019 10:37 AM  
**To:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>; Victoria Mejia <[vmejia@smcgov.org](mailto:vmejia@smcgov.org)>  
**Subject:** RE: EXTERNAL:Re: San Mateo Highlands site visit

Hello Camille,

Please find attached our revised change order scope and cost estimate with the suggested revisions. Let me know if you have any questions or would like to discuss further.

Thanks,  
Kristen

---

**From:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
**Sent:** Friday, February 22, 2019 5:11 PM  
**To:** Kristen Outten <[koutten@swca.com](mailto:koutten@swca.com)>; Victoria Mejia <[vmejia@smcgov.org](mailto:vmejia@smcgov.org)>  
**Subject:** RE: EXTERNAL:Re: San Mateo Highlands site visit

Hi Kristen and Victoria,



Thanks Kristen for preparing this! Please see me edits attached. Victoria, does this look ok? Any other changes you need?

I'm guessing we need Steve to formally approve the amendment, right?

Thanks!

---

**From:** Kristen Outten [<mailto:koutten@swca.com>]  
**Sent:** Tuesday, February 19, 2019 5:09 PM  
**To:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
**Cc:** Victoria Mejia <[vmejia@smcgov.org](mailto:vmejia@smcgov.org)>  
**Subject:** RE: EXTERNAL:Re: San Mateo Highlands site visit

Hello Camille,

As requested, I have prepared a change order scope and cost estimate for additional, as needed, support services for the San Mateo Highlands Subdivision Project. Please note that support under this change order will require authorization from you on a case by case basis before spending these funds. Let me know if you have any questions or would like to discuss further.

Thanks,  
Kristen

---

**From:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
**Sent:** Tuesday, February 12, 2019 2:22 PM  
**To:** Kristen Outten <[koutten@swca.com](mailto:koutten@swca.com)>  
**Cc:** Victoria Mejia <[vmejia@smcgov.org](mailto:vmejia@smcgov.org)>  
**Subject:** RE: EXTERNAL:Re: San Mateo Highlands site visit

Hi Kristen,

Thanks for the reminder. I talked with Victoria yesterday. She said that we will need to amend the contract (currently \$62,552) before we pay for the out-of-scope services (ok to attend meeting today). The amendment will just be administrative (no hearing) as the contract would still be less than \$100K.

Can you send me a draft of the changes to the contract (tracked changes)? Should we just have a separate section for as-needed services with an hourly rate so we will not have to amend the contract for future out-of-scope work?

Thanks!

---

**From:** Kristen Outten [<mailto:koutten@swca.com>]  
**Sent:** Tuesday, February 12, 2019 1:40 PM  
**To:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
**Cc:** Camille Leung <[cmleung@aol.com](mailto:cmleung@aol.com)>  
**Subject:** RE: EXTERNAL:Re: San Mateo Highlands site visit

Hi Camille,

I figured I'd follow up with you prior to today's site visit to make sure Victoria didn't have any issues with us providing out of scope tasks. I will plan on attending today's site visit unless I hear otherwise from you.

Thanks,  
Kristen

---

**From:** Camille Leung <[cmleung@aol.com](mailto:cmleung@aol.com)>  
**Sent:** Friday, February 8, 2019 9:17 PM  
**To:** Kristen Outten <[koutten@swca.com](mailto:koutten@swca.com)>  
**Cc:** [cleung@smcgov.org](mailto:cleung@smcgov.org)  
**Subject:** EXTERNAL:Re: San Mateo Highlands site visit

Hi Kristen,

That sounds fine to me. I'll also make sure with Victoria as she will be back on Monday.

Thanks!

Sent from my iPhone

On Feb 8, 2019, at 4:31 PM, Kristen Outten <[koutten@swca.com](mailto:koutten@swca.com)> wrote:

Hello Camille,

I just accepted the invite for next Tuesday's site visit. Due to the nature of the project, there have been a handful of out of scope items that have come up, and I anticipate there will be more in the months and years ahead. I am more than ok with this; however, I wanted to confirm with you first that requested out of scope items would be covered under a change order if/when we exhaust out existing budget. I suggest we continue to spend from the existing pot of money, and then request a change order if we run out at any point. Please confirm this approach works for you.

Thanks,  
Kristen

**Kristen Outten**  
Project Manager / Senior Biologist

**SWCA Environmental Consultants**  
60 Stone Pine Road, Suite 100  
Half Moon Bay, CA 94019  
P 650.440.4160 x 6404 | C 831.331.5264 | F 650.440.4165

<[image001.png](#)>

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## Camille Leung

---

**From:** Camille Leung  
**Sent:** Tuesday, March 19, 2019 4:56 PM  
**To:** Jack Chamberlain  
**Cc:** Sherry Liu; Steve Monowitz  
**Subject:** Determination on Changes in Grading

Hi Jack,

Staff has reviewed the BKF Memo of 3/7/19. Table 2 does not include any Imported Fill necessary for Slope Mitigation, as described as being necessary in Cornerstone's Geo letter dated 7/8/17. Therefore, no estimate for truck trips for importation of fill is included on the memo. County staff estimated 4500 cy for import, with 375 truck trips. BKF will need to explain why imported fill and associated truck trips were not included in their calculations.

In consultation with County Counsel, Steve has determined that the grading changes are a Major Modification and staff is in the process of determining the appropriate CEQA document and process. We will let you know when we have made our determination.

Thank you

Camille Leung, Senior Planner  
Planning & Building Department  
San Mateo County  
455 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063  
Phone - 650-363-1826  
Fax – 650-363-4849

## Camille Leung

---

**From:** Dave Pine  
**Sent:** Wednesday, March 20, 2019 1:58 PM  
**To:** Liesje Nicolas  
**Cc:** Liesje Nicolas; Deke & Corrin Brown; Sam Naifeh; Chris Misner; Pamela Merkadeau; Rick Priola; Mark Luechtefeld; Dylan Ashbrook; Christine Tam; Christopher Karic; Dave Michaels; Thomas Frankel; Jane Knapel; Steve Monowitz; John Nibbelin; Camille Leung; Melissa Andrikopoulos  
**Subject:** RE: Highland's Neighbors requests about Chamberlain project

Liesje,

Thank you for your email of March 7<sup>th</sup> concerning the Highlands neighbors' requests about the Chamberlain project. County planning staff and county counsel are reviewing your concerns and information requests. I will get back to you as soon as their review is completed.

Best,

Dave

Dave Pine  
Supervisor, District 1  
San Mateo County Board of Supervisors  
400 County Center, 1st Floor  
Redwood City, CA 94063  
(650) 363-4571 (w)  
(650) 814-3103 (m)  
[dpine@smcgov.org](mailto:dpine@smcgov.org)

**From:** Liesje Nicolas <liesjenicolas@gmail.com>  
**Sent:** Thursday, March 7, 2019 9:45 AM  
**To:** Dave Pine <dpine@smcgov.org>  
**Cc:** Steve Monowitz <smonowitz@smcgov.org>; Deke & Corrin Brown <d.cbrown@comcast.net>; Sam Naifeh <samnaifeh@sbcglobal.net>; Chris Misner <chrismisner@yahoo.com>; Pamela Merkadeau <pamela@merkadeau.com>; John Nibbelin <jnibbelin@smcgov.org>; Camille Leung <cleung@smcgov.org>; Rick Priola <hcapres@gmail.com>; Liesje Nicolas <HighlandsCAPresident@gmail.com>; Mark Luechtefeld <mluechtefeld@gmail.com>; Dylan Ashbrook <dylanashbrook@gmail.com>; Christine Tam <tomfinke2010@gmail.com>; Christopher Karic <ckaric@sellarlaw.com>; Dave Michaels <dm94402@gmail.com>; Carole Groom <cgroom@smcgov.org>; David Canepa <dcanepa@smcgov.org>; Warren Slocum <WSlocum@smcgov.org>; Don Horsley <dhorsley@smcgov.org>; Thomas Frankel <frankelt@pacbell.net>; Jane Knapel <jknapel@sbcglobal.net>  
**Subject:** Re: Highland's Neighbors requests about Chamberlain project

THE SAN MATEO HIGHLANDS COMMUNITY ASSOCIATION  
San Mateo, CA 94402

February 27, 2019

The Honorable Dave Pine, Vice President  
San Mateo County Board of Supervisors  
400 County Center  
Redwood City, CA 94063

RE: Community concern that San Mateo County is not enforcing regulations, priorities, and responsibilities for safety of current residents' lives and property in proposed Chamberlain project construction permit applications on high risk lot sites in known steep unstable hillsides in earthquake country.

Dear Dave,

It appears that 2009 final environmental impact report is no longer adequate because of changes in the project and conditions at the sites.

All here are currently experiencing steady atmospheric river storms that create landslides in vulnerable hillsides and fire damaged areas. The County has given notice to the public on the safety risks from increased unpredictability of severe weather conditions including sea level rise from which San Mateo County is already considered at most risk in California. The increasingly high-risk weather patterns have added direct impacts on the unstable hillsides in the Highlands–Baywood area.

You have witnessed the local consequences of disturbing the unstable soils on steep hillsides in the Highlands Baywood RM zoned districts which are specifically established to protect the safety of the public.

Conditions of Approval repeatedly ignored

As you know, your district's residents have been repeatedly subjected to distressing reality of learning that this project's Conditions of Approval have been ignored from early on in this project's administration, beginning with Conditions Number One through Four. It took seven and a half years and persistent community efforts for the County to provide a contract under Condition Number Four in compliance with the Conditions of Approval. Neighbors have asked about when the Final Map as called for under Conditions of Approval One through Three will be delivered. Conditions of Approval one through four are supposed to put safeguards in place under the BOS 2010 Approval document for the protection of lives and safety as well as the property of current residents.

Emblematic of the repeated pattern of ignoring the 2010 Conditions of Approval and County rules on this project was a resultant situation of endangerment of parents while bringing their children to and from school during the construction on lots 1-4, which persisted even after notification to the County. Residents had to call the sheriff and take pictures of the violating situation before the developer's contractors complied, and then only partially so. This and subsequent situations have eroded local area residents' confidence in the County's duty to protect safety of those of us who live here. Protections in County regulation are there to save lives and property.

For example:

(f) The 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, and proposed roads and other pavement have adequately compensated for adverse soil engineering characteristics and other subsurface conditions.

From Resource Management District CHAPTER 20A.2. DEVELOPMENT REVIEW CRITERIA  
SECTION 6324.2. SITE DESIGN CRITERIA.

Residents have reported difficulty in obtaining requested information as noted in the email below.

**Request Number One:**

- A. Please provide the response for all items requested to Dave Michael's urgent requests in the attached email thread below.
- B. Please provide the MMRP check list or equivalent tracking document for Condition of Approval Number Four

Geological Hazards

In our informing you of our community concerns this letter calls your attention to three serious issues that exemplify the apprehensions of area residents at this time and makes specific requests in addition to the requests outlined in the email below

Highlands Community Association has retained a geotechnical engineering and engineering geology experts, Cal Engineering, who have done a preliminary review.

While the review is ongoing, so far the following concerns have been raised, which we are bringing to the County's attention for your response, prior to the issuance of any grading hard card or permit:

We are informed that it is unclear from the complex project history to what extent the project civil engineer and project geotechnical consultant have explored how best to achieve dispersal of collected surface drainage on Lots 9, 10, and 11. Our consultant is encouraging the project civil engineer and project geotechnical consultant to consider how to optimize the handling of surface drainage as they finalize plans.

Cornerstone Earth Group will need to carefully review project plans to confirm that the intent of their recommendations is incorporated. A particular area of focus of their review and field observation should be the design and construction of surface drainage dissipater and conveyance structures."

The neighborhood is very concerned about this.

**Request Number Two:**

- A. Please provide the neighborhood in writing a complete response regarding this concern, and also provide the community reasonable time to review your response prior to any issuance or any hard card or permit.
- B. In order to ensure a complete review, please provide the entire geological engineering and geotechnical engineering project file along with current and up to date submissions Civil Improvement Plans Lots 5-11, grading plans, County geological engineering and geotechnical engineering information and reports on this project.

Drainage: Non compliance with County rules of the Highland Estates Storm Drain Report for Lots 5-11

Our concerns with the inadequacy of the geotechnical issues and related engineering measures are exemplified in the following statement in the applicant's storm water report:

“Though the project proposes to implement several source control and stormwater treatment measures per Sections C.3.c and C3.d of the MRP, the *project cannot meet all recommendations due to site constraints, underlying soil characteristics and steep slope conditions.*” (emphasis added)

“Highland Estates Storm Drain Report for Lots 5-8, Ticonderoga Drive; Lots 9-10; Cobblehill Place; Lot 11 Cowpens Way” dated February 25, 2016 submitted by BKF Engineers”

There are inaccuracies and errors in the report and the report itself states that it cannot comply with County requirements.

Mitigation effectiveness relies on appropriate calibration of parameters for currently anticipated extreme variations in rainfall with 100 year storms more common and anticipation of a 500 year storm as an necessary means of measuring adequacy of the mitigation and its back up structure as outlined in County requirements.

Stability of adjacent properties, lots 5-11 themselves, and the hillside below which encompasses Hillside Garden Apartments on 810 Polhemus Road depends on adequacy of mitigations of the downslope drainage. There is no drainage and mitigations failure analysis for lots 5-11. Stability and safety of adjacent properties also includes the residents of Hillside Garden Apartments and Ticonderoga Townhomes. Department of Public Works requirements have not been complied with.

### **Request Number Three**

A. Please send the County review of the applicant’s drainage analysis, any related correspondence between the County and the applicant, and any additional submission of the Storm Drain Report to the County by the applicant and additional County review of any updated Storm Drain Report on all lots. Please include engineering risk and failure analysis of the mitigation measures and their parameters for currently anticipated extreme variations in rainfall with 100 year storms more common and anticipation of a 500 year storm.

B. Along with the above noted request, please send the County evaluation and up to date assessment of this report and explain how the County will: 1) certify to taxpayers the safety of the applicant’s mitigations that the applicant’s engineer states cannot be met; 2) provide warranty or bond at the expense of the applicant for taxpayers and local residents; 3) how the County will require that adverse consequences of the land alterations get paid by the developer.

Fire: All lots proposed for construction are in state and federal highest fire risk designation:

All lots are in the areas proposed for construction are designated as Very High Fire Hazard Severity Zones (VHFHSZ) under local, state, federal fire safety guidelines.

Severe fire hazards have long been designated Very High Fire Hazard Severity Zones (VHFHSZ) in the area lots before BOS approval. We are all aware of the unprecedented fires here in northern California and statewide. Extremes of rain and drought are dramatically increased since the 2010 Approval. The applicant has long been aware that the lots proposed for construction are adverse to impossible candidates for construction. Now residents and County taxpayers are witnessing even greater significant increase in fire hazard for the entire area since 2010. We have not seen any updates on the specific fire risks created by these houses, e.g., lot 11

house currently proposed to be inserted in to the vulnerable surrounded by no build and conservation easement areas.

#### **Request Number Four**

Please provide analysis of the increased fire hazard to preexisting houses and provide an update on the fire hazards that specifically addresses the added risk of significant drought and other fire hazard conditions that have worsened rather than improved in the lot areas proposed for construction.

The applicant has taken thirty years to begin to provide proper information

We are acutely aware that, after thirty years of silence, this applicant has only begun to provide information that might meet the standard of care level, which is only the minimum amount of information needed for decision making. However, even if at that minimum, the current applicant information still appears inadequate. A standard of care only serves as a starting point for getting to proper information needed to fulfill the County responsibility to the public. We are aware of recognized higher standards of safety for construction especially on high risk land. Neighbors need to know how and whether the County will enforce the proper level of priority on safety of the public in administering this project's proposed house construction. We are also aware that the geological and geotechnical information being provided comes with warning labels that essentially present the information with the caveat that any number of circumstances might mean that you can't depend upon the reports they supply.

#### **Request Number Five**

Please provide documentation in regard to the safety of the public which substantiates:

- A. San Mateo County's priority level on safety and implementation of its position of the public's safety in the Department of Planning and Building, Department of Public Works, and the Board of Supervisors as well as;
- B. San Mateo County's priority level on safety and implementation of its position on public's safety in the conduct and work products of County engineers and engineering consultants who are assigned to evaluate any aspect of this project's construction.
- C. Please send the current check list and status of information and submission requirements along with the relevant supporting documents.

#### Directly relevant history of San Mateo County permit reviews and decisions on this same hillside

Alternative siting and locations appear to warrant becoming a necessary part of the County process on this specific set of permit applications. History and precedent in San Mateo County permit reviews and decisions on this same hillside where construction permits are being sought today demonstrate previous County priority on safety.

The County of San Mateo approved three apartment units for the construction of Hillside Garden Apartments; however, Mr. Thomas Frankel was not able to construct the third unit even though it was originally approved because of serious, significant issues with drainage and land stability.

Hillside Garden Apartments and its residents are located in District One. Mr. Frankel was a regular participant in the meetings culminating in the 2010 approval, but he has informed us that he has not received information



from the County since the 2010 approval. Residents of Hillside Garden Apartments actively expressed concerns for their safety and well-being in relation to the various Chamberlain proposals. They too have been left out of the communications loop especially on mitigations that directly affect their safety.

### **Request Number Six**

Please confirm that no permit will be granted until the concerns of our area communities are resolved.

Sincerely,  
Liesje Nicolas, President HCA

CC: San Mateo County Board of Supervisors  
Hon. Carole Groom, President  
Hon. David J. Canapa  
Hon. Don Horsley  
Hon. Warren Slocum

On Wed, Dec 5, 2018 at 10:28 PM Dave Michaels <[dm94402@gmail.com](mailto:dm94402@gmail.com)> wrote:

Dear Mr. Monowitz, I'm writing in reference to your email below dated 6/19 regarding grading changes and related documents, and in reference to Supervisor Pine's emails of September and October 2017 regarding the publication of the entire project history.

In Supervisor Pine's email of 9/19/17, he graciously promised the following:

"To provide as much transparency as possible, the Planning Director has decided to make available ALL public records concerning the Chamberlain development that have been generated since the Board of Supervisors approved the project on April 27, 2010.

Specifically, before the end of this month, staff will set up a page hosted on the Planning Department website where staff will post these public records. Staff will first post on this page the documents that have already been forwarded to you so that all of those documents will be in one place and available to anyone else who may be interested in viewing them. Staff will then add additional documents so that the entire record following the Board of Supervisors' action on April 27, 2010 will eventually be available to you and others."

After consulting with the various neighbor groups who have trying to track this project, it appears there is a tremendous amount of confusion and frustration as to how to be kept up-to-date on the project.

Just a couple of brief examples:

- On 10/30, a 9/20 BKF letter was forwarded to neighbors by Camille Leung. This letter states that it is in response to "County of San Mateo comments received on September 9, 2018 via email for Highland Estates lots 5-11". However, I don't know where to locate said "comments" in order to make sense of BKF's letter.

- The county website portal page for the project references: "09/13/2018 Response to GEO soils info", "10/10/2018 Response to GEO comments" and "11/21/2018 Response to GEO comments".

Again, I don't know where to locate these comments, this soil info, or the responses to them.

The County's portal website is a place for citizens to visit for updates, since we are obviously not in the Planning Department from day-to-day. It's literally referred to as the Citizen's Portal. Therefore it should achieve its goal of updating Citizens, be updated frequently, and be written in clear layperson's language. However, the updates on this website are cryptic, sporadic and incomplete. For example: what does "Response to GEO comments" mean -- response from whom, to whom? Was the response verbal or in writing? And, most importantly: what was the response? Moreover, there are numerous comments on the portal regarding "resubmittals" of various documents. It would be appropriate for the comments to include what is different about these updated resubmittals, since we are not professional plan readers. For example: "builder submitted new civil plans on x date for lots x and y, which have updated drain placement". The overarching lack of info puts neighbors in a position where we don't even know what questions to ask or what documents to ask for. This was supposed to be resolved by putting the entire project record online and updating it regularly.

On that note, there is confusion among neighbors regarding the availability of the entire record online. Neighbors report the info to be incomplete and confusing. For example, at <https://planning.smcgov.org/highlands-estates-subdivision-records> there is nothing about lots 1-4 and nothing at all for the past ten months (ten months during which crucial grading communication has occurred). If the "entire record following the Board of Supervisors' action on April 27, 2010" were intended to be made available to increase transparency, shouldn't all emails, letters or documents to, from and between members of the County Staff from 2010 to the present be uploaded to this page?

Since there are so many of us who are interested in/committed to remaining informed, how can we increase transparency right now? Several options I can think of are:

- complete the online project repository of the entire record from 2010 to the present, and update it on a regular schedule the neighbors can follow (example: at the end of each week)
- index the entire record reasonably clearly - where document titles and dates relate to contents, and where documents referenced on the Citizen's Portal are intuitive to locate
- provide reasonable time after the promised "entire record" has been uploaded -- for constituents to review, ask questions and share comments
- provide updates regularly, given the disruption to our lives, as to estimated timelines so we are mentally prepared for construction
- increase the radius for mailing notifications from 200 square feet to 600 square feet
- have an "opt-in" email notification list that mirrors the radius mailings (i.e. emailed same day as radius notification mailings)
- provide a clear process for the above email opt-in, that includes a confirmation when someone opts in
- more thorough, more frequent, and clearer language in the updates to county's Citizen Portal webpage
- keep the lines of communication open for feedback and refinements to these suggestions

I am writing this at a time when concern appears to be growing exponentially, not abating, in the Highlands about the scope of changes in this project. I am by no means a neighborhood spokesperson, and I'm only one of many concerned constituents. I can say with a fair amount of confidence, though, that the "weather" in the neighborhood about the changes to this project is characterized by confusion, dread, and a fair amount of fear. This seems unnecessary when we have the ability to increase transparency to keep citizens up to date and in-the-loop, so that we can feel as at ease as possible during a stressful and disruptive event such as neighborhood construction. My experience is that most of us around here are not "NIMBYs" and don't oppose the project as it was approved. Where people seem to be losing faith is in the gaps in communication and transparency as described here.

Finally, there has been a tremendous amount of discussion neighborhood-wide recently about "sinking" of Ticonderoga Road at the location of lots 5-8. The worrisome info that's widely circulating is that the reflectors installed along the fence at that site are for the purpose of height surveys, and that height surveys have been conducted by the county (by a separate department, unrelated to this project) at that location due to the history of landslides and erosion at that exact location. Folks seem extremely concerned - even scared -

about this. I am not familiar with this issue. Can you shed any light about this, and provide any/all height surveys done at this location to the community? Surely these documents should be readily included in any discussion about construction, grading and trucking trips at lots 5-8, or be the basis for a new supplement to the EIR.

Mr. Monowitz: Please hold off on issuing any grading hard cards or permits until neighbors have received all project documents as promised and have been provided a reasonable amount of time to review and ask questions.

Neighbors: by way of this email, I am asking you to share and discuss these issues as widely and openly as possible with others who might not be copied on this email (including those who are not online, whom I might not know personally, or who have recently come on board in their involvement).

Best  
Dave

On Tue, Jun 19, 2018 at 9:10 AM Steve Monowitz <[smonowitz@smcgov.org](mailto:smonowitz@smcgov.org)> wrote:

Dear All,

County staff, with the assistance of Cotton Shires, has completed our initial review of the report submitted by the project engineer regarding the grading and earthwork activities required to complete the project. Yesterday, we submitted the following comments, which identify the need for clarifications and supplemental information. The response we receive from the project engineer will be made available for review once we receive it. Please feel free to contact me or Camille if you have questions in the meantime.

Sincerely,

Steve Monowitz

Community Development Director

San Mateo County Planning and Building Department

(650) 363-1861

**Subject:** County Comments on BKF Memo

Hi Roland,

Thank you for your memo of May 14, 2018. Here are the County's comments:

1. The earthwork volumes listed in BKF report for Lots 5-11 deviate from the 2015 Cornerstone report, as they do not include the amount of earthwork for landslide repair. For Lots 9-11, the grading volumes in Table 2 are the same as those shown on the Building plans as “excluding earthwork from site strippings and soil stabilization factors”. For Lots 5-8, the grading volumes in Table 2 are the same as those shown on the Building plans as “excluding earthwork from geotechnical slope remediation activities”.

Please update the grading volumes included in Table 2, as well as the narrative of the memo, to include the volume of grading required to implement the recommendations contained in the Cornerstone report, and a description of how implementation of these recommendations relates to the grading activities described by the May 14<sup>th</sup> memo.

2. Grading plans submitted to the Building Inspection Section for all lots do not show grading necessary for slope repair work. A separate building permit for slope repair for Lots 9-11 and Lots 5-8 will need to be submitted prior to issuance of Building permits for houses on these lots.

3. Please provide a separate analysis of grading and truck trips for Lots 9-11 and Lots 5-8, as there is a potential for rough grading on Lots 9-11 to be completed far in advance of grading on Lots 5-8. Please describe the estimated truck trips under a concurrent grading scenario for Lots 5-11 and under a separate grading phases (Lots 9-11 then Lots 5-8) scenario.

4. For Lots 9-11, please correct the net volume of material from 800 cu. yds. import to 800 cu. yds. export. Additional comments on the Drainage Plan and Grading Plan for Lots 9-11 will be provided to you by the County’s Geotechnical Section in a separate letter.

Thank you

Camille Leung, Senior Planner

Planning & Building Department

455 County Center, 2<sup>nd</sup> Floor

Redwood City, CA 94063

Phone - 650-363-1826

Fax – 650-363-4849

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**From:** Dave Pine  
**Sent:** Monday, June 11, 2018 10:13 PM  
**To:** Deke & Corrin Brown <[d.cbrown@comcast.net](mailto:d.cbrown@comcast.net)>; Sam Naifeh <[samnaifeh@sbcglobal.net](mailto:samnaifeh@sbcglobal.net)>; Chris Misner <[chrismisner@yahoo.com](mailto:chrismisner@yahoo.com)>; Dave Michaels <[dm94402@gmail.com](mailto:dm94402@gmail.com)>; Pam Merkadeau <[pamela@merkadeau.com](mailto:pamela@merkadeau.com)>  
**Cc:** Steve Monowitz <[smonowitz@smcgov.org](mailto:smonowitz@smcgov.org)>; John Nibbelin <[jnibbelin@smcgov.org](mailto:jnibbelin@smcgov.org)>  
**Subject:** RE: Highland's Neighbors requests about Chamberlain project

In the event you have not already received it directly from the Planning Department, I have attached to this email a "*Technical Memorandum for Highland Estates Lots 5 -11 Grading Earthwork*" prepared by BKF dated May 14, 2018. BKF is the developer's civil engineer.

The BKF report is now being reviewed by Sherry Liu (a geotechnical engineer with the SMC Planning Department) and Steve Monowitz. As you have requested, and at my urging, the report will also be reviewed by Cotton Shires.

Based on my conversations with Steve Monowitz, it is my understanding that the developer would like to construct the homes on lots 9-11 and lots 5-8 at the same time. As you know, the homes on lots 9-11 have been on the cusp of receiving a building permit since the winter grading moratorium expired on April 15th. However, issuing a construction permit for the homes on lots 5-8 is contingent on whether the proposed changes to the grading plan for lots 5-8 are permissible under the permit approved by the Board of Supervisors on April 27, 2010.

**By way of this email, I am asking Steve Monowitz to update all of us on the status of the review of the BKF report.**

Best,

Dave

Dave Pine

President

San Mateo County Board of Supervisors

400 County Center, 1st Floor

Redwood City, CA 94063

(650) 363-4571 (w)

(650) 814-3103 (m)

[dpine@smcgov.org](mailto:dpine@smcgov.org)

---

**From:** Steve Monowitz

**Sent:** Thursday, March 29, 2018 10:35 AM

**To:** Deke & Corrin Brown <[d.cbrown@comcast.net](mailto:d.cbrown@comcast.net)>

**Cc:** Sam Naifeh <[samnaifeh@sbcglobal.net](mailto:samnaifeh@sbcglobal.net)>; Chris Misner <[chrismisner@yahoo.com](mailto:chrismisner@yahoo.com)>; Dave Michaels <[dm94402@gmail.com](mailto:dm94402@gmail.com)>; Pam Merkadeau <[pamela@merkadeau.com](mailto:pamela@merkadeau.com)>; John Nibbelin <[jnibbelin@smcgov.org](mailto:jnibbelin@smcgov.org)>; Dave Pine <[dpine@smcgov.org](mailto:dpine@smcgov.org)>

**Subject:** RE: Highland's Neighbors requests about Chamberlain project

Dear Mr. and Mrs. Brown,

I wanted to add to Supervisor Pine's email and respond to the remaining issues that you raised in your email of March 26<sup>th</sup>.

The grading exception request for lots 9-11 referenced in your message was not approved. While the winter grading moratorium expires on April 15th, eliminating the requirement for an exception to the winter grading moratorium, we will continue to ensure that future grading activities are conducted in compliance with the conditions of approval and applicable regulations.

With regard to changes on lots 5-11, there have been no changes to lots 9-11 other than those described in the minor modification document provided to you by Supervisor Pine. We are currently working with the permittee to understand the scope of the changes to the grading plan for lots 5-8, and will provide more details about this matter once it is more fully understood. Any changes that are proposed will be carefully reviewed by both Cotton Shires and our Department's Geotechnical Engineer.

If you have any questions or need more information, please feel free to contact me.

Sincerely,

Steve Monowitz

Community Development Director

San Mateo County Planning and Building Department

(650) 363-1861

---

**From:** Dave Pine

**Sent:** Monday, March 26, 2018 11:58 PM

**To:** Deke & Corrin Brown <[d.cbrown@comcast.net](mailto:d.cbrown@comcast.net)>

**Cc:** Sam Naifeh <[samnaifeh@sbcglobal.net](mailto:samnaifeh@sbcglobal.net)>; Chris Misner <[chrismisner@yahoo.com](mailto:chrismisner@yahoo.com)>; Dave Michaels <[dm94402@gmail.com](mailto:dm94402@gmail.com)>; Pam Merkadeau <[pamela@merkadeau.com](mailto:pamela@merkadeau.com)>; Steve Monowitz <[smonowitz@smcgov.org](mailto:smonowitz@smcgov.org)>; John Nibbelin <[jnibbelin@smcgov.org](mailto:jnibbelin@smcgov.org)>

**Subject:** RE: Highland's Neighbors requests about Chamberlain project

Deke & Corin,

Thank you for your email that I received on Sunday.

Steve Monowitz, the Director of the Planning and Building Department, was not in the office on Monday. I will try to connect with him on Tuesday so we can review your inquiry and get back to you later this week.

In the meantime, attached are the documents that I have immediate access to:

- a) Proposed minor modifications to Lot 9 and Lot 11.
- b) Letter from Daniel Cucchi opposing the minor modifications.
- c) Letter from Chief Deputy County Counsel John Nibbelin responding to Mr. Cucchi's letter.
- d) Contract with SWCA Environmental Consultants dated January 12, 2018.

I believe documents a) through c) above respond to request 3) in your email.

The contract with SWCA Environmental Consultants was put in place as required by Condition of Approval A.4. That condition states:

*“The applicant shall enter into a contract with the San Mateo County Planning and Building Department for all mitigation monitoring for this project prior to the issuance of any grading permit "hard card" for the project...Planning staff may, at their discretion, contract these services to an independent contractor at cost, plus an additional 10 percent for contract administration.”*

The construction monitoring services to be provided by SWCA are described in Exhibit A to the contract beginning on page 11. I do not believe SWCA has been involved in reviewing changes in the grading plans, and I will check with Mr. Monowitz as to how that is being handled.

Once again, a more complete response to your inquiry will follow later this week.

Best,

Dave

Dave Pine

President

San Mateo County Board of Supervisors

400 County Center, 1st Floor

Redwood City, CA 94063

(650) 363-4571 (w)

(650) 814-3103 (m)

[dpine@smcgov.org](mailto:dpine@smcgov.org)

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**From:** Deke & Corrin Brown [<mailto:d.cbrown@comcast.net>]

**Sent:** Sunday, March 25, 2018 10:58 AM

**To:** Dave Pine <[dpine@smcgov.org](mailto:dpine@smcgov.org)>; Liesje Nicolas <[liesjenicolas@gmail.com](mailto:liesjenicolas@gmail.com)>; Sam Naifeh



<[samnaifeh@sbcglobal.net](mailto:samnaifeh@sbcglobal.net)>; Chris Misner <[chrismisner@yahoo.com](mailto:chrismisner@yahoo.com)>; Dave Michaels <[dm94402@gmail.com](mailto:dm94402@gmail.com)>; Pam Merkadeau <[pamela@merkadeau.com](mailto:pamela@merkadeau.com)>

**Subject:** Highland's Neighbors requests about Chamberlain project

Dear Supervisor Pine,

Regarding the Chamberlain development in the Highlands -

We have been unable to locate documentation for the following items.

- 1) There has been discussion about a decision on an 'Exception to the Grading Moratorium' for Mr. Chamberlain. Please provide the issues or other consideration for that decision, any related documents detailing that exception to grading, and its current status.
- 2) Please provide updates or changes on documents and maps for grading Lots 5-11. Especially the clarification for the grading.
- 3) You informed us that Mr. Daniel Cucchi sent a letter to the County regarding Minor Modification. Please send a copy of Mr. Cucchi's letter and the response from county counsel, which you mentioned to us.

When we met with Mr. Monowitz and later with you, we requested that Cotton Shires review current grading plans and any subsequent changes and to perform the construction monitoring on all lots. Please let us know the status of that request.

As you can imagine our entire neighborhood is watching all of this rain and contacting us regularly regarding this project.

This has become a major issue with your constituents in the Highlands and surrounding Communities. Our community made significant contributions to resolving and preventing problems with this project before you took office. Neighbors are concerned that the community's voices are being heard and responded to. Please let us know if we can be of any help.

Sincerely,

Deke & Corrin Brown

## Camille Leung

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**From:** Jack Chamberlain <jtuttlec@aol.com>  
**Sent:** Thursday, March 21, 2019 10:46 AM  
**To:** Camille Leung  
**Subject:** Fwd: Determination on Changes in Grading

---

From: RHAGA@BKF.com  
To: jtuttlec@aol.com  
Cc: jtang@BKF.com, RHAGA@BKF.com  
Sent: 3/20/2019 11:41:16 AM Pacific Standard Time  
Subject: RE: Determination on Changes in Grading

Jack,

Our site has approximately 5,710 yards of off haul associated with grading for lots 5 -11, why would we need to import 4500 CY, ( 4500 CY<5,710) if we have the material on site it is already included in our earthwork and the number trucks is well.

I do not agree there is an additional 375 truckloads to off haul.

We might need a meeting conference call.

Roland



**Roland Haga, PE, PLS, Leed AP**

**Vice President**

**BKF Engineers**

255 Shoreline Drive, Suite 200

Redwood City, CA 94065

d 650.482.6407

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



*Delivering Inspired Infrastructure*



**From:** Jack Chamberlain <[jtuttlec@aol.com](mailto:jtuttlec@aol.com)>  
**Sent:** Wednesday, March 20, 2019 10:53 AM  
**To:** Roland Haga <[RHAGA@BKF.com](mailto:RHAGA@BKF.com)>  
**Subject:** Fwd: Determination on Changes in Grading

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

From: Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
To: Jack Chamberlain <[jtuttlec@aol.com](mailto:jtuttlec@aol.com)>  
Cc: Sherry Liu <[xliu@smcgov.org](mailto:xliu@smcgov.org)>; Steve Monowitz <[smonowitz@smcgov.org](mailto:smonowitz@smcgov.org)>  
Sent: Tue, Mar 19, 2019 4:55 pm  
Subject: Determination on Changes in Grading

Hi Jack,

Staff has reviewed the BKF Memo of 3/7/19. Table 2 does not include any Imported Fill necessary for Slope Mitigation, as described as being necessary in Cornerstone's Geo letter dated 7/8/17. Therefore, no estimate for truck trips for importation of fill is included on the memo. County staff estimated 4500 cy for import, with 375 truck trips. BKF will need to explain why imported fill and associated truck trips were not included in their calculations.

In consultation with County Counsel, Steve has determined that the grading changes are a Major Modification and staff is in the process of determining the appropriate CEQA document and process. We will let you know when we have made our determination.

Thank you

Camille Leung, Senior Planner

Planning & Building Department

San Mateo County

455 County Center, 2<sup>nd</sup> Floor

Redwood City, CA 94063

Phone - 650-363-1826

Fax – 650-363-4849

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## Camille Leung

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**From:** Camille Leung  
**Sent:** Tuesday, March 26, 2019 2:43 PM  
**To:** Kristen Outten  
**Subject:** FW: Highland Estates Lot 11 Revised Storm Outlet  
**Attachments:** MIG response to Sherry Liu Highland Estates Lot 11 3 25 2019.pdf

Hi Kristen,

Here is Tay's delineation of the riparian area on Lot 11. Do you concur with delineation and analysis of no biological impacts?

Thanks!

---

**From:** Taylor Peterson [mailto:tpeterson@migcom.com]  
**Sent:** Monday, March 25, 2019 4:30 PM  
**To:** Sherry Liu <xliu@smcgov.org>  
**Cc:** Jack Chamberlain <jtuttlec@aol.com>; Roland Haga <RHAGA@bkf.com>; Noel Chamberlain <noel@nexgenbuilders.com>; Steve Monowitz <smonowitz@smcgov.org>; Camille Leung <cleung@smcgov.org>  
**Subject:** Highland Estates Lot 11 Revised Storm Outlet

Hi Sherry,

Jack asked that I respond to a question you had in a March 19 email regarding biological issues on Lot 11 of the Highland Estates subdivision. I have attached the requested letter response. Please do not hesitate to call or email me if there are any further questions.

Thanks,

Tay

Taylor Peterson  
Director of Biological Analysis  
MIG, Inc.  
2635 North First Street, Suite 149  
San Jose, California 95134  
Cell: (650) 400-5767

## Camille Leung

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**From:** Camille Leung  
**Sent:** Tuesday, March 26, 2019 2:43 PM  
**To:** Taylor Peterson; Sherry Liu  
**Cc:** Jack Chamberlain; Roland Haga; Noel Chamberlain; Steve Monowitz  
**Subject:** RE: Highland Estates Lot 11 Revised Storm Outlet

Thanks Tay

---

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**Sent:** Monday, March 25, 2019 4:30 PM  
**To:** Sherry Liu <xliu@smcgov.org>  
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Cell: (650) 400-5767

## Camille Leung

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**From:** Kristen Outten <koutten@swca.com>  
**Sent:** Tuesday, March 26, 2019 4:46 PM  
**To:** Camille Leung  
**Subject:** RE: EXTERNAL:FW: Highland Estates Lot 11 Revised Storm Outlet

That is correct. If at any point, regardless of the EIR findings, there are impacts to the riparian corridor, a Lake and Streambed Alteration Agreement from CDFW would presumably be required (unless CDFW decided not to take jurisdiction of that area for any reason). Impacts to jurisdictional areas would also likely change the significance determination of the EIR.

~Kristen

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**From:** Camille Leung <cleung@smcgov.org>  
**Sent:** Tuesday, March 26, 2019 4:14 PM  
**To:** Kristen Outten <koutten@swca.com>  
**Subject:** RE: EXTERNAL:FW: Highland Estates Lot 11 Revised Storm Outlet

Hi Kristen,

Just to clarify, discussion in EIR was that there was no disturbance in jurisdictional areas. If work is still in the same location, but jurisdictional areas have changed since the EIR to include areas of approved work, CDFW permits are still required?

Thanks!

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**From:** Kristen Outten [<mailto:koutten@swca.com>]  
**Sent:** Tuesday, March 26, 2019 3:34 PM  
**To:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
**Subject:** RE: EXTERNAL:FW: Highland Estates Lot 11 Revised Storm Outlet

Hello Camille,

I concur with the delineation and analysis of no biological impacts associated with design of the storm drain system. I noticed, however, I noticed the limits of grading still encroach within the riparian corridor. Vegetation removal and grading within the riparian corridor would likely trigger a permit from CDFW, and possibly the RWQCB and USFWS.

Let me know if you have any questions.

Thanks,  
Kristen

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**From:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>  
**Sent:** Tuesday, March 26, 2019 2:43 PM  
**To:** Kristen Outten <[koutten@swca.com](mailto:koutten@swca.com)>  
**Subject:** EXTERNAL:FW: Highland Estates Lot 11 Revised Storm Outlet

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