

Appendix A – NOP Comments/Scoping Meeting Transcript

From: [Alan Bade](#)
To: [Sean Tully](#)
Subject: Comments on the scope of the Spieker Senior Continuing Care Community Project (NOP of EIR)
Date: Monday, August 23, 2021 3:23:56 PM

Re; Spieker Senior Continuing Care Community Project NOP of EIR
August 23, 2021

Dear Mr Tully,

I'd like to comment on the scope of the EIR for the Spieker Senior Care project. The County File numbers are; (County File Numbers CDGP20-00001, CDRZ20-03255, CDMS20-00007, CDDP20-03018, & CDLP20-02038).

I think the EIR should include analysis of the following;

1. The project site is adjacent to a large park (Heather Farm Park, or "HFP") which includes a large natural area. Together, HFP and the undeveloped project area form a large, important habitat area. Removing the Spieker project area will have a large impact on the wildlife of HFP. Over 170 species of birds have been documented in this area. The EIR should analyze the effects that development will have on HFP and its wildlife.
2. Over 400 trees will be removed as part of this development, 353 of which are protected status trees. The EIR should stipulate that replacement trees should be California native trees and a ratio of 3:1 be established for replacement with strict, enforceable protocols. Large heritage trees should not be removed and should be protected.
3. The massive amounts of earthmoving required by this project will emit vast amounts of CO2 and have a large climate change impact. This should be quantified and compared to alternatives that do not so drastically alter the site's topography. Mitigation for these emissions should be required if the project goes forward.
4. The site has wetlands which need to be precisely located and described. Wetlands are rare and have special habitat value. This is another reason the connection to HFP needs to be studied, as avian life and other species may use these wetlands in combination with the resources at HFP.
5. Mitigation measures should be required to avoid damage or destruction of wetland habitats. The project should be required to modify its scope to avoid damage to wetlands and riparian (even seasonal) resources. Strict mitigation measures should be required for the developer to restore or repair wetlands of similar natural value if damage is unavoidable. A ratio should be established like 3:1 for these measures. If the project can be configured to protect these wetlands it should be required to do so.
6. There will be a large increase of impervious coverage with this project. It will change the drainage topography of the site. This will have an impact on efforts to restore anadromous fish to Walnut Creek above drop structure #1. There are local efforts by various non-profit groups to study and restore anadromous fish to Walnut Creek. The Lower Walnut Creek Project where Walnut Creek meets Suisun Bay will be completed in 2023 and is a first step for these efforts.
7. The project should study whether the channelized section of Walnut Creek could be restored to a more natural condition along the bank adjacent to the site. At the very least, a public trail should be added along Walnut Creek and habitat be improved. The opportunity to add public access is rare and should not be missed. Any restored section along Walnut Creek should be connected with public access trails to the wetlands and

riparian areas on the property.

8. Native plants that may need special protection should be identified during a season when they are visible. There may be CA native bulbs, etc, that are in dormancy in parts of the year so special care must be taken to study whether these exist onsite. The large soil displacements will forever remove or cover these bulbs or the seed banks of native plants. There could exist populations of special status or rare plants as this property has been outside of public view for quite some time. Qualified botanists familiar with local rare plant populations should be employed or consulted. Mitigation measures should be established for any populations that are modified or lost.
9. The traffic studies should include analysis of climate impact. It is unlikely that most employees will be able to live near the project given wage levels and cost of living in the area. An analysis of climate impact should be made regarding their commutes.
10. Given the probably large climate impacts of this project, it should be required to use native plant landscaping, plant native canopy trees that will lessen the heat island effect and add habitat value, install rooftop solar and electric charging stations and not use any natural gas. These measures need to be described in the EIR.
11. The EIR should analyze how a development of this size which requires a change in zoning will compare in climate and other impacts against projects allowable under the current zoning. Impacts will be quite different in regards to construction, traffic, changes in topography (mentioned in #3) and others. The Land Use element should compare impacts of this project to projects allowable under current zoning, as well as compliance/compatibility with local government planning goals.
12. The EIR should study whether the lack of affordable housing in the project contributes to climate change. The project does not contribute to our local RNHA requirements mandated by the State of CA. If no affordable housing is provided on a site of this scale, the whole region suffers. The project should be required to contribute to affordable housing construction efforts in the region as mitigation, if nothing is constructed onsite.

Thank you for considering these comments.

Sincerely,
Alan Bade
280 Longfellow Drive
Pleasant Hill, CA 94523

From: [alex tuchinskiy](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 22, 2021 10:43:58 AM

Dear Representative,

Our names are Alexander Tuchinsky and Tatyana Yurkhova. We are the owners of the house at 371 Kinross Dr., Heather Farms Homeowner Association.

We would like to express our concerns over the development of the Seven Hill Ranch, and our opposition to converting this land into a multi-house complex.

1. Environmental impact:

- Changing the natural landscape and the beauty of the place by razing off the significant portion of the hills.
- Removing 350-400 mature trees not because they decayed but to make space for the new houses.
- Destroying the habitat of many birds, deers, and other animals. My wife, daughter and son in law are avid birdwatchers, and we all love nature – we would hate to see this natural area destroyed.
- The nearby Iron Horse Trail will never be as appealing as it is now. We use it to walk and bike; we don't want to walk through a housing complex.

2. Community impact

- Multi-story houses are not common in this area. That will convert this small town community to a “downtown” like community. Many people who live around here (including young families or retired seniors) live in Walnut Creek to escape the city life that is going to be imposed on them by the new development. We don't want Walnut Creek to start looking like Fremont - near Tesla/ BART station –where huge development is underway and keeps growing.
- Significant impact on the traffic not only on the streets next to the planned development, like Marchbanks St. and Kinross Dr, but on already overburdened main Walnut creek traffic arteries - Treat Blvd. and Ygnacio Valley Road.
- Construction will last 3-4 years. During most of this time all the effects of the new construction – dust, noise, and industrial traffic- will impact the communities around the site, the Heather Farm pool, and the children's playground there. We have a young granddaughter and we want her to have a clean, pleasant place to play.
- Increase of the density of the Walnut Creek population that grew significantly over the last 5-6 years. That directly impacts all the services – water, accessibility of public parks/pools/playground, sewage, road repair, etc.

3. Financial impact on the community

- The house values in many communities, including Heather Farms, where we live, will go down. It might be temporary during the construction or permanent because this area will be less desirable by newcomers. The real estate market is not always “crazy hot” as it is now.

- Because of the above, the City of Walnut Creek might experience multi-year revenue decline from real estate taxes, instead of increases because of the new construction.

We encourage the Walnut Creek government to deny the permit for the construction development of the Seven Hills Ranch.

Sincerely,

Alexander Tuchinsky

Tatyana Yurkhova

From: [Ali](#)
To: [Sean Tully](#)
Subject: Seven hills Ranch property
Date: Friday, August 20, 2021 6:49:27 AM

Hi there,

I live in 580 Matterhorn Dr.

When I heard about this massive projects I was beside myself!!!

We are talking about: A) Damaging/destroying the wild life at Heather farms.

B) Massive traffic at Marchbanks/ Ygnacio.

C) Health issue, Air quality etc.

D) Loud noises for months if not years after/during projects!

This is such a massive projects-in a heart of Residential, school, wild life community area which can and will affect us all in such a negative way!!

Please stop this massive projects in such a limited space!

Thanks,

Ali Lotfy,

580 Matterhorn Dr., Walnut Creek.

Sent from my iPhone

From: [Alvin Ng](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 23, 2021 2:38:27 PM

Hello Sean,

I am writing in regards to the new development that is proposed for the Seven Hills Plot of land in Walnut Creek. I urge the review committee to have a comprehensive evaluation of all the implications of such a large development in an area that has been previously undeveloped and requires a drastic modification to the landscape and intended plan for the area. I am writing as a concerned citizen that lives close to the development. I understand the city of Walnut Creek requires additional housing, and I urge the city to consider alternative development options that add housing without a modification to the general plan. The plan proposed by the Spieker development is a large project that raises many concerns for myself and my neighbors.

Traffic and Noise

- Increased traffic, noise, and pollution on Ygnacio Valley and the surrounding neighborhoods.
 - During rush hour there is heavy congestion in both directions from the Heather Farms park up towards 680 on Ygnacio. Currently, it takes over 25 minutes to drive downtown from the park, and it will only get worse with the amount of employees and residents coming in and out of the property on a daily basis.
 - The proposed entrance requires a left turn onto Marchbanks from Ygnacio. The current infrastructure at the intersection of Marchbanks and Ygnacio only allows for 7-8 cars to wait at the light to turn left. During rush hour, I personally have needed to wait for 2 light cycles in order to make the turn, and at times I have needed to wait in a lane that is intended for through traffic. Please carefully review this as part of your evaluation of traffic. The large increase in residents and employees going into this area will continue to back up traffic on Ygnacio at a critical intersection before the park where many families take their children for after-school activities.
 - The 4+ years of construction will also be a huge factor in noise pollution and exhaust pollution. In a time where more students and workers are staying at home Monday through Friday, this will be a huge detriment to those families in the surrounding neighborhoods.

Environmental Concerns

- Removal of old-growth trees and threatening the health of any remaining trees on the property. The Spieker Development is proposing many retaining walls that will be built very close to the trees that remain, restricting their continued growth and health.
- Climate Crisis - Increase in Pollution
 - The removal of 400+ trees will immediately stop this natural habitat from removing 8.7 Metric Tons of CO₂ from the air every year, this number will only grow if more trees continue to die. Each tree has the ability to absorb 48lbs/year. (Source: annually. <https://www.usda.gov/media/blog/2015/03/17/power-one-tree-very-air-we-breathe>)
 - The sheer size of the buildings, parking lots, entertainment facilities, and medical

care offices will require an enormous amount of cement and subsequent pollution in the area. Cement production is the source of 8% of the world's CO2 (Source: <https://www.bbc.com/news/science-environment-46455844>)

In conclusion, I urge the county to carefully review the concerns of the community, and consider allowing development that does not have such a large environmental impact. I believe there are creative solutions to utilize the land that preserves the natural landscape. There are also several surrounding developments that could utilize portions of the land, including The Seven Hills School, The Heather Farms Park, and the surrounding HOA communities.

Thank you for taking the time to review my feedback.

Best,

Alvin Ng

From: [Amy Wisecarver](#)
To: [Sean Tully](#)
Subject: Public comment on EIR for Spieker development project
Date: Monday, August 23, 2021 12:26:21 AM

I am writing regarding the proposal of turning Kinross Drive (Heather Farms HOA) into a public street for the purpose of connecting a proposed senior development to Ygnacio Valley Road.

As you are our elected officials sworn to protect the interests of the citizens of Contra Costa, I implore you to protect our rights and consider the following:

— The impact on families of taking a private road on a densely populated street and turning it into a main connector route to one of the county's largest thoroughfares. The safety and quality of life we have invested in would be severely curtailed. This is a family community with many children.

— The financial impact that this would have on our homeowners, as this change would decimate our home values; suddenly placing us on a busy, noisy road with 24 hour traffic. This would no doubt place a financial burden on many homeowners, potentially causing many of us to be "upside down" on our mortgages with a significant drop in value. (Twenty-plus years in the banking industry tells me that this is a certain outcome.)

— The precedent of reclaiming a private road in an extremely well established planned community (nearly 50 years). After all the years of pouring our commitment and life's earnings into creating and maintaining a safe and sound investment and way of life, wiping that out to satisfy a large corporation is unconscionable.

I hope that you will carefully consider the impact this would have on our financial stability and way of life. We are real people, not a number, and are counting on you to represent our interests versus those of a large corporation proposing a dramatic change to our development as well as a beautiful piece of property in our city.

Thank you,
Amy Wisecarver
1660 Siskiyou Dr (corner of Siskiyou and Kinross), Walnut Creek

From: [Andrea Splendore](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Saturday, August 21, 2021 2:23:46 PM

Gentlemen:

Granting permission to build a multi- story building at the end of Kinross Dr. is definitely a great money maker for the developers but a big injustice to the surrounding community. This area, which includes the Header Farms Park with its beautiful rose garden, constitutes a vital breathing lung for our city.

As I see it, this permission means: 1) Destroying hundred of trees which will never be re[placed]; 2) Since , at that point, Kinross Dr. is a dead end street with no exit, traffic, on Marchbank Road to and from Ygnazio Road, will be at least doubled, and is already heavy;
3) the bucolic nature of this area with its existing fauna will change for ever.

Please keep in mind that Walnut Creek gains more by increasing the green areas than by adding urbanization.

Thank you for your consideration.

Very truly yours,

Andrea Splendore
103 Player Court, Unit 1
Walnut Creek, Ca. 94598
954-786-9084

From: [angela splendore](#)
To: [Sean Tully](#)
Subject: Seven Hills Ranch proposed development
Date: Sunday, August 22, 2021 3:13:27 PM

Dear Mr. Tully,

I am greatly concerned about the proposed development.

This development would have a tremendous negative impact on our neighborhood.

I live in the Heather Farms community on Kinross Drive.

If the development is built, the only entrance would be on Marchbanks Drive which would increase traffic considerably to what is supposed to be a residential neighborhood.

This would change our family friendly environment which is not desirable.

I am strongly opposed to this development, I moved to Walnut Creek because it was a beautiful suburb with good schools.

If we continue to allow developments like this to be built we have lost the charm Walnut Creek once had.

I urge everyone to take into consideration the terrible consequences of approving such a project.

Thank you for your attention.

Angela Splendore

Sent from my iPhone

From: [Ann Hassett](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project Walnut Creek
Date: Sunday, August 22, 2021 11:49:33 AM

Dear Mr. Tully,

Mr. Tully I am writing to express my deepest concerns about the Spieker proposal for development on the Seven Hills Ranch property in Walnut Creek/Contra Costa County. There are so many reasons why this is wrong in my opinion. Not the project itself but where it is being proposed, Seven Hills!

My very first thought is, WC already has Rossmoor which houses short of 10,000 of our senior citizens. In addition to Rossmoor, there are multiple facilities for senior citizens at various levels of need and care. Walnut Creek seniors are being cared for. Therefore, who does this project serve? Certainly not the greater Walnut Creek Community. It does not serve our Walnut Creek children, our Walnut Creek teens or young adults. It does not serve our young families or even well established Walnut Creek families. It certainly doesn't serve our Walnut Creek middle aged adults which currently make up approximately 55% of our Walnut Creek population.

If the county believes more senior housing is needed I can agree to this project somewhere in the county that is not smack in the middle of established neighborhoods, park and school grounds. Somewhere in the county that does not require destroying open space or require rezoning. I believe this could be constructed in a space that is accessible and does not land in the middle of a neighborhood but rather off the path such as Rossmoor was.

My most immediate concerns for this development are the following:

- The undoing/overturning of the current zoning and general plan for this land that is currently and has been protected for decades.
- the destruction of pristine open space and the wildlife that this land houses. The decimation of the last of central open space that our citizens count on for aesthetics and quality of life. The very reason the majority of people move to this area.
- The profound air pollution this project will bring to our neighborhoods, Seven Hills School, Heather Farms Park and our well used trailways that abut, surround and even intersect the property. The elimination of almost 400 trees alone will kick up saw dust and soot into the air already being choked out by smoke from the wildfires. Combine these with the process of leveling the 7 hills and filling the dales with dirt. This extreme pollution and particulate matter impacts adults and children with healthy lungs not to mention those with existing respiratory disease. None of us will be able to open our windows or walk the trails while this is going on for 4 or 5 years.
- The profound noise pollution this project will bring to the neighborhoods, Seven Hills School and Heather Farms Park and again along the trails for 4 or 5 years. Chain saws, heavy equipment, trucks, pounding hammers to mention just some of the escalated relentless noise levels in our peaceful existing neighborhoods and community.
- The increased traffic on Ygnacio Valley Road is certain especially during construction with the caravan of trucks and equipment coming and going on a daily basis. This will also profoundly impact the traffic on Marchbanks and Kinross roads.
- I believe that allowing this massive project with the destruction of the entire 30 acre open space blatantly negates the already established neighborhoods and wildlife. It ignores the people already living here, recreating here and attending school here.
- Finally, Walnut Creek has always done a great job of combining progress, growth and

development while maintaining and protecting our open space. THIS OPENSOURCE.
Surely this land could be used differently while maintaining its unique contribution to
our community

Thank You
Ann Hassett

From: [Barbara Breslau](#)
To: [Sean Tully](#)
Subject: Fwd: Email of Support for Diablo Glen
Date: Monday, August 23, 2021 2:38:50 PM

Dear Sean,

My husband, Ray, and I are very interested in Diablo Glen for a number of reasons.

First, we moved to California ten years ago from Baltimore MD to be closer to our children and grand children. We are accustomed to the concept of retirement communities with many levels of care as many of our friends on the East Coast have moved into them.

Second, our good friend, Stu Fine, was one of the first residents to move into Stoneridge in Pleasanton, CA. We are familiar with the physical layout of that facility, the financial structure and the services provided there. Stu is very happy there. But Pleasanton is too far away from where we live, in Orinda, and from our children who live in the Berkeley and Walnut Creek areas. The Walnut Creek location would be perfect for us.

Third, while we are active, healthy seniors, we understand that at some time in the future we will want to reduce our house upkeep responsibilities and we may need some level of nursing care. We like the concept of being a part of a community of active seniors without having to drive many miles to see our friends. In addition, we do not want to depend on our children to take care of us in our old age.

We believe it is important to have a facility like Diablo Glen in the Walnut Creek area. We have several friends who are also interested in Diablo Glen.

As a natural science docent at the Oakland Museum, I am glad to see that Diablo Glen has designed their proposed homes outside of the existing wetland and around many of the property's best trees, allowing them to be preserved. It appears that very few of the trees on the site qualify as heritage trees per the county's tree ordinance. However I would like to make sure that some analysis is done to understand the risks associated with many of the existing trees that are non-native and have a high potential for combustion and fire fuel load (eucalyptus, etc.). Is the county going to insure that those trees are removed as part of the project so as not to be a risk to existing neighbors and future residents?

Sincerely,

Barbara Breslau

Sent from my iPhone

On Aug 20, 2021, at 6:49 PM, Troy Bourne
<BourneT@spk.com> wrote:

Diablo Glen Pioneers,

Thank you for your offer to write an email of support for Diablo Glen. We have a timely need for a few emails this coming Monday, August 23rd. The county is collecting public input for the scope of their environmental review. This process provides an opportunity for supporters to point staff in the direction of some favorable attributes of the proposed community. If you'd like to begin drafting a general email of support for the project, including some details about why you feel like the project is needed, I can provide you each with some unique project-specific suggestions to include in your message. If you will reply to this message with the best phone number to reach you between now and next Monday, I'd be happy to walk you through it.

Thanks again.

Troy Bourne

949-533-4312 m

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From: [Barton Gilbert](#)
To: [Sean Tully](#)
Subject: Email in Support of County Approval and Construction of DIABLO GLEN CONTINUING LIFE RETIREMENT COMMUNITY
Date: Monday, August 23, 2021 4:48:32 PM

Mr. Sean Tully, Principal Planner
Conservation & Development Dept.
Contra Costa County

My Wife and I would like to go on record as supporting the approval and construction of the Diablo Glen Continuing Retirement Community in Walnut Creek. We believe this is a very viable and positive alternative to the additional construction of many single family homes in the subject area. As long time residents of the County and both of us being very active in the community, we feel that it is important to express our opinions during the pre-permitting process.

As the County evaluates alternative uses to the proposed Care Facility, please consider County and State density bonus guarantees when evaluating residential alternatives. What is the number of residential units that could be approved for this site under the current General Plan if affordable, low-income and very low income units are included in the development of prescribed targets. Once the maximum numbers of residential units are identified, please compare the traffic impacts of the the proposed project to those of the total residential units allowed under the existing General Plan. To us, it seems very intuitive that the proposed Care Community will generate considerably less traffic impact than regular homes, especially during rush hours. We also believe that the residential alternative will require more access roads. The proposed Care Community plan does not allow for cut-through traffic, where the residential option with the maximum number of homes built will require the opening of Seven Hills Road to through traffic.

We look forward to provide you with any more information or comments at your request.

Barton and Patricia Gilbert
752 S. Pond Court
Lafayette, CA 94549

From: [Bob Pinkos](#)
To: [Sean Tully](#); SaveSevenHillsRanch@gmail.com
Subject: Seven Hills
Date: Sunday, August 15, 2021 1:26:27 PM

As someone who has been aware of the Seven Hills property for many years, I must speak up about the impending doom of the property. For this company to build what is proposed, would lower the quality of life for all who surround the property for years to come. The ultimate resettling of the land does not gain much for the inhabitants of Walnut Creek and vastly lowers the quality of life for all the wild life who inhabit the space. All parties who stand to gain by this project don't seem to care about the incredible inconveniences it would subject anyone connected to the property in any way. If I have any vote at all, I would vote to make the area a state park after an angel donor and/or fundraising could pay off the holders of Mr. Hales estate. It would sure be worth it to preserve this little piece of heaven in Walnut Creek.

Bob Pinkos

From: [Bob Simmons](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Project
Date: Friday, August 20, 2021 6:37:19 AM

Sean

Please add me to the list of those who wish to receive notice of actions or meetings involving this project. Please use Bob Simmons, even though the email address is robertsimmons@astound.net.

Three areas of particular interest to me.

The first involves the 50 Year Plan (From Channels to Creeks) that the County adopted for the Walnut Creek Channel in 2009. Seven Hills Ranch is one of the best, and one of the few remaining sites, at which some action can be taken to implement that 50 Year Plan. What is the impact of the project on the county's ability to implement this approved plan?

The second is the impact on carbon sequestration, global warming and climate change on the cutting of well over 300 trees, many of them mature oaks, and replacing it with heat-producing asphalt (even if permeable) and buildings. How many 15-gallon oak trees would be required to make this a net zero project in terms of carbon sequestration and heat islands?

The third involves the large wetland area in the center of the project site. While that wetland area is not being developed, it is being isolated through buildings and retaining walls on all sides. What is the impact of those structures and retaining walls on the normal functioning of this wetland ecosystem?

Thank you.

Bob Simmons

From: [DCD PlanningHearing](#)
To: [Ruben Hernandez](#); [Sean Tully](#)
Subject: FW: Seven Hills Ranch development
Date: Monday, August 16, 2021 10:58:05 AM

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

From: brucethebald <brucethebald@astound.net>
Sent: Sunday, August 15, 2021 8:41 PM
To: DCD PlanningHearing <PlanningHearing@dcd.cccounty.us>
Subject: Seven Hills Ranch development

I believe Walnut Creek will be admired, spoken and written about, with the resulting influx of solid citizens, if we can keep Seven Hills Ranch as permanent Open Space. The same cannot be said if we allow one more development of high-end homes, bringing us down the the level of other run-of-the-mill suburbs. I certainly hope planners can look ahead 100 years and ask: what will stand out most about Walnut Creek: acres of original hills dotted with trees, and walking paths, and openness, or a cluster of a couple of dozen houses?

Bruce Reeves
1025 Hacienda Drive
Walnut Creek, CA 94598

Day/eve 925.286-0140



CALIFORNIA
NATIVE PLANT SOCIETY

East Bay Chapter, www.ebcnps.org
PO Box 5597, Elmwood Station, Berkeley, CA 94705

August 23, 2021

Sean Tully, Principal Planner
Contra Costa County, Department of Conservation and Development
30 Muir Road
Martinez, California 94553

Via e-mail: Sean.Tully@dcd.cccounty.us

RE: Notice of Preparation (NOP) for proposed Spieker Senior Continuing Care Community Project

Dear Mr. Tully,

The California Native Plant Society East Bay Chapter (EBCNPS) appreciates the opportunity to comment on the Notice of Preparation of an Environmental Impact Report for the Spieker Senior Continuing Care Community Project.

The California Native Plant Society is a statewide non-profit organization that works to protect California's native plant heritage and preserve it for future generations. The Society's mission is to increase the understanding and appreciation of California's native plants and to preserve them in their natural habitat. We promote native plant appreciation, research, education, and conservation through our five statewide programs and 33 regional chapters in California. The East Bay Chapter covers Alameda and Contra Costa Counties.

In line with our mission to support conservation of California's native plant species and habitats, CNPS requests the following items be included in the EIR:

1. The EIR should include well-timed, comprehensive floristic surveys of special status plants, locally rare plants, and sensitive natural plant communities within the project area

The project site is in a natural state and includes a wetland, two perennial streams, and a valley oak woodland. These features support a wildlife corridor coming north from Shell Ridge and the e-bird hotspot at next-door Heather Farm Park.

The EIR should include well-timed, comprehensive floristic surveys for special status plants, locally rare plants, and Sensitive Natural Communities following CDFW botanical survey protocols.¹ Surveys should include the entire 30-acre project area since the survey findings may influence the placement

1. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, California Department of Fish and Wildlife, March 20, 2018

of various project components.

Consistent with CDFW protocols, the locations of special status, locally rare, and sensitive natural plant communities should be clearly marked on a project area map.

2. Project alternatives should be included that are consistent with current land use and planning for the site.

The EIR should describe the proposed Project's compliance with the County General Plan and associated land use plans and ordinances.

This land is zoned for 3-5 single family residences per acre, or "SM", single family medium. Land use is also impacted by the City of Walnut Creek's General Plan because the land is within the City's sphere of influence. The City's plan calls for the land to remain open space because it is adjacent to Heather Farm Park.

The Project requests a General Plan Amendment to allow the property to be designated a Continuing Care Retirement Community (CCRC), including residences, a communal dining facility, a memory unit, and a skilled nursing facility. It will be gated and locked; there is no provision for public access. As described in the applicant's submissions so far, this is a much more intensive use than envisioned in either general plan. Therefore, alternative uses that are currently permitted should also be evaluated in the Environmental Impact Report.

Please provide project alternatives that match the current Plans or that follow the overall density they envision, such as clustered development that preserves at least a significant part of the site in its natural state, continues to support the e-bird hotspot and the wildlife corridor, provides a place for respite for residents, and provides public access for public enjoyment and access to the natural areas from the existing neighborhoods on the south and west.

3. The project' proposed "environmentally superior alternative" should describe in detail how the oak woodlands and other natural features and habitat will be conserved and managed, and how impacts will be fully mitigated for.

The arborist report that accompanied the project application states that approximately 80% of the trees are slated for removal. The preliminary plans show that many more will be affected by retaining walls. This would severely impact the habitat function provided by the oak woodland. The mitigation suggested in the peer review is one 15-gallon tree for each natural oak removed. This would not mitigate for the impacts to this plant community. The proposed "environmentally superior alternative" should describe how trees on site would be avoided and protected, and how mitigation for loss of oak woodland and it's function would be accomplished.

The plans show many horticultural plants as part of the landscaping; however, they could be native oaks and associated native shrubs, grasses, and perennials also. In this age of climate change, the EIR should evaluate use of native plants for landscaping. The basis for any ecosystem are plants because

they are the first rung in the food chain. Plants also sequester carbon and are adapted to lower water use than many ornamental plants, both important factors in keeping climate change impacts to a minimum.

Thank you for the opportunity to comment on the Environmental Impact Report Notice of Preparation for the Spieker Senior Continuing Care Community Project and for addressing these comments in the Environmental Impact Report.

Sincerely,

Jim Hanson, Chair
Conservation Committee

From: [Jim Hanson](#)
To: [Sean Tully](#)
Subject: Spieker Project/Walnut Creek area - NOP Comments
Date: Monday, August 23, 2021 4:09:07 PM
Attachments: [NOP comments for Seven Hills-Spieker project-EB CNPS 8-23-21.docx](#)

Dear Sean Tully,

Attached are NOP comments from the East Bay Chapter of the California Native Plant Society for the proposed Spieker Project.

Please contact me if you have any questions.

Thank you,

Jim Hanson, Conservation Chair, EBCNPS



California Wildlife Foundation/California Oaks, 201 University Avenue, H-43 Berkeley, CA 94710, (510) 763-0282

August 19, 2021

Sean Tully, Principal Planner
Department of Conservation and Development
30 Muir Road
Martinez, California 94553

Transmitted via email: sean.tully@dcd.cccounty.us

RE: General Plan Amendment, Rezone, Minor Subdivision, Preliminary and Final Development Plan, and Land Use Permit (County File Numbers CDGP20-00001, CDRZ20- 03255, CDMS20-00007, CDDP20-03018, & CDLP20-02038) for the Spieker Senior Continuing Care Community Project

Dear Mr. Tully:

The California Oaks program of California Wildlife Foundation (CWF/CO) works to conserve oak ecosystems because of their critical role in sequestering carbon, maintaining healthy watersheds, providing plant and wildlife habitat, and sustaining cultural values. A concerned citizen reached out to CWF/CO requesting that we send a letter about the General Plan Amendment, Rezone, Minor Subdivision, Preliminary and Final Development Plan, and Land Use Permit (County File Numbers CDGP20-00001, CDRZ20- 03255, CDMS20-00007, CDDP20-03018, & CDLP20-02038) for the Spieker Senior Continuing Care Community Project.

It is confounding that Contra Costa County is considering amending the General Plan and zoning regulations for a project that would harm native trees, install a gated community that does not appear to address access to affordable housing, and is opposed by many members of the community. Comments below focus on project impacts to oak trees, based on review of the July 2020 Preliminary Arborist Report prepared by HortScience/ Bartlett Consulting and the February 8, 2021 Project Description and attachments.

Construction near root protection zones of trees places “protected” oak trees at risk
Oaks should have no disturbance within the root protection zone (RPZ). RPZ is the area that extends beyond the dripline to a distance that is half the distance between the trunk and the dripline. CWF/CO reviewed the arborist report and determined that quite a few of the trees that are proposed to be protected during the construction are at risk of damage within the RPZ of the trees.

The preliminary tree preservation guidelines outlined in the arborist report are not sufficiently protective of oaks because they do not include protections for the area between the dripline and the outer perimeter of the RPZ. *Care of California’s Native Oaks*, which is downloadable from <http://californiaoaks.org/oak-tree-care/> provides additional information. The quoted text below is from this publication:

Root protection zone: The best practice is to leave the tree’s root protection zone

(RPZ) undisturbed. This area, which is half again as large as the area from the trunk to the dripline, is the most critical to the oak. Many problems for oaks are initiated by disturbing the roots within this zone.

Drainage: Poor drainage is a common cause of oak tree deaths, since adequate drainage is critical to ensure a proper balance of moisture, air, and nutrient to grow and survive. Too much moisture, particularly in the warm months when natural conditions are dry, can smother the roots and encourage the proliferation of crown and root rot fungi.

Another moisture threat to oak roots is presented by barriers such as concrete foundations and footings, streets, and swimming pools downhill of oaks. These structures can dam underground water, causing water to back up into a tree's root zone and drown it.

Trenching: Trenching is an often-overlooked cause of tree death. Trenching usually occurs when underground utilities are installed. Digging a trench for utilities within the RPZ of an oak can sever a significant portion of a tree's roots. Often, several trenches are opened by separate utilities. This multi-trenching is particularly destructive since it impacts a greater portion of the root system.

If utilities must impinge on the root protection zone of a native oak, the trench should be dug by hand, avoiding roots, or utilities bored through the ground at least three feet below the surface.

Paving: Paving can cause the same problems associated with soil compaction. Paving, such as asphalt and concrete, prevents water from soaking into the soil and impedes the exchange of gases between roots, soil, and the atmosphere. In addition, paving usually requires excavation to create a stable base and to allow for depth of paving material. This process compacts the soil and damages roots.

CWF/CO noted at least 29 oak trees are at risk of damage during the construction based on project documentation reviewed thus far. These include #415 (25-inch diameter), which is described as "off-site" ~25 feet from grading, #428 (50-inch diameter), 30-50 feet from grading on all sides. If the project advances, please note that Contra Costa County's tree ordinance includes the provision that accidental destruction requires replacement with an equivalent tree. Provisions should be made for damage to the 81 "protected" trees (primarily valley oaks) that are meant to remain standing during and after the construction.

The environmental impact report should fully document the actual number of trees directly affected and those at risk of damage and decline because of incursion into the RPZ. Detailed information on species, size, and numbers proposed for removal or retention, with clear mapping of their relationship to the proposed limits of grading and other habitat modifications should be provided.

Omission of protected trees from tree permit and valley oak mitigation rate

The arborist report lists the health of 8 valley oaks as poor and 100 as fair, concluding:

Based on my review of the data, there were 230 native trees of moderate and high suitability for preservation proposed for removal as part of the project, 193 of which qualified as *Protected*. I recommend mitigation of all *Protected* native trees

of moderate and high suitability for preservation at a 1:1 ratio with 15-gallon container size.

Unfortunately, the arborist report ignores the habitat values of the valley oaks assessed in fair or poor health. Dying and dead valley trees provide important habitat. Further, the discussion of removal of native trees in the tree ordinance includes a discussion, in section 816-6.8010, stating that a tree in poor health that cannot be saved is a factor in deciding whether a tree removal plan should be advanced, but it does not simply give *carte blanche* to not including trees in fair condition in the tree removal permit. This must be corrected.

Valley oaks have experienced severe declines. The International Union for Conservation of Nature *Red List of US Oaks* (<http://www.mortonarb.org/science-conservation/global-tree-conservation/projects/iucn-red-list-threat-assessments-priority>) reports on distributions, population trends, and threats facing the 91 native oak species in the United States, including nine California oak species, which the report designates as of conservation concern. The valley oak is evaluated as near-threatened. As such, a greater rate of protection for valley oaks is needed and mitigation for valley oak impacts should be at a sufficient level to recover populations. A 1:1 rate is inadequate for any impacted oak trees and is highly deficient for valley oaks given their conservation status.

Project would retain 55 or fewer native trees

Another noteworthy aspect of the arborist report is that 26 of the 81 trees to be preserved are not indigenous trees named in the tree protection ordinance. These trees are:

- 15 river sheoaks, *Casuarina cunninghamiana*
- 4 manna gums, *Eucalyptus viminalis*
- 1 blue gum *Eucalyptus globulus*.¹ (Note the arborist's report omits the blue gum in the discussion of invasive species.)
- 1 Mexican fan palm
- 2 almond trees
- 2 Aleppo pine
- 1 ash

These trees are not improperly characterized as protected per county code 816-6.6004, but their habitat value is far less than the oaks and other native trees that would be impacted if the project were to advance. The retention of these trees, removal of hundreds of oaks, inadequate root protection of oaks that are meant to be retained, and installation of gates around the property would degrade the site's habitat values.

Subdivision Ordinance watercourse protections

Environmental documentation for the project should analyze whether the project is subject to the protected watercourse provisions of the Subdivision Ordinance (914).²

¹ California Invasive Plant Council lists this tree as a moderate invasive. Blue gum invades neighboring plant communities if adequate moisture is available for propagation. Once established, the trees can alter local soil moisture, light availability, fire patterns, nitrogen mineralization rates and soil chemistry. Because stringy bark is carried away while burning, eucalyptus forests are considered the worst in the world for spreading spot fires. The Oakland hills firestorm was both intense and difficult to control because of the many stands of eucalyptus. Individual trees growing near structures or in public use areas are hazardous because of the potential for branch failure.

914-4.006 - Vegetation removal.

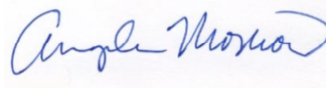
Vegetation removal within a protected watercourse shall be restricted to the removal of downed trees, trees that are precariously undercut and trees that have the potential of creating a major obstruction within the floodway. Removal work shall be done in an environmentally-sensitive manner, so as to minimize damage to remaining trees, undergrowth and other riparian vegetation. Older trees requiring removal of dead or diseased limbs shall be trimmed under the supervision of a tree specialist. To the maximum extent possible, undergrowth shall be preserved. (Ord. 89-28).

This project should not be advanced.

Sincerely,



Janet Cobb
Executive Officer
California Wildlife Foundation
jcobb@californiawildlifefoundation.org



Angela Moskow
Manager
California Oaks Coalition
amoskow@californiaoaks.org

cc: Michele Sheehan, Save Seven Hills Ranch

²https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT9SU_DIV914DR_CH914-14RI-WSE

From: [Angela Moskow](#)
To: [Sean Tully](#)
Cc: [Janet Cobb](#); [Save Seven Hills Ranch](#)
Subject: General Plan Amendment, Rezone, Minor Subdivision, Preliminary and Final Development Plan, and Land Use Permit (County File Numbers CDGP20-00001, CDRZ20- 03255, CDMS20-00007, CDDP20-03018, & CDLP20-02038) for the Spieker Senior Continuing Care Community P
Date: Thursday, August 19, 2021 2:29:49 PM
Attachments: [8_19_21CaliforniaWildlifeFoundation_CaliorniaOaksLetterSpiekerProject.pdf](#)

Dear Mr. Tully,

Please find attached and please acknowledge receipt of a letter on the General Plan Amendment, Rezone, Minor Subdivision, Preliminary and Final Development Plan, and Land Use Permit (County File Numbers CDGP20-00001, CDRZ20- 03255, CDMS20-00007, CDDP20-03018, & CDLP20-02038) for the Spieker Senior Continuing Care Community Project.

Best,

Angela

Angela Moskow
California Oaks Information Network Manager
California Wildlife Foundation/California Oaks
201 University Avenue
Berth H-43
Berkeley, CA 94710
www.californiaoaks.org
Telephone: (510) 763-0282

Christopher Cain
955 Seven Hills Ranch Road, Walnut Creek, CA 94598

July 28, 2021

Department of Conservation and Development
30 Muir Road
Martinez, California 94553

Attention: Sean Tully

Subject: Comment regarding Spieker SCCC Project
County File Numbers CDGP20-00001, CDRZ20- 03255,
CDMS20-00007, CDDP20-03018, & CDLP20-02038

Dear Planning Team

Having had the opportunity to review some of the available planning documents for the Spieker Senior Continuing Care Community (SCCC) project, I offer the following comment related the proposed sanitary sewer service.

There may be a relatively high environmental risk from overflow at the proposed connection location of the sanitary sewer pipe carrying project flow west from the site to the manhole designated SSMH 97-2 on Drawing C5.0, Utility Plan because this manhole is only two feet deep and it is located immediately above a natural creek flowing into Walnut Creek.

The manhole is very shallow, because it and the sewer at this location are located only a few feet east of the top of the 7-foot diameter corrugated metal pipe (CMP) culvert that carries Homestead Creek under Seven Hills Ranch Road. The sewer pipe passes westward over the top of the culvert, which is only about three feet below the top of the pavement. A partial blockage in the entrance to the 8-inch pipe exiting the manhole that caused a relatively small 2-foot surcharge would result in overtopping of the manhole and flow directly to the creek. While manhole overtopping is possible throughout any gravity sewer piping system, the unusually shallow depth of this manhole and its location immediately beside the creek justify specific environmental consideration to determine the significance of the risk and possible mitigation.

The presence of the shallow manhole and nearby creek are not clearly shown in the project documents. The topographic contour mapping on Speiker SCCC Project Dwg C5.0

“Utility Plan” (dated July 27/2020) for the land near the western end of Seven Hill Ranch Road is incorrect because it fails to show the actual elevations in Homestead Creek, a small natural tributary that drains into Walnut Creek through an outfall about 100 yards north of the Seven Hills Ranch Road bridge over Walnut Creek. The contour mapping shows only a short, dead-end section of channel connected to Walnut Creek close to the outfall, with just a dotted line indicating the Homestead Creek centerline extending to the south. In reality, the 10- to 15-foot deep open channel of Homestead Creek extends south (upstream) from its outfall a distance of about a half-mile toward Ygnacio Valley Road along an alignment parallel to and between Walnut Blvd and Homestead Ave. Recognizing that there is a large oak tree located at the junction of Homestead Creek and Seven Hills Ranch Road, it may be that the surveyor was working with aerial photo data that did not clearly determine the actual ground surface below the oak tree, leaving the CAD computer to extrapolate it from nearby areas. As a result, the contours drawn for the area under the oak tree show a relatively flat ground surface without clear indication of the presence of the large 84-inch diameter CMP culvert under the road with associated headwalls and guard-rails.

I sent a brief version of this comment into the system about a year ago, and apparently no one noticed, so now I’m trying again. I’m on social security and I think the CMP is older than I am. Someone should go look at it before planning to run a lot more wastewater flow across it.

If there are questions, please call Christopher Cain, at 925-360-5733. Thank you for your consideration.

Sincerely

Christopher Cain

From: [carol agnost](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spielberg Development Project
Date: Sunday, August 22, 2021 1:17:03 PM

I moved to Walnut Creek from S.F. In 1972 when I bought my house at 333 Kinross Drive. It was at the beginning of most of the development in this city. It has not stopped since then, almost 50 years later. I didn't realize then, but I realize now, that my house was part of that development. Maybe it is time for it to stop. The Seven Hills Ranch property is the last and largest piece of undeveloped open land in this city and Spieker wants to put a monstrous development on it. Who is going to benefit from that except Spieker and the WEALTHY people who are going to move there? They want to level the hills, put in roads, increase the already unwieldy traffic in W.C. and drive out a great amount of wild life. There is no place left for that wildlife to go and it breaks my heart.

I do not know who you are, individually, but before you vote on the fate of that land, put on your walking shoes, drive out here, go to the end of Kinross Drive at Marchbanks Dr. and take a walk over that land.

And then decide.

Sincerely,

Carol Agnost
333 Kinross Drive
925-935-6549

Sent from my iPad

From: [Carol Carlson](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Saturday, August 21, 2021 4:30:02 PM

Dear Mr. Tully,

We're residence of Heather Farms Homeowners Association adjacent to the proposed Spieker Development Project at Seven Hills Ranch. It's not appropriate to construct a continuing care retirement community with several multi-use buildings in the middle of a residential neighborhood. We're strongly opposed to the massive development for a number of reasons.

1. We purchased our home at Heather Farms HOA in 2011 to enjoy the beauty and tranquility of Heather Farms park as well as the rolling hills at Seven Hills Ranch. Not only will the development eliminate much coveted open space and be replaced with 450 housing units and public facilities, it will remove hundreds of beautiful trees. These trees are home to many birds and a variety of animals roam throughout the hills.
2. The project will cause additional traffic congestion on Ygnacio Valley Road, an already busy street and Marchbanks Road. Not only will the additional traffic be due to the residents, but also visitors, caregivers and emergency vehicles. The traffic will be further backed-up by traffic yielding to ambulances and fire trucks.
3. The single ingress and egress through Kinross Drive amplifies the traffic congestion on Marchbanks Road.
4. Having a seniors health center will cause disruptive sirens during the day and evening.
5. Lastly, the construction will span 4 years causing additional noise, dust, traffic. The heavy equipment trucks will back up traffic at the left-turn lane at Marchbanks and Ygnacio Valley.

We ask that the County disapprove the Spieker request to change the zoning of the Seven Hills Ranch property.

Sincerely,

Carol and Richard Carlson

From: [Carol Hess](#)
To: [Sean Tully](#)
Cc: carolanhess13@gmail.com; hess@astound.com
Subject: Public Comment EIR Scoping for Spieker Development Project
Date: Monday, August 23, 2021 4:51:57 PM

Dear Sean,

Regarding County File #s: CDGP20-001, CDRZ20-3255, CDMS20-00007, CDDP20-03018, CDLP20-02838

Please Save Seven Hills Ranch! I urge the county not to allow any changes to the General Plan for the Spieker Development Project.

First and foremost, this 30-acre parcel of land is beautiful with over 350 protected oak trees that would be cut down. The area is home to many species of wildlife. They'd lose their habitat since the hills would be flattened to put buildings in place. Future generations would ask why this open-space was given up.

I certainly understand the need for housing for elderly people, but this isn't a good fit for the residents that live, work, and play here.

Open Space is key to everyone's peace of mind as demonstrated by the pandemic.

Heather Farm Park is used by adults and kids for all kinds of sports including soccer, baseball, swimming, picnicking, children's playground, fishing, dog park, etc.

Seven Hills School is near this proposed area of development. As a former elementary school teacher, I can't imagine trying to teach with the noise and air-pollution for at least 3 years.

The traffic will be unbearable if this project is okayed. The roadways are crowded now. Ygnacio Valley Road is impossible during many hours of the day. This development will only be for wealthy seniors. 500+ parking spaces for residents and workers at the proposed site is unfathomable.

My husband and I have been residents of Walnut Creek since 1979. We raised our three sons here. Why hasn't this project been in the media to any extent? We most certainly didn't receive a survey regarding this proposed development.

Thanks in advance for your thoughtful consideration of the greater good. Btw, the reason more people weren't in attendance at the recent ZOOM meeting was because they were unaware of it occurring. People were working, school was just back in session, and the time was impossible for those who might have found out.

Sincerely,
Carol Hess
Senior Citizen
Retired Teacher
Resident of Rancho San Miguel

From: [Carole Minoot](#)
To: [Sean Tully](#)
Subject: Public comment on EIR for Speiker Development Project
Date: Monday, August 23, 2021 4:59:57 PM

To whom it may concern;

I am writing to express my deep concerns regarding approval of construction for Speiker Development's proposed site for a new retirement community in Walnut Creek on what is known as Seven Hills Ranch.

Traffic!! The proposed entrance to this large development is Kinross Drive, a SMALL street, accessible only from Marchbanks Drive, which is a community of hundreds of condominiums, apartments, houses golf course and restaurant, along with Heather Farm park, which draws hundred of people each day, along with the skate park, dog park and Seven Hills School. This neighborhood cannot take all of the additional traffic which would be created by this development. The 350-500 residents, the 200+ employees and staff, and all of the construction workers, trucks, dump trucks, supply trucks, etc for 3-4 year construction period. Not to mention all the emergency vehicles with sirens blaring at all hours from 911 calls. This town already has enough retirement communities, why ruin this entire neighborhood for the sake of another one to benefit a select portion of the community who could actually afford this ridiculously overpriced development? Not fair! There are better things we can do with this precious 30 acre parcel of open space! Once it's gone, it's gone. I hear 350 protected trees are to be cut down? What does protected mean if anyone can come in with enough money and do it? Rezoning is also needed. It was zoned the way it is for a reason.

I vehemently oppose this development and request that the council deny any and all approvals required for building.

Thank you,
Carol Minoot
Walnut Creek
[Sent from Yahoo Mail on Android](#)



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



August 30, 2021

Mr. Sean Tully
Contra Costa County
30 Muir Road
Martinez, CA 94553
Sean.Tully@dcd.cccounty.us

Subject: Spieker Senior Continuing Care Community Project, Notice of Preparation of a Draft Environmental Impact Report, SCH No. 2021070517, Contra Costa County

Dear Mr. Tully:

The California Department of Fish and Wildlife (CDFW) reviewed the Notice of Preparation (NOP) of a draft Environmental Impact Report (EIR) provided for the Spieker Senior Continuing Care Community Project (Project) located in unincorporated Walnut Creek.

CDFW is a Trustee Agency with responsibility under the California Environmental Quality Act (CEQA) §15386 for commenting on projects that could impact fish, plant and wildlife resources. CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as the California Endangered Species Act (CESA) Permit, the Native Plant Protection Act Permit, the Lake and Streambed Alteration (LSA) Agreement and other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources. Pursuant to our jurisdiction, CDFW has the following concerns, comments, and recommendations regarding the Project.

PROJECT DESCRIPTION AND LOCATION

The Project would involve the development of 354 living units, including a 550,000-square-foot apartment-style building and 30 single-story residential buildings on an approximately 30.6-acre site along Seven Hills Ranch Road. The Project site consists of woodland and grassland habitats and is bounded by The Seven Hills School to the north, Walnut Creek to the north and west, Seven Hills Ranch Road to the south, the Walnut Creek city limit and existing residential neighborhoods to the south and east, and Heather Farms Park to the east. The approximate center coordinate for the Project is latitude 37.919678, and longitude -122.050118. The Project would occur on Assessor's Parcel Numbers 172-150-012 and 172-080-007.

The CEQA Guidelines (§§15124 & 15378) require that the draft EIR incorporate a full Project description, including reasonably foreseeable future phases of the Project, and that contains sufficient information to evaluate and review the Project's environmental

Mr. Sean Tully
 Contra Costa County
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impact. Please include a complete description of the following Project components in the Project description:

- Footprints of permanent Project features and temporarily impacted areas, such as staging areas and access routes;
- Encroachments into riparian habitats, wetlands or other sensitive areas;
- Construction schedule, activities, equipment and crew sizes; and
- Operational features of the Project, including level of anticipated human presence (describe seasonal or daily peaks in activity, if relevant), artificial lighting/light reflection, noise and greenhouse gas generation, traffic generation, and other features, both during construction and after completion of the Project.

ENVIRONMENTAL SETTING

Sufficient information regarding the environmental setting is necessary to understand the Project's, and its alternatives' (if applicable), significant impacts on the environment (CEQA Guidelines, §§15125 & 15360). CDFW recommends that the CEQA document prepared for the Project provide baseline habitat assessments for special-status plant, fish and wildlife species located and potentially located within the Project area and surrounding lands, including all rare, threatened, or endangered species (CEQA Guidelines, §15380). Fully protected, threatened or endangered, candidate, and other special-status species that are known to occur, or have the potential to occur in or near the Project site, include, *but are not limited to*, those listed in the table below:

Species	California Endangered Species Act	Federal Endangered Species Act	Other Special-Status
Loggerhead shrike <i>Lanius ludovicianus</i>			SSC ¹
Northern harrier <i>Circus cyaneus</i>			SSC
Western burrowing owl <i>Athene cunicularia</i>			SSC
Bald Eagle <i>Haliaeetus leucocephalus</i>	FP ³ , E ⁴		
Golden Eagle <i>Aquila chrysaetos</i>	FP ³ , E ⁴		

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White-tailed kite <i>Elanus leucurus</i>	FP		
California red-legged frog <i>Rana draytonii</i>		T ²	SSC
Alameda whipsnake <i>Masticophis lateralis euryxanthus</i>	T	T	
Northern California legless lizard <i>Anniella pulchra</i>			SSC
Pallid bat <i>Antrozous pallidus</i>			SSC
Townsend's big-eared bat <i>Corynorhinus townsendii</i>			SSC
Western red bat <i>Lasiurus blossevillii</i>			SSC
American badger <i>Taxidea taxus</i>			SSC
Diablo helianthella <i>Helianthella castanea</i>			1B.2 ⁵
Oakland star tulip <i>Calochortus umbellatus</i>			4.2 ⁶

¹ SSC: California Species of Special Concern

² T: Threatened

³ FP: Fully Protected

⁴ E: Endangered

⁵ 1B.2: Plants rare, threatened, or endangered in California and elsewhere; fairly threatened in California

⁶ 4.2: Plants of limited distribution; fairly threatened in California

Habitat descriptions and species profiles should include information from multiple sources: aerial imagery, historical and recent survey data, field reconnaissance, scientific literature and reports, and findings from “positive occurrence” databases such as California Natural Diversity Database (CNDDDB). Based on the data and information from the habitat assessment, the CEQA document can then adequately assess which special-status species are likely to occur in the Project vicinity.

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CDFW recommends that during Project planning surveys be conducted for special-status species with potential to occur, following recommended survey protocols if available. Survey and monitoring protocols and guidelines are available at: <https://www.wildlife.ca.gov/Conservation/Survey-Protocols>.

Botanical surveys for special-status plant species, including those listed by the California Native Plant Society (CNPS) (found at: <http://www.cnps.org/cnps/rareplants/inventory/>) and/or found on the CNPS East Bay Chapter's Database of Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties (found at: <https://ebcnps.org/ebrare-plant-database/>), must be conducted during the appropriate identification period for all sensitive plant species potentially occurring within the Project area and require the identification of reference populations. Please refer to CDFW protocols for surveying and evaluating impacts to rare plants available at: <https://www.wildlife.ca.gov/Conservation/Plants>.

IMPACT ANALYSIS AND MITIGATION MEASURES

The CEQA Guidelines (§15126.2) necessitate that the draft EIR discuss all direct and indirect impacts (temporary and permanent) that may occur with implementation of the Project. This includes evaluating and describing impacts such as:

- Loss or modification of breeding, nesting, dispersal and foraging habitat, including vegetation removal, alternation of soils and hydrology, and removal of habitat structural features (e.g., snags, roosts, overhanging banks);
- Permanent and temporary habitat disturbances associated with ground disturbance, noise, lighting, reflection, air pollution, traffic or human presence;
- Obstruction of movement corridors, fish passage, or access to water sources and other core habitat features; and
- Permanent or temporary changes to natural community composition.

The CEQA document also should identify reasonably foreseeable future projects in the Project vicinity, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the project's contribution to the impact (CEQA Guidelines, §15355). Although a project's impacts may be insignificant individually, its contributions to a cumulative impact may be considerable; a contribution to a significant cumulative impact – e.g., reduction of available habitat for a listed species – should be considered cumulatively considerable without mitigation to minimize or avoid the impact.

Based on the comprehensive analysis of the direct, indirect, and cumulative impacts of the Project, the CEQA Guidelines (§§ 15021, 15063, 15071, 15126.2, 15126.4 & 15370)

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direct the lead agency to consider and describe all feasible mitigation measures to avoid potentially significant impacts in the draft EIR, and/or mitigate significant impacts of the Project on the environment. This includes a discussion of take avoidance and minimization measures for special-status species, which are recommended to be developed in early consultation with the U.S. Fish and Wildlife Service, the National Marine Fisheries Service and CDFW. These measures can then be incorporated as enforceable project conditions to reduce potential impacts to biological resources to less-than-significant levels.

Fully protected species such as white-tailed kite may not be taken or possessed at any time (Fish and Game Code § 3511). Therefore, the draft EIR is advised to include measures to ensure complete take avoidance of these fully protected species.

Additionally, CDFW recommends adding the following language to the draft EIR for the protection of wildlife:

1. Western Burrowing Owl

- a. *“Pre-construction surveys for western burrowing owl shall be conducted in accordance with the March 7, 2012 CDFW Staff Report on Burrowing Owl Mitigation (found at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843>). If pre-construction surveys find active nests avoidance and minimization guidelines must be developed prior to the start of construction in accordance with the March 7, 2012, CDFW memo, and through consultation with CDFW.”*
- b. *“If temporary or permanent exclusion and closure of western burrowing owl burrows cannot be avoided, the Project proponent shall ensure that suitable, conserved western burrowing owl habitat of equal or greater value is present within 100 meters of the destroyed burrows for all exclusions prior to the commencement of exclusion activities. If no such habitat exists, the Project proponent shall be required to obtain written approval of a Western Burrowing Owl Exclusion and Mitigation Plan from both CDFW and the U.S. Fish and Wildlife Service.”*
- c. *“To offset permanent impacts to western burrowing owl foraging habitat, the Project proponent shall purchase and protect in perpetuity compensatory mitigation lands at a minimum of a 2:1 mitigation ratio (or a minimum mitigation ratio of 3:1 if active burrows or winter roosts are identified on site and take cannot be avoided) as a condition of Project approval. Mitigation lands shall be within 210 meters of an active breeding colony at minimum and shall have an active breeding colony if western burrowing owls will be evicted from the Project site. Mitigation lands shall be protected in perpetuity under a*

Mr. Sean Tully
Contra Costa County
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conservation easement and be managed in perpetuity through an endowment with an appointed land manager. The easement shall be held by a governmental entity, special district, non-profit organization, for-profit entity, person, or another entity to hold title to and manage the property provided that the district, organization, entity, or person meets the requirements of Government Code sections 65965-65968, as amended. As the State's trustee for fish and wildlife resources, CDFW shall be named as a third-party beneficiary under the conservation easement."

2. Trees and Riparian Vegetation

- a. *"The Project area shall be surveyed for special-status plants by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities," which can be found online at <https://wildlife.ca.gov/Conservation/Survey-Protocols>. This protocol, which is intended to maximize detectability, includes identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. If a State-listed or State Rare¹ plant is identified during botanical surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, acquisition of take authorization through an Incidental Take Permit (ITP) issued by CDFW pursuant to Fish and Game Code Sections 2081(b) and/or Section 1900 et seq is necessary to comply with Fish and Game Code CESA and the Native Plant Protection Act."*
- b. *"All vegetation within the Project shall be surveyed and clear of special status species by the Qualified Biologist prior to removal or disturbance, including temporary disturbance for equipment ingress/egress. The disturbance of vegetation shall not exceed the minimum necessary to complete work. Precautions shall be taken to avoid other damage to vegetation by people or equipment."*
- c. *"All trees removed or pruned as result of proposed work activities shall be replaced as follows:*
 - i. *Trees up to 12 inches in diameter at breast height (DBH) reduced by 20-percent or more of their baseline canopy cover or limbs between 4 and 12 inches in diameter removed or trees where root systems are impacted (e.g., excavation or grading activities, placement of hardscape, changes in surface or subsurface hydrological dynamics) shall be replaced at an in-*

¹ In this context, "Rare" means listed under the California Native Plant Protection Act.

Mr. Sean Tully
Contra Costa County
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kind ratio of 3:1 (mitigation to removed) for native species. Non-native trees shall be replaced at a 2:1 ratio with native species.

- ii. *Trees greater than 12 inches DBH reduced by 20 percent or more of their baseline canopy cover or limbs greater than 12 inches in diameter removed or trees where root systems are impacted shall be replaced at an in-kind ratio of 6:1 for native species. Non-native trees shall be replaced at a 3:1 ratio with native species.*
- iii. *All oaks greater than 2 inches DBH removed or pruned shall be replaced at a ratio of 6:1.*

Replacement trees shall consist of 5-gallon saplings, stakes, or other suitable nursery stock and shall be native species adapted to the lighting, soil and hydrological conditions at the replanting site. If replanting within the work area is unfeasible due to slope steepness or other physical constraints, replacement trees may be planted at an alternate location within the same watershed.”

3. General Construction Measures for the Protection of Special-Status Species

- a. *“Any fencing, signposts, or vertical poles installed temporarily or permanently throughout the course of the Project shall have the top capped and/or the top three post holes covered or filled with screws or bolts to prevent the entrapment of wildlife.”*
- b. *“Any open trenches, pits, or holes with a depth larger than one-foot shall be covered at the conclusion of work each day with a hard, non-heat conductive material (i.e., plywood). No netting, canvas, or material capable of trapping or ensnaring wildlife shall be used to cover open trenches. If use of a hard cover is not feasible, multiple wildlife escape ramps shall be installed, constructed of wood or installed as an earthen slope in each open trench, hole, or pit that is capable of allowing large (i.e., deer) and small (i.e., snakes) from escaping on their own accord. Prior to the initiation of construction each day and prior to the covering of the trench at the conclusion of work each day, a qualified biologist or on-site personnel shall inspect the open trench, pit, or hole for wildlife. If wildlife is discovered, it shall be allowed to leave on its own accord.”*
- c. *“Integrated pest management solutions that emphasize non-chemical pest management shall be used over chemical pesticides to the extent feasible. Rodenticides and insecticides shall not be used on the Project site.”*
- d. *“No erosion control materials containing plastic monofilament netting (erosion control matting) or similar material containing netting shall be used within the*

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Project area due to documented evidence of amphibians and reptiles becoming entangled or trapped in such material. The Project proponent shall use natural-fiber substitutes (e.g., coconut coir matting)."

REGULATORY REQUIREMENTS

California Endangered Species Act

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

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (CEQA §§ 21001(c), 21083, & CEQA Guidelines §§ 15380, 15064, 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code § 2080.

Lake and Streambed Alteration Agreement

CDFW will require an LSA Agreement, pursuant to Fish and Game Code §§ 1600 et. seq. for Project-related activities affecting lakes or streams and associated riparian habitat within the proposed Project area. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the Project. CDFW may not execute the final LSAA until it has complied with CEQA (Public Resources Code § 21000 et seq.) as the responsible agency.

FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish & Game Code, § 711.4; Pub. Resources Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

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If you have any questions, please contact Jennifer Rippert, Senior Environmental Scientist (Specialist) at Jennifer.Rippert@wildlife.ca.gov; or Melissa Farinha, Environmental Program Manager, at Melissa.Farinha@wildlife.ca.gov.

Sincerely,

DocuSigned by:

Stacy Sherman

692D021D81CA4F7...

Stacy Sherman
Acting Regional Manager
Bay Delta Region

cc: State Clearinghouse #2021070517

From: [Hultman, Debbie@Wildlife](mailto:Hultman,Debbie@Wildlife)
To: [Sean Tully](#)
Cc: [OPR State Clearinghouse](#); Rippert, Jennifer@Wildlife; Farinha, Melissa@Wildlife
Subject: Spieker Senior Continuing Care Community Project-SCH2021070517
Date: Monday, August 30, 2021 3:23:16 PM
Attachments: [Spieker Senior Continuing Care Community Project-SCH2021070517-Tully-RIPPERT083021.pdf](#)

Mr. Tully,

Please see the attached letter for your records. If you have any questions, contact Ms. Jennifer Rippert, cc'd above.

Thank you,

Debbie Hultman | Assistant to the Regional Manager
California Department of Fish and Wildlife – Bay Delta Region
2825 Cordelia Road, Ste. 100, Fairfield, CA 94534
707.428.2037 | debbie.hultman@wildlife.ca.gov

From: [HOUSSIN MAKHLOUF](#)
To: [Sean Tully](#)
Subject: Public comment on EIR scoping for Spieker development project
Date: Friday, August 20, 2021 5:09:52 PM

Dear Sir / madam - It has been very disturbing , to say the least , to find out that your intended project would cost lives so that some one else could make millions.

My Town house is on Kinross drive where the side walk is less than 3 feet and on to the street , currently the traffic is limited to residents of heather farms specifically to residents living directly on Kinross drive as the rest of the complex takes Siskyou to get to their homes , if Kinross drive becomes a main artery to go from Ygnacio valley road to March banks our children will open the door to be hit by a passing car our children will never be able to go out side the house to enjoy the outdoors near by , our peace and quite where we reside and comfort will be disturbed tremendously.

We all purchased houses here because of the serenity , peace and quite of the complex , I don't see a reason or the right of some one to take that away from us , we should not sacrifice our kids , our way of life and our well being so some one else can lineup their pocket with more money .

When we moved to Walnut Creek we were impressed with the quality of life and the respect for residents to live their life to the fullest , some people choose big buildings in dense cities and some choose more space and less pollution if you go ahead with this project then what do we have ????

Thanks

Chereen Makhlouf
291 Kinross Drive
Walnut Creek , CA 94598

From: [Tom Gill](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 23, 2021 9:36:53 AM

Dear Mr. Tully,

I am a long time resident of Walnut Creek and am writing with my strong objections to the Spieker Development Project.

Walnut Creek needs to retain its precious open space, trees, habitat for wildlife and the natural beauty that this area provides. We do not need the additional traffic, the additional living units and health care center, and do not need the destruction of so many trees. Also we do not have the water to supply the additional residences in this time of severe drought.

Please do not allow this project to proceed.

Thank you,
Christina Gill

Christopher Cain
955 Seven Hills Ranch Road, Walnut Creek, CA 94598

July 28, 2021

Department of Conservation and Development
30 Muir Road
Martinez, California 94553

Attention: Sean Tully

Subject: Comment regarding Speiker SCCC Project
County File Numbers CDGP20-00001, CDRZ20- 03255,
CDMS20-00007, CDDP20-03018, & CDLP20-02038

Dear Planning Team

Having had the opportunity to review some of the available planning documents for the Speiker Senior Continuing Care Community (SCCC) project, I offer the following comment related the proposed sanitary sewer service.

There may be a relatively high environmental risk from overflow at the proposed connection location of the sanitary sewer pipe carrying project flow west from the site to the manhole designated SSMH 97-2 on Drawing C5.0, Utility Plan because this manhole is only two feet deep and it is located immediately above a natural creek flowing into Walnut Creek.

The manhole is very shallow, because it and the sewer at this location are located only a few feet east of the top of the 7-foot diameter corrugated metal pipe (CMP) culvert that carries Homestead Creek under Seven Hills Ranch Road. The sewer pipe passes westward over the top of the culvert, which is only about three feet below the top of the pavement. A partial blockage in the entrance to the 8-inch pipe exiting the manhole that caused a relatively small 2-foot surcharge would result in overtopping of the manhole and flow directly to the creek. While manhole overtopping is possible throughout any gravity sewer piping system, the unusually shallow depth of this manhole and its location immediately beside the creek justify specific environmental consideration to determine the significance of the risk and possible mitigation.

The presence of the shallow manhole and nearby creek are not clearly shown in the project documents. The topographic contour mapping on Speiker SCCC Project Dwg C5.0

“Utility Plan” (dated July 27/2020) for the land near the western end of Seven Hill Ranch Road is incorrect because it fails to show the actual elevations in Homestead Creek, a small natural tributary that drains into Walnut Creek through an outfall about 100 yards north of the Seven Hills Ranch Road bridge over Walnut Creek. The contour mapping shows only a short, dead-end section of channel connected to Walnut Creek close to the outfall, with just a dotted line indicating the Homestead Creek centerline extending to the south. In reality, the 10- to 15-foot deep open channel of Homestead Creek extends south (upstream) from its outfall a distance of about a half-mile toward Ygnacio Valley Road along an alignment parallel to and between Walnut Blvd and Homestead Ave. Recognizing that there is a large oak tree located at the junction of Homestead Creek and Seven Hills Ranch Road, it may be that the surveyor was working with aerial photo data that did not clearly determine the actual ground surface below the oak tree, leaving the CAD computer to extrapolate it from nearby areas. As a result, the contours drawn for the area under the oak tree show a relatively flat ground surface without clear indication of the presence of the large 84-inch diameter CMP culvert under the road with associated headwalls and guard-rails.

I sent a brief version of this comment into the system about a year ago, and apparently no one noticed, so now I’m trying again. I’m on social security and I think the CMP is older than I am. Someone should go look at it before planning to run a lot more wastewater flow across it.

If there are questions, please call Christopher Cain, at 925-360-5733. Thank you for your consideration.

Sincerely

Christopher Cain

From: [Chris Cain](#)
To: [Sean Tully](#)
Subject: Spieker SCCC project CDGP20-00001 comment
Date: Wednesday, July 28, 2021 4:18:59 PM
Attachments: [Cain Ltr re Spieker sewer.doc](#)

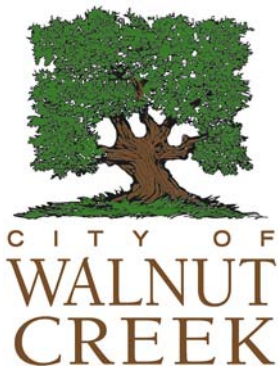
Mr Tully

I have attached a copy of a comment letter I plan to mail to you today, regarding one of the sewer connections for the Spieker Senior CCC project.

Hopefully this is helpful.

Chris Cain

925-360-5733



August 23, 2021

Sean Tully
Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

Delivered via e-mail

Re: Spieker Senior Continuing Care Community Project (GP20-0001) – EIR scoping comments

Dear Mr. Tully:

Thank you for the opportunity to provide EIR scoping comments for the above noted application located within the City of Walnut Creek's Sphere of Influence. We continue to have a particular interest in this project due to its large size and the fact that it is proposed to be accessed via the City's roadway network, and, as always, appreciate your collaborative approach. In addition to our previously submitted project comments, we request that the project EIR include a careful and thorough analysis of the following environmental resource areas as related to the proposed project:

Aesthetics

1. Confirm in the project description that all utilities will be placed underground, as acknowledged by the applicant in their response letter dated October 8, 2020.
2. Analyze the potential aesthetic impacts resulting from the change in character by the proposed three and four-story buildings located atop a prominent hill adjacent to a relatively undeveloped and rural portion of Heather Farm Park. This analysis should include multiple photo-simulations illustrating views of the project from the surrounding neighborhoods, the Contra Costa Canal Trail, and Heather Farm Park.

Air Quality

3. Analyze the localized air quality impacts resulting from the construction of the proposed project, including those impacts directly related to the large amount of grading proposed, and the associated truck trips.

Geology and Soils

4. Analyze the potential public safety impacts resulting from the proposed project, particularly with regard to the landslide and seismic safety impacts to adjacent properties resulting from the large amount of grading proposed.

Greenhouse Gas Emissions

5. Analyze the impacts related to greenhouse gas emissions and climate change resulting from the proposed project, and specifically the project's conformance with the City of Walnut Creek's Climate Action Plan.

Hydrology and Water Quality

6. Analyze the impacts related to increased flood hazards, both locally and further downstream along the Walnut Creek watershed.
7. Analyze the impacts related to the City's previously provided comments regarding the Preliminary Hydrology and Water Quality Report, or confirm in the project description how they have been addressed. These comments included the following:
 - a. The use of 6" ponding depth and the permeable rock section of C.3 facilities for flood control and peak flow mitigation purposes is currently not accepted by County Flood Control.
 - b. The project is noted to be exempt from hydromodification requirements due to runoff draining to a hardened channel. The hydromodification management map in Appendix C had not been accepted by the Water Board, who recently raised comments specifically regarding the Walnut Creek. As such, the exemption is not valid.
 - c. For Outfall 5 (drainage at N San Carlos EVA), please note that the City will accept and actually prefers PVC over RCP. Also, please provide response/clarification of CCWD comment No. 2 (no response was provided in the previous response to comments) that "No drainage from the project site shall be allowed to go onto CCWD or Reclamation property", particularly with regard to Options 1 and 2. Both options will require review and approval by the City and CCWD. Option 1 will require crossing the Contra Costa Canal and thus require review and approval from the Bureau of Reclamation. Evaluation of both options will need to include determination of necessary easements, ensure utility separation, evaluate impacts of outfall to canal, and include design of outfall to mitigate impacts and address long-term maintenance concerns.
 - d. Analyze each outfall separately. Outfall 1 is actually two outfalls, as is Outfall 5. For drainage management area 9, Outfall 1, address impact to drainage channel; while post-project drainage area reduced from pre-project, the flow path is being modified; a portion is being piped (to create access road from Kinross) and remainder is being routed through an interceptor channel. Provide detail of interceptor channel and provide a cross section through the bioretention basin as highlighted below, showing basin, retaining walls and interceptor channel. Note that bioretention surface needs to be level but interceptor channel needs to slope

to convey runoff from 36” pipe. Analysis should clearly address impacts to offsite existing natural drainage channel upstream of 84” corrugated metal pipe culvert and delineate location of drainage channel relative to Seven Hills Ranch property and adjacent private property and show drainage easements if any.



Land Use

8. Analyze the project’s conformance with goals, policies, and actions of the City of Walnut Creek’s general plan as they relate to new development. This request is made in light of the proposed project’s location within the City’s sphere of influence, and the City’s general plan land use classification of Single Family Low (SFL, 1.1 - 3.0 du/ac).
9. Analyze the project’s impacts on the demand for affordable housing within the subregion.

Noise and Vibration

10. Analyze the localized noise and vibration impacts resulting from the construction of the proposed project, including those impacts directly related to the large amount of grading proposed, and the associated truck trips.

Public Services

11. Analyze the impacts of this project to the resources of the City of Walnut Creek’s Police Department, paying particular attention to potential requests for mutual aid when the Contra Costa County Sherriff’s Office is unable to respond to calls for service in a timely manner.
12. Analyze the impacts of this project to the ability for the surrounding roadway network to accommodate an emergency evacuation order, such as may be necessary in response to wildfires.
13. Analyze the impacts of this project to the City of Walnut Creek’s nearby park facilities, specifically Heather Farm Park. The City’s parkland standard is five acres of parkland per 1,000 people (Chapter 3, Goal 6, Policy 6.1, Action 6.1.1 of the Walnut Creek General Plan).

14. Confirm in the project description that any impact or development fees collected from this project for the purpose of constructing or maintaining parks facilities (such as Quimby Act fees) be passed on to the City of Walnut Creek, as there are no County park facilities in the area, and the project's future residents would most likely use nearby City of Walnut Creek park and open space facilities (particularly the adjacent Heather Farm Park).

Recreation

15. Analyze the impacts to the City of Walnut Creek's nearby recreation facilities, specifically those located within Heather Farm Park and Civic Park (including the Senior Center).

Transportation

16. Provide a comparison of trip generation rates for LU 255 (which was used in the preliminary traffic analysis), as compared to a combination of Senior Living, Congregate Care, Assisted Living, and other land uses contained within the ITE 10th ed., as the project description does break down the project into more specific uses and employee shift information. The more conservative trip generation estimate should be applied to this project. Furthermore, confirm whether the breakdown for employees/residents that would have project characteristics for locations where data was collected for LU 255 trip generation match that used in the VMT calculations used for this project.
17. Similar to the trip generation assumptions, please break down parking demand analysis by more specific land uses to better match the project description.
18. LOS Analysis comments:
 - a. Generally: City staff has a preference not to apply a peak hour factor (PHF) for cumulative conditions, and to apply a consistent PHF across all intersection approaches (especially one where traffic volumes are heavy commute condition rather than very peaky conditions such as near a school)
 - b. YVR/San Carlos: The NB and SB San Carlos approaches are split phase and should be analyzed accordingly
 - c. YVR/La Casa Via: The signal does not operate any special phasing on the NB approach, and should be analyzed accordingly.
 - d. YVR/Tampico: The overall LOS used in the previous analysis did not appear to be realistic. Confirm the model to be used as a basis for the analysis in the EIR, and whether it was provided by the City of Walnut Creek.
19. Analyze the need for pedestrian connections at the Seven Hills Ranch Rd/Homestead Ave intersection in light of the VMT resulting from the proposed project.
20. Analyze the need for a direct pedestrian connection from the project site to Heather Farm Park in light of the VMT resulting from the proposed project.
21. Analyze the need for secure indoor bicycle parking for the project's employees and residents (in addition to the proposed locker and shower facilities for employees), and

convenient outdoor bicycle parking for visitors, in light of the VMT resulting from the project and the site's proximity to the Contra Costa Canal and the Iron Horse Trails.

22. Analyze the need for pedestrian and bicycle connections between the Iron Horse Trail and the Seven Hills Ranch Road EVA, and between the Contra Costa Canal Trail and the N San Carlos Drive EVA, to serve employees and visitors, in addition to the senior residents (who may use tricycles or other similar vehicles, as well as bicycles), in light of the VMT resulting from the project.

Utilities and Service Systems

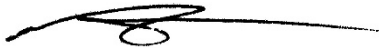
23. Refer to comments provided for Hydrology and Water Quality above.

Alternatives

24. Include an alternative of development consistent with the existing general plan land use classification(s).
25. Include alternatives which consider multiple different access routes and points of entry to the project site.

Thank you for again considering our EIR scoping comments in your review of this application. Please don't hesitate to contact me directly if you would like to discuss any aspect of this letter further or if you have any questions.

Sincerely,



Andrew M. Smith
Senior Planner
(925) 943-5899 x2213
asmith@walnut-creek.org

Cc: Walnut Creek City Council
Dan Buckshi, City Manager
Steve Mattas, City Attorney
Teri Killgore, Assistant City Manager
Claire Lai, Assistant City Attorney
Mark Wardlaw, Community Development Director
Smadar Boardman, Traffic Engineer
Cathleen Terentieff, Senior Civil Engineer
Lt. Holley Connors, Walnut Creek Police Department

From: [Andrew M Smith](#)
To: [Sean Tully](#)
Subject: City of Walnut Creek scoping letter
Date: Monday, August 23, 2021 11:38:43 AM
Attachments: [Walnut Creek scoping letter \(Spieker\).pdf](#)

Hi Sean,

Please accept the attached scoping comment letter from the City of Walnut Creek in response to the NOP for the Spieker project.

Thanks,
-Andy



Andrew M. Smith

Senior Planner – Long Range & Transportation Planning
Community & Economic Development Department
1666 N. Main Street, Walnut Creek, CA 94596
(925) 943-5899 x2213 www.walnut-creek.org

From: [Daniel Abbott](#)
To: [Sean Tully](#)
Subject: Seven Hills Ranch review of EIR Report
Date: Monday, August 23, 2021 3:37:49 PM

Dear Mr Tully,

I wanted to write to express my concern about the development of the Seven Hills Ranch property in Walnut Creek. I feel that further discussion regarding the EIR and important issues related to this property should be considered, and I wanted to encourage you to carefully look at the report and the impacts of the project.

I have a background in architecture and a strong interest in architecture history, and I believe that the structures on the property have important historical value. The site itself has notable connections to the history of the region and the families that were early inhabitants of this area. The existing buildings are unique, with load bearing adobe structures rarely found in this area. The home that currently exists on the site is particular interest for its construction which includes viga beams in the Spanish style of early adobes, and visible lintels used to support the load of the adobe wall over doors and windows. I believe the techniques and craft utilized in this type of construction are of notable historical interest, and the structure can be seen as an intact example of the materials and methods used in early California adobes as a historical link as well as a teaching tool for future generations. I would like to see further discussion on this item and review of the impacts of the loss of this structure as the EIR report is considered.

In terms of the environmental impact of the planned development, I believe that the EIR report should take into account a number of issues which are not yet fully addressed and of significant concern:

- The EIR report should address the potential detrimental impact of the enormous amount of grading that is required for this development. This particularly concerns me as it will permanently alter the identity of the site and involves a significant amount of earth moving and grading.
- The EIR report should also adequately address the loss of the native trees on the site. While many trees could arguably be replaced, 350 of these trees are reported to be of protected status and should be preserved. I believe the EIR report needs to seriously take the destruction and loss of these unique and irreplaceable trees into greater consideration.
- The EIR report should also address the larger issue of the loss of habitat and the ecological impacts to the local ecology and native wildlife. The site is a significant link between the ponds and streams of Heather Farm Park as well as the canal ecosystems which are frequented by a variety of native species in the region. I believe this should be further analyzed and discussed.
- The EIR report should also look at the significant impact of traffic, especially in context of the environmental and energy crisis we are facing which makes this issue particularly relevant. I believe further addition of cars and the supporting network of asphalt and infrastructure presents significant environmental impacts by increasing the use of unsustainable methods of transportation and required roads.
- The EIR report also should further address the impact of this development on our water resources and energy resources, especially in context of the current drought, fires and changing weather patterns that are brought about by global warming. I believe that the addition of the projected development would further exacerbate these issues and have numerous negative impacts on our resource consumption.

Thank you for considering these points for further thought and review. I hope that the site can ultimately be preserved as an open space for future generations and or the welfare of the community and its connection to the land. Any attention you give to these issues is greatly appreciated.

Sincerely,

Daniel Abbott

From: [David Marton](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Speiker Development Project
Date: Friday, August 20, 2021 2:02:29 PM

In advance of the EIR, I want to express my concern for the scope of the Speiker Development Project. It is completely out of balance with the neighboring community, including the Heather Farm Park, the Seven Hills School and the surrounding residential neighborhoods. Nor does the proposal fit with either the general plan for the County or the City of Walnut Creek. The plan to level hills and fill in dales to create level space for a battleship sized building with large retaining walls is out of whack with what surrounds it and does little to nothing to meet the county's or communities housing needs.

The EIR should look specifically at:

- The impact on traffic during construction and in future years
- The impact of the removal of hundreds of trees
- The impact on air quality and noise during the 3-4 year construction period.

Additionally, it's important that the EIR look into the impact of this type of development compared to alternative development including single family housing (as is fits the current zoning) or using the land (or portion of it) to extend Heather Farm Park.

Thank you.

David Marton

Sent from my iPad

From: [Dennis Fischer](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Friday, August 20, 2021 4:35:09 PM

I am writing in regard to the public comment period for the EIR scoping on the Spieker Development Project in Walnut Creek. I understand the the EIR will examine alternatives to this project including a no project scenario and alternatives to the proposed Spieker development. I do not believe the Sieker project as proposed is appropriate to the land topography, water resources available now and in the future, and aligned with the surrounding land use. For these reasons, I submit that alternatives to the Spieker Development need to be fully considered. If this area is to be developed, I believe it should be much lower density single family homes which are designed to be more integrated into the nature of this land parcel and incorporate sustainable and net zero aspects. The latter approach would introduce less disruption both in the construction and occupied states. Moreover, longer term, this would introduce less traffic pressure to the area, be less harmful to the natural landform, fauna, and flora, and consume less water potable water resources and be less demanding on the local electrical power grid.

Thank you,

Dennis Fischer
2735 Cherry Lane
Walnut Creek, CA 94597

From: [Diana Nevares](#)
To: [Sean Tully](#)
Subject: Retirement Community coming to Walnut Creek
Date: Monday, August 23, 2021 3:37:29 PM

To Whom it May Concern,

I live in the East Bay, and was very excited to learn about the proposed retirement community (Diablo Glen) coming to Walnut Creek. I am familiar with the Stoneridge Creek Pleasanton community, and have always wished it was a bit closer to my neighborhood.

I've been looking at the county website, and had some questions that I think are important. I appreciate the way the proposed project has maintained a buffer between its proposed homes and those of the existing neighbors. Could you please evaluate the relative heights of the proposed and existing buildings in relation to one another? It appears that the existing homes sit quite a bit higher. Is maintaining this height difference and our existing views part of the reason for the proposed grading? What will be the duration of the grading activities as a percentage of the total construction time frame?

Thank you for considering and addressing these questions. Again, I'm very excited that a community like this will be an option for us.

Diana Nevares

123 Costanza Drive

Martinez, CA 94553

From: [Doug Carlberg](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 23, 2021 8:34:46 AM

Hi Sean,

Just to confirm, I had sent the below letter to the county but wanted to make sure you receive it by the deadline. Let me know if you have any questions.

From: Douglas Carlberg & Alison Shinn
August 18, 2021
86 Kings Oak Place
Walnut Creek, CA 94597

To: Department of Conservation and Development
30 Muir Road
Martinez, 94553 CA

Re: Notice of Preparation: Environmental Impact Report, Spieker Senior Continuing Care Community Project

Dear Sean Tully:

The proposed mega development is completely unacceptable, not aligned to the current zoning and should remain zoned as single family housing. Please do not amend and allow an exception to be made to Spieker for re-zoning. If approved, it is basically putting a "Walmart" in a neighborhood. It is unbelievable it's even being considered. Ideally We would like to see the property become a park and some type of nature area.

Would also like to advise you that not all residences in the impacted area received the "Notice of preparation & Notice of Scoping Meeting". Neighbors that are within the 300 ft. rang of the property are saying they did not get it. This is completely un-acceptable and for a project of this scale the entire city of Walnut Creek and surrounding areas should be notified.

Every area mentioned for the EIR is of grave concern and will be impacted in a major way. From Aesthetics, Biological, Cultural, Land use, Recreation, wildlife and other Significant/Cumulative impacts. It is also just wrong to cut down over 350 trees and lose of wildlife.

The land should be protected, nor considered for re-zoning and the EIR is not needed. As you heard on Monday (assume you were) there is legal action being taken and multiple well established groups that oppose it. It is just the wrong development in the wrong location.

Sincerely,

Douglas Carlberg & Alison Shinn

925.330.3633

From: zzofwc@aol.com
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 22, 2021 3:58:52 PM

Dear Mr. Tully,

I am a resident of Walnut Creek for over 10 years and my family and I live within .3 miles from the Seven Hills Ranch property – on the south side of the ranch.

My family and I are very concerned the impact this huge monstrous development will have on the safety of our neighbors, the safety of Walnut Creek residents (and residents from adjacent areas) and the overall quality of life we currently enjoy. Specifically the life safety issues and quality of life impacts of greatest concern are:

1) The additional traffic created by this enormous development will have a direct impact on life safety services. Emergency services and first responders have no easy alternate route between Civic Drive and Walnut Ave to effectively reach an incident compared to the direct thoroughfare Ygnacio Valley Rd (YVR) provides between the West and East sides of Walnut Creek. First responders such as Fire, Police, PG&E and EBMUD are already challenged by rush hour traffic. They will face significant delays when responding to life safety incidents due to the additional traffic this oversized development will create.

Moreover, paramedics and those attempting to reach lifesaving Emergency Room services at John Muir Hospital - within this section of YVR, between Civic Drive and Walnut Ave have no alternate parallel route. I have personally and frequently encountered the slow bumper-to-bumper crawl taking over 8 minutes to drive from Civic Drive to Homestead (nearly .5 miles) when returning home from work. Attempting to reach John Muir Hospital would certainly take over 10 minutes for this 1.1 mile drive. Similar delays will be encountered for those traveling Westbound to reach Kaiser Permanente Emergency room facilities in Downtown Walnut Creek.

The timely response and effective application of first responder services such as Paramedics, Fire, Police, and Utility Services will no doubt be constrained and delayed by this project, jeopardizing the life safety of Walnut Creek citizens and residents in adjacent areas. What is the impact of this huge development on the timely response of first responders?

2) This outsized development will have a direct and negative impact on the quality of life of Walnut Creek citizens. Access to local commercial, public and private services will be restricted and delayed due to the additional demand. Parking at the supermarkets, restaurants downtown, City parks & Libraries, and public services is already difficult or non-existent at certain hours. The congestion will dissuade using local services and frustrate citizens.

Schools and educational services, activities for the youth at public parks and swimming pools, as well as existing adult and senior services will be harder to access and enjoy. Pollution, noise and traffic from garbage and waste management services will impact county services. Utility services such as electricity, gas, water and waste water treatment will be stressed.

The additional demand for electricity, water and water treatment services, will require the supporting infrastructure - to deliver and manage these vital resources, to be expanded. The associated cost no doubt will be shouldered by local citizens making it more expensive to live in Walnut Creek.

Thus we strongly believe the above impacts from this monstrous development outweigh the luxury lifestyle needs of the well-off who are only interested to live in a gated and walled dormitory facility.

Thank you,
Edward Jamgotchian



FRIENDS OF THE CREEKS

August 23, 2021

Mr. Sean Tully, Principal Planner
Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

Via email Sean.Tully@dcd.cccounty.us

Dear Mr. Tully,

RE: Spieker Senior Continuing Care Community

Friends of the Creeks appreciates the opportunity to respond to the Notice of Preparation for the EIR for this project adjacent to Walnut Creek.

As you know, Walnut Creek was greatly altered in the mid-twentieth century to provide flood control for the Walnut Creek watershed. After that work, the watershed could be divided into several regions – lower Walnut Creek (now being restored), the blockade of anadromous fish at Drop Structure #1, and a critical flow channel from Drop Structure #2 to Ygnacio Valley Road. Beyond downtown Walnut Creek, the barriers are smaller and the creeks more natural. In 2009, the County Flood Control District wrote a 50-year plan that envisioned much more environmentally-friendly flood control and the Board of Supervisors adopted it. It is with this in mind that we request that these issues be evaluated in the Environmental Impact Report:

- Seven Hills Ranch is approximately at the halfway point of the critical flow channel, a perfect place to provide some respite from the current for anadromous fish coming upstream to breed. In spite of the barriers to fish migration, this does still happen. The outlets of the two perennial creeks on the property are prime prospects for locating these rest spots and should be left in their natural state.
- Watching fish migrate upstream is a popular recreational activity. The Flood Control service road would be a good place to do that and the FCD is willing to allow that to happen. This road has also been suggested as part of the expanded network of non-motorized transportation that the County is currently studying. For these reasons, studies of the view of the backside of the proposed development are

necessary to show the visual impact of the retaining walls and buildings proposed for this area.

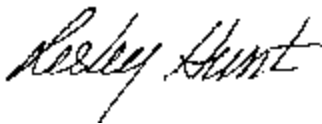
Second, the project property contains a wetland and two perennial streams, any one of which could have California tiger salamanders, California red-legged frogs, and/or western pond turtles in it. We request that careful, timely, thorough studies be done to see if they are present.

Third, Seven Hills Ranch is part of a wildlife corridor extending from Shell Ridge to an unknown point in the north (could be Hwy 4 or even Suisun Bay via the creek channel). Many species ranging from deer to foxes to songbirds use it, but of particular interest for creeks are these two – otters and beavers. Otters have become quite common in central county in recent years and range all the way down to San Ramon. Beavers only appear occasionally, but we have documented evidence of their presence in Walnut Creek's Civic Park on two occasions in the last decade. We also have a photograph of a beaver downstream of Monument Boulevard. We don't know exactly how or where they travel, but studies need to be done to assure this development doesn't preclude their movement.

Fourth, this project is asking for a General Plan Amendment, a favor for something outside the current rules. Before it is considered, studies should be done on the impacts of less-dense projects that are within the current parameters so the results can be compared. Since the County general plan allows single family medium housing, and the City of Walnut Creek (sphere of influence) envisions open space, these two alternatives should be studied, along with similar ideas that would allow a substantial portion of the land to remain in its current natural state.

Lastly, riparian habitat in California is rare, especially if it has permanent water like this site does. To keep the natural habitat as intact as possible, we strongly suggest that the project be planted with native plants that will support native fauna all the way up the food chain, rather than the usual landscape subjects or succulents. Locally native plants are the best support for the local ecosystem. The local animals are accustomed to viewing them as food, they provide familiar shelter and nesting habitat, and properly chosen they require few inputs (like water and fertilizer) and minimal care.

Sincerely,

A handwritten signature in black ink that reads "Lesley Hunt". The signature is written in a cursive, flowing style.

Lesley Hunt
President

From: [Lesley Hunt](#)
To: [Sean Tully](#)
Subject: NOP response letter for Spieker project
Date: Monday, August 23, 2021 3:44:29 PM
Attachments: [FOC NOP letter - Seven Hills.docx](#)

Dear Mr. Tully,

Please find attached Friends of the Creeks' letter in response to the Notification of Preparation of an EIR for the subject project.

Could you acknowledge receipt of this email so I can be sure it arrived on time?

Thanks,

Lesley Hunt

--

From: [Gary Miller](#)
To: [Sean Tully](#)
Subject: Seven Hills Ranch Property (Diablo Glen proposal)
Date: Monday, August 23, 2021 4:18:01 PM

When this project was first announced several months ago, we were excited to see the possibility of this type of project coming to Walnut Creek. We are one of many senior families in the Walnut Creek area who are currently aging in place in our home because we do not find an acceptable alternative to meet our living and aging needs. Yes there are alternatives such as Roosmoor, Viamonte and the other Senior Housing Facilities in this area, but none offer what Spieker will have available at this proposed project. We have visited the Spieker project in Pleasanton (Stoneridge Creek) and have found this type of project to be suitable if not an excellent choice for our senior years. This project (350+ units) for seniors would release much needed housing inventory for new younger families that are looking for single family homes in the Walnut Creek Area.

In reviewing the Contra Costa County Assessor's map, this property seems to be designated as Urban (Agriculture) land and will probably never again be used for Agriculture purposes. The Walnut Creek General Use Plan designates the surrounding property as SFL (single family) or PD (Planned development) The proposed access to this project is Kincross Dr which goes through existing high density PUD developments. Most of the single family housing adjacent to this proposed project is separated by the Contra Costa Canal and the bike trail or a closed off street (Seven Hills Ranch Rd.)

The zoning of the property (Agriculture) does not appear to be consistent with the General Plan designation (Single Family Residential Medium Density). Why does the county maintain the discrepancy when the property is not being used for farming, nor will ever again be used for farming purposes. If this project is not approved, will the zoning be corrected to match the General Plan land use designation?

Looking forward to the County's swift approval of the necessary variances to move this project forward.

Thanks and remember that every day is a good day.

Gary Miller

Heather Farms Homeowners Association

A COMMON INTEREST DEVELOPMENT

1501 Marchbanks Drive, Walnut Creek, CA 94598 – (925) 945-1501

August 23, 2021

From: Heather Farms Homeowners Association Board of Directors
Bob Fox, President

Attention: Sean.Tully@dcd.cccounty.us

Subject: Public Comment on EIR Scoping for Spieker Development Project
County File Numbers: CDGP20-00001, CDRZ20-03255, CDMS20-00007, CDDP20-03018,
CDLP20-02838

Thank you for the opportunity to comment on the review process for the **Spieker Development project** proposed for Seven Hills Ranch. We are commenting on behalf of the Heather Farms Homeowners Association (HFHOA), a community of 359 homes and families directly adjacent to Seven Hills Ranch.

We have the following comments to offer:

We are particularly concerned with the developer's request for an amendment to the County's General Plan which would extremely increase the allowable density on the current undeveloped property and severely impact our HFHOA community.

Aesthetics

- The EIR should indicate the distance to the nearest buildings of similar mass and height for purposes of studying the appropriateness of this proposal relative to the surrounding neighborhoods.
- The creation of a building pad at 130 feet elevation plus 49 feet of the multi-story building on the west side of the property creates a total top-of-building elevation of 179 feet, completely eradicating views from nearby HFHOA homes, the highest of which sits at 170 feet elevation. The proposal does not adhere to either the City or County General Plan land use designation, creating this incongruence.
- Smells from the restaurant included in the proposal should be included as an impact in the EIR.

Transportation

- We ask that the EIR consider the suitability and legality of the developer's entry plan for the site. The developer has requested the City of Walnut Creek execute an "Irrevocable Offer to Dedicate Right of Way" for "Lot A". Such an agreement would negate the City's 1989 underlying General Plan Public Purpose which was then and remains to ensure that Kinross Drive not be extended to create a through public street into the County property, due to the disruption of the City's residential areas. This action did not and does not isolate the County property at Seven Hills Ranch as an entrance to the property already exists at another location.
- The developer has also suggested that "ALL of Kinross Drive become a public street". Either this or the dedication of 'Lot A' would transform Kinross Drive from a collector road to an arterial road, which is inconsistent with the City's General Plan goal to prohibit conversion of Kinross Drive into an arterial road. These changes would have significant impact on the community.
- The impacts of the earthwork required to flatten this hilly site should be addressed in the EIR. County and City code requirements should be met.

- Noise, vibration, dust, particulate matter, and diesel air pollution from construction activity (dump trucks, bulldozers, front end loaders and scrapers, etc.) will impact HFHOA homes in addition to the adjacent school, the City’s public park and homes on the north and west sides. As stated in the Project Description, the proposal requires 225,000 CY of cut, and 150,000 CY of fill, and that earthwork will take 12 months to complete. 150,000 CY of soil will be moved around on-site, equal to approximately 11,000 dump truck loads of soil moved on site for one year or 42 dump truck loads per day, Monday through Friday, for 260 days.
- The transportation report should indicate the impacts from the 75,000 CY of soil which will be hauled off the site in one year. That equates to approximately 12,000 dump truck trips driving in and out of the site (round trip) or 46 trips per day for one year. During a 7-hour day (because per the Transportation Report, construction trucks will not be allowed to enter/exit the site at peak traffic hours, the hours will be 9am-4pm). That is equivalent to a dump truck driving on the adjacent residential streets approximately every 8 minutes. The streets on which this traffic will travel are narrow with bike lanes, bumper to bumper parked vehicles with people entering and exiting, and two golf cart crosswalks. The EIR must determine if such traffic will be safe moving through an established neighborhood and if the streets involved - Kinross, Marchbanks and/or Ygnacio Valley Rd - are suited to such use. The expected direction(s) the dump truck traffic will travel should be noted.

Traffic exiting to the west off Kinross Dr and onto Marchbanks requires passage on Heather Dr. and San Carlos Dr. through the City’s heavily used Heather Farm Park, including past a skatepark with teens and the tennis court complex with pedestrians crossing the street to reach the main parking lot for the courts. The roadway is frequently used by cyclists, but there is no bike lane. The safety of construction traffic on this route should be addressed.

- We expect that the transportation portion of the EIR will verify the method used for the finding that peak traffic hours are limited to prior to 9am and after 4pm. Nearby Ygnacio Valley Rd, which will be used for access, has a much greater window for heavy traffic. In addition, any new traffic patterns which have emerged since the pandemic should be studied. An independent traffic report is requested.
- Gated and guard shack communities create idling cars at the entrance points. The EIR should include studies on impacts to nearby homes in terms of noise and air quality from the proposed gated/guard shack entry plans.
- We find the transportation report needs further independent review.

Biological Resources -Trees

- Both City and County ordinances and policies must be referenced as the property, while under the County’s jurisdiction, also falls within the “Sphere of Influence” of the City of Walnut Creek.
 - [Division 816 - TREES | Ordinance Code | Contra Costa County, CA](#)
 - [Chapter 3-8 PRESERVATION OF TREES ON PRIVATE PROPERTY](#) City of Walnut Creek
- Trees to be removed from the City of Walnut Creek property at the end of Kinross Drive come specifically under the jurisdiction and ordinances of the City.
- The project **does** conflict with local ordinances and policies protecting trees.

- Clarification and explanation for the discrepancy in tree removal numbers in the NOP document, the Preliminary Arborist Report prepared for the developer in July 2020, and the Spieker Project Description dated February 8, 2021. The 353 number noted in the NOP refers only to “protected trees” which are to be removed and does not indicate or include the additional “non-protected” trees to be removed.
- An independent arborist report is requested.

The Heather Farms Homeowners Association appreciates your consideration of these comments.

From: [Bob Fox](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 23, 2021 2:45:58 PM
Attachments: [HFHOA NOP Public Comment 082321.pdf](#)
Importance: High

Dear Mr. Tully,

Please see the attached letter commenting on The EIR Scoping for Spieker Development Project.

Thank you.

Sincerely,

Bob Fox

President, Heather Farms Homeowners Association
1501 Marchbanks Drive, Walnut Creek, CA 94598
(925) 945-1501

From: [Hope](#)
To: [Sean Tully](#)
Subject: Spieker's request for a General Plan Amendment
Date: Monday, August 16, 2021 10:44:27 PM

To whom it may concern:

Please vote no and deny Spieker's request for a General Plan Amendment!

Our wish would be to keep this magnificent open space untouched and not level the beautiful hills and destroy 350 + protected trees that have taken years to mature.

I understand the owners of this land should be entitled to sell their property but in doing so should retain the current density for the property. What is the point of zoning if it can be changed for a mere price?

Converting this natural habitat to urban use will cause the elimination of homes for wildlife and migrating birds and a natural watershed.

Routing traffic to Marchbanks will be a huge addition to already heavy traffic and increase noise and air pollution for those of us currently living in this quiet neighborhood.

Leave a legacy for our grandchildren and generations to come. Do the right thing and save nature or at least compromise and stick to current agreed upon zoning ordinances.

Thank you for your consideration,

Hope and Rich Egan

From: [Igor Svidler](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 15, 2021 10:10:59 AM

1. Impact on transportation

Ygnacio Valley Rd. (YVR) has enough traffic problems without this development. Adding several hundred cars during and after this construction may cause losing one lane on YVR from BART and freeways because left turn pocket from YVR to Marchbanks will be overcrowded and will create a traffic jam not seen even before pandemic. This construction may last 3-4 years. Even one large construction vehicle at this left-turn pocket may be enough to screw up traffic for all neighborhoods that depend on YVR.

2. Environment impact

Loosing up to 400 trees (most of them are protected ones) with all birds, deer, other species that depend on this open space should be taken into consideration by EIR. Majority of residents of Walnut Creek and Contra Costa county are very sensitive to such losses.

3. Air Quality and Noise impact

a) During 3-4 years construction that involves so much land removal, air quality in Walnut Creek may deteriorate.

b) Walnut Creek has noise problems even now. With this huge, long construction, noise level may be above comfort level for many neighborhoods near this construction site and beyond.

4. Water Availability and Quality impact

a) EIR should request EBMUD assessment of this project. Because EBMUD has to provide more water during construction and for 450 new resident households in the new reality of prolonged periods of drought.

b) EIR should request a geological and hydrological assessment of such huge project that is planning to level hills and fill the valleys with dirt. This may have huge impact on underground water supply and seismological stability. Even now some of our trees and bushes are dying from not sufficient water their roots retrieve from the ground. The possibility of unintended consequences this construction may cause should be seriously considered because it may have huge impact on all flora that flourishes now in surrounding neighborhoods.

5. Impact of this huge Hoover-Dam-for-Walnut-Creek development should be assessed for all possible impacts. Without this it may cause irreversible damage to the city and the county

Igor Svidler
1576 Pyrenees Place
Walnut Creek, CA 94598

Remarks to CCC Zoning Administrator Sean Tully on Spiecker EIR Scoping Senior CCC Development

August 16, 2021

I support the current density for the property and ask for a denial of the developer's request for a General Plan Amendment.

We are in an accelerating Climate Emergency.

We need to re-think our decisions around how and where to build, the purpose for our construction, who benefits and the repercussions to the community and planet. Every aspect from site selection, preparation of the site, and selection and transport of materials used to build the development, needs to be evaluated on the basis of its impact on our warming planet. There is a great need in Walnut Creek for affordable housing and workforce housing.

The proposed project will level an existing habitat and natural lands that sequesters carbon, removes trees that clean the air and shade that cools the area. It requests permission to remove 353 trees, including 193 trees suitable for preservation and replace only the 193 trees with 15 gallon sized-trees. 15 gallon sized-trees do not begin to replace the benefit of 353 trees.

We've seen animals increasingly entering our neighborhoods because they are being pushed out of their natural habitats. The proposed timeline of this project of 3-4 years will have an excessive impact on the land, air, natural habitat and closest neighborhood. That includes the particulate matter entering young lungs of children at Seven Hills School.

Use of concrete and asphalt will increase the storage of heat and reduce availability of natural rain to soak into the land and thus increase runoff. The build out is 360 units with 460 occupancy and 622 parking spaces. Recent reports show that we are overbuilding the amount of needed parking spaces.

Most dump trucks have a capacity of 10-16 cubic yards. This project anticipates off-site removal of 7,500 cubic yard which results in 469-750 truck trips.

Kinross Dr. is a winding road and not designed for heavy-through traffic. In terms of traffic don't forget the Uber, Lyft, Fed Ex, Grub Hub, and UPS that delivers all hours of the week and day and night. Except for emergency use there is only one way in and out of this development.

Although the land is in the County, the access is not. The impact will be on the roads, traffic, and health in Walnut Creek. Walnut Creek has a healthy share of retirement facilities and a whole range of care facilities. There is currently a consideration of another retirement care facility in the Shadelands in Walnut Creek. The site is on level ground within walking distance of Kaiser Facilities, bus services, shopping, restaurants and grocery stores.

Sequoia Living operates Viamonte, another CCRC at The Orchards in Walnut Creek, which was built on level land and is within walking distance and bus transit and retail shops and restaurants.

The proposal describes an isolated facility in all ways: walls, riparian enhancement landscaping, privacy landscaping, a gated guard house, gym, pool, restaurant and more. The brochure to sell this concept talks about all the amenities in Walnut Creek and outside of the facility. A secluded community doesn't sound like a neighborhood that wants to be part of the community.

There is too much impact on the environment for this project at this location.

Jan Warren

3202 Primrose Lane, Walnut Creek, CA

925-818-6530

From: [Jim Frey](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 23, 2021 5:28:01 PM

Mr. Tully,

I am a member of the Save Seven Hills Ranch organization, an organization that is growing rapidly as more people learn about the proposed development of Seven Hills Ranch.

We are against this development for a number of reasons including the following:

First, the development goes against the General Plan, which at the time it was accepted, had received a full vetting and agreement. The Plan reflects the goals of retaining open space and development that would limit environmental impact.

Second, it is our understanding that the Spieker development plan would require the removal of about 350 to 400 trees, including many old oak trees from the 30-acre site. Their development plan requires the leveling of three hills, which will require the removal of 17,000 dump truck loads of dirt from the area to create a level site. Clearly, this will result in wiping out bird and animal habitat on Seven Hills Ranch.

The construction would take 3 to 4 years and result in retaining walls in excess of 20 feet in height around the perimeter, and several buildings between 2 and 4 stories tall, that would absorb virtually all open space.

Third, once completed, it is estimated that the in-out traffic, which will feed onto Marshbanks Road and then onto Ygnacio Valley Road, will add an estimated 1100 cars and trucks per day to Ygnacio traffic, which we all know already has backups every morning and afternoon for blocks. It will greatly increase demand for electric power and water, both of which are in short supply.

On behalf of Save Seven Hills Ranch, we are asking that the County Supervisors know of the strong objection of many people in Walnut Creek regarding this proposed project. We are asking the Supervisors to retain the General Plan as written and accepted and without Amendment.

Sincerely,

James Frey

From: [Jan Warren](#)
To: [Sean Tully](#)
Subject: Public Comments on EIR Scoping for Spieker Senior CCC
Date: Monday, August 16, 2021 2:14:43 PM
Attachments: [Remarks to CCC Administrator on Save Seven Hills.docx](#)

August 16, 2021,

Sean, I am attaching my letter with comments on the EIR Scoping for the Spieker Senior CCC deadline submission of August.23, 2021

From: [Jane Pinkos](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 15, 2021 4:32:33 PM

It is human nature to want to fill voids. We humans see a space and have to fill it, yet we tend to fill those voids with concrete and metal. We have done so at an alarming pace since the Industrial Revolution began. We have done the same thing over and over again to fill a neverending need for profit. We do so in spite of the long-term detriment to our well-being, only realizing after the fact our mistake. By giving in to our unquenchable thirst for building, we have lost something more elemental.

We have forgotten that our true parent is Nature, who does not speak to us through the language of man. We've lost our ability to seek out and hear Nature call out to us. Though we often cannot hear it well, it speaks to us profoundly and deeply. More than ever, we need to listen thoughtfully, respectfully and with rapt attention! We all know that climate change is real. We all know that we need to preserve as many trees as possible and that the right thing is the preservation of the many native oaks on this land that provide sustenance and shelter to all other plants, birds and animals that live there.

I worked for Mr. Hale for a period of time, and he did *not* want his land to be desecrated by bulldozers or filled in with concrete. He cherished the little foxes who had a den down the hill. He told me both the City and County were just itching to get their hands on his land. He left it to his children to carry out his wishes. I hope they will do so now that he is gone.

How do we turn the tide against the craven desire to fill the space around us? We acknowledge that we stand at a sharp precipice and stop now before we take another step—a step that would be fatal. We acknowledge the mistake of moving ahead before the mistake is made.

I am a senior myself and understand the needs of the elderly. Even so, why does the senior complex need to be on *this* land, the last large amount of open space near downtown Walnut Creek? There are other properties where the complex can be built. Seven Hills Ranch is uniquely positioned adjacent to Heather Farms Park and could easily become an extension which would provide sustenance for all the people of this County--not just the few who could afford it. The only reason the developer feels the need to usurp the best view on the last open space near downtown Walnut Creek is because of the magnificent profit to be made by such a scheme. The representative for the developer commented that he saw no reason why approval shouldn't go through. I would like to rephrase that: We see no reason why approval should go through, particularly because it requires rezoning the land to accommodate the project.

It is unconscionable and ludicrous to myself and others—as I hope it is to you--to believe that turning this natural paradise into a "paved paradise" would be the best use of this land. Instead, we ask that you make accessible the land's legacy of natural beauty to All throughout the area, that it may

revitalize us for the rest of our lives and those of future generations.

Respectfully,
Jane Pinkos

From: [Jayne Laiprasert](#)
To: [Sean Tully](#)
Subject: Public Comment of EIR Scoping for Spieker Development Project
Date: Saturday, August 21, 2021 3:14:37 PM

Mr. Tully:

I write to you to express my deep concern about the Spieker Development Project which has been proposed at the Seven Hills Ranch site. As a resident who has been a part of the Walnut Creek community now for over 5 years, I can tell you that one of the things that I most treasure about our town is the amazing parks and greenspace. As an apartment dweller, having public green space has always been important to me, a value that has only been heightened over the last year of the pandemic. Open space and Heather Farm Park in particular has provided a much needed solace and a place for us to connect with our neighbors in a beautiful natural setting.

The proposal to add a gated senior housing complex in a dense section of the neighborhood that is so close to Heather Farms and the Iron Horse trail is deeply troubling. I write to express my request that the EIR closely evaluate this proposal and provide a detailed report on the following issues:

- How this project is intended to deal with the affordable housing plan that Walnut Creek is already obligated to follow
- An accurate assessment of the impacts on the trees and native wildlife that live in the Seven Hills Ranch
- A thorough evaluation of how traffic will be impacted both during construction and after when the project is completed
- A review of the construction noise and pollution impact.

While senior housing is an important need, we would like to encourage developers to pursue redevelopment projects before levelling protected open space. I would encourage the County to invest in a proper EIR that examines these effects objectively before making any decisions to change the zoning in this special space.

Thank you for your consideration,
Jayne Laiprasert

From: [Jeanette Vanbibber](#)
To: [Sean Tully](#)
Subject: Public comment on. EIR Scoping for Spiker Dev Project
Date: Friday, August 20, 2021 8:55:28 AM

I am writing to express my concerns regarding the development proposed for the property at the end of Kinross Drive (seven Hills Ranch) in Walnut Creek.

As a resident living on Kinross Dr, I am extremely concerned about the impact that traffic would create should this proposal pass. One thing the City of Walnut Creek does not need is creating more traffic getting to and from Ygnacio valley Road and all connecting roads (such as San Carlos, Kinross, Marchbanks,). Consideration to the fact that these areas are residential, consisting of many Seniors, and family's with children that don't need or want traffic right in front of our homes. Not to mention the negative impact this would create regarding home values. In addition, many other things **MUST BE** considered such as: the effect on our environment(Potential tree loss to impacted areas, and hillsides, impact to Heather Farms Park, etc).

Please take these comments into consideration

when making your decision.

Thank you

Jeannette Van Bibber

325 Kinross Dr

Walnut Creek, ca 94598

Sent from my iPad

From: [Jeff Kalin](#)
To: [Sean Tully](#)
Subject: Seven Hills project
Date: Monday, August 16, 2021 12:47:06 PM

Dear Mr Tully,

The plan for Seven Hills needs to be improved. The greatest improvement would be redeveloping it as a cultural/historical site and nature preserve. The loss of ecosystems in urban environments is a longstanding issue which has been studied vigorously. The increment of change is slight, though it shifts the baseline each person perceives, so that the current ecosystem, as perceived by the current generation seems normal, when in fact, it is grossly abnormal. Diminishing green spaces, nearly unperceived, happen over time, and this change contributes immensely to the position many cities eventually find themselves - less attractive, more crowded, offering less to wildlife, and far less to humans. Well intended land use decisions, without this perspective and in combination with developers' typical short-term profit-driven mentality diminish our lives and the lives of those who follow us.

This project, as proposed, is one of those seemingly well-intended, though short-sighted proposals. The impact on air quality seems obvious. More air conditioning units requiring power, more pavement as opposed to greenery, and fewer carbon dioxide lowering plants and trees. If this sounds too trite or too obvious, review the NOAA temperature charts over the last 50 years and compare it to the loss of trees worldwide. Yes, it is obvious. The long term use of this space should be that, long term. Though there is a need for senior housing, there are many previously developed sites still to be re-purposed. Unfortunately, developers shy from those due to the lengthening of project timelines when demolition or other clean-up needs to be done. Clearing trees and grading prior to construction is so much easier, and more profitable.

If the city of Walnut Creek, a community which exists due to the natural environment it sprang from, cannot create a better plan for the use of this space, it should consider changing its name - possibly Stucco Canal would be more fitting.

Please consider the environment when disposing of the current plan for Seven Hills.

Thank you,
Jeff Kalin

JEROME FISHKIN
643 Montezuma Ct
Walnut Creek CA 94598
fishkinj99@gmail.com

415.505.4300

August 20, 2021

Re: Spieker Senior Continuing Care Community Project

County File Numbers CDGP20-00001, CDRZ20-03255, CDMS20-00007, CDDP20-03018, & CDLP20-02038

Attn: Sean.Tully@dcd.cccounty.us

Re: Notice of July 23, 2021

There are many problems with this proposed project. I focus on a few of them, and I request that the EIR address these following issues.

SUMMARY

The massive size of the proposed project would have a negative effect on air quality. One aspect is the cutting down of mature trees, which otherwise absorb pollutants. Another aspect is the amount of pollution that will be created by construction of a project this size. Has a study been ordered under CEQA? These negatives are exacerbated by the current conditions of drought, heat, and forest fires. These issues affect everyone. But given this location, there is a peculiarly harsh impact on senior citizens and school students.

THE EFFECT ON SENIOR CITIZENS

South of Ygnacio Valley Road (YVR), across from Marchbanks Drive and Kinross Drive, there are two medical facilities that treat seniors and others requiring skilled nursing care. Along Montego are two substantial buildings of senior housing. The air quality issues could be life threatening.

Within perhaps a half mile of the construction zone, you will find two different John Muir sites. There is the Hospital on La Casa Via, which apparently has the future ability to expand even further. There is the large facility on Treat and Cherry, a half mile to the west, there is an entire building with John Muir health facilities.

THE EFFECT ON NEARBY SCHOOLS

The EIR should also take into account the several facilities near this project that serve children. There is of course the Seven Hills School. I believe that other writers and speakers have explained the severe adverse impact, most likely requiring that school to keep its students indoors for at least two years. But don't overlook the other nearby schools, such as Walnut Creek Intermediate School, approximately one mile west; the Indian Valley Swim Club, which is probably less than a mile south; and Bancroft Elementary School, which is probably half a mile east. Look out perhaps a mile or so, you also have at least six other schools, public and private, which are going to experience negative air quality during such a massive construction project.

Taking a broader look, there is an apartment complex at Montego and YVR, as well as several hundred residences on and around Tampico. I live off of Tampico, perhaps $\frac{3}{4}$ mile away from the project. Air quality in my neighborhood (and everyone else's) is already poor due to fires that are 50 miles and more away.

WHERE'S THE WATER?

We are in a drought right now; it is my understanding that no water supplier has committed to hooking up the new development. East Bay MUD has asked for voluntary rationing this season and warned us that mandatory rationing may once again be imposed if the drought continues. The State of California has also asked for voluntary rationing. Given current climate and drought conditions, there is no real assurance that there will be sufficient water supply for the project.

RESIDENTIAL?

I do not understand how a developer can create 354 “independent living units,” yet claim that the development is not “residential.” If the developer’s statement holds, then there are certain requirements that are avoided, the effect of which should be considered in the EIR. Do remember that the project requires a change in zoning, so that the County should take into consideration, the impact of the new zoning over the current zoning, and the impact of the proposed zoning over some other zoning alternative.



Jerome Fishkin

From: [Jerome Fishkin](#)
To: [Sean Tully](#)
Subject: Re: CDGP20-00001 and related files
Date: Friday, August 20, 2021 6:17:32 PM
Attachments: [Fishkin letter re CDGP20-00001.pdf](#)

**In accord with the notice dated July 23, 2021, I enclose my comments on the
Spieker Senior Continuing Care Community Project
County File Numbers CDGP20-00001, CDRZ20-
03255, CDMS20-00007, CDDP20-03018, & CDLP20-02038**

**If you require the original with "wet" signature, please advise, and I will
forward it to you.**

--

Jerry Fishkin

From: [James O'Brien](#)
To: [Sean Tully](#)
Subject: Public comment on EIR scoping for Spieker Development Project
Date: Friday, August 20, 2021 2:32:47 PM

Hi Sean,

My wife and I have lived in the Heather Farms HOA for almost 20 years. We live on the corner of Siskiyou and Kinross. We are definitely opposed to the Spieker development of the Seven Hills Ranch property.

We do not want an endless stream of cars and trucks going through our privately owned neighborhood. We have a lot of kids that play in the street and it will be come extremely dangerous for them, not to mention that it will destroy our quiet area and lower our property values considerably.

I could go on and on about all the different reasons why this development is a bad idea, but I'm sure you have heard them already.

Please do not destroy one of the last green places in WC and do not destroy our way of life in our neighborhood.

Thank you,

Jim and Gitte O'Brien

1703 Siskiyou Drive

From: [James Malian](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 22, 2021 2:29:45 PM

Dear Mr. Sean Tully,

This letter is being written to express my deep objection against the construction of the SDP. Local residents will suffer terribly for many reasons if this plan goes through. Ygnacio Valley Road is overly busy and crowded already, introducing 400 more residents and their caregivers will make this traffic even worse, both during and after construction. The SDP will also be denaturing 30 acres of land (400+ trees!) that local residents love and visit daily. We don't want to see this natural beauty demolished and for all of those animals to lose their homes. During the SDP's 3-4 year construction, there will be extremely loud noise pollution due to the leveling and trucks coming through, all the while kicking up lots of dirt and dust in addition to the vehicle exhaust that will make the air around here hard to breath. With all of the new residents that would be moving in, our water shortage is going to worsen, not to mention all of the water that will be used during the SDP's construction. This project will also emit lots of greenhouse gasses that will negatively impact our ever declining climate. In conclusion the SDP will cause far more harm than good to the local residents, natural environment and the atmosphere, and it's construction will intrude on our daily lives for several years. And for the reasons stated above, I would like you to seriously consider canceling the project.

Jim and Mihoko Malian (Residents for 11 years)

From: [Joanna Santoro](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 23, 2021 2:00:01 PM

Dear Mr. Tully,

I have been a resident of Walnut Creek for >8 years living in the Avalon apartments near Pleasant Hill Bart. I recently learned of plans to level the historic Seven Hills Ranch for a proposed high density senior residence/assisted living facility. As others stated during the public hearing on August 16, I am not opposed to development as a general principle. As a renter, I know firsthand the importance of increasing the supply of housing in our area to put downward pressure on skyrocketing pricing that is a known crisis in this state. I agree with the plans for high density housing in many cases including downtown and in my own neighborhood near freeway access and Bart. However, this development does not address the general housing shortage and is proposed to service only the wealthiest of seniors. The few callers who supported the development gave broad, nonspecific "pro-development" reasons without being familiar with the particulars of this project.

The location is not aligned with districting/zoning of the property as single family residential/agricultural. A development of this scope and size should be placed in a more accessible, logical location. Seven Hills Ranch is an oasis of natural landscape surrounded by park, golf course, and existing residences that are not easily accessible to main roads. Like many of my neighbors residing in high density housing, the ability to walk the local trails and see open space, deer, birds, and other animals makes our neighborhood more attractive and desirable for working professionals, families, and retirees. The proposed development is troublesome for many reasons. The EIR must thoroughly address the following concerns:

- The only access through a quiet residential neighborhood, trucking thousands of tons of fill from the leveled and liquidated open space. The noise, air pollution, and vibration from this activity alone is worrisome for residents in the area, the adjacent school children, and patrons of Heather Farms park & garden.
- The removal of hundreds of mature trees and rolling hills will drastically alter the visual beauty from the park, not to mention decimate the habitat for wildlife and potentially undermine erosion control, groundwater absorption, and possibly have seismic impacts to adjacent properties. This alteration of the landscape must be studied.
- Infrastructure impacts (water, sewer, electrical) when the area is already in a drought and the power grid is taxed to keep up with existing electrical/cooling needs.
- Traffic impacts, air pollution, heat island effects from the hundreds of vehicles to access the site during construction and operation.

I ask for your serious consideration of moving this development elsewhere in the city/county that does not require such drastic deviation from current zoning and planning intent. Please listen to the concerns of fellow citizens when conducting a thorough Environmental Impact Report for this project.

Thank you in advance for your attention & consideration,
Joanna Santoro
Santos Lane
Walnut Creek

From: [John Nelson](#)
To: [Sean Tully](#)
Subject: EIR Scoping for Spielberg Development Project
Date: Saturday, August 21, 2021 9:30:23 AM

To Whom It May Concern:

Please consider the following regarding
the Seven Hills Ranch Project

1. The increased traffic flow on Ignacio Valley Road and Heather Farm Park.
2. The loss of 450 trees and impact on wildlife.
3. The noise from construction and dust.
4. The impact on waterways.
5. What will be the effect on the power grid?

John and Laney Nelson
337 Endicott Court
Walnut Creek, California

Sent from my iPhone

From: [joseph sullivan](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Friday, August 20, 2021 12:58:06 PM

I am a resident homeowner on Tampico off Ygnacio Valley Road and a regular automobile user of Ygnacio Valley Road and a frequent bicycle user of Heather Farms and the Iron Horse Bike Trail, which passes adjacent to the proposed Seven Hills Ranch Development. I request that the following issues be addressed in the EIR:

- The extremely negative impact on already heavy traffic flow on Ygnacio Valley Road and on Oak Road as well as the connector streets leading from these thoroughfares to the proposed development.
- The dangerous effect of traffic to and from the proposed development upon bicycle traffic on the Iron Horse Trail, Walden Road, Cherry Lane and Walnut Boulevard at the intersection of Seven Hills Ranch Road. All of these streets are currently tranquil roads where bicycles and automobiles easily co-exist. This will change very negatively if the proposed development goes forward.
- The very negative impact of the proposed development on the uniquely peaceful area for recreation and proximity to nature provided by Heather Farms Park, bikeways and trails, an area that have made Walnut Creek uniquely attractive to residents and businesses.
- The irreplaceable loss of 400 trees and the species that live or use the land at Seven Hills Ranch.
- The impact on air quality, noise, wastewater and the environment of this large project.
- Given the developer's assertion that the project is non-residential, it does nothing to address the city or county need for additional housing.
- Living very near John Muir Hospital, there are many senior living communities. I question the need for another large residential community in the proposed location.

Finally, let me add that I am not against additional development or additional housing, but I do oppose this development, which is too large, in the wrong location and causes too many negative effects in both the immediate area of the development and in the surrounding area.

Thank you,

Joseph G. Sullivan
732 Tampico
Walnut Creek, CA 94598-2929

From: [Joy Reid](#)
To: [Sean Tully](#)
Subject: Public comments on EIR scoping for Speiker development project
Date: Monday, August 23, 2021 11:23:35 AM

To: Sean Tully,

We are sending our objections to the proposed Speiker development at the Seven Hills Ranch property in Walnut Creek. We have lived on Kinross Drive for over 30 years and believe that this project should not be allowed to move forward.

1. This is a beautiful piece of property that would be destroyed by the development. So many trees would have to be removed.

The City of Walnut Creek has already allowed the removal of a grove of trees to build a parking lot for John Muir Cancer Center.

The property should be considered for open space to preserve the trees and wildlife that live there.

2. Drought - How can a large project be even considered when the current residents of Contra Costa County and most of the California are being asked to reduce water usage? This type of property will consume a great deal of water. There is a tremendous amount of laundry and cleaning which requires large water usage in a senior living facility with assisted and memory care units.

3. Construction traffic would be disruptive to the neighborhoods and negatively impact Ygnacio Valley Rd, an already heavily traveled road.

The traffic post construction would continue to impact Ygnacio Valley Rd, Marchbanks and Kinross Dr.

4. Walnut Creek already has a new and very expensive high end senior living, Viamonte in the Shadelands development. When searching for an assisted living facility for my 91 year father, I was dismayed to see the high prices of these facilities with little return for your money.

Basically they charged thousands for a senior to have an apartment and go to a dining room on the premises. If you needed an assistance, then there were added costs were just piled on.

We believe that this project is not the best fit for this property or the residents of Walnut Creek. Please consider not approving it to move forward.

Thank you for your time.

Sincerely,
Joy & Jim Reid
324 Kinross Drive
Walnut Creek CA 94598

From: [Justin Heady](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 23, 2021 4:58:53 PM

Dear Mr. Tully,

I have been a resident of Walnut Creek for almost 10 years living in the Contra Costa Centre. I recently learned of plans to level the historic Seven Hills Ranch for a proposed high density senior residence/assisted living facility. As others stated during the public hearing on August 16, I am not opposed to development as a general principle. As a renter, I know firsthand the importance of increasing the supply of housing in our area to put downward pressure on skyrocketing pricing that is a known crisis in this state. I agree with the plans for high density housing in many cases including downtown and in my own neighborhood near freeway access and Bart. However, this development does not address the general housing shortage and is proposed to service only the wealthiest of seniors. The few callers who supported the development gave broad, nonspecific "pro-development" reasons without being familiar with the particulars of this project.

The location is not aligned with districting/zoning of the property as single family residential/agricultural. A development of this scope and size should be placed in a more accessible, logical location. Seven Hills Ranch is an oasis of natural landscape surrounded by park, golf course, and existing residences that are not easily accessible to main roads. Like many of my neighbors residing in high density housing, the ability to walk the local trails and see open space, deer, birds, and other animals makes our neighborhood more attractive and desirable for working professionals, families, and retirees. The proposed development is troublesome for many reasons. The EIR must thoroughly address the following concerns:

- The only access through a quiet residential neighborhood, trucking thousands of tons of fill from the leveled and liquidated open space. The noise, air pollution, and vibration from this activity alone is worrisome for residents in the area, the adjacent school children, and patrons of Heather Farms park & garden.
- The removal of hundreds of mature trees and rolling hills will drastically alter the visual beauty from the park, not to mention decimate the habitat for wildlife and potentially undermine erosion control, groundwater absorption, and possibly have seismic impacts to adjacent properties. This alteration of the landscape must be studied.
- Infrastructure impacts (water, sewer, electrical) when the area is already in a drought and the power grid is taxed to keep up with existing electrical/cooling needs.
- Traffic impacts, air pollution, heat island effects from the hundreds of vehicles to access the site during construction and operation.

I ask for your serious consideration of moving this development elsewhere in the city/county that does not require such drastic deviation from current zoning and

planning intent. Please listen to the concerns of fellow citizens when conducting a thorough Environmental Impact Report for this project.

Thank you in advance for your attention & consideration,
Justin Heady
Santos Lane
Walnut Creek

From: [Karen Sheldon](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for the Spieker Development Project
Date: Sunday, August 22, 2021 8:44:05 PM

Mr. Tully, I am a concerned citizen and owner of property near the proposed Spieker Development project. The project would flatten the topography and remove over 400 trees, at least 350 of which are qualified as "Protected" trees. Due to the major re-contouring of the land, countless other plant species and under story vegetation would also be destroyed. The removal of trees and vegetation would significantly impact habitat for birds, as well as other wild species. Wildlife movement between the property and the adjacent Heather Farms Park would be impacted. The loss of vegetation proposed by this project needs to be accurately assessed before any further consideration to approve this project.

This parcel represents part of Contra Costa's rural history and should be preserved for its human, as well as its natural history. The proposed project would degrade the character of this property. The current density designation should be retained and the developer's request for General Plan Amendment should be denied.

A change in density designation and the proposed number of residents in the project will result in an increase in traffic on an already heavily impacted arterial street (Ygnacio Valley Rd). An accurate traffic study needs to be undertaken as part of the project review.

Sincerely,

Karen Sheldon

From: [Kate Roberts](#)
To: [Sean Tully](#)
Subject: Public comment on EIR scoping for Spieker Development Project
Date: Sunday, August 22, 2021 8:22:04 PM

Hi Sean

I am writing to express my concern with the Seven Hills project going ahead.

Seven Hills is in the middle of a currently quiet residential area, where the roads are narrow and lots of young families with children play.

Even with the delivery trucks in this area, I worry about young children playing on the sidewalks and grass areas in the community. I have a 3 year old and we chose to live here for the current character of the area. With the significant new traffic, construction vehicles, commercial vehicles etc that the new development would bring, I have serious concerns about traffic congestion and safety.

I would strongly urge the City and County to preserve one of the increasingly few undeveloped beautiful open spaces in our community for current and future residents of Contra Costa County to enjoy.

Heather Farms Park is a gem and we have seen a lot of wildlife locally - I worry about the impact of such a significant urbanization project on them too.

Thanks for registering my concerns.

Kate Granger

Sent from my iPhone

From: [Kathleen Cunningham](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project - Seven Hills Ranch
Date: Monday, August 23, 2021 2:26:11 PM

Dear Sir,

I strongly object to the scope of the proposed plan referenced above. Before approving this plan, please address the following EIR concerns:

Walnut Creek has historically protected trees and habitat and the species that depend on those resources for survival. The scope of this plan disregards all current and previous standards for development in Contra Costa County and the Walnut Creek area.

The impact on the power grid, water supply and traffic congestion must be investigated and reported on. We cannot support the communities we already have let alone adding this oversized development (well-beyond what current zoning and the General Plan allows). Doing so is irresponsible and will stress the limited resources we have and will stress the current residents who pay for those resources. For a moment, imagine a mandatory evacuation from this area. The Marchbanks and Ygnacio Valley Blvd access roads would already be completely impassable and that puts thousands of lives at risk. Why add to that problem.

The quality of life of the current residents must be considered. Owners who live on the borders of the development have invested in the views and open areas beyond their property lines with the understanding that the General Plan and zoning laws would be followed. This oversized development will negatively affect those property values and the general quality of life that was contracted for when the property was purchased.

The proposed development would be located right next to a community park which needs room to expand to accommodate the additional residents that have already joined the community over the last 10 to 20 years. Why not leave this area to be used to expand Heather Farm Park.

As a resident of this area for over 30 years, I am appalled that such a development of this scope is even being considered for this location. I request that the EIR address the above concerns and the many others that have arisen from this proposal.

Thank you.

Kathleen Cunningham
Heather Farms Resident

From: kdalzielmoss@gmail.com
To: [Sean Tully](#)
Subject: Public comment on the 7 Hills Spieker Development Project
Date: Sunday, August 22, 2021 9:13:38 PM

Hello Mr. Tully,

I am writing to express my concern about the development project that is being considered for the 7 Hills property at Heather Farms.

I am worried about the density of this project and what it will do to the traffic in this area. I live on the corner of Kinross and Marchbanks. Traffic is already a problem on Marchbanks.. There are apartments and the townhouse development as well as Heather Farms Park, the Greenery golf course and restaurant, and all of the activities at Heather Farms that bring in traffic and activity. The Spieker project is just too big for this parcel of land.

I am a longtime resident of Walnut Creek, since 1968. This city has a history of thoughtful city planning. This development does not represent the city I have lived in and loved for many years.

Thank you,

Kathy Dalziel

This email has been scanned by BullGuard antivirus protection.
For more info visit www.bullguard.com

From: [Kathy Gaschk](#)
To: [Sean Tully](#); [Kathy Gaschk](#); [Karen mitchoff Supervisor Mitchoff](#)
Subject: Seven Hills Ranch
Date: Friday, August 20, 2021 8:42:13 AM

Dear Sean and Karen,

I have lived on Cherry Lane since 1974. My family and I impure you to STOP the proposed development by Spieker Properties on this beautiful land at Seven Hills. Please find a way to save as much of it as possible.

*Please SAVE over 400 trees.

*Stop increasing traffic-- we already have enough and we can't even manage that.

*This property is home to much of the wildlife we see here...deer, raccoons, turkeys, etc.

This is a massive development that needs your help to stop it in its tracks.

Please take time to go walk on the property, then imagine bulldozers flattening the land and filling it with three and four story concrete buildings.

SAVE the last piece of open space we have left in Walnut Creek. Do the right thing for future generations. Add this property to Heather Farm so that generations of families can enjoy it.

Thank you,

Kathy, Ray and Dorothy Gaschk
2680 Cherry Lane
Walnut Creek.

Sent from my iPhone

From: [Kristen Lomasney](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 16, 2021 1:05:23 PM

I live at 100 Shell Ridge Court, Walnut Creek, right by the Kinross/Marchbanks stop sign, and I'm writing in opposition to the Spieker Development Project. I'd like to start by saying that I have spent a lot of time studying this proposal -- and I also did a Zoom call last year with the developers -- before coming to this conclusion. There are a myriad of reasons why; here are a few.

1. Impact on Local Utilities

EBMud declared a stage 1 drought back in April, and asked East Bay residents to reduce consumption by 10 percent. And my household regularly receives flex alerts, warning us to conserve power particularly between 4 pm and 9 pm. With temps regularly over 95 now, when we turn our A/C off at 4 and turn on our fans, we're soon sitting in 81 degrees downstairs and sweltering in 90 degrees upstairs. And what little grass we have left is dead.

What is the plan to accommodate this huge development's draw on water and electricity when the system can't serve the existing residents? ESPECIALLY when it comes to water, which is not renewable the way power can be?

2. Traffic

I looked at the initial traffic report submitted to the county, and I am dubious of the data. First, I live at the intersection of Kinross and Marchbanks, and I have seen no surveyors, no traffic-counting tubes, etc, so I'm not sure how data was collected or how long-term it is. Second, during my call, the developers explained to me that traffic would not be very impactful on Marchbanks because the residents don't drive much. When I asked about employees, visitors, delivery trucks, shuttles and other services that will be required by the facility, it added up to hundreds of additional vehicles a DAY.

Marchbanks is already a very complicated street, with only three ways to get to Ygnacio. One way is via Kinross through Heather Farms HOA, which is a private street, full of speed bumps and winding roads. That leaves Marchbanks, but you can only take a left on Ygnacio on the Tampico end of the street; otherwise, you need to cut through Heather Farm Park to get to the light at San Carlos. Adding that level of flow during the day -- including during the construction -- is going to choke Marchbanks, San Carlos/Heather Farm Park AND Ygnacio, which is already extremely congested (especially given the school and activities in the park). And that stop sign on Kinross and Marchbanks isn't going to accommodate hundreds more cars a day. What infrastructure will be planned to accommodate the traffic, and keep it reasonable for existing residents? (Also, exiting from Shell Ridge Court into Marchbanks is risky already, given the curve of the street; additional safety infrastructure would need to be addressed there too.) Why is there only one main entrance/exit, and why is it at Club View Terrace, where there isn't a street currently?

3. Environmental Impact

Seven Hills Ranch is 30 acres of unmolested land. Heather Farm Park and the open spaces are crammed with people trying to spend time outdoors. Why are we destroying this land when there are already partially developed plots, like Shadelands, that can be built on first if it's deemed necessary? The Spieker development would cut down four TIMES the trees that Oakmont Senior Living would. Per the plans, there are 400+ trees that will be cut down, 350 of which are protected, and the hills razed, with these high-density buildings (adding strain to the already taxed infrastructure) taking their place. What were the

considerations at the time that land was zoned for single family housing, and what has changed since then? Especially given all the high density development going on elsewhere in the Walnut Creek/Concord/Pleasant Hill area?

4. Personal Impact

I didn't know about this development proposed for Seven Hills Ranch until the land was already in escrow. But the impact on my little neighborhood, full of young families, will be huge. My house is along Marchbanks, where we already have a lot of traffic. This level of increased cars and trucks (and their accompanying pollution and noise) will make it unbearable; and getting to Ygnacio, which is unavoidable, is going to require a lot of extra time. I lost two huge pine trees due to the drought and water restrictions, and it's SO much hotter -- and so bare! -- in my circle without them, plus a number of birds' nests fell with the trees. I'd ask that the environmental impact and the traffic impact truly be studied in depth, because building over undeveloped land like this is not reversible; once those natural resources are gone, they are gone forever.

Thank you,

Kristen Lomasney

From: [Laura Lee](#)
To: [Sean Tully](#)
Subject: Public comment on EIR scoping for Spieker development project
Date: Monday, August 23, 2021 4:27:06 PM

We are writing to you because of the plan development for the what is called 7 Hills Ranch Rd. property. We live on Gentry Court and our property buttresses Homestead Ave, just a few houses down from 7 Hills Ranch Rd. We vehemently oppose the proposed project for numerous reasons but for the sake of brevity, will only address the most important to us.

First, as we understand it, this site is not permitted under zoning to be used as such proposed under the counties environmental plan.

Second, the amount of traffic that will be generated is astonishing. Ygnacio Valley Road already has more traffic on it every day than the Golden gate Bridge. Apparently the developers want to make sure there's access for 500 cars. An additional 500 cars in this area is insane. There simply is no room. And then of course you have to consider the pollution of the additional cars bring as well as having to sit in traffic forever. As it is now, It has taken us a good 20 minutes to get from the freeway exit 680 to get to the turn lane for Homestead. !!

Thirdly, the additional traffic will create additional hazards for wildlife. There is wildlife all over this area and they are getting killed as it is on YgnacioValley Boulevard. There is a thorough fare so to speak That many wildlife used to cross at Kincross Road.

Wild life will be uprooted if that property is developed as proposed. It should stay open space. The loss of habitat cannot be replaced.

The protected oak trees etc. that are being planned to be destroyed in the numbers of somewhere 400+, is devastating. That's the last thing we need is to ruin our air quality, ruin the soil compaction, and take away the beauty is so hurtful that I don't know how anybody could let this happen.

Please do not go forward with this development. It's a huge mistake.

Laura Lee and Aaron Simon
465 Gentry Court
Walnut Creek 94598
925-285-3899

From: [Lauren Fahrer](#)
To: [Sean Tully](#)
Subject: Seven Hills Ranch
Date: Sunday, August 22, 2021 8:43:43 PM

Hello,

I am writing to you today to urge you to stop the development of Seven Hills Ranch. Over 350 Heritage Oak trees are at risk of being destroyed. Acres of natural habitat will be literally flattened.

I am all for a sensible development of low density, large lot line homes, not a 400+ high density re zoned monstrosity.

Lastly the symbol of Walnut Creek is the oak tree. Don't we owe it to future generations to preserve these?

Respectfully,
Lauren Fahrer
665 Montezuma Ct
Walnut Creek

Sent from my iPhone

From: [Lauren R](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 15, 2021 10:24:35 PM

Mr. Tully,

I am horrified at this Spieker Development Project, proposed for the Seven Hills Ranch site. I was raised in Walnut Creek, at the Seven Hills end of Walnut Blvd. from 1963 through 1977, when I graduated from Las Lomas High School.

Walnut Creek still had a quiet, small-town charm then. The City "planners" have destroyed everything remotely quiet and small-town there. The streets are so overrun with traffic, it is untenable.

Spieker plans to flatten the seven hills?! MUST Walnut Creek have a Rossmoor at both ends?! Four hundred trees removed, 350 of which are "protected?!" What about this W.C. ordinance

- **Chapter 816-6 - TREE PROTECTION AND PRESERVATION**

Article 816-6.2. Title and Purpose

- **816-6.2002 - Title.**

This chapter shall be known as the "tree protection and preservation ordinance" of Contra Costa County.

(Ords. 94-59, 94-22).

- **816-6.2004 - Purpose.**

This chapter provides for the preservation of certain protected trees in the unincorporated area of this county. In addition, this chapter provides for the protection of trees on private property by controlling tree removal while allowing for reasonable enjoyment of private property rights and property development for the following reasons:

(1)

The county finds it necessary to preserve trees on private property in the interest of the public health, safety and welfare and to preserve scenic beauty.

(2)

Trees provide soil stability, improve drainage conditions, provide habitat for wildlife and provide aesthetic beauty and screening for privacy.

(3)

Trees are a vital part of a visually pleasing, healthy environment for the unincorporated area of this county.

(Ords. 94-59, 94-22). ?!

Those are valid "reasons" for leaving the trees and wildlife as they are. There are three schools in the direct vicinity. Do those children not deserve fresh air? Wildlife?

Boradway pretending it is Rodeo Drive is enough of a local joke. :I am ashamed and do not tell anyone I grew up in grotesque Walnut Creek.

I work in environmental health at the CA Department of Public Health.

Lauren Rice

From: [Laurie Shapley](#)
To: [Sean Tully](#)
Subject: Seven Hills Ranch development
Date: Wednesday, August 18, 2021 10:00:43 AM
Attachments: [Letter on Seven Hills - JLP.docx](#)

Mr. Hernandez,

As a 30+ year resident of this area of Walnut Creek, I have very strong feelings about the proposed Spieker Development of the Seven Hills Ranch Area. It must not be built. A commercial development has no place in the midst of Heather Farm and our unincorporated pocket of tranquility. I totally concur with what Larry McEwen, Secretary of Walden District Improvement Association said in his letter at the EIR. See below.

I want to emphasize that we have been lied to on numerous occasions over these decades and it is time for our representatives and government to listen to the people they represent, not the developers who do not live here and see this project as a business deal and nothing more.

His final sentence says it best...

Ideally, the Seven Hills property can be converted into a park for the use by the public affording access to Heather Farms. Alternatively, if it must be developed, let it be in accordance with current single family zoning as contained in the County's General Plan.

Please do what you would want in your own neighborhood and stop this horrific commercial development in our backyard.

Thank you for your time.

Sincerely,
Laurie Shapley
20 Cora Court, WC.

Good afternoon. My name is Larry McEwen and I am a member of the Board of the Walden District Improvement Association, which represents over seven thousand residents both in, and to the North of Walnut Creek. Over the last five years, our neighborhood has been inundated with high density developments which either exceed existing local zoning requirements or previously approved agreements with the County. They include 124 condominiums planned to occupy the site of the former Palmer School which will essentially clear cut 100 trees including 6 heritage Oaks, the trunk of one of which is over six feet in diameter; 200 apartments in Block C of the Transit Village where 100 condominiums had been previously approved; 284 apartments on del Hombre rising six stories; and over 40 homes to be constructed by Habitat for Humanity on a lot approved for 15 units.

As you know, all the recent State housing initiatives favor removing low-density housing in the vicinity of Transit Villages by over-riding existing local zoning limitations on development. Since this project does not fall within the parameters of these new State initiatives, the County should take exception to these State laws by drawing a line on other developments in our area not near Transit Villages such as this one.

Now Spieker Development is coming with its plan for almost 500 more units on the 30-acre Seven Hill Ranch site which, according to the developer, will destroy 300 trees and require moving or exporting over 17,000 truckloads of dirt and the construction of retaining walls rising over 20 feet high facing Walden members living on Cherry Lane. We would like to see an eye-level depiction of the site's planned profile when completed as viewed by our members on Cherry Lane. This retaining wall would also preclude the possibility of creating a pathway along the Creek providing additional access for residents to Heather Farms Park and the Country Wood Shopping Center.

Enough is enough! Walden is tired of being run roughshod by developers planning around a thousand new housing units for which our members will bear the brunt of the environmental and traffic impacts. Ideally, the Seven Hills property can be converted into a park for the use by the public affording access to Heather Farms. Alternatively, if it must be developed, let it be in accordance with current single family zoning as contained in the County's General Plan.

From: [Lee Cuban](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 22, 2021 11:03:54 PM

To Whom It May Concern,

I have been a resident of Walnut Creek for 30 years. My condo building on Marchbanks Drive is 1/2 block from Kinross Drive -- one of the main entrances to the proposed development.

With time, there has been a steady increase of cars parked on the city street on both sides of Marchbanks. I understand that is just a fact of life, understanding these cars most likely belong to owners and tenants that live on Marchbanks Drive.

However, the greater number of parked cars along Marchbanks makes it very dangerous to enter and exit our parking lots as the number of cars blocks the view of oncoming traffic - in both directions. With no speed bumps, this makes exits very dangerous with looking left for oncoming traffic. Large brush and cars parked right up to the red curb, it feels very scary to inch out onto Marchbanks Drive totally BLIND to oncoming traffic.

In addition, the large trucks that do pass by and the waste trucks have a tendency to set off car alarms with their loud vibrations as they rumble by. I cannot imagine having large trucks being a daily nuisance and safety issue for 3-4 years?!

The noise from the truck traffic the affect it will have on the air quality and the added dust from all the movement of dirt during construction will change what once was a very quiet and peaceful place for me and my neighbors to live. My street is now at capacity with cars on the street all along Marchbanks. Trash on the streets has increased and illegal dumping in our private bins is already adding to the deterioration of my neighborhood.

Please help stop this project. No more traffic on my street please.

Sincerely,

Lee Cuban

Marchbanks Drive, WC

Sent from my iPad

Department of Conservation and Development

30 Muir Road

Martinez, California 94553

August 18, 2021

Attention: Sean Tully

Re: County File Numbers CDGP20-00001-CDRZ20-03255, CDMS20-00007, CDDP20-0318 & CDLP20-02038

Spieker Continuing Care Community Project

Dear Mr. Tully,

We are writing in response to the Notice of Preparation & Notice of Scoping and EIR for the proposed Spieker Senior Continuing Care Community Project, with the above assigned County file numbers. We are longtime Walnut Creek residents who oppose an amendment to the General Plan that would allow construction of this development on the 30.6 acres of Seven Hills Ranch in Walnut Creek. We ask that in addition to a careful evaluation of all the elements listed in the Notice Of Preparation, the EIR include the following points that we believe are crucial to considering this proposed development on Seven Hills Ranch.


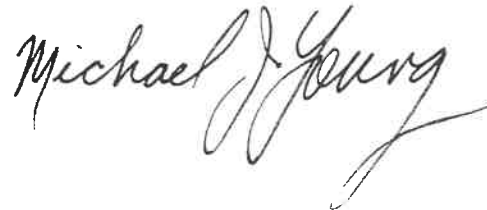
- **Land use.** We believe that the proposed Spieker plan is too massive a development for this property and would completely and forever change the peaceful and bucolic environment of the surrounding residential neighborhoods and Heather Farm Park, located next to Seven Hills Ranch. The density of the proposed development, the number and height of the buildings and the walls surrounding it, are all completely incongruous to the existing residential neighborhoods and to Heather Farm Park (visited by 1.5 million people per year). The proposed Spieker development would eliminate any possibility for the public to appreciate the beauty of Seven Hills Ranch—its views, trees, rolling hills and wildlife. Additionally, given the project's location next to Heather Farm Park and its nearby Nature area, equestrian center, dog park and walking paths, we ask the EIR to consider the visual impact of the proposed Spieker development on the ever-increasing number of visitors to the Park. The public's enjoyment of the Park should not be hindered by the close proximity of the proposed massive development. The proposed development would loom very large over the surrounding communities and the Park and would disturb forever the neighborhood feel and scenic beauty of the area.
- **Water.** There is no water for this project. We are experiencing a severe drought. In May, 2021, Governor Newsom declared 41 counties, including Contra Costa County, to be in a state of drought emergency and requested a 15% cut in water usage. On April 27, 2021, East Bay MUD declared that we are in a drought and requested a 15% reduction in water usage. East Bay MUD also declared that it does not have enough water to supply the Tassajara Parks development. On July 8, 2021, Contra Costa Water District asked its customers to cut water usage by 10% and

declared that we are in a Stage 1 drought. We request that the EIR evaluate the lack of water for this project as well as the long-term effects of the drought. Also, we request that the Water District provide its own evaluation of the project regarding the long-term effects of the drought, including the severe lack of water for this project.

- **Transportation.** The EIR should evaluate the increased traffic on neighboring streets and on Ygnacio Valley Road, that would be created by the proposed development both during construction and after. The increased number of vehicles and trucks along neighborhood streets **during** construction, as well as the increased number of vehicles of residents, employees and service workers, going to and from the proposed development **after** construction, would greatly impact the surrounding neighborhoods and would add to the already dense traffic on Ygnacio Valley Road. Additionally, we ask the EIR to evaluate the proposed use of the Kinross St. entrance/exit. Using Kinross St. as the primary way into and out of the development would greatly increase the traffic along Marchbanks Drive and Kinross St. Furthermore, the residents located on and near the Kinross St. entryway would be greatly affected by the additional traffic and noise from vehicles, trucks and ambulances, day and night.
- **Air quality/noise.** We ask the EIR to review the air quality created by 3-4 years of heavy construction and evaluate its impact on nearby residents, schoolchildren and staff at Seven Hills School, as well as the visitors to Heather Farm Park. The effects of the noise and vibration created by the trucks and heavy machinery used during the 3-4 years of construction should be evaluated. We are concerned that the noise, vibration and dust created during construction would be prohibitive and could negatively affect the health of residents in surrounding neighborhoods, Seven Hills School schoolchildren and staff, and visitors to the Park. We also ask the EIR to evaluate potential long-term effects of air quality and noise levels on the surrounding communities after construction of the proposed development.

We are OPPOSED to an amendment to the General Plan for this project. Seven Hills Ranch should retain the SM (Single Family Residential-Medium Density) and zoning as A-2 (General Agriculture) land use designation. We ask the EIR to also consider the alternative of keeping Seven Hills Ranch undeveloped and open to the public for hiking and the enjoyment of its natural beauty and wildlife. It could also be a beautiful extension to Heather Farm Park for generations to come.

Sincerely,

Linda M. Lamerdin

Michael J. Young

592 Matterhorn Drive

Walnut Creek CA 94598

From: [Linda Lamerdin](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 22, 2021 3:59:46 PM
Attachments: [LETTER TO SEAN TULLY \(1\).pdf](#)

Dear Mr. Tully,

Attached is the letter we sent to you via US Mail, regarding the Spieker Development Project.

Sincerely,
Linda M. Lamerdin
Michael J. Young
592 Matterhorn Drive
Walnut Creek CA 94598

From: [Lisa Svidler](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 15, 2021 3:57:04 PM

As a long time Walnut Creek resident I'm very concerned that proposed development will severely decrease quality of life of residents, deprive numerous animals and birds of their habitat leading to their extinction, and cause an irreversible damage to our city and county.

I have too many concerns to list, but here is the list of my primary concerns:

1. Bad Air quality and Noise:

- Project proposes to level hills and fill the valleys with dirt and will lead to heavy dust.
- There will be bad air quality due to exhaust from numerous construction vehicles
- there will be noise and vibrations from construction and vehicles for 4 years

2. Loss of open space that will lead to loss of trees, animals and birds.

- Also, the replacement of exposed soil with pavement will negatively impact summer temperatures in the city.

3. Traffic

Currently the Ygnacio Valley road is already has very heavy traffic. Adding construction workers' cars and big construction vehicles to the mix will lead to bottlenecks.

Also, the Marchbanks road is 1 line. Having even few extra cars on that road will cause a havoc. Imagine if there is a medical emergency and emergency vehicle can't get to the patient quickly?

4. Impact to local businesses:

The Heather farms area attracts a lot of visitors from all over Bay Area. Having bad air quality, permanent construction noise, dust and heavy traffic will make our area less attractive for visitor. And this in turn will hurt our local businesses.

I'm asking to make a thorough evaluation of proposed project and its impact on everyday life of residents.

Sincerely,

Lisa Svidler
1576 Pyrenees Pl.
Walnut Creek, CA

From: [Lori Moirao](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Friday, August 20, 2021 7:18:23 AM

Spieker Senior Continuing Care Community Project
County File Numbers CDGP20-00001, CDRZ20- 03255, CDMS20-00007, CDDP20-03018,
& CDLP20-02038)

Dear Mr. Tully,

My name is Lori Moirao. I have been a resident of Walnut Creek for 33 years and have lived at the corner of Walden Rd/Cherry Lane/Seven Hills Ranch Rd for the past 18 years. We enjoy this area because of the rural surroundings and proximity to the Iron Horse and Canal Trails and downtown Walnut Creek. While Walnut Creek has changed significantly in the last several decades, most of the changes have been improvements. We have excellent restaurants, shopping and cultural events. I don't feel the proposed Spieker project falls into this category and I would like to voice my concerns.

1.

Land Use - this project does not conform to the current General Plans of both the City of Walnut Creek and Contra Costa County. Spieker was aware of this when offering to purchase the land. The land is within the city of Walnut Creek's sphere of influence, which has ordinances relating to hillside development and prohibits gated communities. In addition, the site is visible from public trails and very close to Heather Farm Park; the loss of possible connecting trails should be considered. The unusually high retaining walls that are proposed is a completely walled-off design and creates a publicly inaccessible compound.

2.

Population and Housing - is this the right location for senior housing? What other alternative sites are available in Walnut Creek? It seems like only a small segment of the senior population will be able to afford the high entry fee and monthly rent. I am also concerned that the facility is not considered residential, which removes the requirement to fulfill housing requirements.

I hope the EIR will look at alternatives to this project. While maintaining the property as open space would be ideal, I am realistic that this is a long shot. I believe a better choice is one that considers the current General Plan density requirements.

Sincerely,
Lori Moirao

From: [Lucy Chappell](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project - Just Say NO!
Date: Monday, August 16, 2021 5:13:43 PM

Dear Mr. Tully,

We, the residents of Walnut Creek are opposed to the Seven Hills Ranch development. I, specifically, am opposed because I work at The Seven Hills School and find the idea of this project heartbreaking and disruptive to the children of the school. We do NOT want this project near the school or anywhere that requires the destruction of natural resources as this project does. And to make matters worse, the scope of the project is well beyond the General Plans of both the County and City of Walnut Creek.

This project is disastrous on every level, from the water underground up through the soil, on up to the air quality and greenhouse gases, and everything in between. As the EIR is developed you must consider these impacts. The violation of biological resources (trees, water habitats, eBird Hotspot, etc.) is only a start to the ultimate chaos this "development" will ensue. The negative impact in terms of land use (interruption to Heather Farm Park), historical value (Adobe home construction) , possible hazardous materials. transportation issues (all I need to say here is Ygnacio Valley Road!!), air quality (emissions, pollution, noise...) community (disturbance to The Seven Hills School during construction and forever after construction) etc. etc. greatly out way any perceived benefit of this plan. Walnut Creek does not need nor want this in any way, shape, or form. The amount of development Walnut Creek is being attacked with is disheartening and threatening the things that make Walnut Creek such a great place to live and raise our families.

Please do not be fooled by the luring of the developers and listen to the people's concerns about the environment disruptions from this project and our desire to preserve Walnut Creek.

Sincerely,

Lucy Chappell

From: [Lynne Grotz](#)
To: [Sean Tully](#)
Subject: Douny File Numbers CDGP20-00001,CDRZ20-03255,CDMS20-00007,CDDP20-03018,&CDLP20-02038
SpiekerContinuing Care Community Project
Date: Monday, August 23, 2021 3:59:32 PM

Dear Mr. Tully,

My husband and I are in favor of the Diablo Glen project. Diablo Glen will free up several hundred single-family homes in the vicinity and provide the only continuing-care facility in the community, a facility providing independent living, assisted-living, memory care, and nursing care. As far as causing a traffic problem, most of the residents will spend the majority of their days at the Diablo Glen campus, which will offer a wide variety of activities. And those residents who do drive away will do so at varying times throughout the day, causing no problems like the twice-a-day traffic jam around the adjacent, private K-8 school. The 3-story buildings will hardly look out of place compared to the K-8 school buildings. And as far as limiting the neighborhood's open space, there are two large parks and a golf course quite nearby. Will that neighborhood suffer if this gated private area is used for habitation?

Thank your for considering these points of view.

Lynne & Bob Grotz, 592 High Eagle Court, Walnut Creek

From: [Marcia Newey](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 23, 2021 9:00:28 AM

We request that the city of Walnut Creek deny the Spieker developer's request for a General Plan Amendment.

Our community will be greatly impacted by the Spieker project as we live on Adirondack Way and have for 26 years. During that time when the homes were built on Club View Terrace we were assured by the City Council members of Walnut Creek that the end of Kinross Drive would remain closed and access to Seven Hills Ranch would not be allowed from that point. The City Council knew of our concerns to maintain a quiet residential neighborhood consistent with the City of Walnut Creek's General Plan.

If this development goes forward we would have increase traffic and with it traffic noise by hundreds and hundreds of cars and trucks entering Kinross Drive. With the current amount of traffic on Ygnacio and Marchbanks this is not acceptable for your neighbors who live in this area. Our quality of life would change, not for the better.

Please consider the environmental impact of leveling the land on Seven Hills Ranch, removing hundreds of trees, the building density and construction of twenty-five feet retaining walls that are suggested by the developer.

Seven Hills Ranch is a jewel in our community. As it sits next to Heather Farms Park it would be a wonderful opportunity to extent the park by adding Seven Hills Ranch to its acreage. The pandemic has shown us the great need for outdoor recreational space. I hope you can see the possibilities that would save hundreds of trees, maintain habitat for many animals and birds and keep our quality of life that we currently enjoy.

Thank you,
Marcia Newey
521 Adirondack Way

From: [tagfamily](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 16, 2021 8:52:11 AM

To: Sean.Tully@dcd.cccounty.us
Subject: **Public Comment on EIR Scoping for Spieker Development Project**

Thank you for accepting my input for the NOP on the Spieker Development Project.

- The proposal wants to change the land use designation and zoning. It currently has a General Plan land use designation of SM (Single Family Residential - Medium Density) and is zoned A-2 (General Agriculture). We feel the extreme change in density requested and required for the current proposal impact the environment in every way. We want the EIR to address the ramifications of going against the General Plan in such an extreme manner.

- As stated above, we feel the Preliminary and Final Development Plan to allow construction of a continuing care retirement community (CCRC) by Spieker and consisting of the following primary components:
 - 1) A total of 354 independent living units and amenities for residents not needing daily assistance,
 - 2) A health care center for 100 residents and the general public,
 - 3) A maintenance building,
 - 4) Associated drainage, access, and utility improvements, and
 - 5) Approximately 375,000 cubic yards of cut and fill grading activities resulting in a net export of approximately 75,000 cubic yards of soil from the site.
 - 6) Support staff for the entire CCRC is expected to represent a full-time equivalent of up to 225 employees.

is just TOO much and does not leave any room on a sizable piece of property that could easily accept a project design which incorporates green space. We request that the EIR to evaluate the amount and necessity of paving over such a large percentage of the property.

- We would like the EIR to thoroughly explain the Kinross extension access and its compliance with promises made in the past to Walnut Creek residents. This requires research into past City of Walnut Creek agreements which purposely were mandated to avoid traffic through the existing neighborhoods. (NOTE the existing strict rules in place at the intersection of Ygnacio & Homestead and Ygnacio & Walnut Blvd in attempts to protect neighborhoods from traffic.) In addition, we'd like the EIR to examine if the entrance plans are in compliance with the City of Walnut Creek ordinances and regulations regarding gated communities. The proposed Kinross Drive access would require the City of Walnut Creek's acceptance of an existing irrevocable offer of right-of-way dedication for access and improvements, as well as a city-issued encroachment permit.

- The project would include removal of up to 400+ trees. This is totally unacceptable. The EIR must certainly address the linked consequential impacts on wild and avian

life along with climate impacts.

- Water availability is of the utmost concern in California's ongoing drought situation. Where is the water is expected to come from?
- The storm water and groundwater impacts should be clearly stated in the EIR.

Sincerely,
Marilyn & David Tagliareni
Walnut Creek, CA

From: [Mark Ricards](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 22, 2021 1:38:46 PM

Dear Sean:

We are strongly opposed to the proposed Spieker Development Project. This beautiful open space and former ranch land with old growth oak trees is one of the last of its kind in the Walnut Creek area and needs to be preserved as it exists today without any development.

- The removal of up to 353 trees is unthinkable and destructive to the natural beauty of the site and surrounding areas.
- Conversion of the existing natural habitat to urban use and eliminating movement opportunities for native wildlife would be shameful and should not be allowed
- The proposed amount of grading is excessive and destructive to the valuable and needed wetlands.
- The vehicle traffic generated by the project would only add more congestion to Ygnacio Valley Road which is currently over impacted.
- Converting Kinross Drive to a public street for the entrance to the development would be devastating to our quiet neighborhood and to the safety of the children who live adjacent to Kinross Drive. When we purchased here 10 years ago, we were of the understanding this could not happen to one of the streets in our development.

We respectfully request that the County retain the current density for the property and deny the developer's request for a General Plan Amendment.

Thank you,

--

MARK RICARDS
CINDI RICARDS
1553 Pyrenees Pl, Walnut Creek, CA 94598
(925) 222-1909
mricards@gmail.com

From: [martha.rose](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 16, 2021 8:40:50 AM

I am writing in opposition to the Spieker Development Project.

My husband and I have been voting residents of Walnut Creek for nearly 25 years and one of the primary reasons we settled here is for the enjoyment of the open space and physical beauty of the area.

It is irresponsible and short-sighted to level the hills on the proposed site and construct high density housing for the following reasons:

1. There is a serious water shortage now for Walnut Creek residents and water conservation measures are likely to be needed for years to come. It is incongruent that Walnut Creek residents are being asked to let their lawns die, reduce the number of times they flush the toilet, and otherwise reduce their water consumption while a huge multi unit project is being constructed in the neighborhood.
2. The traffic on Ygnacio Valley Road is already untenable. A high density development will exacerbate that problem. More people, more traffic.
3. The property has trees that are hundreds of years old that will be destroyed. The beauty of those trees cannot be quantified and they simply cannot be replaced.

Please save the beauty and peacefulness of Walnut Creek and deny the request to amend the General Plan.

Martha Rosenberg

From: [martha.r](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Friday, August 20, 2021 8:02:47 AM

I am writing in opposition to the Spieker Development Project.

My husband and I have been voting residents of Walnut Creek for nearly 25 years and one of the primary reasons we settled here is for the enjoyment of the open space and physical beauty of the area.

It is irresponsible and short-sighted to level the hills on the proposed site and construct high density housing for the following reasons:

1. There is a serious water shortage now for Walnut Creek residents and water conservation measures are likely to be needed for years to come. It is incongruent that Walnut Creek residents are being asked to let their lawns die, reduce the number of times they flush the toilet, and otherwise reduce their water consumption while a huge multi unit project is being constructed in the neighborhood.
2. The traffic on Ygnacio Valley Road is already untenable. A high density development will exacerbate that problem. More people, more traffic.
3. The property has trees that are hundreds of years old that will be destroyed. The beauty of those trees cannot be quantified and they simply cannot be replaced.

Please save the beauty and peacefulness of Walnut Creek and deny the request to amend the General Plan.

Martha Rosenberg
Walnut Creek

Sent from my iPhone

From: [Melia Barnum](#)
To: [Sean Tully](#)
Subject: Seven Hills Ranch
Date: Monday, August 23, 2021 10:56:47 AM

Mr. Tully,

I am writing to express my dismay at the thought of another housing development in Walnut Creek.

We are already in a critical water shortage! We are in the worst drought since 1977 according to EBMUD. Where is the water going to come from to service all the new residences?

Traffic on Ygnacio is atrocious. Adding more housing will obviously make it even worse, not to mention all the dust, noise & congestion a project of this size will create. Has anyone taken into consideration how all of this will affect the tax paying residents in the area?

We already have plenty of brand new buildings in Walnut Creek, both residential and commercial that are still sitting empty. Why do we need more development and more traffic?

The impact on the environment and on the quality of life will be disastrous.

Please do NOT approve this development.

Sincerely,

Melia Barnum

From: [WHITE MELODIE](#)
To: [Sean Tully](#)
Subject: Seven Hills Ranch
Date: Friday, August 20, 2021 12:47:58 PM

Hello Mr. Tully-

I am writing to you asking that you save the Seven Hills Ranch from development. As a long time resident of Walnut Creek it pains me to see all our open space developed. I spend just about every day walking our family dog at Heather Farm. We love the open space behind the equestrian center. The area really can't take any more traffic. With Seven Hills School the road is already quite busy.

Please help save this lovely open space for future generations and the 400 trees in that space.

Thank you.

Melodie White

Sent from my iPhone

From: [Michael Casey](#)
To: [Sean Tully](#)
Subject: Fwd: Diablo Glen Proposal
Date: Tuesday, August 24, 2021 4:24:53 PM

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

From: **Michael Casey** <michaelcasey552@gmail.com>
Date: Mon, Aug 23, 2021 at 3:10 PM
Subject: Diablo Glen Proposal
To: <sean.tully@dcd.cccounty.us>

My wife and I are writing to put in a good word for the Diablo Glen project proposal' and to express our wishes for a speedy approval. We are residents of Rossmoor, Walnut Creek. While Rossmoor is a great community, we have lived here for 10+ years, it does not have any assisted living or nursing home care available within the community. If we someday need such care it will be a huge problem to find a suitable place, one that has an immediate vacancy and is nearby so the other spouse doesn't have a hard time visiting. Diablo Glen, as proposed, would solve these problems.

As part of your analysis of the proposed project's impact on the community, could you please evaluate the current unmet need for quality, continuing- care senior housing in Contra Costa County and specifically in the Walnut Creek area. The Department of Social Services (which oversees these types of communities) may be able to provide some figures demonstrating our area's critical need. Please also include the impact aging baby-boomers will have on this disparity between need and availability in the coming decades. Also, while the state does not classify Residential Care Facilities as strictly "residential" uses, can you please evaluate the proposed project's impact on our area's general housing crisis? It seems intuitive that as seniors sell their homes and move to a care community, such as the one proposed, more homes will be available for purchase by younger families.

My wife and I are familiar with this continuing - care type community. We have a good friend that has lived in Stoneridge, Pleasanton since it opened, about ten years ago. During that time her husband became ill and required full nursing home care. Due to the excellent system at Stoneridge, they were able

to arrange immediate care when needed. She was able to stay in her apartment and walk to daily visits with her husband without any transportation problems. She is VERY satisfied with every aspect of the Stoneridge Community. We also visited and toured another facility built and operated by the same company in Thousand Oaks, Ca., which we also found to be an excellent facility.

We would very much like to see such a facility in Walnut Creek, developed by the same proven company. The design of the proposed Diablo Glen project is very attractive and the proposed location is excellent, being convenient to central Walnut Creek and very convenient to nearby medical facilities that we seniors often need. While there are some other facilities in the area that have some of the needed facilities, most of them do not have all three levels of care (independent, assisted, nursing) located on the same campus and readily available when needed. We both feel that Stoneridge is certainly the best continuing-care community we have seen and the Diablo Glen developers have the experience and track record necessary to get this done.

Thanks for considering our letter and we hope you will be able to approve this project.

Yours truly

Michael and Diane Casey
552 Spotted Owl Ct.
Walnut Creek, CA 94595

From: [Miri Chan](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 16, 2021 8:54:49 AM

Hello Sean,

As a new homeowner in Walnut Creek, I am really disappointed that the City or County has not been proactively gathering opinions from their residents about this potential drastic change to our community. There has not been any other proposals or resolutions from the city or county in how to best leverage this open space for their residents.

My family chose to move to Walnut Creek due to its balance of citylife and nature, and its thriving population of young families. Having a development of such density near our schools and homes will take away safe and quiet roads. Does Walnut Creek really need another Rossmoor? Do we need an establishment that is isolated to a narrow age and income group?

My family and I care about bike safety as well, the increase of car traffic In and out Marchbanks and Kinross is already overwhelmed in pre-Covid days; drivers speeding and passing stop signs and red lights are far too common on Marchbanks/YVR. The city clearly does not have the infrastructure to support more vehicles in this neighborhood.

If unfortunately this proposal gets passed, I am also very concerned about the air, noise, and land pollution coming from the construction site in the next few years—not to mention the loss of 400+ Trees, habitats of deers and other animals. It is not mentioned in the proposal how our residents (and our wildlife residents) will be protected from the excessive dissonance.

Knowing that there will be studies conducted regarding the current surrounding conditions (such as traffic and noise). I would like to urge the city and the county to postpone any studies until Covid is no longer an issue and traffic is back to normal. The test conducted currently will not be accurate to inform our actual neighborhood's needs. (currently, with less people heading to the office, the traffic on YVR is already unacceptable).

I have hope that the city and county will listen, understand our needs and concerns, and make the right decision for our future generation: PRESERVE OPEN SPACE AND SAFE ROADS.

Best Regards,
Miri Chan



Mount Diablo Audubon Society
P.O. Box 53
Walnut Creek, CA 94597-0053
mtdiabloaudubon.org

Sean Tully, Principal Planner
Contra Costa County
Department of Conservation & Development
30 Muir Rd.
Martinez, CA 94553

Re: Mount Diablo Audubon Society Comments on Spieker Senior Continuing Care Community Project

Dear Mr. Tully,

Mt. Diablo Audubon Society (MDAS) is committed to the sustainable balance of our community's people, birds, other wildlife, and habitat through conservation, education, and advocacy. We respectfully submit the following comments on the Spieker Senior Continuing Care Community Project (Project) Notice of Preparation (NOP).

Our main points are:

1. Detail on Wetland Impacts & Mitigation Needed
2. Project Should Include Creek Buffer & Heather Farm Connection
3. Alternatives Analysis – Reduced Tree Loss
4. Description of Heather Farm Park Resources
5. Detail on Sustainability Measures/Climate Catastrophe

We elaborate on these points below.

Detail on Wetland Impacts & Mitigation Needed

The proposed Project Site contains wetland habitat that may be impacted by the proposed Project. The Environmental Impact Report (EIR) should detail the amount, location and type of wetland habitat that is present and how much would be impacted by the Project. Due to the rarity and ecological value of wetlands (especially for birds), mitigation measures should be implemented to avoid impacts to the greatest extent possible, including modifying the Project to avoid the destruction of and negative hydrological impacts on wetland habitat.

If Project impacts on wetland habitat are unavoidable, the Applicant should be required to protect or restore comparable or higher quality wetland habitat elsewhere and the EIR should include appropriate mitigation ratios (ie, 3:1) for wetland habitat impacts.

Creek Buffer & Heather Farm Park Connection

A highly modified, channelized portion of Walnut Creek borders the Project Site to the north and west. Riparian habitat like that which existed along Walnut Creek before it was channelized is extremely important habitat for resident and migratory bird species. Several non-profit groups in the region are involved in the research, improvement and restoration of riparian habitat, and Contra Costa County has dedicated significant resources to the Lower Walnut Creek Restoration Project, one of the largest wetland (including riparian habitat) restoration efforts in Contra Costa.

Given the importance of and interest in riparian habitat restoration, including recent studies focused on improving conditions in Walnut Creek for anadromous fish, the Project should include a creek buffer designed to enable and facilitate riparian habitat restoration projects in the future. Such a buffer could also provide future recreational opportunities to area residents in the form of a low-impact trail along restored portions of Walnut Creek. The EIR should include information such as the width and purposes of this creek buffer along with ownership and management details.

Building on the trail concept described above, the Project should include a connection to Heather Farm Park (Park), which lies adjacent the Project Site at its southeast corner. This would allow future Project residents access to park facilities and park users access to viewpoints on the Project Site that offer beautiful views of Mount Diablo and the surrounding area. Access to outdoor green space and recreation is widely recognized as an important component to mental health, recuperation from injury and maintaining physical fitness. A small, gated connection featuring a time-lock could offer security to and expand access for area and Project residents.

Include Reduced Tree-Loss Alternative

The Project NOP states that 353 trees will be removed to accommodate the Project in its current form. The EIR should detail the species of each tree that would be removed and if it is a native or non-native, as well as the health and maturity of each tree. Native trees provide important habitat for native birds and are adapted to survive in local climate and soil conditions. The Alternatives Analysis should examine a version of the Project that avoids removal of as many mature, native trees as possible. In addition, replacing the loss of native trees with non-native species results in a net loss of habitat value for native species of plants and wildlife. Any planting as a part of Project mitigation measures and landscaping should use native plant species.

Description of Biological Resources at Heather Farm Park, Impacts Analysis

We expect that the EIR will describe the Project Site and surrounding land uses. This description should also include the biological resources present at Heather Farm Park (Park), adjacent the Project Site. More than 140 bird species have been recorded at the Park, which contains several important wetland habitat types as well as a number of large native trees, including oaks.

The EIR Aesthetics analysis should examine the effects of the Project on Park users by including visual simulations of the Project from viewpoints within the Park. Similarly, the Noise and Vibration section should detail the impact of noise associated with Project construction and continued operation on Park users and wildlife, including birds.

Sustainability Measures in the Face of Catastrophic Climate Change

Earlier this month, the Contra Costa County Board of Supervisors officially directed staff to craft an ordinance amending the county building code to require electricity to be the sole source of power

for all new residential and non-residential (hotel, office and retail) buildings, while prohibiting the installation of natural gas piping. County Supervisors also declared an official Climate Emergency in September 2020 in the face of catastrophic human-caused climate change. In 2019, Audubon's Survival by Degrees Report (found [HERE](#)) showed that the unprecedented pace and magnitude of climate change make it an existential threat to birds, people and the natural systems we depend on. Two-thirds of North American birds are at increasing risk of extinction from global temperature rise. MDAS has determined that it is of crucial importance to educate, mobilize and advocate for rapid, massive, transformational change from the local to international scales to avoid the worst impacts of human-caused climate change, and has dedicated resources geared toward such efforts ([HERE](#)).

Given the realities of the climate catastrophe that is upon us and in keeping with the previous direction from the County described above, the Project should be required to include measures such as all-electric power (ie, no use of natural gas), groundwater recharge, rainwater capture and stormwater infiltration systems, native plant landscaping, electric-vehicle charging stations, rooftop solar and other sustainable features that reduce the negative impacts of climate change. These measures should be described and their impact quantified as part of the EIR. In addition, the amount of heat-trapping gases that would be emitted as a result of Project construction and continued operation should be quantified in the Greenhouse Gas Emissions section of the EIR. Avoidance and minimization measures and mitigation measures should be identified and implemented to reduce the impact of such emissions as much as possible.

Thank you for considering our comments.

Sincerely,

Juan Pablo Galván Martínez
Conservation Chair & Young Birders Club Coordinator, Mt. Diablo Audubon Society

From: [Juan Pablo Galvan](#)
To: [Sean Tully](#)
Subject: MDAS cmnt ltr - Spieker Senior Project
Date: Sunday, August 22, 2021 3:27:00 PM
Attachments: [MDAS CmnlTr_Spieker_Aug21.pdf](#)

Hello Mr. Tully,

Attached please find Mount Diablo Audubon Society's comment letter on the Spieker Senior Continuing Care Community Project Notice of Preparation.

Regards,
Juan Pablo

From: [Murray Roberts](#)
To: [Sean Tully](#)
Subject: Public comment on EIR Scoping for Spieker Development Project
Date: Friday, August 20, 2021 8:13:01 PM

Sean

Along with many other long term residents in this community, I am deeply concerned about the proposed development of Seven Hills Ranch.

The access roads around the area, especially Marchbanks and Kinross, are totally unsuitable for accommodating additional traffic.

In particular, the existing portion of Kinross between YVR and Marchbanks is narrow, undulating, winding, with many blind crests, blind corners and parked cars, and was designed and built solely to service the residents and houses in Heather Farms HOA and nothing more.

It is scarcely suitable, in terms of width and visibility, to accommodate the delivery vehicles and garbage trucks that have to service the community - let alone any additional traffic which the proposed development would bring along Kinross.

Many young families live in this area and on Kinross, and children regularly play in the street and on the sidewalks of this currently private community. Many residents - again, including children - frequently have to cross streets at blind corners and unsighted crests in order to access the pools and tennis courts in the community.

I shudder when I think about the introduction of significant new traffic flows into such narrow, winding roads. Should the County approve this development, serious accidents involving children are absolutely reasonably foreseeable by any objective observer. The County should bear this highly relevant consideration in mind in its decision making.

Murray Roberts
Walnut Creek

NATIVE AMERICAN HERITAGE COMMISSION

July 28, 2021

Governor's Office of Planning & Research

July 29 2021

STATE CLEARINGHOUSE

Sean Tully
Contra Costa County
30 Muir Road
Martinez, CA 94553

Re: 2021070517, Spieker Senior Continuing Care Community Project, Contra Costa County

Dear Mr. Tully:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.



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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a.** A brief description of the project.
 - b.** The lead agency contact information.
 - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

 - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a.** Alternatives to the project.
 - b.** Recommended mitigation measures.
 - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a.** Type of environmental review necessary.
 - b.** Significance of the tribal cultural resources.
 - c.** Significance of the project's impacts on tribal cultural resources.
 - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Katy.Sanchez@nahc.ca.gov.

Sincerely,



Katy Sanchez
Associate Environmental Planner

cc: State Clearinghouse

August 23, 2021

Nancy Vasko, 588 Matterhorn Dr, Walnut Creek, CA 94598

Attention: Sean.Tully@dcd.cccounty.us

Subject: Public Comment on EIR Scoping for Spieker Development Project

County File Numbers: CDGP20-00001, CDRZ20-03255, CDMS20-00007, CDDP20-03018, CDLP20-02838

Thank you for the opportunity to comment on the review process for the **Spieker Development project** proposed for Seven Hills Ranch. I have the following comments to offer:

I am particularly concerned with the developer's request for an amendment to the County's General Plan which would extremely increase the allowable density on the current undeveloped property and severely impact my community.

Aesthetics

- The EIR should indicate the distance to the nearest buildings of similar mass and height for purposes of studying the appropriateness of this proposal relative to the surrounding neighborhoods.
- The creation of a building pad at 130 elevation plus 49 ft of the multi-story building on the west side of the property creates a total top-of-building elevation of 179 feet, completely eradicating views from nearby HFHOA homes, the highest of which sits at 170 feet elevation. The proposal does not adhere to either the City or County General Plan land use designation, creating this incongruence.
- Smells from the restaurant included in the proposal should be included as an impact in the EIR.

Transportation

- I request that the EIR consider the suitability and legality of the developer's entry plan for the site. The developer has requested the City of Walnut Creek execute an "Irrevocable Offer to Dedicate Right of Way" for "Lot A". Such an agreement would negate the City's 1989 underlying General Plan Public Purpose which was then and remains to ensure that Kinross Drive not be extended to create a through public street into the County property, due to the disruption of the City's residential areas. This action did not and does not isolate the County property at Seven Hills Ranch as an entrance to the property already exists at another location.
- The developer has also suggested that "ALL of Kinross Drive become a public street". Either this or the dedication of 'Lot A' would transform Kinross Drive from a collector road to an arterial road, which is inconsistent with the City's General Plan goal to prohibit conversion of Kinross Drive into an arterial road. These changes would have significant impact on the community.
- The impacts of the earthwork required to flatten this hilly site should be addressed in the EIR; County and City code requirements should be met.
 - Noise, vibration, dust, particulate matter, and diesel air pollution from construction activity (dump trucks, bulldozers, front end loaders and scrapers, etc) will impact HFHOA homes in addition to the adjacent school, the City's public park and homes on the north and west sides. As stated in the Project Description, the proposal requires 225,000 CY of cut, and 150,000 CY of fill, and that earthwork will take 12 months to complete. 150,000 CY of soil will be moved around on-site, equal to approximately 11,000 dump truck loads of soil moved on site for one year or 42 dump truck loads per day, M-F, for 260 days.

- The transportation report should indicate the impacts from the 75,000 CY of soil which will be hauled off the site in one year. That equates to approximately 12,000 dump truck trips driving in and out of the site (round trip) or 46 trips per day for one year. During a 7-hour day (because per the Transportation Report, construction trucks will not be allowed to enter/exit the site at peak traffic hours, the hours will be 9am-4pm). That is equivalent to a dump truck driving on the adjacent residential streets approximately every 8 minutes. The streets this traffic will travel are narrow with bike lanes, bumper to bumper parked vehicles with people entering and exiting, and two golf cart crosswalks. The EIR must determine if such traffic will be safe moving through an established neighborhood and if the streets involved -Kinross, Marchbanks and/or Ygnacio Valley Rd-are suited to such use. The expected direction(s) the dump truck traffic will travel should be noted.
- Traffic exiting to the west off Kinross Dr and onto Marchbanks requires passage on Heather Dr. and San Carlos Dr. through the City's heavily used Heather Farm Park, including past a skatepark with teens and the tennis court complex with pedestrians crossing the street to reach the main parking lot for the courts.
The roadway is frequently used by cyclists, but there is no bike lane.
The safety of construction traffic on this route should be addressed.
- I expect that the transportation portion of the EIR will verify the method used for the finding that peak traffic hours are limited to prior to 9am and after 4pm. Nearby Ygnacio Valley Rd, which will be used for access, has a much greater window for heavy traffic. In addition, any new traffic patterns which have emerged since the pandemic should be studied. An independent traffic report is requested.
- Gated and guard shack communities create idling cars at the entrance points. The EIR should include studies on impacts to nearby homes in terms of noise and air quality from the proposed gated/guard shack entry plans.
- I believe the transportation report needs further independent review.

Biological Resources -Trees

- Both City and County ordinances and policies must be referenced as the property, while under the County's jurisdiction, also falls within the "Sphere of Influence" of the City of Walnut Creek.
 - [Division 816 - TREES | Ordinance Code | Contra Costa County, CA](#)
 - [Chapter 3-8 PRESERVATION OF TREES ON PRIVATE PROPERTY](#) City of Walnut Creek
- Trees to be removed from the City of Walnut Creek property at the end of Kinross Drive come specifically under the jurisdiction and ordinances of the City.
- The project **does** conflict with local ordinances and policies protecting trees.
- Clarification and explanation for the discrepancy in tree removal numbers in the NOP document, the Preliminary Arborist Report prepared for the developer in July 2020, and the Spieker Project Description dated 2/8/21 . The 353 number noted in the NOP refers only to "protected trees" which are to be removed and does not indicate or include the additional "non-protected" trees to be removed.
- An independent arborist report is requested.

Thank you again for this opportunity to comment.

From: [Nancy Vasko](#)
To: [Sean Tully](#)
Subject: [BULK] Public Comment on EIR Scoping for Spieker Development Project County File Numbers: CDGP20-00001,CDRZ20-03255,CDMS20-00007, CDDP20-03018, CDLP20-02838
Date: Sunday, August 22, 2021 2:23:15 PM
Attachments: [NV NOP Public Comment 8-22-21.pdf](#)

County File Numbers: CDGP20-00001,CDRZ20-03255,CDMS20-00007, CDDP20-03018, CDLP20-02838

Sean,

At our Heather Farms HOA meeting last week the Spieker Development Project for Seven Hills Ranch was discussed. The HOA Board was working on and planning to send a letter. I agree with ALL of the points they brought up. For that reason, I am simply sending you a close duplicate of their comments.

I don't speak for my HOA, but I am using their template and comments because I agree with the comments and want my concerns recorded. I am sending them as my own. Please find them attached.

Thank YOU!

Nancy Vasko
588 Matterhorn Dr.
Walnut Creek, CA 94598
925-937-6262

From: [Nancy Vasko](#)
To: [Sean Tully](#)
Subject: [BULK] Public Comment on EIR Scoping for Spieker Development Project County File Numbers: CDGP20-00001,CDRZ20-03255,CDMS20-00007, CDDP20-03018, CDLP20-02838
Date: Monday, August 23, 2021 9:51:47 AM

Sean,

I would like to add one more concern that I would like addressed in the EIR for the Spieker Development project.

Please look at the impact of placing a 24-hour commercial building next door to an existing residential neighborhood.

The houses on Pyrenees Place and Matterhorn Dr that back up to the property line of this proposed development will be severely impacted by noise, car & truck emissions, and light pollution.

To support a 100 bed 24-hour nursing facility, I estimate the following day trips:

10 LVN's x 3 shifts=30

10 support staff x 2 shifts=20

8 kitchen staff x 2 shifts=16

3 admin staff x 2 shifts=6

1 maintenance x 2 shifts=2

2 receiving/shipping clerks=2

family visiting daily=100

food delivery/alcohol/linen/garbage/maintenance trucks=5

ambulance/transport vehicles=5

total=186

The neighbors would be subject to **186 per day** auto and truck trips.

That includes doors slamming, alarms beeping to be set, engines starting, beep-beep-beeping of trucks backing up.

Who wants to live next door to all that noise, vehicle emissions, and 24-hour lighting at the entrance and the hallway windows of a 24-hr nursing home?

A commercial building should be put in an existing commercial zoned area, **NOT** next door to established residential neighborhoods. Isn't that why we have zoning laws?

Thank you for listening.

Nancy Vasko
588 Matterhorn Drive

From: [Natalie](#)
To: [Sean Tully](#)
Subject: Save Seven Hills Ranch Project
Date: Wednesday, August 11, 2021 2:15:47 PM

Dear Sean,

Sending this email on behalf of our community in opposition to the proposed Spieker Development Project in Walnut Creek.

Prior to ever hearing about such a development - the road that leads to the Seven Hills gates has been my favorite, peaceful place to walk and to escape in Walnut Creek. I always see deer and turkeys in the area - the neighbors are happy and friendly. My close friend and I refer to that road as "The Country Road." It would be a shame for a billionaire builder to leverage extreme wealth and power to exploit our community in Contra Costa. (I guarantee this would not be approved/allowed in Mr. Spiker's neighborhood.) The traffic and demolition of the trees would be a travesty. I object to this project and respectfully hope that our city leadership will help preserve the beauty of our community and object as well.

Natalie
415-515-4551
1655 North California, Blvd.
Walnut Creek, CA 94596

From: [Oleksii Tymofieiev](#)
To: [Sean Tully](#)
Cc: [Oleksii Tymofieiev](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Tuesday, August 17, 2021 1:53:07 PM

Hello,

Please let me express our family concerns regarding the Spieker Development Project in Walnut Creek.

Environment: the territory proposed for the project hosts some 350+ protected trees and is adjacent to a pond housing otters, water birds, and numerous other water residents. Any significant development poses a direct threat to them and a development of a scale that the project supposes will definitely have a devastating impact on the surrounding. The development project plans that I have been able to look at do not provide either a trustful and detailed study of the impacted areas, plants, and leaving creatures there or a list of measures supposed to restore the environment upon the project completion.

Neighbourhood Quality of Life: a development project of this size will substantially reduce the quality of life for the neighbours. Building waste, dust, machinery exhaust gases, and noise will impact the surroundings for years. There are no projected measures to prevent these factors from having their negative impact on the residents of Kinross and Bancroft areas.

Traffic issues: with roads availability (Ygnacio Valley road mostly) and its throughput capacity severely limited such a large-scale development will create an additional bottleneck for the neighbours and YVR transit traffic for many months. The project completion will add hundreds of personal cars and a respective number of service vehicles to already dense traffic on Ygnacio Valley road. The project plan does not provide for any measure to accommodate for the additional load on Walnut Creek transport infrastructure.

These are a few but far not all concerns that our family and the Bancroft community have regarding the Spieker Development Project. The project is going to have an extremely negative impact on the neighbourhood and brings long-lasting consequences to Walnut Creek as a green town with good transport infrastructure.

Please consider the facts mentioned above and make any possible steps to block the request from the developer for the General Plan Amendment.

Best regards,
Oleksii Tymofieiev.

Seven Hills Ranch
Environmental Impact Report (EIR)

Attn: Mr. Sean Tully

Sir,

I am disappointed that I should have to write this letter in opposition to a proposed development that has been allowed to progress this far. This proposed development will obviously have more negative social, economic and environmental impacts than positive impacts. Like probably everyone else who lives in this area, I am particularly concerned about the traffic impacts. The traffic volume on Ygnacio Valley Road (YVR) is already horrendous. There is really nothing that can be done to reduce this volume. This proposed development will only increase the traffic on YVR and further exacerbate this horrendous situation.

At minimum, the traffic portion of the EIR should analyze the following signalized intersections: YVR/Bancroft Rd./Walnut Ave., YVR/N San Carlos Dr./San Carlos Dr., YVR/ Kinross Dr./La Casa Via, and YVR/Marchbanks Dr./Tampico. The analysis should address the existing Capacity and Volume- to-capacity ratio, delay, and queue both pre and post (build out) construction. The analysis should include proposed improvements that could be made to these intersections to keep the post-construction intersection Level of Service equal to the pre-construction Level of Service. The developer should fund those improvements.

An intersection analysis should also be done on the Kinross Dr./Marchbanks Dr. intersection to determine if a signalized intersection is warranted. If a signal is warranted, it should be funded by the developer.

In order to make these analyses clearly understandable, they should be presented in the form of a computer simulation.

I hope the EIR also addresses the impacts associated with increases in traffic and delays. These impacts include, but are not limited to, increased fuel consumption, noise, and air pollution. I understand EIRs should now address the impacts on global warming.

I look forward to reviewing the EIR and viewing the computer simulation.

Respectfully submitted,

Peter Therkelsen
1582 Siskiyou Drive
Walnut Creek, CA 94598

**COMMENTS ON
SPIEKER SENIOR CONTINUING CARE COMMUNITY DEVELOPMENT**

Date: August 21, 2021

To: Sean Tully, Principal Planner

Contra Costa County, Department of Conservation & Development

Sean.Tully@dcd.cccounty.us

From: Philip Ho, 1549 Pyrenees Place, Walnut Creek, CA 94598-2155

pplacewc@gmail.com, 925-915-9287

Subject: **Spieker Senior Continuing Care Community Development**

I am a resident in the Heather Farms community adjacent to the Seven Hills Ranch site in Walnut Creek. I have many concerns about the proposed senior care community development.

1. The proposed County GP amendment of the site from single family residential medium density (MR) to high density senior homes and commercial uses including sales of alcohol are incompatible and out-of-character with the surrounding **land uses**. The site is surrounded by single family homes, a school, neighborhood parks. The project is not in compliance with the County's GP and Zoning Ordinance. The proposed GP amendment is a misguided effort, has long-term irreversible impacts, and a detriment to the quality of life of all residents in the neighborhood. *I urge the County Board of Supervisors to deny the proposed GP amendment.*
2. The Seven Hills Ranch offers 30 acres of natural landscape, beauty, panoramic views, and open space. It is a watershed area. It is also the home and refuge for many wildlife species, 400 trees, plants, riparian revegetation areas, and seasonal wetland. The project will involve the excavation and grading of 375,000 cubic yard of dirt, and forever alter the natural landscapes and slopes, and decimate natural environment vital to wildlife. A soils and geotechnical feasibility report is required. The project will result in the destruction of 350 **native trees** which have a protected status and the removal of other trees. The project will result in a total and utter destructions of all **biological resources** and practically everything else that is in the Seven Hills Ranch as we know it. The impacts are very, very significant and irreversible. A biological study report and a hydrological study report are required. *I urge the County Board of Supervisors to respect, conserve and protect our natural environment, to preserve open space and wetland, and to kindly consider the welfare of County and Walnut Creek residents and more importantly, for our children and future generations to come.*
3. The commercial kitchen within the proposed commercial senior care facility will produce fumes and smell which would negatively impact the **air quality** the surrounding

residential neighborhood, Seven Hills School, and the Heather Farms Community Park. This impact is significant, permanent, and unacceptable.

4. The project involves massive grading, complete destruction of all natural landscape, creation of cut slopes and retaining walls, construction of buildings, and the installation of paved impervious surface areas. This will result in a substantially different storm water runoff sheet flow patterns, high concentration of [storm water](#) discharge during rain events, and discharge of storm water into the public storm drain system. Contra Costa County, Stormwater C.3 Guidelines requires bioretention treatment of 100% of the site. A stormwater control plan (SWCP) narrative report, stormwater treatment calculations, and a drainage study report are required. This is a significant impact on the existing public storm drain system.
5. As a result of the massive grading and hauling of dirt off-site, the excavation equipment and hauling trucks and will create a substantial amount of [noise and vibration](#) during construction. A noise study report is required. This impact is significant and unacceptable.
6. The project will generate a substantial volume of [vehicular and truck traffic](#) based on the proposed 354 residential units, visitors, 225 employees, and deliveries. With the added traffic activities, pedestrian safety and bicycle safety will be compromised. Mothers with strollers, children, and adults will feel less safe on the sidewalk and on crossing the streets. This will create significant capacity, operational and safety impacts to the streets and intersections, and will be a detriment to the quality of life of County and Walnut Creek residents in the neighborhood. A vehicle-miles-travelled study report and a traffic safety study report are required. This impact is significant, permanent and unacceptable. *I urge the County Board of Supervisor to deny the project from moving forward.*
7. The introduction of a commercial facility into a residential neighborhood means that a large number of non-residents travel in and out of the neighborhood daily. These individuals are visitors, delivery personnel, or employees. They are not vested in the security and safety of the community. Their presence invariably leads to high rate of [crime including theft, vandalism, littering, speeding and other violations](#) which are not consistent with the values and norm of the Heather Farms community. *I urge the County Board of Supervisor to deny the project from moving forward.*

Sincerely,

Philip Ho, PE, TE, PTOE

From: [Raajdeep Venkatesan](#)
To: [Sean Tully](#)
Cc: SaveSevenHillsRanch@gmail.com
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 16, 2021 11:42:30 AM

Hello Mr. Tully,

I live within 300 meters (1000 Feet) of one of the edges of the proposed Seven Hills residential project development also known as the Spieker Development Project.

As a resident that will be highly impacted by this project, I am appalled at the idea of building high density housing in a well preserved and beautiful natural habitat and hence I am totally opposed to this project.

There is widespread impact of the proposed amendment in terms of air quality, biological resources, traffic, geology, land use, and zoning change. I am hereby alerting you to these environmental impacts and have detailed them below:

Air Quality, soil, biological resources, waterways and availability of water

For residents living around the proposed project area, air quality during the 3 to 4 year construction period (including truck and construction vehicles / equipment exhaust, dust raised by the movement of 225,000 Cubic Yards of fill) in addition to post-construction will be terrible, adverse to health. Many of these residents live in single family homes with kids and enabling this project will impact their health in a detrimental manner.

In addition, the air quality will affect the resident and migrant wildlife and bird species. Currently, this wildlife does not have adequate space that we often see them in our neighborhoods. Restricting the already restricted space for wildlife is an unwise decision for the county.

This project will lead to an extreme tree loss of 400+ Trees, 350 of which are “Protected” under County and City statute. The loss of trees also means loss of microclimate and the loss of plants and animal species that depend on the habitat. This project is next to the Heather Farm Park, a designated Bird Hotspot with numerous species living or migrating through the park and Seven Hills Ranch. The complete loss of habitat to the species that call the ranch home, deer, fox, owls, nesting turtles, skunk, snake, lizards, turkeys, and many species of birds including hawks, will lead to ecological disaster and is a decision which can never be reverted.

With a large project like this, groundwater will be further depleted due to the paved areas that will be introduced as part of this project. With California in a megadrought, there is no point in further exacerbating groundwater depletion as a result of this project. Existing adjacent Heather farm park waterways, Contra Costa Canal and the Walnut creek channel and both humans and animals that depend on it will be adversely affected during 3 to 4 year construction where construction debris and water run off can and will contaminate the waterways.

Further, with water already at a premium from the Contra Costa County Water District, adding water supply to a high density residential project will be difficult to the county and will increase the cost of water to current residents.

High density residential projects require multiple entrances and exits. This project amendment will add to existing traffic that is already horrible to begin with and add vehicle pollution to the mix.

If you ask a prospective senior citizen who might be interested in moving into this high density community, even they will say No to this idea of destroying nature, wildlife, adding to pollution, depleting water and resources.

Land Use

This project amendment is WAY out of line with the General Plans of both the County and the City of Walnut Creek. The developer knew this when they went into escrow. The project should conform with relevant land use plans, policies, and regulations of BOTH the County's and the City of Walnut Creek's General Plan and Zoning Ordinances. The project site is within the City's "Sphere of Influence" and the City has ordinances relating to hillside and ridgeline development, along with prohibitions on gated communities.

The unique location of this project next to Heather Farm Park, a city park that is used by 1.5 million people per year and the site sitting amidst a crossway of public walks, bikeways and trails and the site's visibility to park and trail/walkway users and loss of possible connective trails/walkways should be considered.

Need for Senior Housing

Finally, the county needs to question the need for senior housing of this type at this location. There are numerous senior housing communities in other Walnut Creek neighborhoods and nearby Pleasant Hill, many of which are vacant and available. A simple google search will show how many are available and vacant. What is the need for a senior housing project at this site at this time?

Conclusion

In this era where climate change cannot be denied and global warming impacts the environment daily, approving such projects is a highly unwise decision that not only impacts the community today but for generations to come.

Our Preferred alternative is to stop this project and the city and county needs to study the environmental, ecological and human impact of this project in more detail. This property should be purchased by the city or county and retained as open space.

Sincerely
Raaj
Raajdeep Venkatesan
74 Kings Oak Pl
Walnut Creek, CA 94597

From: [Radhika S](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Saturday, August 21, 2021 10:54:12 AM

Dear county supervisors,

PLEASE pause and consider the grave impacts of development of seven hills ranch. Walnut creek trees are protected by the county and city statutes. Destruction of natural habitat and the biodiversity it supports will be an immeasurable loss to us and future generations. Walnut Creek, two words that inspire nature will be forever lost with this plan. Please allow the unique blend of urban and natural places like Walnut Creek survive. Let's preserve the fabric of this city and be an example rather than make Walnut Creek like every place.

Radhika Srinivasan
2612 Jones Road,
Walnut Creek

From: [Radoslav Simeonov](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 22, 2021 3:17:25 PM

Dear Mr. Tully,

As a resident of the Heather Farms Association community I would like to express my grave concern with the potential impact on our community from the proposed high-density development of multi-unit residential complex on the territory of Seven Hills Ranch area. I think that Walnut Creek has been extremely developer friendly in recent years without taking into consideration the consequences of rapid development to a suburban area.

I moved to this area nearly 20 years ago and the main attraction of the Heather Farms Association is that even though our community consists of attached homes we have all of the access to the open areas around us offered by the beautiful nature. I lived in a big cities previously to moving to my current residence and the attraction of the relatively more laid back lifestyle in the previously suburban Walnut Creek cannot be emphasized enough. Yet all of the high-density complexes which have been built and are projected to be built in Walnut Creek have already brought congestion and other big city unwanted consequences.

Now in the neighborhood where I live we are looking at a massive development which will transform the current streets (Kinross Dr., Marchbanks) into passageways for traffic and turn the nearby parks into buzzing "arteries", not to mention the complete removal of the pristine Seven Hills Ranch natural open space itself. I fail to see how is this in the interest of our community which the Administration of Walnut Creek is supposed to protect and preserve. Yes big developments bring property taxes to the City but at the cost of our neighborhood and all of us here pay our more than fair share of property tax.

I appeal to your common sense and exercising your due diligence in not allowing this massive development project to completely change the suburban lifestyle in our community (Heather Farms Association) which is immediately adjacent to the proposed development.

Sincerely,
Radoslav Simeonov

Sent from [Mail](#) for Windows

August 22, 2021

Ray Replogle 2488 Westcliffe Lane, Walnut Creek, CA 94597

Attention: Sean.Tully@dcd.cccounty.us

Subject: Public Comment on EIR Scoping for Spieker Development Project

County File Numbers: CDGP20-00001, CDRZ20-03255, CDMS20-00007, CDDP20-03018, CDLP20-02838

Thank you for the opportunity to comment on the review process for the **Spieker Development project** proposed for Seven Hills Ranch. I have the following comments to offer:

I am particularly concerned with the developer's request for an amendment to the County's General Plan which would extremely increase the allowable density on the current undeveloped property and severely impact adjacent communities.

Aesthetics

- The EIR should consider the impact of a 2 story commercial 24 hour nursing home being placed next door to existing residential neighborhoods, Heather Farm Park, and a school.

Air Quality and Greenhouse Gas Emissions

- Please consider the 4 year construction diesel emissions to the neighbors.
- Consider the vehicle emissions from the parking lot around the 2 story commercial nursing home and all the truck emissions from the delivery trucks to the 2 story commercial nursing home.

Land Use

- The current General Plan Land Use is for single family residential-medium of approximately 151 homes. What impact will the proposed 360 living units AND the 2 story 24 hour commercial 100 bed nursing home overbuild have on the land? Would sticking to the General Plan Amendment be a better use of this land? Please explore this.
- Explore how to leave the hills and valleys intact without removing all the soil and trucking the soil off site.
- Consider the wildlife corridor that currently exists. This 30 acre site is home to a dozen deer, fox, coyotes, wild turkeys, and many bird species. What will become of them? What provisions will be made for the animals?
- The land has a wetlands feature. How will this be preserved?

Noise and Vibration

- Analyze 4 years of construction noise and vibration to the adjacent residential communities, Heather Farms Park, and the K-8 school.
- Once built, analyze the noise the 2 story 24 hour commercial nursing home will generate. There will be beep-beep-beeping from delivery trucks backing up, car doors slamming from around the clock employee shift changes, ambulance sirens at odd hours, air conditioners, exhaust fans and generators around the clock.
- Pay attention to the light pollution coming from the development and from the 24 hour commercial nursing home. Adjacent homes will stare directly at this beast of a building and it will be glowing ON throughout the night.

Transportation

- Take a close look at the projected 1,141 additional cars at the 4 way stop sign of Marchbanks/Kinross. What will the delay be for existing residents?
- Consider the bike lane on Marchbanks and whether there is room for dump trucks and 18 wheeler delivery trucks to safely drive down Marchbanks.
- Consider making all residents/delivery trucks of the new development to be required to make a right hand turn at the 4 way stop onto Marchbanks. This would prohibit traffic from cutting through the private streets of Heather Farms HOA on upper Kinross. It would also keep traffic away from the pool and skate park area of Heather Farm Park.
- Consider making the main entrance off Seven Hills Ranch Road and funneling the traffic onto Civic/Oak Road instead of Ygnacio Valley Road.

Utilities

- We are in a record drought. Where will the water come from for such an extensive overbuild of this parcel of land?

Wildfire

- Consider the evacuation routes of an extra 800 people in case of a wildfire or an earthquake.
- Address how you evacuate the 100 bed nursing home in any emergency.

Alternatives

- Please consider leaving the property as open space. If that is not possible, then build it as single family residential-medium.
- Consider alternative sites for this development in Contra Costa County. Choose a commercial site that is zoned for a 24 hour commercial nursing home already.

From: [Ray Replogle](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project CDGP20-00001,CDRZ20-03255,CDMS20-00007, CDDP20-03018, CDLP20-02838
Date: Sunday, August 22, 2021 4:06:53 PM
Attachments: [RR NOP Public Comments 8-22-21.pdf.docx](#)

Sean-

Attached, please find my comments for the EIR Scoping for Spieker Development Project.

Best,

Ray Replogle

From: [Bob Peoples](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR for Spieker Development Project
Date: Monday, August 23, 2021 4:45:33 PM

Mr. Tully--

As an older resident of Contra Costa County and California, I am acutely aware of and concerned about the significant shortage of housing for all segments of our community. The social and economic consequences of that housing shortfall are increasingly apparent, extensive and pervasive. Provision of additional housing is essential to address those problems. But, that end must be achieved in a very careful, balanced manner that does not sacrifice unique natural areas nor compound existing or create additional avoidable problems & adverse impacts.

Environmental Impact Reports (EIR) are intended to holistically consider project effects and impacts as well as identify and fully evaluate alternative approaches to avoid undesirable consequences. In that context, the EIR for the proposal to amend Contra Costa County's General Plan and Zoning Ordinance to allow approval of the Spieker development project of the Seven Hills Ranch property must provide a full assessment of several issues:

1. Fully describe and comprehensively assess the social, quality of life, infrastructure, environmental, climate change and other impacts of the proposed project.
2. Describe & comprehensively assess the consequences of losing a significant open space natural area in an urban sea if the Spieker or other development occurs.
3. Explain how amendment of the County's General Plan and Zoning Ordinance to allow the proposed development would be accomplished given long-established policies and actions of the City of Walnut Creek.
4. Identify and fully assess the feasibility of alternative locations within currently developed areas as the site for the proposed housing in lieu of developing a remnant "greenfield" area.

Before the August 16, 2021 EIR Scoping Meeting, oral comments regarding amendment of the County's General Plan and Zoning Ordinance to increase the density of development of the Seven Hills Ranch property in Walnut Creek by Spieker were recorded on the County system. In addition, oral remarks were presented during that Meeting. These written comments document and elaborate on those time-limited statements. They expand on the four points noted above that must be addressed by the EIR.

Identify and Describe All Impacts of the Project and their Consequences for Society

The proposed Spieker development, as well as development allowed by existing zoning, would eliminate an island of natural space in an already fully developed area. It will have major impacts on surrounding residential neighborhoods.

Many citizens spoke during the scoping meeting and identified a broad range of likely and potential impacts and consequences if the project proceeds that must be addressed. For instance, the preferred access to and from the proposed development of Seven Hills Ranch is through the residential areas to the South of the project area located in the City of Walnut Creek. Other access routes would also be through residential neighborhoods. The difficulty of accommodating construction traffic over four years let alone long-term use 24-hour-a-day traffic, including by many emergency vehicles, was pointed out. Those impacts as well as other social, quality of life, infrastructure, environmental, climate change and other consequences of the proposed project must be fully described and assessed. Further, such assessment should not only consider impacts and consequences in the immediate vicinity of the project, but more broadly in the County, Bay Area and beyond as appropriate. In addition, longer term consequences & values should be identified and addressed, not just the immediate impacts & limited financial benefits of the proposed development.

Retaining this natural area in its current natural state will avoid substantial costs to society while also providing immense benefits for society in an increasingly urbanizing environment. Many of those costs can be expressed in monetary terms while most of the benefits and benefits have quantifiable values that are not expressed in commensurable monetary terms. The full extent of those non-monetary values must be recognized and properly accounted for in the EIR.

Identify and Assess of Loss of a Significant Open Space Natural Area

Seven Hills Ranch is an island of nature in a sea of development. Such natural open space was once the dominant land use and cover type in the project vicinity as well as elsewhere in the County. Unfortunately, very little remains near the project making that site unique. In its natural state, the property has great value to society, arguably much greater than the value provided by the proposed project. Being locally scarce and a relatively large parcel magnifies its value. That value is further enhanced because it is contiguous with natural areas on Heather Farm Park, smaller natural areas in adjacent homeowner association common areas and other open land. It is also a key link in sustaining ecosystem connectivity in the vicinity. It should be protected for the benefit and enjoyment of the entire community rather than covered with multi-story structures available to only a few.

There are a number of specific reasons for Seven Hills Ranch's value to the community and

beyond. It is a significant natural complement to the adjacent Heather farm Park. It provides much needed Green space where local people can get their "green fix" rather than having to travel a much greater distance to be in a natural area. Such green space is an increasingly rare commodity in our cities as they become more heavily urbanized. Other low impact uses of the natural area such as hiking and nature observation and study can also be accommodated. It allows connections to other recreational facilities and areas from Heather Farm Park such as another entry point onto the Iron Horse Trail as well as providing direct access to a trail along the Walnut Creek if one is established.

Significant wildlife use already occurs on Seven Hills Ranch which would be enhanced if it was preserved as a natural area. In addition, protecting the property rather than developing it would maintain, even enhance, it's ecosystem connectivity function as part of a chain of natural areas thus ensuring the existence of more viable ecosystems well into the future. Wetlands, a very rare habitat in the vicinity, would be maintained & enhanced with protection of Seven Hills Ranch as a natural area for future use by endangered species such as the California red legged frog & California tiger salamander. A unique, apparently wind carved, rock formation adjacent to Walnut Creek at the Northern end of the shell ridge geologic formation would be lost if the property were developed. The rolling hills created by that geologic formation would be converted to a flat expanse for development and covered with multi-story buildings.

Explain How County Approval for Development Would Address City of Walnut Creek Policies and Actions

A significant impediment seemingly beyond the control of the County exists that would prevent the proposed, and perhaps any, development of Seven Hills Ranch. In approving residential development of the property south of the proposed Spieker project in the 1970s, the City of Walnut Creek acted to prevent future development of Seven Hills Ranch from adversely affecting the new neighborhoods. As a condition of approval for the development of those neighborhoods, a one-foot wide strip of land along the County line was granted to the City to preclude future access through the neighborhoods from the Seven Hills Ranch property. That includes the end of the Kinross Drive Right-of-Way, the proposed access for the proposed Spieker project. The concept that new development for any purpose must not adversely impact established neighborhoods was soon incorporated into the City's General Plan and remains City policy. Even if development of this unincorporated area is allowed by the County, the proposed access is blocked by City policy strengthened by City land acquired specifically for this purpose. The EIR should recognize & fully describe this situation & explain how it can be resolved or if any development can even be considered.

Identify and Assess Feasibility of Development in Alternative Locations

To reiterate, development is undoubtedly required to meet community needs. However, the

far more desirable policy is that such development occur within the existing developed areas of the County or City rather than in greenfield areas such as Seven Hills Ranch.

Seven Hills Ranch is not a typical urban infill area where development potentially involving high densities would be appropriate. Instead, it is a significant natural area, a classic "greenfield." As clearly and repeatedly demonstrated recently, development sprawl into greenfields is not providing the benefits once attributed to it nor economically sustainable. Recognizing there is a major shortage of housing in California, the Bay Area and locally in and around Walnut Creek, necessary housing should be provided within existing developed areas of the area rather than in greenfields such as Seven Hills Ranch.

The EIR must examine alternative locations for the proposed senior housing development of the same magnitude as proposed for Seven Hills Ranch. Clearly, economic conditions are changing rapidly providing opportunities for repurposing existing developed areas or replacing them with new construction. Such sites are often zoned for uses facilitating conversion to higher uses. Likewise, access would not be as much of a problem as in the middle of extensive residential neighborhoods.

For some time shopping centers have been struggling to remain economically viable and their owners are looking for higher uses that provide a greater return on investment. Such areas are available for development and ought to be identified and considered as an alternative location for the Spieker project. In addition, the COVID Pandemic has shown remote work can be an effective business model making office buildings and complexes less economically viable than previously. Owners are beginning to look for alternative uses that maintains or enhances their return on investment. Such sites are another opportunity that avoids problems associated with the proposed development of Seven Hills Ranch.

Thank you for the opportunity to provide comments. I trust they will be given full consideration. Do not hesitate to contact me if there are questions or clarification is necessary.

Sincerely,

Robert A. Peoples
460 Bridle Court
San Ramon, California 94582
703-975-9356

RE Spieker 7 Hills project.

AUG 17, 2021

Dear Mr. Tully,

My concern about this development is the general increase in traffic on Ygnacio.

The city and county can do absolutely nothing to lessen the traffic, so why add to it.

This development will require Ygnacio for the only entrance and exit. It will purposely add more congestion to an existing traffic problem that has no solution.

Thank you.



Robert Seely

1565 Siskiyou Dr.

Walnut Creek, 94598

From: [Ron Cassano](#)
To: [Sean Tully](#)
Subject: Speiker Development, Seven Hills Ranch
Date: Thursday, August 19, 2021 2:41:33 PM

Very simple, this large project is not appropriate for Seven Hills Ranch.

Specifically:

Major traffic impact on suburban streets

Excess grading and tree removal

Major disruption of neighborhood for several years during construction

Elimination of much wildlife

Negative fiscal impact on Walnut Creek

Original density of project must be retained

It is critical that maintaining the character of neighborhoods is vital to the quality of life in Walnut Creek. This massive project is totally out of character for the neighborhood. As a long time resident of Walnut Creek I am opposed to this project.

Ronald Cassano

From: [Rosalie and Barry Howarth](#)
To: [Sean Tully](#)
Subject: PPlease include my comments on the Spieker Seven Hills Ranch Development Proposal
Date: Friday, August 13, 2021 10:47:40 AM
Attachments: [Spieker Seven Hills NOP comments for EIR.docx](#)

Mr. Tully: Attached and pasted are my comments on the Project Description and what should be included in the EIR. Please let me know if you have any trouble reading the document or if it is lacking anything I need to provide. Thank you so much.

Rosalie Howarth
Walnut Creek

(pasted below and attached above)

August 13, 2021

Dear Contra Costa County Planning Staff:

Regarding the Spieker Continuing Care development proposal for Seven Hills Ranch, upon reading the NOP and documents on the developer's site and elsewhere, I see discrepancies and many areas where specific numbers are needed to create a more informed EIR.

I request that the EIR quantify these missing measurements, clarify discrepancies, and that it address the following additional issues:

1 – Hardscape Proportion and negative effects: The EIR should assess exactly how much of the 30.6 acres will be covered with buildings, pavement, and other hardscape, versus the amount of open ground and landscaping. This can be expressed as a ratio or as total acreage. From maps and the grading plan the hardscape coverage looks extremely high. This affects water table replenishment, runoff, and heat retention, reflection and radiation, which will affect neighboring properties.

2 – Parking and permeation: The total number of parking spaces ,and how many would be in the garage vs on surface lots, must be denoted. Also, the height of the garage should be specified, as it is for other buildings such as the medical building and apartments. The number of parking spaces and parking square footage contributes to the total area under hardscape.

3 – Water Usage: The size of the proposed swimming pool shown in documents (though not listed in the Project Description) must be specified; the EIR needs to consider the amount of water necessary to sustain a pool big enough for the entire development during record drought. The amount of water needed to serve the large number of planned residential units, and the medical and maintenance operations, must also be considered, as compared to the amount of current water usage (zero). EBMUD has said it simply has no more water to allocate to proposals not yet approved, and CCWD most likely will follow suit. The EIR must indicate the impacts on the County's water supply from this very large development proposal.

4 – Tree Removal: The impact on native wildlife and avian species by the proposed removal of the nearly all of the trees on the 30-acre Seven Hills Ranch site must be

included in the EIR. Exactly how many trees will be removed from the site, and also from the proposed Kinross Dr. entrance area should be clarified.

The recent Spieker Sr CCC Project Description update dated Feb 8, 2021 indicates "353 existing trees defined under County Ordinance as Protected" will be removed, with no mention that the actual total will be 410 trees as indicated by the arborist report. The figure of 410 trees total must be recognized and included. Also, all trees referred to as "preserved" must be **on** the actual property, not on adjacent properties.

The EIR needs to specify the type, native or otherwise, the growth rate and the number of trees which will replace those removed. The impact of using non-native ornamental landscaping as an 'equivalent' replacement should be included. Native plants support native fauna and avian species and support a thriving ecosystem.

5 – Retaining Walls: The EIR must consider, in detail, the impact of the extremely high, multiple ranked tall retaining walls on drainage, safety, and appearance. The Spieker Project Description dated 2/8/21 does not mention the extremely high retaining walls that will be built to support the "platform" on which the large multi-story buildings will be erected. Many will rise in tiers of 3, one behind the other, each higher than the next. Calculations from maps and civil plans have shown these walls to range from 8 to 15 to 20 to **25 feet** in height, and less than 5 feet apart, allowing no space for tree buffers.

6 – Heather Farm Park Nature Area The Land Use section of the EIR must note that the site is bounded by the designated "Nature Area" of the City of Walnut Creek's Heather Farm Park, which contains a lake, 3 seasonal streams, and an oak savannah. The EIR needs to consider the impact on the natural habitat – on birds, wildlife, trees, and plants - of this area too, not just wildlife on the project site itself. Cornell University's eBird data bank reports 140 different species of birds, many rare, residing in or visiting the adjacent Nature Area. The EIR must consider the impact on these migratory (protected) birds and resident species as well.

Noise Effects on Wildlife: By its own documents Spieker expects to spend 3-4 years in heavy construction, with a constant stream of dump trucks in and out of the Kinross entrance, and unrelenting chain saws cutting down trees. The noise will permanently drive away many of the bird species the Nature Area supports. The effect of noise on wildlife, as well as humans, must be considered in the noise section of the EIR.

Recreation, Under "accelerate the deterioration of those facilities," the EIR needs to consider the needs of citizens whose chosen recreation is walking in the adjacent peaceful Nature Area, not just damage to *developed* recreational facilities such as basketball courts or playgrounds. This project will have profound effects on the deterioration of the wildlife in the Nature Area and the enjoyment of citizens using it for passive recreation. The project will clearly degrade the view of the Seven Hills Ranch ridgeline for these users. This must be considered in the EIR too.

7 - Medical Waste: The EIR must calculate and study the increase in the amount of medical waste that will be generated by the medical facility, compared to what the site generates now (zero). This could be tens of thousands of pounds annually. Each time a staffer draws blood from one patient, there is a needle and syringe to dispose of, a rubber tourniquet, a pair of plastic gloves, and a bloodstained cotton ball. Multiply that times the number of times each resident will need even regular routine medical care, and there will be unusually high impact on county landfill (Note: the Hazardous Waste section deals only with already existing waste onsite, not newly

generated waste once completed.)

8. – Earthquake Risk: The EIR must evaluate the danger of liquefaction and other negative geological effects during a major earthquake, as so many of the many of the multi-story structures would be built on fill. Per Spieker Development Project Description dated 2/8/2021 "Overall cut volume is expected to be approximately 225,000 cubic yards, with roughly 150,000 CY of fill, resulting in the potential for export of up to 75,000 CY" That is the equivalent of the rearrangement of 11,000 dump trucks worth of soil to raze the hills of Seven Hills Ranch and dump it in the valleys, besides removing altogether about 6,000 dump trucks worth of soil. This would be an unstable foundation despite efforts to ram and compact. The Hayward fault lies only a few miles away.

In conclusion, more specific information will need to be provided for the preparers of the project's EIR to make qualified assessments. And the EIR will need to consider issues outside the usual scope, given that the development borders a designated Nature Area and ad hoc wildlife preserve.

Please include these suggestions in the EIR for the proposed project.

Thank you for your time in reading this, and thank you for your service to our communities.

Rosalie Howarth
131 Sand Wedge Place
Walnut Creek CA 94598
barhowarth@msn.com

From: [Rosemary Nishikawa](#)
To: [Sean Tully](#)
Subject: Seven Hills Ranch/ EIR report comments/concerns
Date: Monday, August 16, 2021 9:50:22 PM

I would like to express my concerns on several areas of the EIR report.

> The property at 7 Hills Ranch has been zoned agriculture for probably over a century. It has been a wildlife refuge all that time. Currently there are a herd of deer, wild turkeys, coyotes, fox, and a large variety of birds who call this place home. Red tail and Cooper's Hawks have nests in the mature trees. Acorn woodpeckers, Great Horned owls, swallows, blue birds and Black headed grosbeaks and many more also live in these mature trees. For birds, there is absolutely No replacement for mature trees needed for nests and food. The Speiker Corp. plans to remove nearly 400 trees, with 350 of those trees currently on the County's protected tree list. Any attempt to replace mature trees for a 15 gal. tree replacement means absolutely nothing to the wildlife that need these trees. This plan will decimate the bird population. In these times with California wildfires burning our forests down, as I speak, it seems ludicrous to allow Speiker to destroy 100 and 200 yr old California Oaks. California lost 18 million trees in 2018 to disease and fire. Who is going to monitor how Speiker is protecting the few trees they are keeping?

> How will trees on Heather Farms HOA property be protected, if the root system extends 10-40 ft. past the property line? Their plan is to start cutting the hills down just 10" from the property line and pour 10, 15, and 20 ft. retaining walls. How will this action affect and protect our existing trees on our side of the fence. My building by the way is just 6 ft. from that property line.

> So how is all the destruction of these hills and moving hundreds of tons of soil going to affect the buildings on the other side of the fence? Who will be protecting our buildings and foundations from damage?

> Regarding Transportation;

> Why is the city and county approving only ONE entrance into this property? There are currently 4 HOA's and 1 apartment complex consisting of 912 units using Marchbanks. Plus a golf course and restaurant which receives approximately 200 cars a day or 73,000 visitors a year. Approximately 1.5 million Visitors to the city park also use Marchbanks, which is a two lane road. Each lane is a little over 9 ft. wide, not the standard 10ft.wide. Bike lanes on each side of the road is only 41 inches wide, not the standard 6 ft. average width. Thus, Marchbanks St. is more narrow than the average street. The average width of a dump truck is 9'. That means there is only a 6" clearance between large dump trucks and the bike lane. Clearly not enough room for safety. I'm requesting the county explore all options of entry to Seven Hills Ranch, including the official entry to the property from Cherry lane.

>

>

From: [Sam Van Zandt](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Friday, August 20, 2021 11:36:40 AM

Dear Mr. Tully

I am a resident of Walnut Creek, specifically the area surrounding Seven Hills Ranch, for over thirty years.

The Spieker Development Project is of concern to me, not because of the inconvenience to myself and my neighbors, but also because it's a really bad plan for the area.

Ygnacio Valley Blvd has been a traffic problem for years, because it's used as a commute throughway for thousands of people who live in Clayton, Pittsburg, Antioch, Brentwood and beyond. It's heavy congested morning and night. Adding traffic from dozens of trucks every day, for several years, and then 500 additional cars after the project is completed, will have a disastrous effect on an already difficult roadway. Seven Hills Ranch is next to Seven Hills School, which is a busy area every school day. Marchbanks Street, which provides access to the ranch, is also already very busy, due to the Diablo Hills Golf Course and many adjacent and nearby apartments and homes. There appears to be no infrastructure plan to support this project.

Add to this the fact that only very wealthy seniors will buy in to this scheme, leaving out any low and/or middle-income housing and it's obvious that very few in the City and County will benefit, while a great many of us will pay the price. Yes, we need housing. No, this is not the answer. Thanks for your consideration.

Best,

Sam Van Zandt
1863 Stratton Circle
Walnut Creek
(925) 788-8235



Save Seven Hills Ranch
SaveSevenHillsRanch@gmail.com

August 23, 2021

Sean Tully, Principal Planner
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553
sean.tully@dcd.cccounty.us Sent via email

Subject: Response to the Notice of Preparation for the Environmental Impact Report (EIR) for the Spieker Senior Continuing Care Community Project

County File Numbers: CDGP20-00001,CDRZ20-03255,CDMS20-00007, CDDP20-03018, CDLP20-02838.

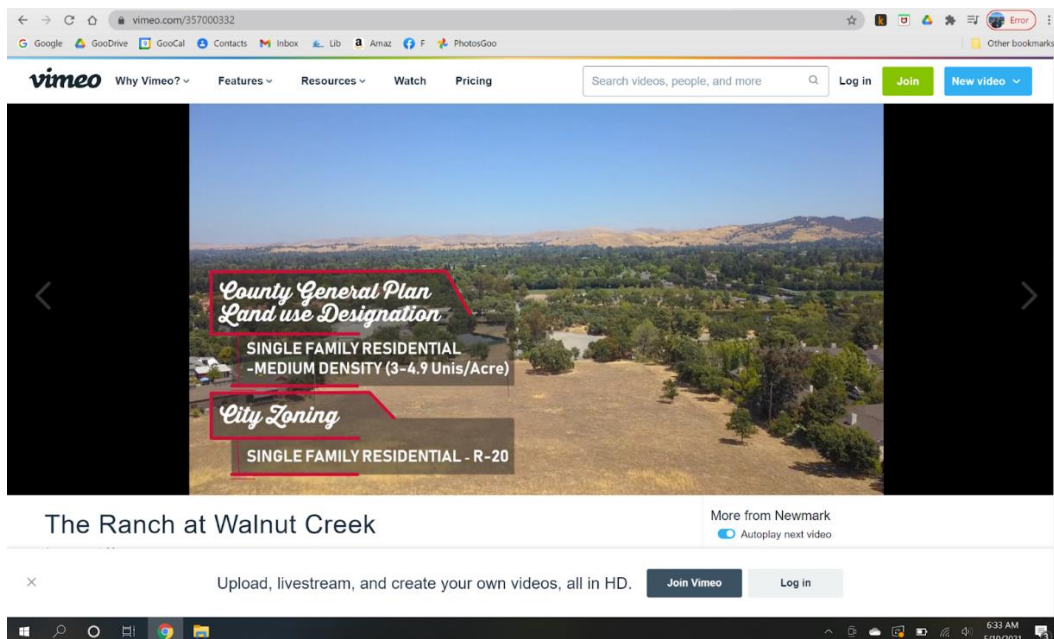
Dear Mr. Tully,

Thank you for this opportunity to provide comment on the above referenced project. I am writing as the representative of the Save Seven Hills Ranch grassroots community group to provide our comments regarding environmental concerns related to the proposed Spieker Senior Continuing Care Retirement Community project (Project). We have received the Notice of Preparation (NOP) and Notice of Scoping Meeting dated July 23, 2021. We are presenting initial general comments before we proceed with the “Potential Environmental Impacts” listed on pages 3-5 of the NOP document.

General Comments on Land Use and the City of Walnut Creek’s “Sphere of Influence”

We are particularly concerned with the project’s need and request for an amendment to the County’s General Plan which would extremely increase the allowable density and require a leveling of the of the site and near complete habitat alteration to do so.

The original online ad answered by the developer, clearly indicating both the County Land Use Designation and the City of Walnut Creek Zoning would not accommodate the proposal:

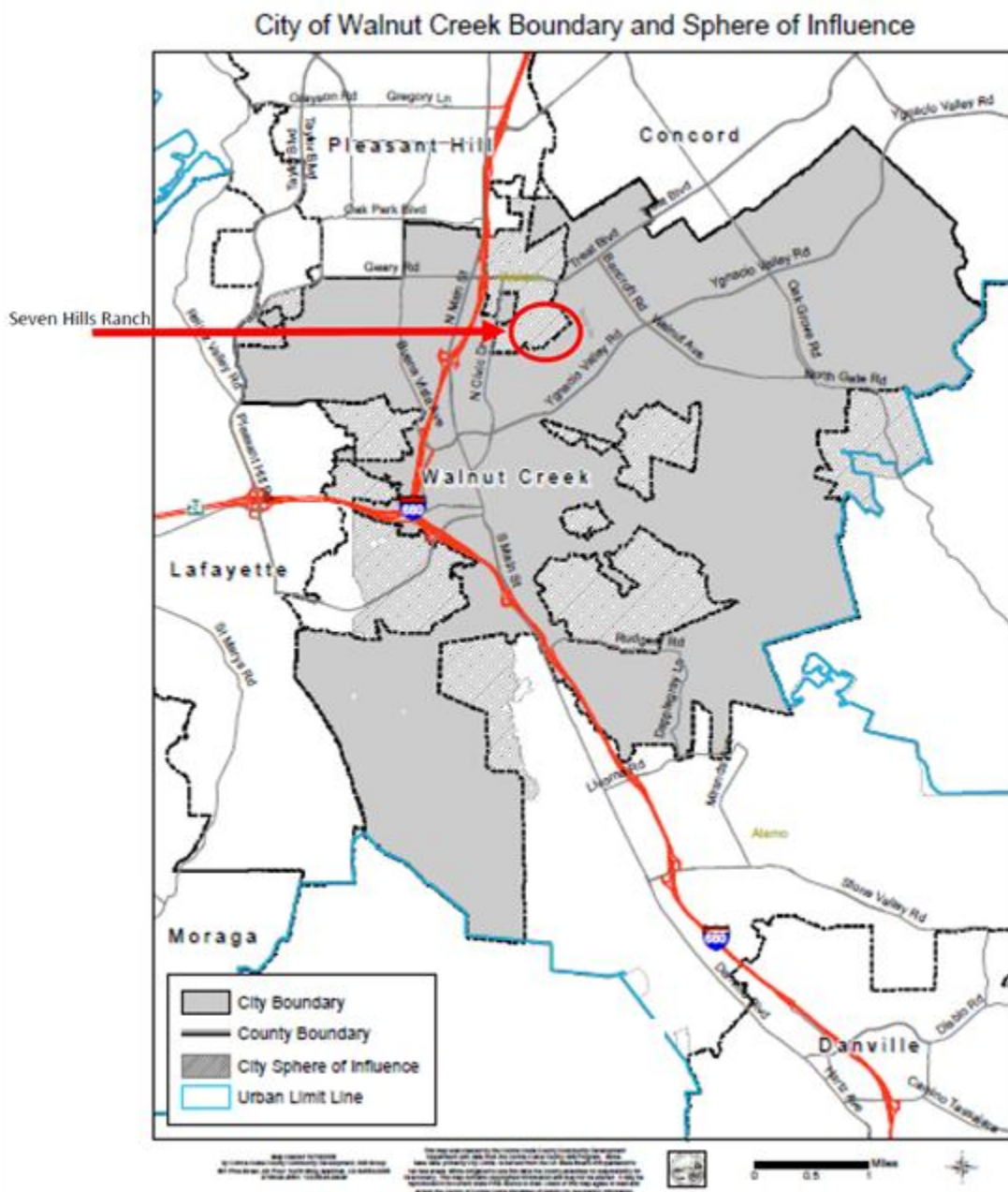


View the video ad online: [Seven Hills Ranch Video Real Estate Ad](#)

While the property itself is under County jurisdiction it is located within the City of Walnut Creek's "Sphere of Influence" and very nearly surrounded by property which is under the jurisdiction of the City of Walnut Creek, including the city's Heather Farm Park which is visited by 1.5 million visitors per year. Access is planned through incorporated Walnut Creek and will significantly affect the City's communities.

For these reasons we request that the EIR evaluate the project's conformance using both the County's and the City of Walnut Creek's relevant land use plans, policies, and regulations.

In addition, given that the County is making the decision for a project which will have significant impact on the City of Walnut Creek the project should also be reviewed and commented on by the Contra Costa County LAFCO.



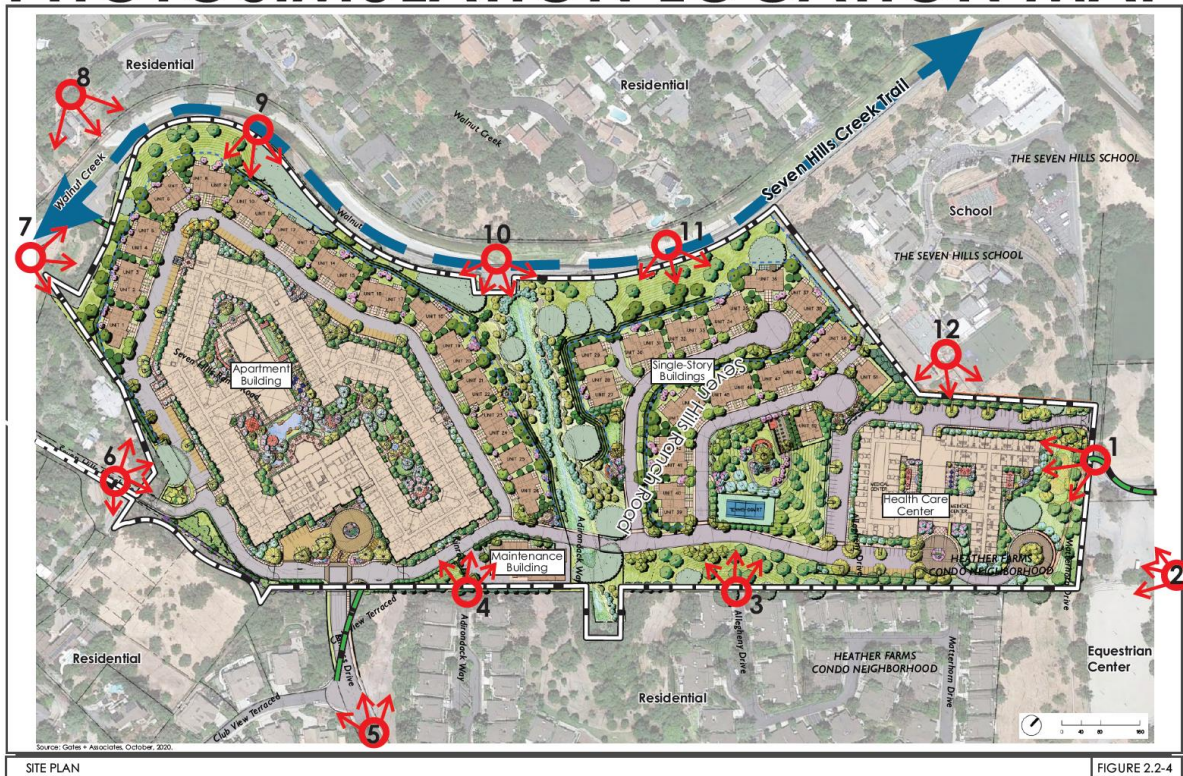
Comments on Potential Environmental Impacts

1. Aesthetics:

Views of the beautiful, natural character of Seven Hills Ranch (SHR) from various viewpoints are what make it so special. Hillside of undeveloped grassland, dotted with native oaks and other trees, make this beautiful setting one of **high visual quality and character**. That would be completely altered under the proposed Project, with over 90 percent of the site graded to accommodate level building pads, massive retaining walls up to 26 feet in height, removal of nearly all the existing vegetative cover including over 400 trees, and replacing them with two massive structures along with additional buildings, roadways, parking areas, and limited replacement plantings and landscaping.

The following provides a review of the existing visual character of the SHR site in views from the adjacent Heather Farm Park, Seven Hills School, Seven Hills Creek Trail, and the surrounding neighborhoods. The varied topography of the site prevents views of the entire property from just a few locations, and therefore the site must be viewed from many locations. The enormity of the proposed Project warrants a thorough analysis from all surrounding areas. As a result, SSHR is requesting that photosimulations be provided from twelve different locations to fully characterize the potential impacts on aesthetics and visual character. The viewpoint locations have been carefully selected from publicly accessible viewing areas to fully represent the potential changes to the existing visual character of the site which would occur under the proposed Project. Although the proposed Project would dramatically alter views from the surrounding residences, we have focused the recommended viewpoint locations from publicly accessible areas as our understanding is the County does not evaluate potential impacts from private residences.

PHOTOSIMULATION LOCATION MAP



Location of Requested Photosimulations and Direction of View

The recommended viewpoint locations are shown here and in the attached “Photosimulation Location Map” and include views from the north, east, south and west of the SHR site. Specifically, these consist of

- (View 1) the sidewalk along North San Carlos Drive near the entrance to Seven Hills School
- (View 2) the Natural Area on the north side of the parking lot of the Equestrian Center in Heather Farm Park
- (View 3) the west ends of Allegheny Drive and (View 4) Adirondack Way in the Heather Farms neighborhood
- (View 5) from Kinross Drive
- (View 6) from the end of Seven Hills Ranch Road where it enters the SHR site at the intersection with Homestead Avenue
- (View 8) from the Cherry Street neighborhood to the west
- (Views 7, 9, 10 and 11) from the Seven Hills Creek Trail along the western edge of the site along the east side of the Walnut Creek channel
- (View 12) from Seven Hills School

Representative photographs from each of these recommended viewpoint locations are provided in the summary below. This is followed by a review of the major issues of concern and the requests of SSHR regarding the scope of the *Aesthetics, Visual Quality, and New Light and Glare* section of the EIR.

Review of Recommended Photosimulation Locations

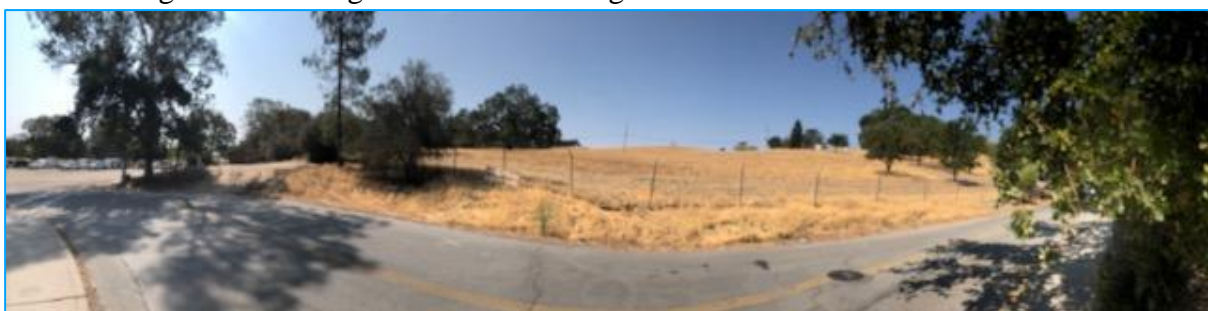
View 1 from North San Carlos Drive in Heather Farm Park – looking south from the sidewalk along the entrance road to Seven Hills School. This view of the SHR site is an essential component of the pastoral setting in the southwestern portion of Heather Farm Park. The undeveloped setting with rolling hills, native oaks and other scatter trees has been a key characteristic of the experience at Seven Hills School, a private school at the end of North San Carlos Drive, which was established at this location in the 1960’s.

The Seven Hills School property was the original home of the Diablo Junior Museum formed by Alexander Lindsay and others in 1955. The museum eventually became Alexander Lindsay Junior Museum after Lindsay’s death in 1962 and continues today in Larkey Park as the Lindsay Wildlife Experience. Protecting and rehabilitating injured wildlife from the Seven Hills Ranch property and surrounding area was an important mission of Lindsay and the education of children, and their important work continues today.

As Seven Hills School has expanded over the decades, it has been accomplished with respect for the hillside setting of the campus, protecting the native oaks and other trees, with some of the original buildings from the Lindsay era still in use today.

The proposed Medical Center, parking lots, access road, and Exclusionary Fence at the boundary of the site, would completely alter this pastoral setting. No information has been provided on the design and height of the security fencing along the northern edge of the SHR site where it borders Heather Farm Park, but it would most likely alter the current open condition, where rural ranch fencing remains along much of the frontage.

View 1



View 2 from Nature Area at Heather Farm Park – looking south from the main trail near the entrance off the parking lot near the Equestrian Center. Views of SHR are prominent in views from the HFP Nature Area and adjacent Equestrian Center, including the specimen valley oak (Tree # 428) that dominates the grassland covered hillside.

The existing condition of SHR reinforces the natural setting of this part of Heather Farm Park and calls back to an earlier era of Walnut Creek and Contra Costa County, when ranching and horses played an essential role in everyday life.

The specimen valley oak is visible in the center of the first image, on the hillside above the parking lot to the Equestrian Center, at the right edge of the second image, and features in the third image. Under the proposed project, a retaining wall would be installed within the tree canopy above the specimen oak and extend down the east (left) side of the tree, reaching a height of almost 12 feet in the foreground above the Equestrian Center. The Medical Center would surround the uphill side of the specimen tree, completely altering the existing undeveloped character of the SHR site. Grading, retaining wall construction and changes in surface hydrology would all pose risks to the long-term health of the specimen oak, given construction would extend within the dripline of this tree, and would likely lead to its eventual decline and death, which should be recognized as part of the analysis in the EIR.

View 2



View 3 from west end of Allegheny Drive – looking west across SHR over the cyclone fence that borders the east side of the property along the Heather Farms neighborhood.

The rolling hillsides, scattered oaks and abundant deer and wildlife characterize the existing condition of the site in views from the Heather Farms neighborhood, with distant views of Acalanes Ridge and Briones. All of which would be replaced with structures, roadways, and retaining walls, with only the top of the graded highest knoll on the SHR property remaining intact.

Grading would extend into the dripline of the specimen valley oak (Tree # 389) at the left edge of the photograph and would likely lead to the death of this oak. All of the other oaks and other trees on the site visible in this view would be removed as part of the project.

View 3



View 4 from west end of Adirondack Way – looking west across SHR over the cyclone fence that borders the east side of the property along the Heather Farms neighborhood. The rolling hillsides, scattered oaks and abundant deer and wildlife characterize the existing condition of the site in views from the Heather Farms neighborhood, with distant views of Acalanes Ridge and Briones.

These bucolic views would be replaced with the massive Main Building extending to an elevation of 180 feet at the continuous roof peak, along with other structures, roadways, and retaining walls. All of the trees on the site visible in this photograph would be removed under the proposed project and the majority of this view would be completely obstructed by the massive Main Building that would be about 480 feet wide and 900 feet long. The photosimulation should accurately depict the dramatic change in existing conditions from this location.

View 4



View 5 from Kinross Drive - looking west from Kinross Drive where the main entrance to the Project is proposed. Kinross Drive would be extended directly through the riparian woodland on the far side of the cul-de-sac in this view, rather than the open grassland area to the right.

The Main Building would be highly visible in views from Kinross Drive and Club View Terrace as most of the existing trees that currently screen or occupy the site would be removed. The roof peak of the Main Building would be at an elevation of about 180 feet, an estimated 30 feet higher than the elevation where this particular photograph was taken. The entrance to the building would be two stories, but the four stories that ring the structure would be visible behind, forming a continuous horizon line. The Main Building would occupy most of this view, stretching out of view beyond the hillside at the right edge of the photograph and in line with the single-story residence on the west side of Club View Terrace on the left edge of the image, and higher than the existing tree canopy between these points.

The applicant's Preliminary Arborist Report (by Hortscience/Bartlett Consulting dated July 2020) inaccurately assumes the valley oaks on the south (left) side of the entrance road off of Kinross Drive would be retained. However, the trunks of these trees would be located just a few feet from the new retaining wall and roadway, and construction would so severely affect these trees that they could not survive. These existing trees should therefore not be shown as being retained in the photosimulation as they would inaccurately screen much of the new Main Building in views from this location and closer to the intersection with Club View Terrace.

View 5



View 6 from Seven Hills Ranch Road at Homestead Avenue Intersection – looking northeast onto the existing entrance of SHR.

The bucolic entrance onto the property includes an old arch, mature eucalyptus and oaks, rustic ranch fencing and outbuildings which all contribute to the rural character that has been largely lost in the Walnut Creek area. Everything in this view would be completely altered with implementation of the proposed Project, with almost all of the trees either removed from the site in this location, or at risk of damage and rapid decline because of the proximity of grading and retaining wall construction.

The massive Main Building would completely transform views from this location, spanning the length of three football fields in this view. With a continuous roof peak at an elevation of 180 feet, looming over 50 feet higher than the elevation at this location and with a continuous height and mass along the south elevation of the Main Building.

Grading would extend under the canopy of the valley oak trees that are proposed to be retained in the applicant’s Preliminary Arborist Report. Many would most likely not survive the damage to the tree root zone and canopy and should therefore not be shown as retained in the photosimulation where they would inaccurately screen much of the new Main Building in views from this location.

View 6



View 7 from the southwest along Seven Hills Creek Trail – looking northeast onto the southern ridgeline on the SHR site. Seven Hills Creek Trail is located along the existing maintenance road owned by the County along the east side of the Walnut Creek channel, connecting Seven Hills Ranch Road to the Contra Costa Canal Trail to the north and stretching almost a half mile along the west frontage of the SHR site and the Seven Hills School property. It is open to the public on a regular basis by volunteers who are working to formalize incorporating this trail segment into the larger network of trails in the area, providing an important link between the Homestead and Walnut Boulevard neighborhoods to the southwest and the Canal Trail alignment and Heather Farm Park to the northwest. It provides stunning views of the rolling hillsides, tree covered slopes, valleys and the perennial stream through the center of the SHR site.

The proposed Main Building in the southern portion of the SHR site would loom over the trail and Cherry Street neighborhood to the west, dramatically altering the natural setting that characterizes this area. The top of the ridgeline would be cut down by more than 20 feet and the hillside leveled down to an elevation of 130 feet, removing all the trees along the horizon line and replacing them with the massive Main Building that would extend above the current horizon line in this image. The Main Building would have a roof peak elevation of 180 feet, approximately 80 feet higher than the elevation along the trail corridor and residential neighborhood to the west which sits on the valley floor at an elevation of about 100 feet.

View 7



View 8 from Cherry Street – looking east through the existing single-family residences that characterize the established neighborhood of one- and two-story homes to the west of the SHR site. The Main Building would loom over the neighborhood with the roof peak reaching an elevation of 180 feet above the valley floor which has an elevation of about 100 feet, appearing as one massive building larger than anything in the surrounding area. The continuous building height, width of up to 480 feet and length of 900 feet would magnify its massive form and how dramatically it would alter the visual character and quality of the area. One-story units would ring the west and north sides of the Main Building and would further intensify the change in character from natural open space to urban development.

The lack of available planting area between the Main Building and one-story units would preclude the opportunity to provide any effective screening of this new building mass, and any plantings installed as landscaping would take decades before it could be even partially effective at obscuring the mass and bulk of the buildings.

View 8



View 9 from Seven Hills Creek Trail – looking east through an undeveloped valley of grassland bordered by native oaks and planted eucalyptus. This entire valley would be filled and all trees in this image would be removed to accommodate the proposed earthwork to fit the massive Main Building and perimeter “cottages” in the Project, completely altering the existing character of the SHR site in views from Seven Hills Creek Trail and the single-family residences along the west side of the Walnut Creek channel.

The second image shows the Seven Hills Creek Trail between photosimulation locations #9 and #10, showing trail users and the natural mosaic of grassland and woodland habitat along this frontage of the SHR site. A continuous retaining wall system with heights of 15 to 25 feet would border this entire frontage, completely altering the natural setting of the trail corridor and views from residences to the west.



View 9



View 10 from Seven Hills Creek Trail – looking east across the center of the SHR site where the perennial stream bisects the property.

This is one of the widest valleys on SHR, with sensitive riparian woodlands to the east at the spring which feeds the perennial stream, and scattered oaks on the hillside slopes.

Retaining walls up to 26 feet in height would border almost the entire length of the perennial stream under the proposed Project to accommodate the level building pads and buildings of the development. Although the stream would be retained and native species planted along the edge under the proposed project, it would be bordered by vertical walls and new development.

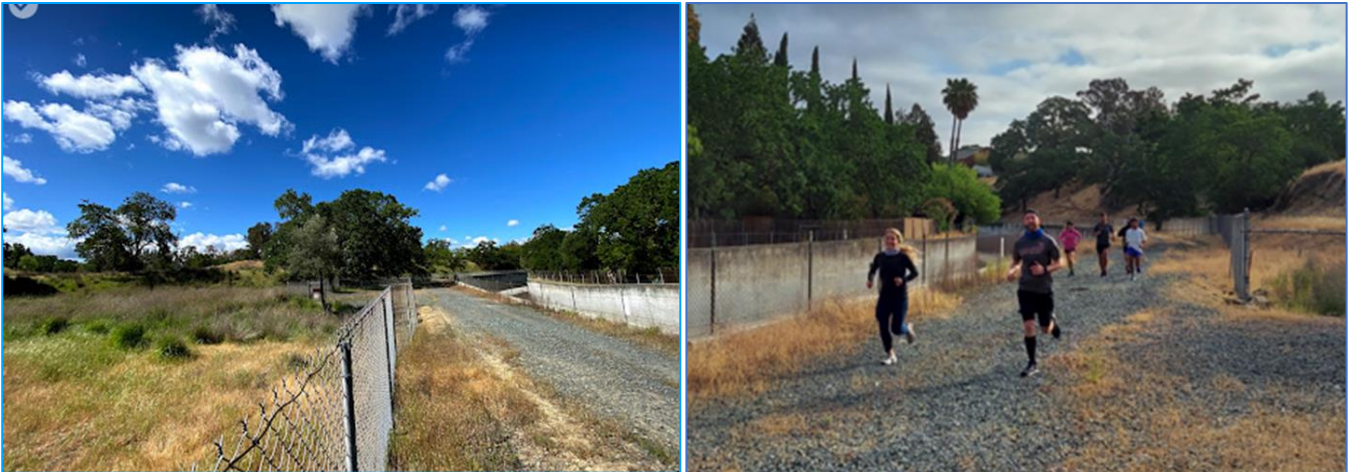
The proposed retaining walls along the central drainage would reach a height of 26 feet across the center of the second photograph, almost to the top of the large oaks (Trees #287, 288, and 291) on the left side of the image. Most of this cluster of valley oaks is shown as being retained in the applicant’s Preliminary Arborist Report, but the proximity of grading within the tree canopy, and construction of the massive retaining walls would adversely affect the root zone of these trees and their long-term survival is uncertain.

Similarly, retaining walls would extend into the root zone of the other specimen oaks along the north (left) side of the drainage (Trees # 370, 359, 357, and 356), with retaining walls in close proximity to the tree trunks, and their long term survival is unlikely. With their decline and eventual death, the continuous retaining wall system in close proximity to these trees would be completely exposed and unscreened in views from Seven Hills Creek Trail and the residences along the west side of the Walnut Creek channel. Effectively screening a retaining wall structure of this kind is unlikely and under best case conditions would take decades before it masked this harsh vertical element. Similarly, views of the massive Main Building could not be effectively screened in views from the Seven Hills Creek Trail in the third and fourth photographs (*next page*) and would permanently alter this beautiful setting on the SHR site.

View 10



View 10 *continued*



View 11 from Seven Hills Creek Trail – looking east on the hillside slopes of the SHR site where fills and a retaining wall system are proposed. A retaining wall system over 25 feet in height would sit at the top of the new 2.5:1 fill slope, looming over Seven Hills Creek Trail and the residences along the west side of the Walnut Creek channel. Effectively screening a retaining wall structure of this kind is unlikely and under best case conditions would take decades before it masked this harsh vertical element. The two valley oaks in the center of both images, as would other trees in this area, would be removed to accommodate the proposed fills slope that would extend all the way to the western frontage along the Seven Hills Creek Trail corridor.

View 11



View 12 from Seven Hills School – looking east across the soccer field and past the large valley oak on SHR site, with Mount Diablo prominently visible in the distance.

The field is well used by the school for sports, outdoor assemblies and public events. The field bleachers on the west side of the field are oriented to take in the panoramic view of the peak and surrounding foothills of Mount Diablo.

The proposed Medical Center on the SHR site would obstruct views of the specimen oak (Tree #428) on SHR the site, ridgelines, and possibly even the summit of Mount Diablo from the field and bleachers. Photosimulations are necessary to clarify potential impacts on this important

view from the school campus and should disclose the full building mass and height without any assumed landscape screening, which tends to take decades before it becomes effective.

View 12



Specimen oak (Tree #428) features prominently in views to the east from Seven Hills School campus.



Requested Analysis to address Aesthetics, Visual Quality, and New Light and Glare

Accurate photosimulations from each of the above locations is necessary to understand the magnitude of the proposed project and how it would substantially degrade the existing visual character and quality of the site and its surroundings and would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The photosimulations should accurately depict new structures, retaining walls, new roadways and parking, graded slopes and trees to be removed. Information on the exclusionary walls and fencing that are proposed around the entire perimeter of the SHR site as part of the proposed Project should be clearly mapped and incorporated into photosimulations and elevations. The photosimulations should depict conditions without mature landscaping as it will take more than 20 years before it provides any effective screening.

It is clear in our review of the Grading Plans, Site Plans, Landscaping Plans and Elevations that the proposed Project would substantially degrade the existing visual character and quality of the site and its surroundings. Over 90 percent of the site would be graded and the majority of the existing trees removed. To accommodate the proposed approach to development, large building pads would be created leveling the rolling hills of Seven Hills Ranch and creating enormous retaining walls up to 26 feet in height. The Main Building and Medical Center would be the largest buildings in the area, with the Main Building having a footprint that is possibly the largest in all Walnut Creek. A building footprint that is larger than any of the commercial buildings that surround the Pleasant Hill BART station to the northwest.

Comparison of the proposed building mass to existing structures in the area should be provided in the EIR analysis to understand visual compatibility in terms of building footprint, height, mass, and design. These new structures would loom over the existing residential neighborhoods that surround the SHR, and the Natural Area of Heather Farm Park, creating sources of new light and glare which should be carefully analyzed in the EIR.

From the surrounding neighborhoods the Main Building would appear as one massive building about 480 feet wide and 900 feet long with a continuous roof peak at an elevation of 180 feet in views from the south, west and north. Even in views from the east along Kinross Drive, where the main entrance would be visible, it would still appear as one massive building because the four-story roof peak would obstruct the horizon line behind the entrance. The current elevations of the entrance to the building off of Kinross Drive are misleading (Sheet A321 by KTG) as they give the impression of no building mass behind the entrance area, which should be corrected and accurately depicted in the photosimulations.

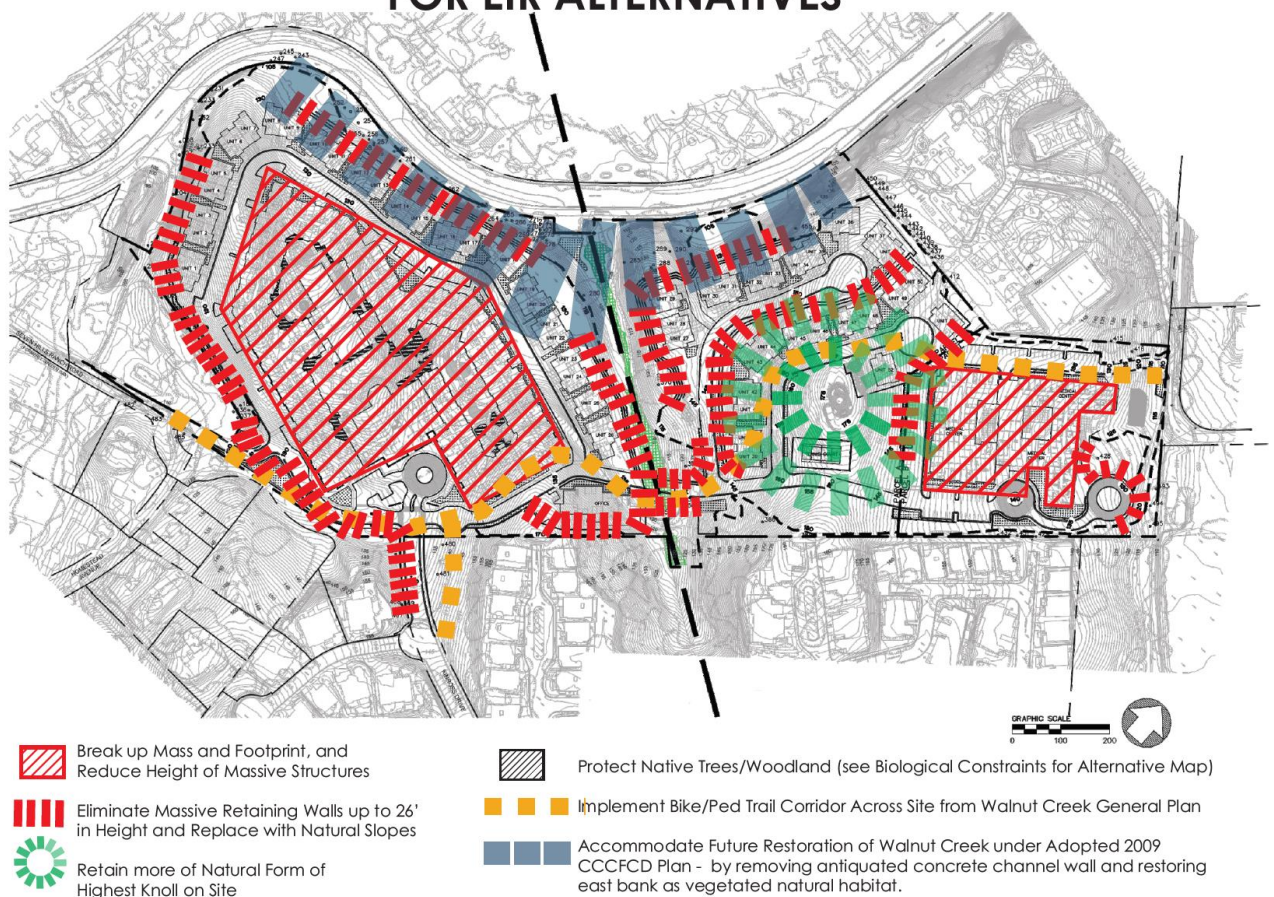
The analysis should provide a comparison of the proposed building footprint and mass to other structures in Walnut Creek and the surrounding area to fully understand the magnitude of what is being proposed on the site.

To accommodate the enormous building pads, large retaining wall systems are being proposed that ring and traverse the site. The photosimulations should accurately depict these structures and recognize the challenges with providing effective landscaping to screen their vertical mass, even where designed as stepped systems. Over time, landscape plantings tend to die off on these wall systems, leaving inaccessible weed covered terraces with inadequate growing areas to support mature trees that could otherwise eventually provide screening of both the wall system and the structures beyond.

Conflicts with the relevant goals and policies of the County General Plan related to protection of hillside settings, native vegetation, and avoiding excessive grading should all be reviewed in the EIR section and considered in confirming the substantial adverse impact on the visual quality of the SHR site and its importance to the aesthetic experience appreciated by users of Heather Farm Park, Seven Hills School, Seven Hills Creek Trail, and the surrounding residents.

Mitigation Measures should be included in the EIR to address the significant adverse impacts of the proposed Spieker Project on aesthetics and visual quality. This includes breaking up the mass and footprint of the Main Building and Medical Center, reducing the height of these massive structures where necessary to protect important views, such as across the SHR site from the soccer field on the Seven Hills School campus. The massive retaining walls with heights of up to 26 feet should be eliminated or reduced, and natural slopes used to prevent the “fortress” effect these walls would have on views from the surrounding areas, particularly from the Seven Hills Creek Trail corridor, the residential neighborhood to the west, Seven Hills School, and Heather Farm Park. The extensive tree removal and grading required under the proposed project would conflict with County policies and should be modified to retain areas of native oak woodland and specimen trees and the rolling landform, with adequate restrictions to avoid the dripline of trees to be retained and the highest knoll on the SHR site. The map “*Land Use Compatibility and Aesthetics Constraints for EIR Alternatives*” shown here (and attached) provides a summary of these major considerations in addressing the significant impacts of the Spieker Project on the visual quality and character of the area. These should be used in developing an Environmentally Superior Alternative in the EIR that respects the hillside setting of SHR and natural character of this beautiful site.

LAND USE COMPATIBILITY AND AESTHETICS CONSTRAINTS FOR EIR ALTERNATIVES



2. Agricultural and Forestry Resources: The SHR site is currently zoned as agriculture. This should be acknowledged in the DEIR, with an explanation for why it was zoned agriculture, for how long, location of other agriculturally zoned properties in the surrounding area, and the significance of its loss.

3. Air Quality: The Project has a particularly lengthy construction period of up to four years.

Because of this we feel the construction impacts must be included in the EIR. The temporary but lengthy impacts are also magnified due to the tremendous size of the proposed project, which is not in keeping with the current land use designation for the property.

3a. We request that the EIR analyze not just permanent air quality (AQ) impacts but also temporary impacts resulting from construction, since the construction will last an inordinate four years and will take place next to a city park, a school and residences. We request that this include AQ impacts from

- diesel earthwork equipment, dump trucks used both on-site to move the soil around on the project site plus dump trucks used to haul the soil off-site to include an estimated distance of where the 75,000 cubic yards of soil and the approximate number of dump truck loads will be hauled to and the AQ impacts of getting it there. In addition to dump trucks, the EIR should take into account pollutants from diesel trucks delivering concrete and asphalt, diesel and non-diesel trucks delivering construction supplies and construction equipment, plus vehicles for construction workers throughout the 4+ years duration of construction of the project.
- dust and particulate matter resulting from 375,000 cubic yards of grading activities and this impact on children and adults using the adjacent school, public park and golf course as well as adjacent residents.

3b. The finished project will have at least one restaurant on site. The EIR should indicate the potential for objectional odors to waft out into the adjacent park, school and neighborhoods.

4. Biological Resources

The potential impacts of the proposed Project on the biological and wetland resources of the SHR site must be thoroughly evaluated in the EIR. Numerous policies in the Contra Costa County General Plan and adopted ordinances of the County call for the protection of native vegetation, streams and other wetlands, native trees, rare plant communities, and special-status species. State and federal regulations administered by the California Department of Fish and Wildlife (CDFW), Regional Water Quality Control Board (RWQCB), the U.S. Army Corps of Engineers (CORPS), and the U.S. Fish and Wildlife Service (USFWS), among other agencies, apply to the protection and management of biological and wetland resources known or suspected to occur on the SHR site and vicinity. On the local level, the Contra Costa County Tree Ordinance (Chapter 816.6) provides for the preservation of certain protected trees in unincorporated areas by controlling tree removal in the interest of public health, safety and welfare, and to preserve scenic beauty (Ords. 94-59, 94-22). Title 9, Division 914 (Sections 914-14.010, .012, .014) of the County Code discusses policies related to water resources within unincorporated areas and defines restrictions for development adjacent to natural watercourses, which includes a minimum setback of 50 feet from creeks, which is not met under the proposed project, among other major conflicts. This is in addition to other policies and regulations, including those of the City of Walnut Creek which apply to the portions of the areas affected by the proposed Project within city limits.

In providing our comments in response to the NOP on the Project, we have reviewed the studies prepared by consultants to the applicant, including the Biological Resource Assessment from LSA Associates (LSA) (dated February 2020), summary report on Biological Resources by Olberding Environmental (OE) (dated July 28, 2020), and the Preliminary Arborist Report by Hortscience/Bartlett Consulting (HBC) (dated July 2020). We have also reviewed the Biological Resources Report Peer Review by H.T. Harvey & Associates (HTH) (dated July 30, 2021), which purportedly is to provide a review of the adequacy of the applicant's studies and provide a basis for preparation of the Biological Resources section of the DEIR. However, The

HTH peer review and the applicant's studies upon which it is based inadequately describe existing resources on the SHR site, do not accurately describe potential impacts of the Spieker Project and inconsistency with the relevant plans and regulations, and do not provide adequate mitigation to address significant impacts. Accurate information on existing resources must first be documented before impacts can be fully disclosed and then adequate mitigation measures developed. Mitigation guidelines of the CDFW, USFWS, Corps and RWQCB all call for avoidance of potential impacts as the preferred approach to mitigating substantial adverse effects, followed by on-site replacement, off-site replacement in the same vicinity and other forms of compensatory mitigation in descending order of preference and only when the preferred method of avoidance and on-site replacement is not feasible.

The information provided in the HTH review does not adequately describe known or potential resources on the SHR site, and does not provide meaningful mitigation for substantial impacts, which must be included in the EIR. Examples of ways in which the HTH review is inadequate includes the insufficient information on special-status species and sensitive natural communities, no peer review of the Preliminary Arborist Report by the applicant's consulting arborist or detailed mapping and analysis of the hundreds of trees proposed for removal, erroneous conclusions dismissing the importance of the SHR site for native wildlife and the substantial disruption of wildlife movement opportunities that would occur as a result of the proposed Project, and the lack of any meaningful mitigation for potential impacts on native trees and woodland habitat, among other issues which must be fully described and addressed in the DEIR. A few of these issues are addressed below to demonstrate the inadequacy of the HTH review and need for a thorough analysis and adequate mitigation in the DEIR.

4a. Special-Status Plant Species and Sensitive Natural Communities Surveys for special-status plants and sensitive natural communities must be conducted in accordance with the latest surveys guidelines of the CDFW, which has not been performed based on the information provided in the LSA, OE and HTH reports. The surveys must be conducted during the appropriate time of year to allow for detection, and the results incorporated into the DEIR to provide an adequate understanding of the full potential impacts of the proposed project on biological resources. Deficiencies found in the available reports include inadequate information on the potential for occurrence of sensitive natural communities, insufficient surveys to confirm presence or absence of a number of special-status animal species, and the continued potential for presence of at least three special-status plant species on the site. Some of these deficiencies are discussed further below, but others remain as well, and all should be fully addressed and updated information provided in DEIR.

4b. Special-Status Plants. In the discussion of "Results" in the review by HTH regarding the potential for occurrence of special-status plants on the site, they refer to the focused surveys and the conclusion in the Summary Report by OE (see excerpted text below) as evidence that "systematic surveys" were conducted, that no special-status plant species were encountered, and none are suspected to occur on the site. When in fact, the surveys performed by OE were not "systematic" surveys conducted in accordance with the latest CDFW Survey Guidelines for Rare Plants and Sensitive Natural Communities, but instead were "focused plant surveys" that were literally focused on the potential for presence of only the five special-status plant species identified in the LSA report as having some potential for occurrence on the site. These "focused" surveys did not consider the potential for presence of the three California Rare Plant Rank 3 and 4 species identified by HTH as having some potential for occurrence on the site. The brief paragraph in the Summary Report by OE does not come anywhere close to meeting the standards for rare plant surveys called for in the CDFW Guidelines which require that a list of all plant species encountered during the identified surveys be provided as part of the report of findings, along with a description of survey methods, map of the survey limits, and information on qualifications of the individuals conducting the surveys, all of which are required at a minimum under the CDFW Guidelines to allow for a determination on the

adequacy of the survey results and were not provided. These deficiencies were not pointed out in the HTH review, which simply assumes that “systematic” surveys were conducted, and no special-status plants were encountered or suspected to occur on the site.

Protocol-level special status plant surveys - LSA determined that five special status plant species had the potential to occur on the Property. Focused plant surveys were conducted by Olberding Environmental during the appropriate blooming periods for the five species. Surveys were performed on March 25, April 21, May 29, and June 29, 2020. None of the five special status plant species with potential to occur were found during any of the surveys and are presumed absent. (Excerpt from page 1 of OE Summary Report)

Because of the lack of any map in the Summary Report by OE, there is no way to confirm whether surveys for special-status plant species were conducted for areas off of the SHR property that could be affected by the proposed Project, including the City of Walnut Creek parcel where the main entrance is proposed off of Kinross Drive and areas along Seven Hills Ranch Road that would have to be disturbed to accommodate improvements to the roadway, drainage, sewer line and other infrastructure. Without additional evidence demonstrating where the surveys were performed, the peer review by HTH should not simply assume that adequate surveys of off-site areas were conducted by the applicant’s consulting biologists. Systematic surveys should be conducted during the appropriate time of the year to verify whether the three special-status plant species identified by HTH as possibly occurring on the SHR site are present, and whether any other special-status plant species are present on off-site locations that could be disturbed by project construction.

4c. Sensitive Natural Communities. The HTH review does not adequately describe the extent of sensitive natural community types on the SHR site or off-site areas that could be affected by the proposed Project. The HTH review describes and maps small area riparian woodland that surrounds a perennial stream along the proposed off-site main access off of Kinross Drive. But it assumes that all construction work would be accomplished within this unrealistically narrow zone when in fact construction disturbance would likely extend well beyond this footprint. Many of the willows and other trees growing along this perennial drainage have trunks rooted within the roadway footprint, but then grow laterally along the ground surface with canopy that extends well beyond this footprint. For this reason a much greater area of riparian habitat would be affected as a result of construction. The HTH review does not acknowledge the presence of riparian woodland along the central perennial drainage that bisects the SHR site, which extends over the active channel. This area also supports areas of freshwater marsh and stands of native grassland, not disclosed in the HTH review, which qualify as sensitive natural community types. In fact, the valley oak woodlands are considered of high value by CDFW and should be considered a sensitive natural community type because of State-wide threats. Additional detailed surveys and mapping must be performed in accordance with CDFW Guidelines, and the results provided in the DEIR to allow for a full disclosure of sensitive resources and the potential impacts of the proposed Project.

4d. Special-Status Animal Species The reports by LSA, OE and HTH provide only a cursory review of the potential for occurrence of special-status animal species known or suspected from the Walnut Creek vicinity, including listed species such as California red-legged frog and California tiger salamander, and California Species of Special Concern such as western pond turtle and several bat species. As acknowledged in LSA report, California tiger salamander has been reported from the site from an occurrence in 1953 or 1954 and California red-legged frog is known to occur in the surrounding area. The central perennial stream includes areas of ponded water and freshwater marsh that provides suitable habitat for both species, and other habitat remains in the adjacent areas of Heather Farm Park and the CCWD storage pond property, and tributary drainages to Walnut Creek. While the surrounding areas have been developed over the past 60 years, the SHR site has remained relatively undisturbed and still contains natural habitat that could support these species. No information is provided in the

applicant's reports or the HTH review that supports how a conclusion of absence was reached, no protocol level habitat assessment was apparently performed, and no protocol surveys conducted, which are necessary when suitable habitat is present. Detailed surveys must be conducted in accordance with agency protocols to confirm presence or absence of California red-legged frog and California tiger salamander on the site, given past records and continuous undeveloped condition of the SHR site. This is critical information that would have a substantial influence on the feasibility of the proposed Project if occurrences of either of these species remain on the SHR site. A thorough analysis in the EIR based on appropriate surveys of the SHR site is necessary to provide for an adequate assessment of the potential impacts of the proposed Project, which has not been provided based on the information presented in the HTH review.

Similarly, no detailed description of the survey methods and results were provided in the HTH review to allow for a conclusive determination on presence or absence of any special-status bat species on the SHR site. Given the presence of numerous unused structures, which both pallid bat and Townsend's big-eared bat have been known to occupy, and large trees with cavities and exfoliating bark, acoustic surveys should be conducted to confirm whether any special-status bats are present and could be affected by the proposed Project, and to allow for detection of any maternity roosts which should preferably be permanently avoided given the sensitivity of these species. The HTH review includes a standard preconstruction measure to address avoidance of any maternity bat roosts when occupied by young, but this does not address the permanent loss of this sensitive resources if present on the SHR site. Special-status bat species are also known to roost in foliage and could be injured or lost during tree removal unless appropriate construction avoidance measures are implemented, which should be provided as additional mitigation. Additional detailed investigation is necessary to accurately document presence or absence of special-status animal species on the SHR site and allow for an adequate review in the DEIR, which is not possible with the limited scope and information contained in the current HTH review.

4e. Loss of Protected Trees and Woodland Habitat The HTH review does not contain any analysis regarding tree and woodland habitat loss, and simply relies on the inadequate Preliminary Arborist Report (PAR) prepared by HBC for the applicant. Under close examination the mapping of vegetative cover in Figures 1 and 2 in the HTH review appears to grossly underestimate the limits of tree canopy on the SHR site when one compares the map boundaries to the underlying tree driplines visible on the aerial base to these maps. Our quick review of the PAR indicates major discrepancies and problems with the mapping in the PAR which also incorrectly assumes that many of the trees in close proximity to grading and other construction disturbance would be preserved under the proposed Project. This would result in far more trees removed, damaged, or eventually lost as a result of construction and changes in growing conditions than has been assumed in the PAR and reported in the HTH review. Review of the Tree Assessment in the PAR and comparison to the Tree Assessment Map and the Tree Removal Plan (BKF Sheets C2.1 and C2.2, undated) indicates that as many as 81 trees were not mapped, were mapped twice, or had conflicting information on removal or preservation. At least an additional 31 trees were identified in the PAR to be preserved but grading and development would extend within the tree driplines and pose a severe risk to these trees, in conflict with the basic recommendations for tree preservation. Several examples of this inaccurate and incorrect information in the PAR include:

- Trees #467, 468, 469, and 477 are all shown as being preserved in the Tree Removal Plan and PAR, but the access road through the riparian woodland off of Kinross Drive would include grading and new retaining walls within just a few feet of their trunks, and there is no way these trees could survive construction-related damage and disturbance to the tree root zones and canopy.

- Tree #389 is a specimen valley oak growing on the property line, which has undergone decline but remains a dramatic feature at the west end of Adirondack Way. Grading would extend to within several feet of the trunk of this tree, well within the tree canopy, and would eliminate most of the remaining root system that wasn't disturbed when the Heather Farm Neighborhood was developed decades ago.
- Trees #356, 357, 359, and 370 occur along the north side of the central perennial drainage and would have retaining walls constructed within much of the tree dripline, some within just a few feet of the trunk. These walls would reach heights of over 20 feet and would require removal of much of the major limbs over half of the tree dripline if the trees were to survive construction.
- Tree #428, the specimen valley oak that forms the predominant feature in views of the SHR site from the Equestrian Center in Heather Farm Park and the soccer field from Seven Hills School would have a retaining wall within the uphill side of the tree dripline up to six feet in height, extending along the east side of the tree and reaching a height of almost 12 feet to the east. Surface drainage important to the long-term survival of this iconic specimen tree would be completely interrupted by the proposed Project, and pathways with irrigated landscaping would surround the remaining perimeter of the tree dripline, all conditions that would conflict with best management practices for mature oaks and would likely contribute to its eventual decline and death.
- Trees #436 through 450 grow along the south edge of the property line to Seven Hills School and would have grading to install a new retaining wall within 15 feet of their trunks. Grading this close to established trunks could lead to their decline and eventual death.
- Trees #287, 288, 291 are specimen valley oak trees that would be affected by construction of retaining walls up to 26 feet in height within their driplines on the northwest end of the central perennial drainage, with the footings of the walls constructed less than 15 feet from their trunks. Major limbs and much of the tree canopy would likely have to be removed to accommodate these walls, and if they were to survive likely construction damage, the changes in surface drainage and other modifications would most likely lead to their eventual decline and death.
- Trees #269, 267, 262, 259, 258, 257, 256, 255, 253, 252, 247, 233, 232, and 231 are a variety of trees along the western edge of the site that would be affected by grading, fills and construction of retaining walls up to 21 feet in height within their driplines, with the footings and other grading constructed less than 15 feet from their trunks. Major limbs and much of the tree canopy would likely have to be removed to accommodate these walls, and if they were to survive likely construction damage, the changes in surface drainage and other modifications would most likely lead to their eventual decline and death.
- Trees #183, 182 and 036 are specimen valley oaks near the southwestern edge of the property that would have grading and retaining wall construction within their driplines. Surface drainage important to the long-term survival of these specimen trees would be completely interrupted by the proposed Project and would conflict with best management practices for mature oaks and would likely contribute to its eventual decline and death.

An independent peer review of the PAR should be performed as part of the impact analysis, and information on tree removal and risk provided in the EIR. An accurate map showing each protected tree proposed for removal or preservation under the proposed Project should be provided in the EIR, indicating whether it is a native or non-native species, some indication of size class, and the limits of proposed grading and other disturbance in the vicinity so that an accurate assessment of possible damage or loss can be made as part of the analysis and to confirm its accuracy. A detailed analysis of the risk of loss or decline to individual trees which

qualify as a protected tree under County ordinance, and the number of trees proposed for removal updated to provide an accurate understanding of the full impacts of the proposed Project on tree resources and woodland habitat. This includes trees off-site but in proximity to proposed grading and other disturbance, such as the mature valley oaks along the southwestern edge of the site, trees along Seven Hills Ranch Road which could be affected by off-site infrastructure improvements, and all trees along the proposed entrance off of Kinross Drive. Where trees within the incorporated areas of Walnut Creek could be affected, a review of conformance with the Walnut Creek General Plan policies and ordinances should be provided.

The proposed mitigation identified in the HTH review is grossly inadequate and basically provides only standard practices to protect trees to be retained. It provides no measures to avoid the canopy of specimen trees to be protected or adjust the limits of grading to avoid large areas of native trees that qualify as protected under County ordinance, which should be provided as part of the independent peer review and incorporated as mitigation measures in the EIR. Where replacement tree plantings are provided as part of recommended mitigation, they should be provided at ratios consistent with CDFW and other standards. Replacement plantings should be provided on-site in areas that are retained as permanent open space, and the analysis should demonstrate that there is adequate land area to provide compensatory mitigation. The HTH review provides no analysis regarding the feasibility of on-site replacement plantings, which would be unachievable at even a 1:1 replacement ratio as recommended in the PAR under the proposed Project given the high number of trees to be removed and the limited area around the perimeter of the site without structures and impervious surfaces and biofiltration areas.

4f. Wildlife Habitat and Movement Opportunities The HTH review inaccurately characterizes the existing wildlife habitat conditions on the site, does not acknowledge its relationship to the surrounding undeveloped lands such as the Nature Area of Heather Farm Park or the current opportunities for wildlife movement to and from the Homestead Creek corridor, the Heather Farms neighborhood to the east, and parklands to the north. The EIR should note that over 175 bird species use the City's adjacent Heather Farm Park making it a known [eBird Hotspot](#). Migratory and native species of Heather Farm Park utilize the Seven Hills Ranch as part of their habitat.

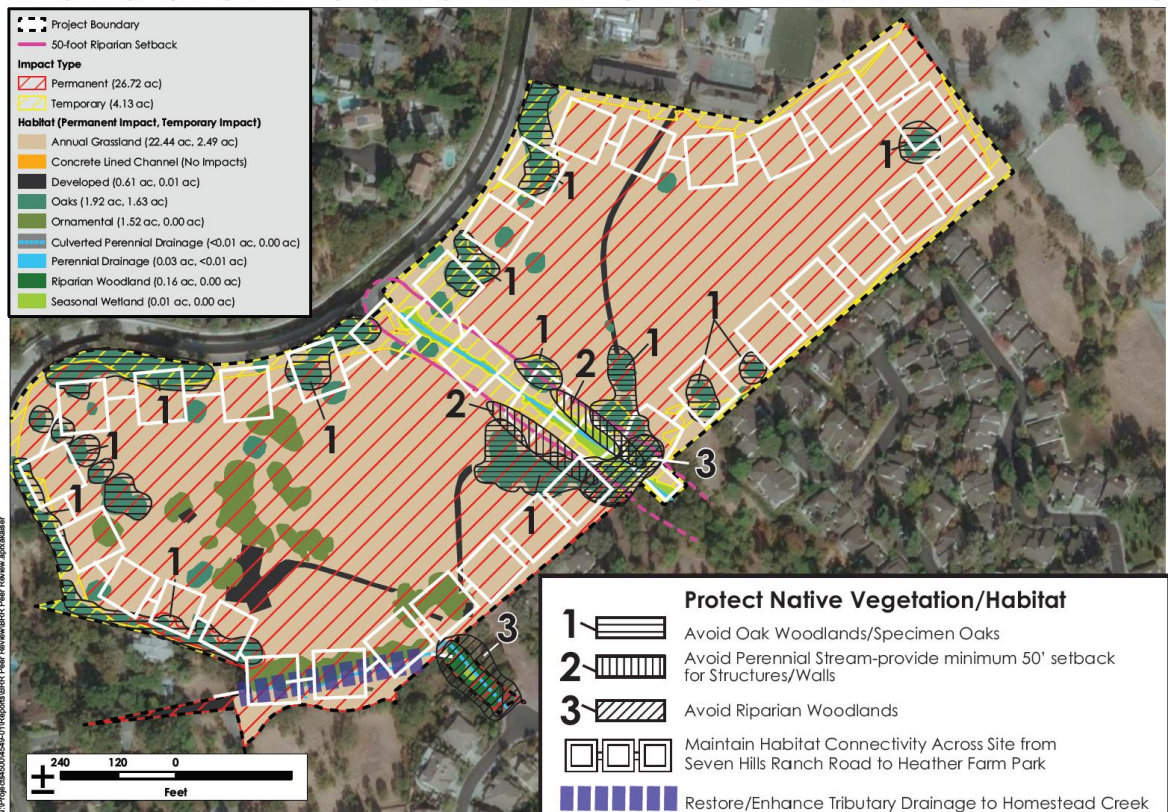
The proposed Project would include impermeable fences, walls and gates along the boundaries of the SHR site where existing barbed wire livestock fencing and openings in the cyclone fencing still allow for unobstructed movement of land mobile wildlife through the area. Extreme urbanization of the site would eliminate existing wildlife habitat over more than 90 percent of the 30.6-acre site, including highly sensitive riparian woodland, oak woodland, and most of the tree and grassland cover. Retaining and enhancing the central perennial drainage would not replace the current functions and values of the site to wildlife, which would have no alternative location to survive if displaced by the proposed Project.

4g. Regulated Waters A thorough assessment of potential impacts on State and federally regulated waters should be provided in the EIR. The HTH review does not address the full impact on wetlands and regulated waters, including the loss of riparian woodland along the central perennial drainage. County ordinance and General Plan policies call for a minimum 50-foot setback from creeks, and even this minimum is not met as indicated in Figure 2 of the HTH review. Proposed retaining walls and other improvements would overlap this 50-foot setback for a distance of over 100 feet on either side of the drainage, even though the review by HTH incorrectly claims that the proposed Project would be consistent with these standards. As noted above under the discussion of tree and woodland impacts, the riparian woodland along the proposed main entrance off of Kinross would affect far more of the sensitive habitat than is marked in Figure 2 of the HTH review. Compensatory mitigation should be provided where impacts on regulated waters are unavoidable, and should be achieved through creation of new in-kind habitat at a minimum replacement ratio of 2:1. Enhancing the already high value habitat along the central perennial drainage, as suggested in the HTH review, would be inadequate

given this feature is already of high habitat value and would be basically isolated from wildlife access because of the extent of adjacent development and barrier fencing installed as part of the proposed Project.

4h. Biological Constraints for EIR Alternatives The shown and attached “*Biological Constraints for EIR Alternatives*” map shows highly sensitive biological features on the SHR site that warrant avoidance and protection. This map is plotted on Figure 2, Impacts Map from the HTH review to show the relationship of known sensitive biological resources to the permanent and temporary impacts of the proposed Project, which in essence encompass the entire site with the exception of the wetlands along the central drainage and a small area around the trunks of specimen oaks to be retained. Additional sensitive biological resources could be identified in the studies recommended above, but the known sensitive resources should be recognized as biological constraints in developing the Environmentally Superior Alternative in the EIR. These known constraints include: 1) avoidance of oak woodlands and protected oaks, 2) providing full avoidance of the perennial stream through the center of the site with a minimum 50-foot setback, 3) avoiding the sensitive riparian woodlands, 4) maintaining wildlife habitat connectivity and movement opportunities across the site, and 5) restoring and enhancing the tributary drainage to Homestead Creek along the southeastern boundary of the site. The proposed Project currently completely disregards each of these sensitive biological resources as indicated in the extent of permanent and temporary impacts mapped in the HTH review, essentially eliminating all of these features from the SHR site. Unfortunately, the HTH review does not include any mitigation measures to address these substantial and significant adverse impacts, which must be provided in the EIR. This is warranted to ensure compliance with applicable State and federal regulations and consistency with the County and City of Walnut Creek General Plans and ordinances.

BIOLOGICAL CONSTRAINTS FOR EIR ALTERNATIVES



4i. We also request that the EIR analyze compliance, or lack thereof, of the County’s Tree Protection and Tree Preservation Ordinance, and specifically, how the Project complies with the purpose stated in the Ordinance which states:

- (1) The county finds it necessary to preserve trees on private property in the interest of the public health, safety and welfare and to preserve scenic beauty.
- (2) Trees provide soil stability, improve drainage conditions, provide habitat for wildlife and provide aesthetic beauty and screening for privacy.
- (3) Trees are a vital part of a visually pleasing, healthy environment for the unincorporated area of this county.

5. Cultural Resources: A detailed assessment of the potential impacts on cultural and historic resources should be provided in the EIR. A review of known historic resources on the SHR site and adjacent lands should be described, and an evaluation of potential impacts included for both on-site and nearby resources.

5a. Prior to commencement of project activities the residential complex on the western side of the property be assessed by an independent qualified professional familiar with the architecture and history of Contra Costa County and a formal CEQA evaluation conducted.

The EIR document should note that property home seems to be of some architectural merit or historical value for the adobe construction, and the fact that the walls appear to be load bearing. Adobes which carry the weight of the roof structure are more authentic or structurally significant (than, for example, a house that just appears to be adobe on the finished surface).

Adobe homes are rare in Northern California, the few that do remain are often historical landmarks, although not necessarily open to the public. Adobe home destruction should not be taken lightly.

The house has potential to be a great teaching tool; it has many adobe features which make it of interest to the general public and their understanding of California history. Even though it is not particularly fancy or elaborate architecture; it is a great example of a regional building type, a modest but important adobe structure that has potential to be open to the public for educational and historic purposes.

In addition, the residential complex is listed on The City of Walnut Creek General Plan 2025 list of properties over 50 years of age within and adjacent to the City boundaries (see Appendix A Preliminary list of Walnut Creek properties over fifty years old compiled by DC&E/Garcia (2004:30, Appendix A).

5b. The significant family history of the property should be indicated in the EIR. Historical papers related to the property owner’s Hooper-Hale family history are now held in the Bancroft Library, University of California at Berkeley. Charles Appleton Hooper, father of Idolene Hooper - the original owner of the property and author of a fiction book that takes place on a California ranch - is included in the book *History of Contra Costa County, California – with Biographical Sketches of The Leading Men and Women of the County...* and his 3-page biographical sketch notes “*The death of C.A. Cooper marked the passing of one of the most influential citizens of Contra Costa County.*” The Hooper family was originally from the east coast and members of the family participated in the U.S. Revolutionary War.

5c. The EIR should recognize that an adjacent property “The Burgess Residence Rabbit Cannery” at 962 Seven Hills Ranch Road, which is listed as a historic property per [Contra Costa County Historic Resources Inventory 2019](#) and in the [Walnut Creek 2025 General Plan](#) (pg 4-46, figure 20) may be significantly impacted by proposed retaining walls for the Project. Prior to

commencement of project activities, this should be assessed by a qualified professional familiar with the architecture and history of Contra Costa County and a formal CEQA evaluation conducted.

Further, the proposed Project would also so alter the existing conditions of the SHR site that it could adversely affect the status and value of other historic resources if present in the surrounding area but not documented in the review by the applicant's consulting archaeologist and historic resource specialist. The location of nearby properties that could qualify as historic should be described, any adverse impacts identified, and appropriate mitigation recommended in the EIR.

5d. The EIR should address the potential impacts of the proposed Project on the history of SHR as part of the setting for the original Diablo Junior Museum established by Alexander Lindsay in 1955, which had a mission to rehabilitate injured wildlife and use them as a means to engage youth in understanding and appreciating wildlife and understanding the impact of human encroachment on their habitat needs. The complete conversion of the natural habitat on the SHR site to urban development as would occur under the proposed Project would conflict with this mission of Lindsay.

5e. The EIR should indicate results of consultation with California Native American tribes per Senate Bill 18 (Chapter 905, Statutes of 2004) *"Each time a local government considers a proposal to adopt or amend the general plan, they are required to contact the appropriate tribes identified by the Native American Heritage Commission"*.

6. Energy: We request that the EIR also the impact from Project's use of fossil fuel to construct the project.

7. Geology and Soils:

7a. The EIR should address the extensive grading of over 90 percent of SHR, utilizing 'cut and fill' techniques, along with the overabundant use of retaining walls. While earthquake faults can be found near most sites in the Bay Area, this Project's design at the proposed site requires a massive amount of fill which may make the Project extremely vulnerable to seismic-related liquefaction.

7b. The unusually high number of retaining walls around the perimeter of much of the site, of significant height up to 26 feet, could pose a risk to the long-term stability of the site and possibly adjacent properties. Proposed plans place some of the constructed walls in proximity to planned structures and property lines. A detailed assessment of the assumed life of these walls and how they would be maintained and eventually replaced in the future should be provided in the EIR, along with recommendations to address any deficiencies and risk they could pose.

Given the site's nearness to four major earthquake faults - the Mt. Diablo thrust fault, the Concord/Green Valley fault, the Calaveras fault, and the Hayward fault – the EIR should thoroughly and independently study the safety of this site due to its extensive "cut & fill" techniques and retaining walls.

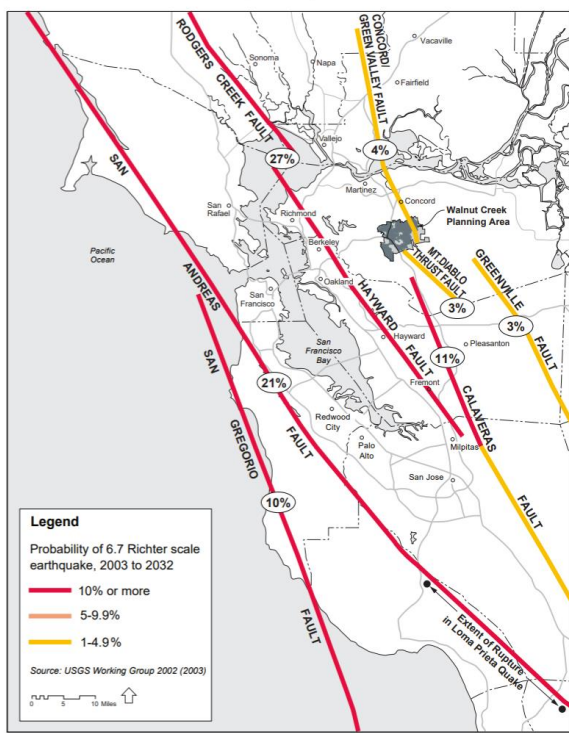


Figure 1. Regional Faults and Probabilities

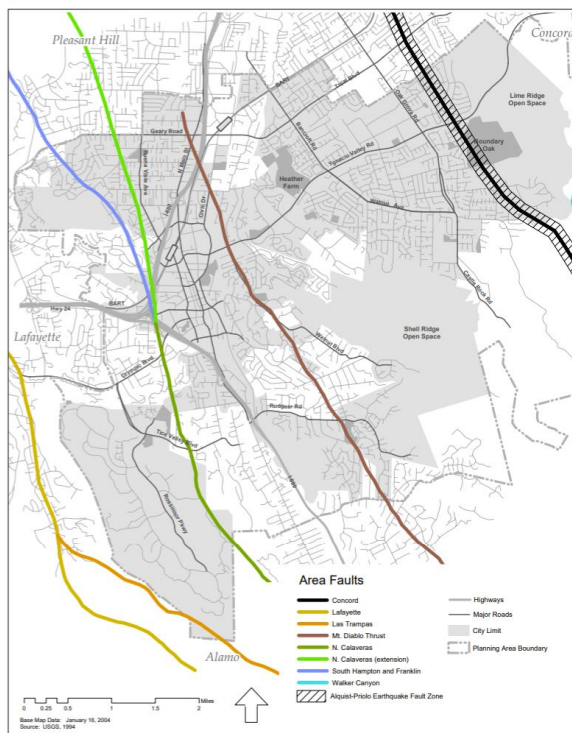


Figure 2. Area Faults

7b. The County’s own [Open Space Element](#) of the General Plan should be referred to when determining the environmental impacts on slope and the ridgeline, in addition to evaluating the appropriateness of cut & fill pad construction.

- The percent of the various slopes for this property should be included as part of the EIR. Stated under Scenic Resources Policies, 9-11 of the Open Space Element: *“Particularly vulnerable areas should be avoided for urban development. Slopes of 26 percent or more should generally be protected and are generally not desirable for conventional cut-and-fill pad development. Development on open hillsides and significant ridgelines shall be restricted.”*
- The EIR should note that the City of Walnut Creek has policies, regulations and restrictions for slopes of 15% or greater, and how those restrictions apply on this property.

8. Greenhouse Gas Emissions:

The EIR should include analysis of the impact on greenhouse gas emissions from construction vehicles used to construct the Project.

9. Hazards and Hazardous Materials:

The site has supported agricultural use and contains several barns and outbuildings that could have been used for storage of hazardous materials which could pose a risk that should be addressed in the EIR. This should include conduct of a Phase 1 assessment at a minimum to confirm absence of any hazardous conditions and appropriate mitigation, if required.

10. Hydrology and Water Quality:

10a. We request that the EIR include the impact on hydrology and water quality resulting from the construction of the entry road proposed as an extension of Kinross Road (which will require significant fill and change to the drainage in that part of the site) in addition to analysis of the impact on hydrology and water quality resulting from the complete re-grading of the site.

10b. The EIR should include an analysis of the project’s paved areas vs exposed soil ratio and the effect on groundwater and nearby waterways. Additionally, the effect on groundwater from the project in general should be included.

10c. The EIR should include analysis of the impact on the directly adjacent Heather Farm Park waterways and the Walnut Creek channel and the natural living things that depend on those waterways, including the unique impacts from the 3-4 year construction on the site’s and its surrounding waterways.

10d. As an agricultural property, the potential for wells on the SHR site should be thoroughly assessed. Pump equipment is visible from a number of locations in the surrounding area, including near the northern property boundary near the Equestrian Center in Heather Farm Park and at the top of the highest knoll on the site. Grading and other development could pose a risk to any wells and the groundwater conditions on the site if not property identified and sealed.

11. Land Use and Planning The EIR should provide a thorough review of any conflicts of the proposed Project with relevant policies in the County and City of Walnut Creek General Plans and other agencies. The property lies in the City of Walnut Creek’s “Sphere of Influence” and therefore the City’s policies, ordinances, regulations and General Plan must be considered. These include policies regarding the preservation of native vegetation, protected trees, hillside slopes, open space protection, creeks, and other natural features found on the SHR site in addition to the implementation of future trail corridors.

11a. We request that the EIR address the project’s compliance and/or conflict with the Walnut Creek Municipal code §10-2.3.401. through §10-2.3.409 [Hillside Performance Standards](#) the introduction of which reads as follows:

“The City of Walnut Creek is situated among a series of major and minor hills. These hills are a highly-valued natural topographical feature of the community because they visually define the City’s boundaries and public open spaces, and/or public trails, because they provide a sense of the community’s indigenous history, and because they provide visual stress relief to all persons traveling our highly traveled freeways, major arterials, and/or scenic corridors in and around the City.

The City’s General Plan recognizes the intrinsic value and sensitive nature of these hillside areas by listing numerous policies and programs especially designed to minimize the negative impacts that may otherwise be associated with developing in hillside areas.

*It is the intent of this ordinance to implement the policies and programs of the City’s General Plan relative to residentially zoned hillside areas **and minimize visual impacts by reducing densities, preserving ridgelines and other significant natural topographical features of hillside areas, minimizing grading and regulating the placement of structures and other aesthetic qualities of development.** This ordinance is also intended to limit development which will result in high levels of risk of property damage and personal injury.”*

11b. We request that the EIR examine the project’s compliance and/or conflict with “[The Walnut Creek Hillside/Open Space Protection Ordinance](#)” found in the City of Walnut Creek’s General Plan 2025, Appendix B which was approved by the city’s citizens in 1991 and mandates standards for the city’s hillside and ridgeline development.

- The ridgeline of the property is clearly visible looking up from public areas of Heather Farm Park.
- Seven Hills Ranch is just as its name describes: hilly. It falls under the protection guidelines of the ordinance due to its location in the City of Walnut Creek’s “Sphere of Influence” within the county.

- In addition, vistas of Mt Diablo and the hills to the west of the property are clearly and spectacularly visible when looking out from the ridgeline and hills of the property.

11c. The County’s own [Open Space Element](#) of the General Plan should be referred to and conflicts identified when determining the environmental impacts of this project on this property.

- Stated under the Open Space Element Scenic Resources Policies, pg 9-7, item 9-11: *“Development on open hillsides and significant ridgelines shall be restricted.”*
- Stated in the Open Space Element pg 9-1, item 9.1 Introduction: *“The ULL (Urban Limit Line) works together with the 65/35 Standard to protect open space. Criteria for considering the location of the ULL include open space, parks and other recreation areas, lands with slopes of 26 percent grade or greater, wetlands, and certain other areas not appropriate for urban growth. Even if land is developed within the ULL, a substantial portion is to be retained for open space, parks, and recreational uses.”*

11d. The EIR should determine any Project conflicts with the purposes and goals of the County’s [Tree Protection and Preservation ordinance, Chapter 816-6](#) along with the stated goals and objectives of the [Conservation Element](#) of the County’s General Plan. Likewise, the City of Walnut Creek’s ordinances and policies [Chapter 3-8 Preservation of Trees on Private Property](#) along with the [Environmental Integrity](#) section of the General Plan (pg. 4-47) should be examined for compliance or conflict. The latter is necessary because the property, while under the County’s jurisdiction, also falls within the “Sphere of Influence” of the City of Walnut Creek.

11e. The immense number of trees planned for tree removal (400+) will significantly affect the wildlife and the avian populations’ habitat, corridors and migration patterns. Significantly, the site is directly adjacent to an [eBird ‘hotspot’](#), the City of Walnut Creek’s Heather Farm Park.

- Tree removal numbers in the NOP document, the Preliminary Arborist Report prepared for the developer in July 2020, and the Spieker Project Description dated 2/8/21 do not match. It seems the 353 number noted in the NOP refers only to “protected trees” which are to be removed and does not include the additional “non-protected” trees to be removed
- An independent arborist report is requested.

11f. The Project will remove the grove of trees from the end of Kinross Drive. Those trees fall specifically under the jurisdiction and ordinances of the City of Walnut Creek.

11g. The project **does** conflict with local ordinances and policies protecting trees and the EIR should reflect that.

11h. The Bicycle Facilities Map (Figure 4) in the [Transportation Element](#) of the Walnut Creek General Plan includes a proposed bicycle and pedestrian route following the extension of Seven Hills Ranch Road across the entire SHR site, which would logically link the Homestead and Walnut Boulevard neighborhoods to the southwest to Heather Farm Park to the north. The proposed Project would permanently preclude ever implementing this important route, which would be a significant conflict given the limited opportunities to provide alternative routes without using the heavily impacted Iron Horse Trail and dangerous Ygnacio Valley Road.

11i. Development as proposed under the Project would permanently preclude future restoration of the Walnut Creek channel along the western frontage of the site. New fill slopes and extensive retaining walls reaching heights of over 25 feet along the western edge of the

SHR site. Construction of these walls and fill slopes would prevent the eventual restoration of the existing creek, which was channelized in the early 1970's. The 2009 Plan adopted by the Contra Costa County Flood Control District understood that the concrete channel treatment would soon be reaching the end of its useful life and should be replaced with restored bank habitat wherever feasible. Unfortunately, few locations remain in an undeveloped state where that type of restoration is possible, and the SHR site provides one of the few locations where that type of creek habitat restoration could be accomplished. The relationship of the SHR site to the 2009 Plan should be thoroughly evaluated in the EIR and appropriate restrictions provided to prevent the permanent loss of this potential important restoration opportunity.

12. Mineral Resources: No comment.

13. Noise and Vibration:

13a. We request that noise impacts from emergency vehicles servicing the various residences, including the skilled nursing component, be analyzed, including noise at night.

13b. We request that the EIR analyze temporary noise impacts on the adjacent school, public park and nearby homes which will occur during the longer than normal 4+ year construction period.

14. Population and Housing:

14a. We request that the EIR analyze whether or how the Project will advance the County's required compliance with the Association of Bay Area Governments (ABAG) Regional Housing Needs Allocation for the County. As stated on page 3 of the NOP, "the Project does not contain any residential component".

14b. We request that the EIR include a summary as to why the Project is not considered residential and therefore need not comply with the County Inclusionary Housing Ordinance. Impacts from the exclusion of this Project from such requirements should be addressed, in terms of the lost opportunity for the County to fulfill Inclusionary Housing goals and how realistic and impactful the expectation is that these goals will be met elsewhere.

15. Public Services:

15a. We request that the EIR analyze the impact on emergency services, in particular ambulance and fire aid call services, of the Project adding 454 to 700 new senior residents plus 225 employees. This significant increase in aged population may result in the need for new County emergency equipment and/or staffing and should be noted in the EIR

15b. We request that the EIR analyze the impact on library services for the County and the City of Walnut Creek. The downtown Walnut Creek Library offers special services to the senior population at Rossmoor and the addition of increased senior services should be studied. Responsibility for the library's management and funding is shared by the City and the County.

16. Recreation:

16a. The EIR should examine the appropriateness of allowing Quimby Act in-lieu fees to release the Project from the dedication of on-site open space/park requirements. The Quimby Act in-lieu fees are meant to be applied for projects whose site restrictions, not project design choices, are such that the inclusion of open space would be difficult. The Seven Hills site is 30 acres which allows for ample inclusion of integrated green space with proper design. A design that adheres more closely to the County's General Plan Land Use Designation and the City's Zoning, and does not require a dramatic designation change through the use of a General Plan Amendment, would more easily fulfill integrated open space requirements.

16b. The EIR should examine the impact on the nearby Nature Area at Heather Farm Park. The area is in continuous use as an easily accessible walking area and must accommodate a future growing regional population. The Project's walled-off community does not satisfy that need and eliminates the possibilities for further walking/biking expansion. This impact should be included.

16c. The proposed Project provides no public benefit for recreation and open space. The SHR site was identified as one of many parcels to be permanently protected as open space under Measure P and the Walnut Creek Hillside/Open Space Protection Ordinance. The extension of Seven Hills Ranch Road continues to be identified as a bike/pedestrian route in the City of Walnut Creek General Plan (Figure 4 in the Transportation Element) and reflects the goal and desire to include meaningful open space amenities on the site. A thorough review of the deficiencies under the proposed Project should be provided in the DEIR, and recommendations included to provide for publicly accessible open space and recreation amenities.

17. Transportation:

17a. Due to the lengthy construction time (four years) required for this project, we request that the EIR analyze the impact of construction vehicles, including delivery and removal of earthwork equipment, dump trucks, concrete trucks and construction delivery trucks. The number per day and what routes they will use. Note that the proposed entry/exit point accesses already heavily used roadways, with much pedestrian use, bike lanes and community traffic.

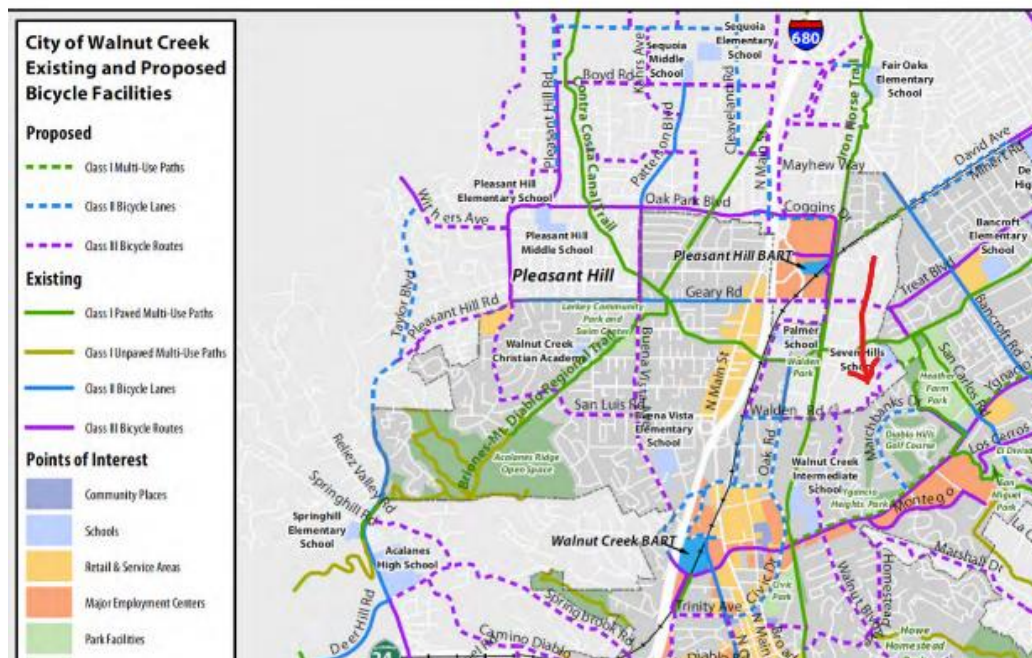
17b. The EIR should recognize that there will be impacts from traffic on already heavily traveled community roadways, which also have much pedestrian use, bike lanes and in the case of Marchbanks Drive, golfers in golf carts crossing the roadway at two crosswalks. Additionally, traffic heading east from the proposed development and using Marchbanks Dr routes through an extremely busy area of the City's Heather Farm Park. A skatepark, tennis courts with parking access requiring pedestrians to cross the street, and a swim center with swim meets that bring parking all up and down the adjoining area streets are some of the obstacles to contend with and which already require careful attention to ensure the safety of park users. Impacts will be magnified with the proposed development and should be addressed in the EIR.

17c. There are many questions surrounding the extension of Kinross Rd. for entry to the proposed Project. The legality of this entry should be addressed in the EIR along with the City of Walnut Creek's restrictions on gated/guard shack entries. The City of Walnut Creek long ago recognized that the extension of Kinross Dr would alter the tranquility of the neighboring communities and to prevent this from happening put safeguards in place. Those safeguards are being ignored and the EIR should include a research, discussion, findings and conclusion on this situation.

17d. We are requesting that the traffic analysis for trip generation includes Level-of-Service (LOS) assessment methodology be included for key intersections in the surrounding area. This should include the intersections of Kinross Dr. and Marchbanks Dr., N San Carlos Dr. and Ygnacio Valley Rd., N San Carlos Dr. and Heather Dr., Marchbanks and Heather Dr. and both intersections where Marchbanks Dr. and Ygnacio Valley Rd. cross. An accurate understanding of the changes in operation at each of these intersections as a result of Project-generated traffic is critical to understanding the full impacts of the proposed Project.

17e. The Bicycle Facilities Map (pg 5-9) in the [Transportation Element](#) of the Walnut Creek General Plan in addition to the [City of Walnut Creek Bicycle Plan 2011](#) include a proposed bicycle and pedestrian route following the extension of Seven Hills Ranch Road across the entire SHR site, which would logically link the Homestead and Walnut Boulevard neighborhoods to the southwest to Heather Farm Park to the north. The proposed Project would permanently preclude ever implementing this important route, which would be a significant

conflict given the limited opportunities to provide alternative routes without using the heavily impacted Iron Horse Trail and dangerous Ygnacio Valley Road.



[City of Walnut Creek Bicycle Plan 2011](#)

18. Utilities and Service Systems:

18a. The EIR must address how the need for water supplies will be met for this large population increase. The EIR must address how the need will be satisfied in normal, dry, and multiple dry years.

18b. The EIR should address all proposed infrastructure systems impacted by the proposed Project. This should include changes in service demands and available capacity. Off-site improvements, such as required upgrades to the sanitary sewer and storm drain facilities along Seven Hills Ranch Road should be thoroughly described as they could result in impacts on the jurisdictional waters associated with Homestead Creek and could adversely affect specimen valley oaks growing along the creek and roadway, among other sensitive resources which should be thoroughly described and assessed in the EIR.

19. Wildfire: No comment.

20. Alternatives

- In general, the EIR should provide a full range of alternatives to the proposed Project. These should incorporate avoidance and minimization measures to protect sensitive resources and address the adverse impacts of the proposed Project. These include avoidance of oak woodlands and riparian habitat, reduction in the mass, height and footprint of the massive Main Building and Medical Center, eliminating and reducing the height of the massive retaining walls that ring and crisscross the site, and retaining more of the natural hillside landform of the SHR site. The attached “*Land Use Compatibility and Aesthetics Constraints for EIR Alternatives*” and the “*Biological Constraints for EIR Alternatives*” should be used in developing and refining the Alternatives evaluated in the EIR to address the numerous significant adverse impacts of the proposed Project.
- As indicated in the “*Land Use Compatibility and Aesthetics Constraints for EIR Alternatives*” map, the Alternatives in the EIR should incorporate the major land use considerations pertaining to the SHR site. This includes protecting areas of native oak

woodlands, maintaining the western frontage of the SHR site as a reserve area for future restoration of the Walnut Creek channel, accommodating the future alignment of the bike/pedestrian route along the extension of Seven Hills Ranch Road, and protection of more of the natural landform on the SHR site, including the highest knoll on the site. These important features and land use treatments should all be incorporated as land use considerations in the Alternatives chapter of the EIR.

- We request that the EIR include an Alternative Development Scenario which complies with the County's General Plan of medium-density residential on the site and has far less disruption to the natural landscape which would be completely eradicated under the current Project proposal. Such an alternative would allow access and through walkways from the city park across the site along the Seven Hills Ranch Rd. trail alignment designated in the Walnut Creek General Plan, and incorporate a public Mt. Diablo scenic viewpoint site at the top of the protected ridge. The existing adobe would be incorporated into the design as a historical building open to the public with educational displays.
- An Alternative which incorporates and meets many of the County's and City of Walnut Creek's General Plan objectives and Code requirements, without a need for such a dramatic change in Land Use Designation, is desirable and should be included. Such an alternative would eliminate many of the impacts associated with this Project.
- The EIR should present a No-Project Alternative.
- The EIR should include an Off-site Alternative that provides for the Continuing Care Use that the applicant is proposing. While this section is for Alternative scenarios for the site itself, we find that the Project would be better suited to an already level location which would involve much less landscape alteration and devastation. The changes in how our communities now do business has presented opportunities for many more appropriate sites for this proposal, such as vacant or under-utilized retail or office-park land that could easily be repurposed. Sites on which the Project would inflict much less environmental damage should be considered

Significant Environmental Changes

- The proposed Project has many irreversible environmental changes. Environmentally, the proposal largely eliminates everything that is on this site today. Flora, fauna, hills, offsite views of the property, and the natural contours of the landscape are all eliminated by this design. The design proposal is such that all these impacts are significant and unavoidable. To ask that the proposed Project adhere more closely to the regional and local government's current land use designation, zoning, and ordinances would aid in reducing its unavoidable and irreversible environmental impacts.

We appreciate the opportunity to provide comments on this project and we look forward to reviewing the responses to our comments on the Notice of Preparation. If you have should have any questions, please email me at SaveSevenHillsRanch@gmail.com

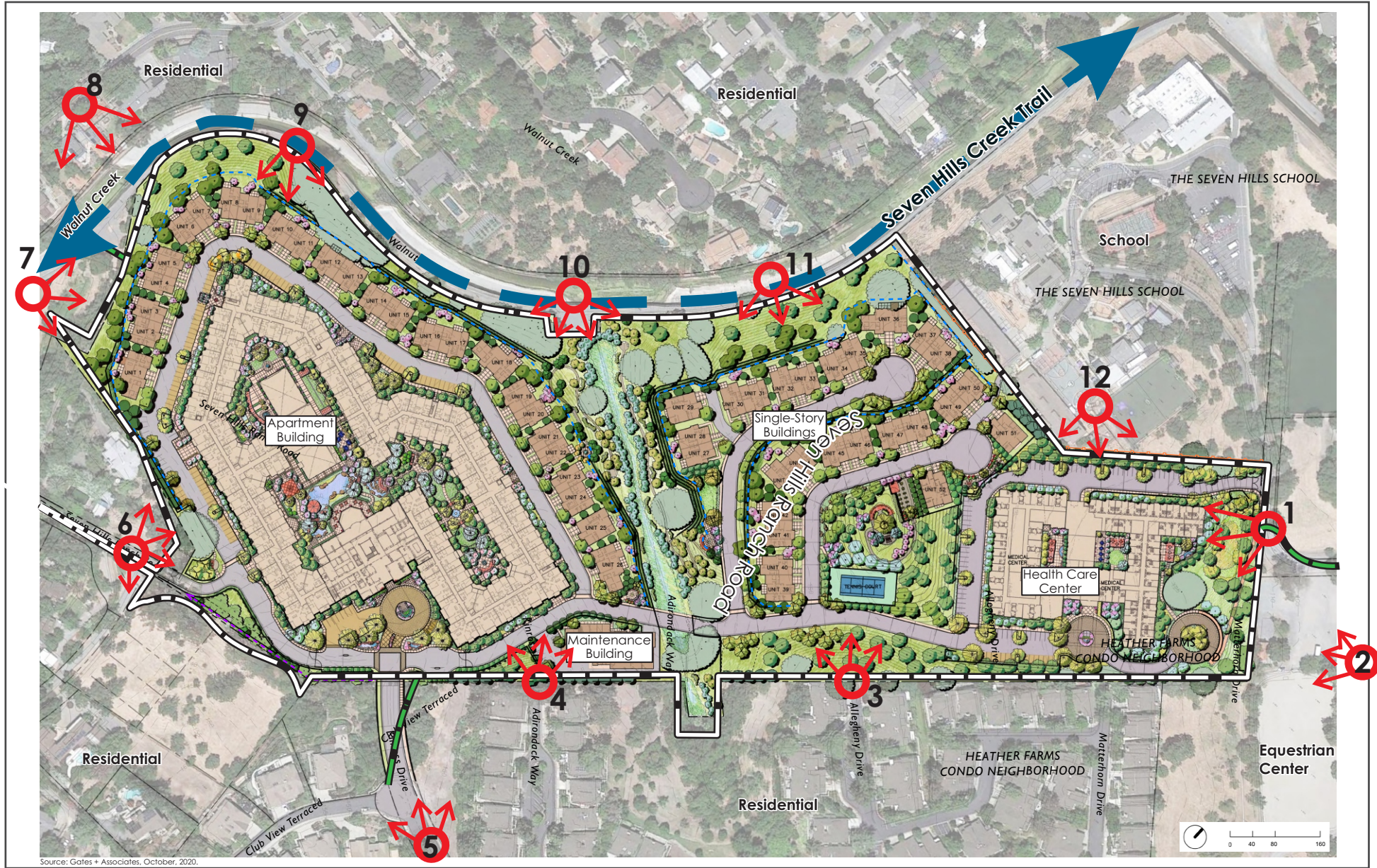
Sincerely,



Michele Sheehan

SaveSevenHillsRanch@gmail.com

PHOTOSIMULATION LOCATION MAP



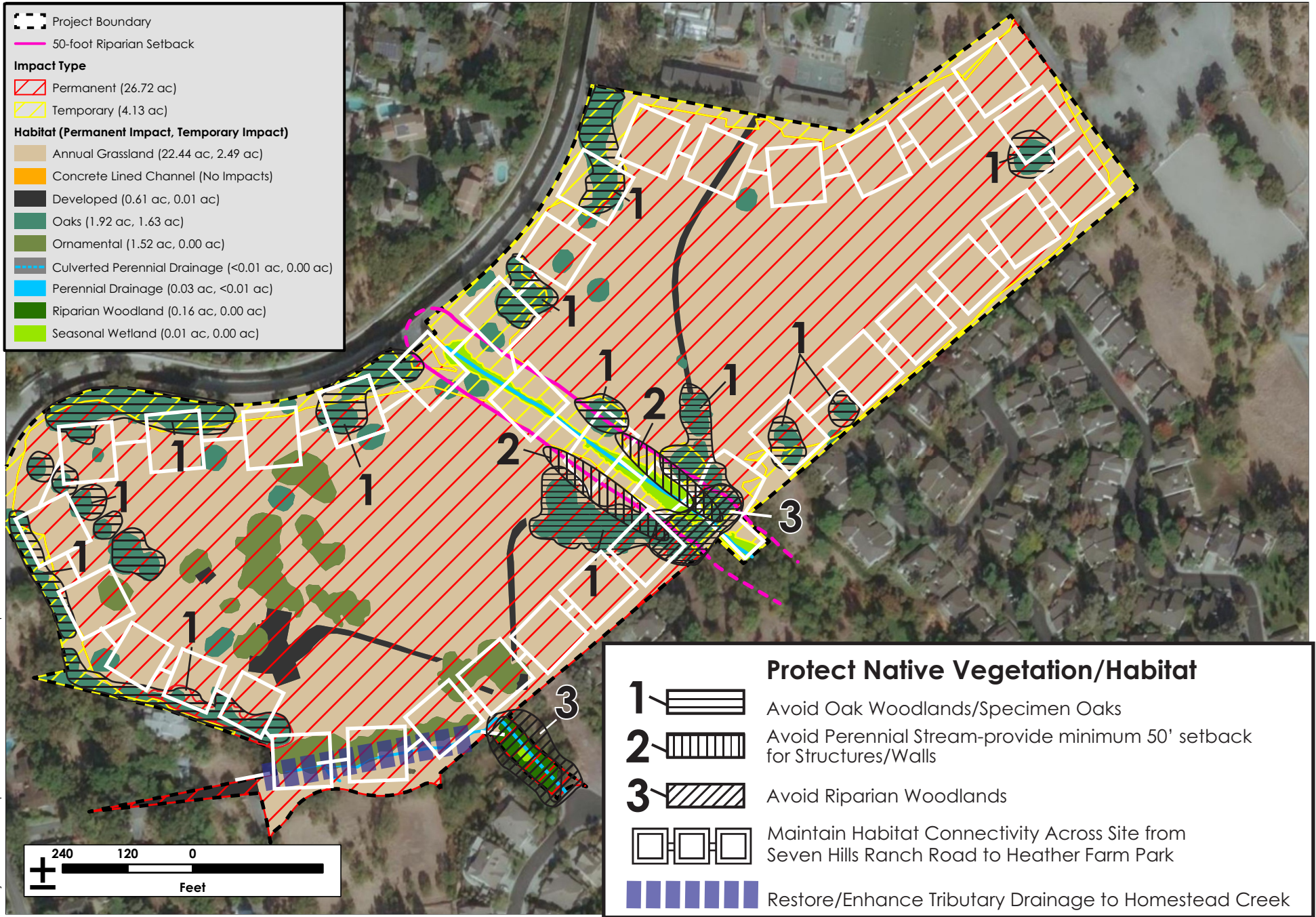
SITE PLAN

FIGURE 2.2-4



Location of Requested Photosimulations and Direction of View

BIOLOGICAL CONSTRAINTS FOR EIR ALTERNATIVES



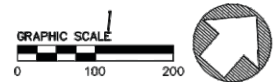
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






H. T. HARVEY & ASSOCIATES
 Ecological Consultants

Figure 2. Impacts Map

LAND USE COMPATIBILITY AND AESTHETICS CONSTRAINTS FOR EIR ALTERNATIVES



-  Break up Mass and Footprint, and Reduce Height of Massive Structures
-  Protect Native Trees/Woodland (see Biological Constraints for Alternative Map)
-  Eliminate Massive Retaining Walls up to 26' in Height and Replace with Natural Slopes
-  Implement Bike/Ped Trail Corridor Across Site from Walnut Creek General Plan
-  Retain more of Natural Form of Highest Knoll on Site
-  Accommodate Future Restoration of Walnut Creek under Adopted 2009 CCCFCD Plan - by removing antiquated concrete channel wall and restoring east bank as vegetated natural habitat.

From: [Save Seven Hills Ranch](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 23, 2021 3:15:53 PM
Attachments: [1_SSHRanch_NOP_Response.pdf](#)
[Figure 1.3 Photosimulationx.pdf](#)
[Figure 2.11 Biological Constraints.pdf](#)
[Figure 3.20 Land Use Compatibility.pdf](#)

Attached please find our public comment for the Spieker Development Project, County Files CDGP20-00001,CDRZ20-03255,CDMS20-00007, CDDP20-03018, CDLP20-02838.

Please advise us that you have received this email. I understand you are out of office until September 2, however, we want to be sure that these were received when they were sent on Aug 23 prior to the 5pm deadline.

Thank you,

Michele Sheehan
[Save Seven Hills Ranch](#)



THE SEVEN HILLS SCHOOL

August 23, 2021

Via email: sean.tully@dcdccounty.us
Department of Conservation and Development
30 Muir Road
Martinez, California 94553
Attention: Sean Tully

**Re: Comments re: Notice of Preparation and Scoping Meeting for an EIR for the
Spieker Senior Continuing Care Community Project
(County File Numbers CDGP20-00001; CDRZ20-03255; CDMS20-00007; CDDP20-03018; and
CDLP20-02038)**

Dear Mr. Tully,

Contra Costa County is considering a proposal from Spieker Senior Development Partners that would turn a 30.4-acre parcel of undeveloped land on the easterly end of Seven Hills Ranch Road into a senior community for 460 residents. These facilities border The Seven Hills School, a local independent school serving children in preschool through 8th grade since 1962.

The Seven Hills School, which educates over 400 children across the Bay Area, is fundamentally opposed to this project as currently contemplated. Our environmental and safety concerns, with impacts on the children and families we serve, are outlined as follows and we hope the environmental impacts outlined below will be thoroughly analyzed in the Environmental Impact Report (EIR) which will be prepared in connection with the project's entitlement.

AIR QUALITY, DUST, AND VIBRATION

If approved, construction is estimated to take place over a 3-4 year period, which would severely interrupt school activities and adversely affect the learning environment for our students. Current plans show the extent of grading would extend right up to the southern and eastern property lines between the Seven Hills School and the project site.

In the present realities of COVID-19, much of student learning, dining, socializing, and physical activities have moved outdoors for ventilation and safety. We are concerned with wind-blown dust, a typical problem on any construction site, and the air quality impacts of this project. Since the project construction is slated to go on for years, these are substantial changes to the ambient conditions at Seven Hills School with more than just typical short-term construction windows.

To that end, we request that a thorough analysis be included in the EIR in terms of air quality impacts to sensitive receptors (school age children per the California Air Resources Board). We request a thorough analysis of all particulate matter associated with the grading activities necessary for the project, including diesel particulate matter. This is particularly important given the considerable grading activities which will occur in connection with project construction.

We also request a thorough analysis of the noise impacts associated with the construction activities.

OPERATION NOISE

The operation of the Medical Center, planned to be east of the school, could have long-term impacts on the school setting, including daily noise from commercial delivery trucks, ambulances, and vehicles. The plan appears to show a loading bay on the west side of the Medical Building, pointed directly at Seven Hills School and less than 80 feet from the property line.

Therefore, we request the noise analysis include operational noise impacts as well.

VIEW ALTERATION

According to the elevations shown in the grading plan, the spectacular view of Mount Diablo from the east side of the campus would be completely obstructed by the two-story west wing of the Medical Center. The west wing of the new Medical Center would have a building height of about 28 to 30 feet, with a roof peak height of the new building up to about 161 feet in elevation. Most of the ridgeline views leading up to the mountaintop would be obstructed and replaced by the west facade of the two-story building, and views of the beautiful lone oak tree in Seven Hills Ranch would be gone along with the open hillside.

We request the EIR employ the use of photo-simulation to demonstrate the aesthetic impact of the project on the environment both during construction and 2, 5 and 10 years' post-construction; this is particularly important given the 350+ trees which will be removed as a part of the project.

CHANGE IN VISUAL CHARACTER AND AESTHETICS

One of the special qualities of Seven Hills School is its natural, bucolic setting, where stewardship of nature and the environment is built into the curriculum. From the approach through Heather Farm Park to views from the campus, this project would completely alter that condition, and the property's natural landscape setting would become urban.

We request multiple photo simulations to provide an accurate depiction of what the new buildings, retaining walls, and other development features would do to the existing setting and the impact to the spectacular views from the campus which attract many of our families.

DAMAGE TO TREES

The project would require the removal of over 350 trees from the site and could affect over 60 additional trees the applicant is contending would be preserved, including the row of 14 younger oaks planted

along the south side of the School. Construction of retaining walls within 15 feet of these trees could lead to their decline and accelerated death, including the beautiful lone oak on the hillside as you approach Seven Hills School through Heather Farm Park.

An independent evaluation by a certified arborist should be conducted as part of the EIR to verify details on tree removal and the likelihood of survival for the over 60 trees in close proximity to improvements that the applicant is claiming will be preserved.

LOSS OF WILDLIFE HABITAT

Seven Hills School and Seven Hills Ranch have special history as the original home of the Diablo Junior Museum and its founder Alexander Lindsay. That history and character, and the habitat Seven Hills Ranch continues to provide to wildlife today, will be lost if this application is approved. The rolling grasslands, perennial wetland, and over 350 trees will be lost in the conversion to urban use.

ALTERNATIVES

One of the most important functions of an EIR is to provide an evaluation of alternatives to a proposed application, including a No Project Alternative, as well as a range of alternatives that serve to address some of the significant adverse impacts of an application. Alternatives that reduce the mass and dramatic change in the character of the site proposed under the Project, that provide greater setbacks as a buffer from Seven Hills School and its relationship to Heather Farm Park, and serves to protect the majority of the trees on the site by restricting grading and development within their driplines must be explored in the EIR.

We also know that the cumulative impact of housing developments and global climate change mitigation for future housing developments is almost impossible unless the developments are designed and constructed in an environmentally sustainable manner. We ask that any development projects, including this one, adhere to the highest standards of environmental sustainability including off-grid, natural and organic materials, open space, walkable design, and public transit opportunities.

Thank you for your time and attention to our thoughts on the impact of this project on the Seven Hills School.

Kathleen McNamara
Head of School
The Seven Hills School
kmcnamara@sevenhillsschool.org
www.sevenhillsschool.org

Matthew P. Janopaul
Board Chair
The Seven Hills School Board of Trustees
mjanopaul@solsticevllc.com

From: [Amara L. Morrison](#)
To: [Sean Tully](#)
Subject: NOP Comment Letter_08232021.PDF Spieker Senior Continuing Care Community Project
Date: Monday, August 23, 2021 1:19:57 PM
Attachments: [NOP Comment Letter_08232021.PDF](#)

Good afternoon, Sean—

Attached please find a comment letter regarding the Notice of Preparation and Scoping Meeting for the Spieker Senior Continuing Care Community Project's EIR submitted by our client, The Seven Hills School.

Thank you, Sean and please let me know if you have questions.

Amara Morrison

Amara L. Morrison

Attorney

t: 510-834-6600

d: 510-622-7689

amorrison@wendel.com

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Wendel Rosen LLP
1111 Broadway, 24th Fl
Oakland, CA 94607

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For more information about Wendel Rosen LLP, click here:
<http://www.wendel.com>

From: [Sharon Doherty](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 23, 2021 10:03:20 AM

Dear Mr. Tully:

As a resident of the city of Walnut Creek living on Kinross Drive, I have some major concerns regarding the traffic on Kinross Drive which has been mentioned as a possible through traffic access to the proposed Spieker Development Project.

Kinross Drive and all the streets in Heather Farms Homeowners Association are private streets, maintained and paid for by the homeowners. Of most importance, there are many young families living on Kinross Drive walking, riding bikes, and crossing this narrow winding street. There are many pathways throughout our community, and those pathways connect to Kinross Drive where walkers must step out to cross to the other side of Kinross Drive. Large construction trucks would not be able to see a person or persons stepping out to cross the street.

Since Kinross Drive is maintained and paid for by the homeowners it is not a public street and cannot be used as a through street for the public. For the safety of all residents of Kinross Drive, the idea that it could be a through pass to a proposed development is a tragedy waiting to happen. Let's be smart and be safe and realize that Kinross Drive is a narrow winding street not conducive to large trucks and large traffic. It is a residential street.

Thank you
Sharon Doherty
345 Kinross Drive
Walnut Creek, Ca 94598

8/16/2021 Zoning Administrator's Meeting

3:30 Session

Item 2a.

Scott Sheppard: Good afternoon, everybody. Can you hear me? My name is Scott Sheppard, my wife and I have been residence here in Walnut Creek for 15 years. We have 3 daughters and put them through school in Walnut Creek. I am a CPA in the construction industry. I understand the issues we are facing here and the biggest concern I have coming out of this EIR report is going to be the fact that your talking about destroying 30 acres of pristine, undeveloped land that the City of Walnut Creek would never be able to regain back. I think that its disingenuous that the Speiker Senior Development partners to believe that somehow they are going to bring nature back and figure out how to replace 400 trees and make a 600 unit parking lot garage, somehow a piece of natural beauty that will replace the existence of open space that we cherish and love as Walnut Creek residence. I hope and pray that the people at the Zoning Administration understand how important this is. That the 80 people that are on this call are only a small slice of the people that will stand up against this. Now the EIR is important, but the truth is the Zoning cannot be changed to allow this. The plan for that land never allowed for this type of development. Speiker knows that so we ask all of you to protect our open spaces, who understand the Walnut Creek community. Do your part. Thank you.

Larry McEwen: Good afternoon, my name is Larry McEwen and I'm a member of the Board of the Walden District Improvement Association, which represents over 7,000 residents, both in and to the north of Walnut Creek. Over the past 5 years, our neighborhood has been inundated with high density developments, which either exceeded local, existing local zoning requirements or previously approved agreements with the County. They include 124 condominiums planned to occupy the site of the former Palmer's School, which is actually clear cut 100 trees, including 6 heritage oaks, trunk of one of which was over 6 feet in diameter, 200 apartments in Block C of the Transit Village, where 100 condos have been previously approved. 284 apartments on Del Hombro rising 6 stories and over 40 homes to be constructed by Habitat for Humanity on a lot approved for half that. As you know, all the recent state housing institutive favored moving low density housing in a vicinity of transit villages by overriding existing local zoning limitations of development. Since this project does not fall within the parameters of these new state initiatives, the County should take exceptions to these state laws by drawing a land *** of other developments in our area, not near transit villages such as this one. Now, Speiker Development is coming with this plan with almost 500 more units on the 30 acre Seven Hills Ranch site, which according to the developer, will destroy more than 300 trees and require moving an extra 17,000 truck loads of dirt, construction of a retaining walls, rising over 20 feet high, facing Walden on Cherry Lane. We would like to see an eye level depiction of the sites plan profile when completed as viewed by our members on Cherry Lane. This also retaining wall would also include the possibility of creating a pathway of the creek, providing additional access for residence to Heather Farms Park and the Country wood Shopping Center. Enough is enough. Walden is tired of being *** by developers planning around a thousand housing units. Our members will bear the brunt of the environmental and traffic impacts. Ideally, the seven hills property can be converted into a park used by the public ***** access to Heather Farms. Alternatively, if it must be developed, let it be in accordance with current single family zones as contained in the County's General Plan.

Patricia McGowan: My name is Patricia McGowan. I live at 3799 Harrison Street in Oakland. I'm a retired Urban Planner and I've been offering my professional input to the Saves Seven Hills Ranch Community Group. The key environmental impacts that I'm requesting included in this EIR are four categories. First one is the temporary impacts from construction. Particularly the air quality impacts, dust and noise. All three of those during construction of this project will last for years. Related to air quality we asked that you look into the diesel admissions from all the earth work equipment and the trucks to be used to move around this excessive amount that the dirt that the developer would like to remove and move around the site. Also, the air quality impacts from *** those impacts on the children that use the adjacent school. The general public, both the kids and adults who use park and the adjacent golf courses as well as the area residence. And then the air quality from the impacts from the diesel trucks that will deliver all the concrete and the asphalt, construction equipment throughout the four year construction project. The next impact that I'd like to request the EIR consider is to analyze how the project will comply with the County's required compliance with the ABAG, which is the Association Bay Area Governments regional housing needs allocation. Many of you might know preliminary determination made by ABAG and unincorporated Contra Costa County in the 8 year period coming up from 2023 to 2031 over 7,600 housing units need to be built in the County and an additional 5,800 units in Walnut Creek. So the notice of preparation states that this project doesn't have any residential component. So if that's true, I would like the EIR to indicate how the project advances the County's requirement for compliance with the regional housing needs allocation. Third, I request that the EIR analyze how the project will comply with the County's Inclusionary Housing Ordinance or explain why these buildings will house 700 people are not considered housing as it relates to the County's Inclusionary Ordinance and then lastly, I request that the EIR include an alternative development scenario that complies with the County's General Plan, which is medium density residential on this site. And that scenario would have less disruption to the natural site, less earth work and more trees. Thank you.

Trevor Cappa: I am a resident of Walnut Creek, about 2 blocks away from where the proposed development is and I'm a local CPA. I'd like to propose that the EIR limited in scope as possible. As we should all know, California has a housing crisis and developing these units is extremely important. This development is less than 2 miles away from BART and also to remember that inputs like these are extremely unhelpful in the development of housing. There are 80 people on this call and 70,000 in Walnut Creek so we have about .01% of the City's population here and remember when we are talking about this pristine open space, we are talking about hills, with some dead trees on them. It's not a pretty space, there's a park right by that still is open space as a result, I'd like to ask that we limit the EIR as much as possible in order to promote housing, affordability in the area. Thank you.

Michelle Sheehan: I'm from Walnut Creek. I want to thank you for accepting our comments today for the review process on the Spieker Development Environmental Impact Report. I speak here today for Save Seven Hills Ranch, a grass-roots organization which admittedly feels there are better ways taking advantage of this sites closest to the city of Walnut Creek Heather Farm Park and its unique history of being recognized for its beauty, rolling hills, spectacular views and intact natural habitat. Save Seven Hills Ranch has close to 2300 signatures on our "Save and Sensible not Super Size Petition" and has a large core group of active supporters. We will be sending in written comments for several of the impacts which we would like to ensure the EIR addresses. But today I'm going to talk about only two we would like included. We ask the EIR examine the project conformance with relevant land use plans and regulations of both the County & the City of Walnut Creek General Plan and Zoning Ordinances. The

project site is within the City of Walnut Creek's sphere of influence. And that must be taken into account in the EIR. In particular, the city has ordinances relating to hillsides and ridge line development, which must be recognized, along with prohibitions on ungated communities. Secondly, we ask that the EIR recognize the unique location next to the City of Walnut Creek Heather Farm park. A city park that is used by 1 ½ million people per year. The site sits across of heavily used public walks, bike ways and trails. The sites visibility to park, trail and walk way uses and the proposed illumination of the possibilities of the ***** must be considered. We asked the EIR **** that the project is unusually high retaining walls and it's complete wall off design will create an inaccessible compound which eliminates the connected possibility for this site, for people as well as wildlife. I'd also like to address that it does not fulfill housing requirements. It is not in any way affordable or fulfill any of the inclusionary requirements. There is a lot of downtown in Walnut Creek, we are looking to having housing there. And this open space is definitely not good trees, it has a beautiful, pristine natural environment. And I would say it needs to be considered in the EIR. Thank you

Sarah Kalin: I am a resident of Walnut Creek for 30 years. I am 30 years old so this is where I was born and raised. I went to Buena Vista Elementary School, Walnut Creek and Carondelet High School and I graduated from St. Mary's with an undergraduate degree. So the plan for Seven Hills need be improved. The greatest improvement would be redeveloping as a cultural or historical and nature preserve. The loss of echo systems and urban environments is a long standing issue, which has been studied ambiguously. The increment of change is slight though it shifts the baseline each person perceives. So that the current echo system as perceived by the current generations is normal, when in fact it is grossly abnormal. Diminishing green space is nearly unperceived happen over time and this change contributes immensely to the position many cities eventually find themselves in. Less attractive, more crowded, offering less to wildlife even far less to humans. While intended land used decisions without this perspective and in combinations with developers, typical short term profit driven mentality. Diminish our lives and the lives who follow us. This project as proposed is seemingly well intended short sided proposals. The impact on quality seems obvious. More air conditioning units require more power. More pavement as approved to greenery. Carbon dioxide lowering in plants and trees. If sounds to trite or obvious, review the NOAA temperature charts in the last 50 years and compare to the loss of trees world wide. It's pretty obvious. The long term use of this space should be that. Long term. Though there is a need for senior housing there are need for many previous developed sites still to be repurposed. Fortunately, Developers shy away to these due to the lengthening of the project time line when demolition or other clean up needs to be done. Clearing trees and grading prior to construction is so much easier and more profitable for these companies. Please consider these environment when disposing of the current plan for Seven Hills. Thank you.

Leslie.....: I represent two groups today, I'm president of Friends of the Creeks and a board member of Walnut Creek open space foundation. One of the things that concerns the friends of the Creeks is access to the creek from this development, there is none. We would like to see opportunities for this along the back of the property where the creek is and would like to consider what could be done to bring *** to the water shed. The creek, the key to that is the creek flow channel which is behind Seven Hills Ranch. There are a couple of opportunities there we would like preserved for future use. Second, public access is easily possible along the creek but none is provided we would like to see that for two reasons, so that people can enjoy the creeks but so that there can be public access on the west side of the park and an opportunity for a non vehicular traffic route for other points east, such as Countrywood Shopping

Center. ***** is more important than it is now. We would like to see meaningful analysis of the wetlands for listed species particular CTS and CLRS we are concerned that the wetlands is going to be buried in a canyon and the animals are not going to like it, even if there are no listed species there. We also joined the chorus of people asking for evaluation of different alternatives. Uh, we too would like to see an analysis of a single family median project. At least one, either three or five units per acre and one for a planned development, which would concentrate development in part of the site and leave the rest of the site open as open space publicly accessible. Ready to be enjoyed by all. If the pandemic has taught us anything, it is that people like the outdoors and their opportunities to be in it. I think that the plan elevations that are provided are an improvement over what was in the original plans, but they still are not in context, and I believe the public could use more help in interpreting those things by seeing some trees for scale, etc. Moving onto the moment Creek open space foundations issues. They too, are a you know, signing onto the last three, the wetlands, the alternatives, and the elevations. Heather Farm is a birding hotspot. They're up to a hundred and seventy eight species, three thousand different lists. These numbers are a bit vague, but there's substantial whatever the exact totals are. thank you.

Marsha: Hello, my name is Marsha Nuey, my husband and I have lived for twenty six years e 521 anderson way in Walnut Creek, which backs up to Kinross Drive. We would be greatly impacted by the proposed speaker development and strongly recommend you do not approve it. On the other side of Kinross Drive from our home is a group of eleven homes that sit on the street club view terrace. When this development was proposed and eventually approved by the City of Walnut Creek, we were promised by the City Council members at the end of Kinross Drive would remain closed and access to Seven Hills Ranch would not be allowed from that point. The City Council knew of our concerns to maintain a quiet residential neighborhood consistent with the city of Walnut Creek 's General Plan. Kinross Drive has an elevation change of twenty feet in less than a tenth of a mile. We now experience vehicle noise as cars and trucks accelerate going up the hill. If this project were to proceed, we would be exposed to the daily traffic noise of hundreds and hundreds of cars and trucks going in and out of the development. This would change our quality of life and make living here are very different. Seven Hills Ranch is a jewel in our community. As it sits next to Heather Farms Park, it would be a wonderful opportunity to extend the park by adding Seven Hills Ranch towards the ridge. As Leslie just said before me, the pandemic has shown us the great need for outdoor recreational space. I hope you can see the possibilities. That would save hundreds of trees, maintain habitat for many animals and birds, and keep our quality of life that we enjoy living here in our community. Thank you.

Rosemary: I'd like to express my concerns on several areas of the ER. Report the property at Seven Hills Ranch has been zoned agriculture for over a century. It has been a Wildlife Refuge all that time. Currently, there is many, many deer, turkeys, coyotes, fox, and a large variety of hers who called this home rental and Cooper Hawks have nests in the mature trees there. Acorn woodpeckers, great horned owls, swallows Bluebirds, Black headed grosbeaks and many more also live in the mature trees. For birds, there is absolutely no replacement for mature trees needed for nest safety and food. The Speaker Plan Corporation plans to remove nearly four hundred trees, of which approximately three hundred and fifty of those trees are currently on the county's protected tree list. Any attempt to replace mature trees with a fifteen gallon tree replacement means absolutely nothing to the wildlife that these trees that need these trees. This plan will decimate the bird population. In these times, the California wildfire is burning down our forests as I speak. Right now it seems ludicrous to allow speaker to destroy one

hundred and two hundred year old California Oaks. California last eighteen million trees in twenty eighteen to disease and fire. Who's going to monitor how is Speaker is protecting the few trees they're planning on keeping. What is the oversight of wildlife there? How will trees on Heather Farms H O A property be protected if the trees root system extend ten to forty feet past the property line of the H O A. Their plan is to cut start cutting the hills down just ten feet from the property line and four, ten to fifteen to twenty feet retaining laws. How will this affect and protect our existing trees on our side of the fence? My foundation, by the way, is just eight feet away from the property line so how is all this destruction of these hills and moving hundreds of tons of soil when it affects the buildings on our side of the fence? Who will be protecting our buildings and foundations from damage, regarding the transportation why is the city and county approving only one entrance into this property? There are currently four H O A and one apartment complex consisting altogether of 912 units using Marchbanks, plus a golf course and restaurant, which receives approximately 200 cars a day or around 73,000 visitors a year. Also, approximately 1.5 million visitors visit Heather Farms Park and they also use Marchbanks as well, which is just a two lane roads. Each lane is little over 9 foot wide, not the standard 10 foot wide bike lanes on each side of the road is only 41 inches wide, not the standard 6 foot average width the smart banks is more narrow than the average street. The average width of a junk truck is 9 feet. That means there is only 6 inch clearance between large dump trucks going up and down the street, and bikers and walkers using the bike path lane. Clearly not enough room for safety. I'm requesting the county explore all options of entry to Heather farms, not just the Kinross drive. Thank you.

Mike Young: I'm a long term resident here in Walnut Creek and live very close to this proposed massive megalopolis, which I think is completely out of sync with surrounding areas and with Walnut Creek. But, I would like the environmental impact report go into a deep analysis about the fact that there is no water for this project, we are in a state of severe drought. In May, Governor Newsom declared forty one counties, including Contra Costa County to be in a state of drought emergency and asked for a fifteen voluntary percent cut consumption of water. In April of April, 27, 2021 East Bay mud declared a drought emergency. And I think, Contra Costa County water district is it's the water district that would service this proposed area. On July 8, 2021, Contra Costa Water District asked its customers for a 10 percent voluntary conservation and stated that we are in stage one of the drought and that we have water shortages. Also in May, the Contra Costa Water district was told by the federal government that it's water allocation from the Central Valley Project was reduced and that the district would receive only enough water to meet public health and safety standards. And if you go online to drought.gov, 100% of the people in Contra Costa County, it says, are affected by the drought and this lack of water is the driest July since for a hundred and 27 years, rainfall is 7.4 inches below normal. There is a lawsuit down in Tassajara Valley or two or three lawsuits. Some of lawsuits revolve around the fact that there is no water in sufficient water. East Bay mud could not certified. They state that we cannot service that area for water, and I suspect that Contra Costa Water district would say the same thing about this proposed monstrosity. So, I request that the EIR include a thorough discussion about the draft long term effects of the drought and where the water is going to come from for this huge project. Thank you under three minutes, I think.

Amara Morrison- I am an attorney with Wendel Rosen in Oakland. We represent the Seven Hills School connection with its interest in the development of the Seven Hills Ranch. Given its proximity to the school. By way of background, the school is operated in its current location and Walnut Creek since the 1960's schools population is currently 420 students, and serves preschool, kindergarten primary and

middle school students, which age from 3 to 15 years of age. For decades, students at the school have spent their days overlooking Mount Diablo from their campus, and I've also enjoyed the rolling hills that extend from the school to the west. Indeed, many of the students play on play structures and playgrounds immediately adjacent to those hills, which is the site of this development proposal. I will stay at state at the outset that my client finds the proposal in its current configuration unacceptable due to its lack of respect for and sensitivity to the environment. Aside from the topics, which are listed on pages 3 to 5 in the Notice of Preparation, we request the following issues also be included in the environmental impact report. We see that the projects impacts on BMT 's are going to be evaluated, but we feel that the projects impacts on level of service should also be evaluated if the county has not yet adopted BMT as the sequel threshold. We also see that the environmental impact report is proposed to address noise and vibration in addition to air quality impacts. And we request that the impacts of the extensive amount of grading here immediately adjacent to the school be analyzed in terms of air quality impacts to sensitive receptors and according to the Cal Air Resources Board School age children are considered sensitive receptors, so I'd want to see particular attention paid to that in the EIR's analysis to this point. We would also note that the construction is estimated to last between 3 and 4 years and request a thorough analysis be prepared relative to noise and air quality impacts to the students during the duration of this construction. We also request as Miss McGowan, I believe her name is pointed out earlier, a detailed analysis of the air quality and noise impacts resulting from the truck trips, particularly the result in greenhouse gas emissions, diesel emissions, which are necessary to accommodate that level of earth movement. A fugitive dust impacts should also be impacted, the school is directly located west and would suffer from those prevailing winds coming from the west. The issue of noise, we would also request a close analysis of the operational noise, particularly as it relates to the Medical Center, which is going to be immediately adjacent to the to the school and on the issue of aesthetics, we feel that the EIR should employ the use of some level of photo simulation to show the impacts of the project during construction and also post construction perhaps 2 to 5 to 10 years out, and this is particularly important, given the extensive removal of three hundred and some trees which were going to be removed as a part of the project, and finally, as has been noted by many of the commenters, this afternoon, we request that the applicant and staff work to develop a robust set of alternatives which can be meaningfully proposed, and we would also be consistent with the current zoning for the property, and we just have to believe that there are a range of alternatives that will have far fewer environmental Impacts that this project is likely to result in. Thank you so much for your time and attention and consideration of our comments and we will be submitting written comments in advance of next Monday's deadline. Thank you.

Bruce Reeves: Uhm, environment suggests long term to me, and I'm thinking a hundred years ahead. Looking back at Walnut Creek and Contra Costa County. And I'm wondering what the positive and negative feelings would be of our great grandchildren as they look back on this period of time and see the housing this proposed by Spieker, versus the open space that we now have, and I would urge those who are involved in all of this to try to think a hundred years ahead. We've lived here since 1962 worked with Gary Gender and others on the open space project that has resulted in the current Walnut Creek open space. I don't think of us as tree huggers. I have a feeling that there's an awful lot of cynicism out there among certain groups. We're thinking money. The thing that attracts people to Walnut Creek is not further development, and I think the EIR should take that into account, so I appreciate what you what you're doing. I appreciate the effort that you're making. Thank you so much.

David Martin: I live on Seven Hills Ranch road. My wife and I've lived here for 24 years and to the gentleman who referred to the land is just a bunch of hills with dead trees. Let me assure you that it is not back when Sheridan Hale was alive not many years ago my family and I used to walk up along those hills and it is a beautiful piece of property. And the trees are very much alive. I will keep this short. And it first to express my agreement with several speakers who have come before me, particularly Patricia McGowan, Michelle she and Sarah Kaelin, and recently Amara Morrison. I want to say that I really believe that the size and scale of what is being proposed is absolutely out of character, with not only with what is in the general plan, but the surrounding neighborhoods that leveling the proposed leveling of the hills and the filling in of the **** and leveling to build out what looks like a battleship sized type Fortress with high retaining walls will be visible for neighborhoods, it's from the surrounding neighborhoods and the loss of all the trees and impact on the wildlife and the long term environment. And I appreciate Sarah Kaelin's comments on the long term environmental impact and how important it is that it's that city and county governments pay such important attention to this as we must across the whole world. So the size, scope and impact our inappropriate I, I believe that the general plan should not be amended to accommodate it. The zoning should not be changed and I echo and support the comments that reasonable alternatives be developed for the property.

Arvind Ramesh: Yeah I was just calling in. I'll keep it short as well. I would implore you guys to keep the EIR as small as legally possible and streamline housing that is desperately needed in the area. An EIR is an environmental law that is often abused to stop new housing, and for those of you who are not familiar, that's that's one of the reasons why housing is so ludicrously expensive in California. Meetings like this, a lot of people show up and throw every reason you know that they can find to block new housing. And again, I love nature as much as anyone. Here I make heavy use of the parks open space, the trails that we have in Walnut Creek, but I also do want to acknowledge the magnitude of the housing crisis that we're in right now. It's much easier to sit here and block housing when you're a longtime homeowner is not affected by sort of the crazy things that are going on two million dollar houses with twenty or thirty bids on them, so you know, I know I'm not gonna convince people on this call, but at least consider what it's like for the next generation, who you know, wants to buy a home or it has a home burdened with housing costs. And yeah, just sort of as a background I went to Valley Verde Elementary School. I went to Foothill Middle School, Northgate High School. I've been here my whole life and I basically have seen almost all of my peers priced out the area. So you know, just take a second to think what are the outcomes of sitting here and blocking every housing development that comes up, you know. And it's always, oh, it could be different. It could be this, but at the end of the day, the end result is housing just gets, it just gets blocked so yeah, I think these four fifty homes senior homes are again desperately needed. You know? Obviously we have a lot of seniors that could use that housing. And then when they move their their old homes get opened up for new people. So yeah, I would just reiterate that you know the eighty people on this call that are many of which are against this project. I would stress that they represent less than point. One percent of Walnut Creek, let alone Contra Costa County. So to all the decision makers on this call, I would implore you to keep this EIR smallest possible. Streamline housing that is desperately, desperately needed and think about all the people out there that may not know this call or don't have time to attend calls like this and you know make make the right decision and approve the project. Thank you.

Robert Tobin: I am taken by the sign. If it's not up now, but when the meeting started it said this is the Department of Conservation and Development. And so I'm just struck by the balance between those two things. And I empathize with the struggle to how you harmonize those. My understanding from dealing with this issue elsewhere is that that's why you have a general plan. And that's why you have zoning. Because conservation is not going to generate tax revenues at the county and the cities desperately need after Prop. 13, and so it's the general plan. The zoning are always that those two things are going to be balanced because otherwise you know development is just going to drive the process. And so I would just challenge and besiege really the decision makers here to look at both sides of that challenge. And to see that it's that it is the general plan is owning that establishes that the level playing field in which developers are all told where can be developed. What can be developed, how it needs to be developed, and when you start changing zoning rules and general plan, pretty much the level playing field goes out the window. And that's not how it's supposed to work, because otherwise the Department of Conservation and Development will be the Department of Development. And that's kind of it. And we are depending on you to do both and to give them equal attention. Even though the economics is on one side and not the other. Thank you.

Anne. I live here in Walnut Creek. In the Heather Farms area. And I just want to preface my comments by saying I'm not opposed to development in general, and I'm certainly not opposed to senior housing because I am one. But anyway, I am opposed to this development for many reasons, and many of the reasons people have already stated but certainly, starting with the devastation and destruction of open space, the leveling of seven hills to removal of three hundred and some trees and the displacement of the wildlife and replacing natural habitat and open space with a development that Walnut Creek already has. Actually, in Rossmore. Rossmore houses short of ten thousand citizens in a city of approximately 70,000 citizens so and then not to mention you have senior housing throughout Walnut Creek, such as Sunrise assisted Living, Kensington Heritage, Oak Creek. There's a new place in the Shadelands and that's just to mention a few. So our seniors are definitely being taken care of. The question is who does this development serve otherwise? It's certainly not deserving are Walnut Creek children or Walnut Creek teens or young adults. It doesn't serve young families. It's not serving established families here, and it's certainly not serving the middle agers coming and going from work and that may middle age folks here about fifty five percent of our Walnut Creek population. However, open space does serve the greater community as it serves by providing a quality of life in an aesthetic that most of us have lived here, moved here for. This really, you know, was highlighted during Covid when we were able to get out finally in this. The only place we could go in the wildlife that we could enjoy. This is part of our neighborhood. It's smack dab in the middle of the established quiet neighborhoods and in the middle of our trails and bike paths. And it's again it's one of the reasons we've moved here. You know, Walnut Creek has always done a great job of combining progress, growth and development while maintaining and protecting our open spaces, this open space so I guess for me the final plea is to not change the zoning on this, to not disturb the general plan. That's what we've come to count on and you know we can do better with this land and if the county believes we need more of this type of housing for seniors, that's fantastic. Move it. It's a big county. We can move it off to the side where you're not going to planking.

David Andre: Yes we can everybody I've really enjoyed all the speakers except for two. I've lived in this town my entire life. And, well, not my entire life. I moved to Santa Cruz and then Oakland and San Francisco. I've seen a lot of development and I just want to say this is just a really bad idea. I am not

specific as some of the other speakers are that know the laws. And no everything going on, but it's such a bad idea to cut down any tree, any tree that's lived three hundred years, two hundred years, hundred and fifty years. This is ridiculous. What's going on and try to drive down in Asia Valley Road right now and imagine what this is going to do to that. It is just ridiculous that this is even being considered and you should not rezone. You cannot reason you cannot do this. OK and I got a song for you. *Let's save the trees. I'm going to keep it under three minutes. Let's save the trees. We've got to see the trees. Let's save the trees, come on lets save the trees.....*" And then I'm going to give it up to someone else who knows more of the technical jargon. Thank you.

Mike Scott: I'm a forty six year Walnut Creek resident. Now most of us have read in national news magazines at Bay Area traffic now no longer trails LA's but it is as bad. Our air quality, worse than New York City's. Overbuilt, overheated Walnut Creek has 71, 000 choke people. The immediate West County area, a quarter million. Ned Spieker Jr. of Menlo Park, wants to build a Rossmoor, Jr. on the only remaining unspoiled parcel, this side of six lane divided highway Ygnacio Valley Road. Leveling, rolling pastoral hills a third of a million cubic yards of earth. 17,000 truckloads. Rip out 400 oxygen returning trees, 353 of them protected. Under Contra Costa County chapter 8.16-63 protection and preservation. Look it up. We would think these wealthy seniors, certainly our cities children. There are three schools in the immediate area can use all the oxygen fresh air they can get. Heather Farm Park was fine in 1970 when Walnut Creek population half today is. Adjacent Seven Hills Ranch provides not just oxygen breathing room for us all, but it's home to myriad wildlife. Allows rainwater absorption for already depleted groundwater. Ned Spiker's proposal will strain already overburdened sewers. Our electric grid. Leave are overwrought city with more noise. Air and light pollution, the latter interrupting human circadian rhythm, causing breast cancer in women. All this for an unneeded senior community for the one or two percent. Including a huge restaurant with liquor license. Which could be built on numerous other already leveled sites like the **** Rossmoor Shopping Center, a ghost town husk other than Safeway Rite Aid, Starbucks, the unrelenting noise and dust alone from four long years of this Dresden. is but prelude to leaving Walnut Creek akin to Daly City it's unhealthy by any yard stick and destroys the last direct connection to Walnut Creek's 19th century heritage. I surrender my remaining seconds to Joni Mitchell. "Paved Paradise put up a parking lot with a pink hotel, a boutique. And swinging hot spot."

Sam Van Zandt: My wife and I have lived here for more than thirty years. I moved here from San Francisco to get away from the city, and I certainly don't want to see more city in this beautiful community. And I I wrote some prepared remarks, but I'm also going deviate a little bit. Have you seen the area? It has everybody who is talking today seen this area. It's just beautiful. The Seven Hills Ranch property, I walked over there this afternoon to take another look. It's part of my daily routine to walk over to that area. And yes, it's a hot day, but it was worth it because I just love the area and you should see it while you can. But if you drive Ygnacio Valley Boulevard to get there it may take you awhile, especially during commute hours when the congestion can be really challenging. And after you've seen this site, I want to ask you to imagine how congested traffic will be one hundreds trucks are added each day to remove the beauty of this pristine property. To level this wonderful hilly area, does historic ranch then imagine that after the development after the four years of development is completed, when hundreds of employees and visitors are going to jam this formally quiet, peaceful area with a lot of new traffic, it's not going to be pretty and it's going look like a city. So and the other question is, where is the infrastructure to support all this new traffic and the people who've been the cause of traffic? As I said, I live nearby. I deliver for Meals on Wheels in the area too, so I know a lot about the traffic in the area

and Ygnacio Valley Boulevard is we all know is already overburdened with cars traveling through Walnut Creek to get to Antioch and Brentwood, and that's poor planning in itself. And who benefits from this project? Not the neighbors, not the crowds of travel on YV? Certainly not the taxpayers of Walnut Creek. The scheme is designed for the convenience of one tiny group of wealthy seniors without thought to the rest of the senior community of Walnut Creek or the community at large. The project benefits the developers who plan to alter historic site forever to build an exclusive village for a small number of people at great cost to our community at large. And we are the people who really paid the price. And lots of our quality of life we won't even be allowed in once it's developed its low density, low density is changed to high density. This development is allowed. It's going to push out one of the most beautiful and most historic open spaces in Walnut Creek. The county should not be considering rezoning any area for residential purposes that does not include low and middle income residents as well. Yeah, we need housing. Developers don't even call this scheme housing and this housing, so called housing development benefits the very few at the expense of all Contra Costa County taxpayers. It's a beautiful area.

Jan Warren: a longtime resident of Walnut Creek. I support the current density of for the property and asked for a denial of a developer 's request for a general plan amendment. We are in an accelerating climate emergency. We need to rethink our decisions about how and where to build the purpose for our construction, who benefits, and the repercussions to the community and planet. Every aspect from site selection preparation of the site, and selection and transport of materials used to build a development needs to be evaluated on the basis of its impact on our warming planet. The proposed project will level and existing habitat and natural lands that sequesters carbon. Removes trees that clean the air, and shaved that cools the area. We've seen animals increasingly entering our neighborhoods because they are being pushed out of their natural habitats they proposed timeline of this project at three to four years will have a negative impact on the land, air, natural habitat and closest neighborhood. That includes a particulate matter entering the young lungs of our kids at Seven Hills School. Most dump trucks have a capacity of ten to sixteen cubic yards. This project anticipates offsite removal of 7500 cubic yards, which results in 469 to 750 truck trips. Use of concrete and asphalt will increase the storage of heat and reduce the availability of natural rain to soak into the land and increase runoff during heavy rains. The build out is 360 units with 460 occupancy units and 622 parking spaces. Recent reports show that we are over building the amount of needed spaces. Kinross Drive is a winding road and not designed for heavy through traffic. Except for emergency use, there's only one way in and out of this development. So **** living operates biamonte, another CCRC at the Orchards in Walnut Creek, which was built on level land and is within walking distance of bus transit, grocery stores, retail shops and restaurants. There is too much impact on the environment for this project at this location. Thank you.

Christine: I just want say I moved to Walnut Creek in 1982 with my family. I've always been blown away by the beautiful scenery. I moved away for creative time but now I'm back with my own family here and I, too, like many of the other people who are participating here have been very upset by the amount of development that has been going on. Just seeing them cutting down the oak tree at Scott 's restaurant. And that just happened recently. All of this has been very, very difficult to process. Now my problem specifically with this development as many other people had said, is why destroy, why rezone this property that's already zoned as agricultural land? Why not go to some of this retail space that is just consuming all of this area? The new mall that was built in Concord. We've got empty the old Encore

Gymnastics space we've got empty retail space everywhere. Why aren't we rezoning some of the retail space and repurposing that, and I think Sarah mentioned it earlier that the costs of that are just too expensive for a developer to take on. And in the meantime, what we would be doing if this is approved is irreversible damage. It's an irreversible project that would forever change the landscape of Walnut Creek. Now in 1970, when there was a proposition to develop Shell Ridge and basically bulldoze half of that away. People got up. They spoke their mind and they prevented it from happening. And Can you imagine if that didn't happen in 1970? What Walnut Creek would look like today? So, I just want everyone to consider that. I refuse to drive up and down Ygnacio Valley Road whenever I can refuse it. But you know, I still have an elderly parent who lives on the other end of Ygnacio so I do have to drive that and there's no way it could accommodate the construction for four years. Or having people 300, 400 more units. And as this talk about needing housing, I don't know about you guys, but I don't know many seniors that can afford a 2.5 million, two bedroom unit. So, really not sure how we're helping and we're not doing anything to help the housing crisis and I really hope that this is considered and we get a very, very thorough environmental report done on this. That's my two cents, thank you.

Juan Xu: Thank you for taking my call. Me and my husband moved into Walnut Creek about 13 years ago and we moved into Heather Farms Park about eight years ago we lived in this beautiful place for about eight years and two years ago we gave birth to our daughter. So, when we live here, we all houses literally just off the fence of the Seven Hills range, so we can enjoy the scenery. We can see different kinds of animals. Deer's in the short distance, coyotes, turkeys, and many different kinds of birds, which I don't know the name of them, but they are beautiful. I hope my children can my child can grow up seeing these beautiful things as the same way as we do. And definitely, we don't want to expose her to the construction pollution and worst air conditions construction so like other people mentioned in the call, we do hope that the developers can find other places to develop senior houses which could be in good use, but these days. I'm joined on this special place in as it is in the middle of the city. Thank you.

Michael Martin: I've lived in Walnut Creek since twenty twelve and I've really loved the city. It's been a fantastic place to raise my daughter and we just had another son. I have a different point of view than a number of the speakers I've heard today. I believe that Walnut Creek is exactly the place where we should be building housing amidst a housing crisis. It is a wonderful place to be, and it's very convenient to a lot of places where people work and for people who want to put housing elsewhere. I just look around and I don't see that many places that are going to be as effective as this as trying to help find people, places to live, including hopefully my parents in the future. So, I greatly appreciate the opportunity to put my comment in today. I really hope that while we study this development to make sure it doesn't have negative impacts on the rest of the city and the surroundings around it, I would rather not see unnecessary process unnecessary environmental review, building up barriers beyond what is necessary to have a safe and successful project. I look forward to welcoming more neighbors here to Walnut Creek in the future. Thank you very much for the opportunity to comment.

Karen D: long term, twenty plus years resident of Walnut Creek. I just want to characterize myself as not being anti-growth and I'm not anti-development. In fact, I've supported many development projects in Walnut Creek over the past twenty years. This includes the development expansion in downtown Walnut Creek, including many apartments and condominiums, retail space and business buildings, and

the Broadway Plaza Mall. We experienced at Walnut Creek is incorporating high density planning and for the most part thoughtful ways developing a plan that includes putting the building to facilities and areas that are close to downtown, but also expanding that plan to use other appropriate areas like the Shadelands, the corridor of Mount Diablo Boulevard from the Broadway Plaza down to highway 24 and also along Ygnacio Valley Road corridor for many miles. These are very high traffic areas but also have access to public transportation and access to downtown via biking, buses, cars and walking and public transportation. The Seven Hills Ranch location and property are not inappropriate and thoughtful location for the Spiker project. This ranch is a pristine, low density, quiet, isolated agriculture area of our county. This project is also proposed. To be a huge and high-density development and not fit for this location. The amount of grading and leveling of the Seven Hills Ranch will require between 10,000 to 20,000 truckloads of soil to be excavated. The topography of the land is beautiful and natural and should not be decimated for a huge inappropriate development. To me it's quite unbelievable to think that Walnut Creek is a community that protects heritage oaks and has a beautiful Land Trust will even consider approving this project which wants to remove and cut down 400 beautiful trees, 350 of which are protected status. This is not thoughtful to speak or of our board. Given Walnut Creek historical approach to protecting beautiful land, property and associated assets, including our wildlife and trees. The visual impact of this project on our beautiful land will be enormous. Converting the natural habitat for urban and high density and will change the long term native wildlife forever. Traffic being mentioned by many people is already a huge issue in Walnut Creek on 680 and Ygnacio Valley Road. Why create more congestion? I don't read or see any plans by Spiker that could really seriously mitigate this real traffic problem. To me it's irrelevant that Spiker is taken years to find the location of Walnut Creek to build an assisted living became a project this project due to its size and its proposed characteristics should be slated for location in either downtown Walnut Creek or one of these commercial areas or high density areas, or repurposed retail as other people have suggested, were high density as planned. Forward, please do not feel that you have to approve every project that is presented to you. Walnut Creek has already approached or is already approved and continues to develop high density housing projects for many years. We need to be more thoughtful about our locations and impacts of all these projects and especially these large behemoth projects. Please just don't consider that the project can meet a couple of requirements for high density and assisted living, when this project has so many negative impacts and outcomes that cannot be reversed.

Armand: I was born and raised in the Contra Costa County area grand from conquered as well as Martinez. Currently living in San Francisco but my family still resides in Walnut Creek and not in favor of support this project for many reasons. The first is fundamentally that housing is incredibly expensive in the Bay Area and the continued insistence that every Planning Commission and every meeting I go to that I support housing, just not in this project is why we face this disaster. So, if you look at the census data for Walnut Creek for example, going back to 2014, the price of a medium bedroom was 1,764.00 in 2020 it is 2,080. Somebody talked about Walnut Creek they were really proud of opposing a project in the 1970s. It's because of opposition of projects that's gone so far back and had decreased validation of housing of jobs spin-off housing. So we've set the various housing mark on the fire, and that's having enormous consequences. Contra Costa County in 2019 so 43 percent increase in the rate of homelessness. Speaking of the environment, this kind of dense urban infill development is exactly what we need to prevent environmental catastrophe. I don't think I need to tell anyone here that we have recurring smog and smoke choking our plan of choking our environment a regular basis now, and that's exactly blade to climate change by telling us that projects into built somewhere else would end up

happening is we're not protecting nature. It gets fall further out and Tracy to Stockton would be cut down our natural environment cause more car based travel and destroy our environment. I want to preserve the ability to for kids to see trees, to see plans to see wildlife. We're not going to do that if you don't create places for people to live, and especially projects like this one. Which have a significant fordable component or for seniors assisted based living and are ***** a very modest amount of density relative to any other global city or standard. This idea that we can quibble over individual projects and try to nitpick and say this isn't the right thing. While people are dying on the streets and our forests on fire. And my kids are going to live in hellscape that we're creating now. It's a more obligations that people want a creek and the kids want to creek and their kids. And we need to improve this project and we need to improve more because too much is at stake. Thank you.

Jim Frey: I live in Walnut Creek. I'm a member of the Save Seven Hills Ranch Organization, an organization that is growing rapidly as more people learn about the proposed development of Seven Hills Ranch. We are against this development for a number of reasons. Forgive me for going over some that have already been mentioned more than once. First, the development does go against the general plan, which at the time, but it was accepted, had received a full vetting and agreement. The plan reflects the goals of retaining open space and development that would limit environmental impact. Second, it is our understanding that the speaker development plan would require the removal of 350 to 400 trees, including many old oak trees from the 30 acre site. Their development plan requires the leveling of three hills, which work will require the removal of seventeen thousand dump truck loads of dirt. From the area and in order to create a level site. Clearly, this will result in wiping out bird and animal habitat on Seven Hills Ranch. The construction would take three to four years and result in retaining walls and excessive 20 feet in height around the perimeter. And several buildings between two and four stories tall that would absorb virtually all open space. Third, once completed, it's estimated that the end out traffic which will feed onto Marsh Banks Road and then on to Ygnacio Valley Road will add an estimated 1100 car and trucks per day to Ygnacio traffic, which has been mentioned numerous times. We all know already has backups every morning and afternoon for blocks. It will great, greatly increased the demand for electric power and water, both of which are in short supply. So, on behalf of Seven Hills Ranch, Save Seven Hills Ranch, we are asking that the County Supervisors know of the strong objection of many people in Walnut Creek regarding this proposed project. We're asking the Supervisors to retain the general plan as written. And keep that plan without amendment. Thanks for the time.

LR: Yes, I well I was raised in Walnut Creek, and I don't even recognize it now. And I agree with all of these other speakers about traffic, air pollution and I don't know if items can just be added to an environmental impact report, you know, categories or whatever can you just had to them ad hoc? I don't know, but whatever the categories are that are available, you know you have to follow through with every one of them. Do not shorten this environmental impact report. Think about the future and for you people who think there's going to be affordable housing there, no. No, that is not true. This is the most ridiculous plan I've ever heard of. Do not change the General City plan or whatever it's called for Walnut Creek. Enough is enough with this development in that town. It used to be a quiet. You have this, you know quiet small town feeling no, no, not anymore. Now it's a joke. That's all I'm going to say, thank you.

Bob Peoples: resident of Contra Costa County and I'm opposed to changing the county general plan and zoning to allow development of Seven Hills Ranch had increased densities beyond what would currently be proposed instead I believe this area should remain in its natural state, which will in void substantial

costs to the county and society, the residents of the county. While providing immense benefits in an increasingly urbanized environment, I'm not opposed to development to meet the needs of the community, but such a development should occur within existing development footprints rather than building on green fields. This area Seven Hills Ranch is really not the typical infill area that you find in urban areas, which are appropriate to develop instead, it is a natural area with significant benefits to society. Having said that, I would again urge that the alternatives to locating a senior housing facility elsewhere other than on Seven Hills Ranch, a natural area destroying it is to look at redevelopment of existing urban areas. There are a lot of shopping centers which have economic problems, you know I no longer economically viable could provide the site for such a facility and it would provide some additional housing. All be it very expensive housing for seniors. Thank you.

From: [Stephanie Dark](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 22, 2021 7:55:09 PM

Dear Mr. Tully,

I am writing as a resident who will be impacted by this development, to let you know the grave concerns I have about approving a General Plan Amendment in order to move this development forward.

I am concerned it will impact our natural resources. We are going into another major drought, which will impact the availability of our precious water supply. The amount of construction this work will require will take an enormous amount of water, and the hundreds of new residents and employees to support this development will also impact our water supply.

I am concerned about the significant change to the existing landscape. The tree loss is astounding, as the current development plan intends to cut 350 protected trees, and may damage those few trees remaining. In addition, hills will be topped-off and valleys will be filled in with the equivalent of 17,000 dump trucks worth of dirt to create the flat building surface, held in place with retaining walls up to 21 feet in height. Natural landscape will be paved over in order to create 451 housing units, multi-story Clubhouse, Rec Building, Health Care Center for residents, and maintenance buildings, parking garage and a total of 519 parking spaces.

I am concerned about the impact to the neighborhood residents both during and after construction. The construction would result in more traffic on already impacted Ygnacio Valley Rd, as well as construction noise and dust, which can severely impact residents with allergies and other health issues. Note that this work will be taking place nearby John Muir Hospital, where Ygnacio is the only means for hospital patients and employees to gain access. Ygnacio Valley Rd. is severely impacted with traffic during peak commute hours, as well as often busy outside of those hours. The road would be even more impacted with all these new residents and the staff to support them.

I am concerned about the impact to the native wildlife in the area. Converting a large swath from natural habitat to urban use will result in the complete loss of habitat for local wildlife; this includes the loss of habitat for deer, fox, owls, turtle nesting, skunk, snake, lizards, turkeys, many species of birds including hawks., and many more species. The aforementioned loss of 350 Protected Status trees means the loss of species that depend on them.

Finally, I am concerned that the developer is providing a false assertion for a need for housing that already exists. A property search within 15 miles of this site should indicate there are already numerous senior housing options in the area, and a wider view will showcase the plethora of senior housing options between the Berkeley and Sacramento. Furthermore, this is marketed to a small segment of seniors who can afford its high entry fee and substantial monthly fees.

There is a significant need to accurately and holistically assess the impact of this development. An EIR needs to address the impact to:

- Air Quality (construction, exhaust, impact to adjacent public parks and schools).
- Biological Resources (landscape, wildlife, waterways)
- Energy (power grid impact)
- Geology (risk of liquefaction and three nearby faultlines, water runoff)
- Water (paved vs exposed soil ratio, impact to creek channel, to residential water availability)
- Land Use (non-conforming land use plans, policies, & regulations of the both City and County that offers no true residential housing)
- Housing and Tax implications (doesn't fulfill county housing requirements, no clear model how this model impacts local tax revenue for government services)

These are but a few of the issues that highlight the need for a thorough EIR. It is important to share with the public how this proposal threatens to completely eradicate this natural landscape, and how the General Plan Amendment which, if approved, would allow the complete destruction of this property.

In closing, I urge you to deny the developer's request for a General Plan Amendment and retain the current density for this property.

Sincerely,
Stephanie Dark
62 San Marino Ct.
Walnut Creek, CA 94598

From: [S. Reed](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 22, 2021 12:55:53 PM

My name is Stephen Reed and I live in the general area of this proposed project. I've heard from virtually all my neighbors and we are extremely concerned about this proposed project.

1. The destruction of of virtually all the trees.
2. No one has defined how people will get into, and out of this unwanted project. I haven't heard anyone define this.
3. Signs at the corner of Walnut Blvd., and Sevens Hills Ranch road specify "NO THROUGH TRAFFIC TO YGNACIO". Homestead Ave is virtually impossible as it has private ownership on from 1500 Homestead to Seven Hills.
4. When will the new owners define many of the questions the to the surrounding neighbors. All this secrecy is just plan wrong. It's about time the facts are made public.

From: [Sue Gannon](#)
To: [Sean Tully](#)
Subject: Strong opposed to Seven Hills Ranch development
Date: Thursday, August 19, 2021 7:52:56 PM

I wish to express my dismay that this project is even being considered. Even though I am of the population to which this luxury retirement home is target (age 71), it's destructive of natural habitat and a waste of natural resources. The construction alone will produce a huge amount of carbon emission. In addition, the increase in traffic will clog an already congested route.

Please vote against this environmental disaster.

Sincerely,
Sue Gannon
Walnut Creek resident

From: [Susan Fischer](#)
To: [Sean Tully](#)
Subject: Fwd: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 22, 2021 3:37:15 PM

Dear Mr Tully,

I am contacting you with my concerns regarding the negative impacts that the Spieker Development Project will cause to our community. I request that the impacts be studied in the upcoming EIR.

Air quality is of concern and will be impacted during the 3-4 year construction period from the construction vehicles exhaust and from the dust raised by the movement of 225,000 CY of fill. Upon completion of the project, air quality will continue to be negatively impacted from the vehicles associated with the 451 housing units and from the large number of employees commuting (most likely in their own cars) to and from the facility. Air quality is already of great concern in our area due to excess traffic and the ongoing fires.

I am also very concerned about the loss of 400+ trees. Recently the most definitive scientific report on climate change was released by the United Nations—warning that the climate crisis is accelerating in unprecedented and irreversible ways. Trees help stop climate change by removing carbon dioxide from the air, storing carbon in the trees and soil, and releasing oxygen into the atmosphere. It is also of note that 350 of the trees are protected under County and City statutes. The housing units and other buildings associated with this project will not help to improve our climate. The loss of trees also leads to the loss of habitat for the wildlife that resides on the property or use it as a corridor. Our wildlife is already struggling to survive within our urban environments, and we should be preserving the little wildlife habitat that remains. Seven Hills Ranch is next to Heather Farm Park, a designated eBird Hotspot with many species living or migrating through the park and Seven Hills Ranch.

The greenhouse gas emissions associated with this project are also of concern. As stated above, we would be losing the trees and therefore the positive effect they have on our climate. The EIR must also assess the impact that the project's greenhouse gas emissions would have on the environment and climate.

It is also important for the EIR to address the unique location of Seven Hills Ranch being adjacent to Heather Farm Park. Heather Farm Park is very popular and used by 1.5 million people per year. The proposed project is in view of the park users and those passing through the park on walkways and bikeways. The small nature area at Heather Farm Park is popular and continuously in use and must satisfy the needs of a growing population. A walled-off community does not allow for this need. I believe this is a unique opportunity for the County/City/public consortium to purchase Seven Hills Ranch for preservation. Preserving this property will allow for the preservation of the 400+ trees and other native plants that are necessary to help battle climate change and provide a home for numerous wild birds and animals. The natural beauty and nature of Seven Hills ranch is also important and beneficial for all of us living in this busy urban environment. Our open spaces are important to our well being and the loss of this benefit should be addressed.

Thank you for considering my concerns and please address them in the upcoming EIR.

Sincerely,

Susan O. Fischer
2735 Cherry Lane
Walnut Creek, CA 94597

From: [Tai Chang](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 15, 2021 4:18:46 PM

Dear Contra Costa County Department of Conservation and Development:

I am a 15-year resident of Walnut Creek, and I strongly urge you to deny Spieker's proposed land use amendment to change the land use designation of the project site from Single-Family Residential, Medium Density (SM) to Congregate Care/Senior Housing. Walnut Creek needs more affordable housing for people who work in Walnut Creek, but cannot afford to live here. Walnut Creek would also benefit from growing Heather Farm Park, which is the city's only destination park and which serves over 1.5 million visitors annually. Let the creation of affordable single family housing, for which the land is already zoned, around this beautiful space for people who work and live in Walnut Creek be your legacy.

There is an opportunity cost to the proposed Spieker project, and that cost is the further development of park space in Walnut Creek as well as the loss of the natural beauty of Seven Hills Ranch. Spieker's project levels 17,000 dump trucks of earth and replaces it with retaining walls up to 26 feet high, enclosing massive 3- and 4-story buildings that in our neighborhood would be comparable to seeing the Titanic next to a flotilla of sailboats. We don't want that. Let's preserve the natural beauty of this ranch and build sensibly around it. Let's create more park space, in which Walnut Creek and Costra Costa County residents can gather, laugh, and play. Let that be your legacy.

Walnut Creek does not need Spieker's proposed continuing care project. Perhaps there is a need for a continuing care community, but the one that Spieker is proposing is only for the very wealthy. It's not affordable. And it's not consistent with the character of the community that is already in the Heather Farm neighborhood. That community consists of a mix of single family residences, townhouses, and low density apartments, that are home to hundreds of families. We live here to be close to the parks and open spaces and have easy access to our transportation hubs (Walnut Creek and Pleasant Hill BART) and downtown Walnut Creek. This neighborhood - our community - would be negatively impacted by a relatively large corporation moving to the center of it, with over 250 workers coming in and out everyday, in addition to the traffic created by the services needed for a continuing care facility. I imagine there is a need for Walnut Creek to have a continuing care facility, but let the city conduct a needs assessment and let the city explore planning options. The County and the city of Walnut Creek should do what's right for its residents. Spieker's proposed project isn't it. Let's do the right thing - let that be your legacy.

Sincerely,

Tai Chang
Walnut Creek resident

Email: tylerchang@yahoo.com (please do not publish my contact information)
Phone: 925-935-4653 (please do not publish my contact information)

From: [Tara Robertson](#)
To: [Sean Tully](#)
Subject: Seven Hills Ranch Development
Date: Monday, August 23, 2021 4:33:20 PM

To who it may concern,

This email is in regards to the nursing home development wanting to grade and destroy the land near Heather Park Farms for a for-profit development that is temporary but the destruction it will be permanent. Just the parking lot and abundance of cars of the development contributes to greenhouse gases like carbon dioxide, methane and nitrous oxide. In fact, the environmental cost of so many parking spaces can also raise the amount of carbon dioxide emitted per mile by as much as 10 percent for an average car (<https://phys.org/>). All this next to a park.

As with any care center, the majority of employees will be minimum wage health care workers, forced to commute down Ygnacio Valley Road. Since nursing home do not want to take any liability, emergency vehicles are called upon constantly called, adding to the negative environmental impact of the area, Like any building, hospitals and other medical settings incur emissions due to the energy consumption of their facilities. However, the most carbon intensive aspects of healthcare are not happening at the hospital itself. The bulk of healthcare emissions are happening elsewhere due to the actions and consumption patterns, 70% of healthcare emissions come from the supply chain, and disposing the the goods and supplies that come from that supply chain. (<https://sustainability.yale.edu>)

As a citizen, we are asked to save water, save energy, be aware of what's recyclable, to be less wasteful. Yet, if you have the money, you can build and use as many resources as you want, but is this the message to send? The environment is in crisis, we have to teach our children, while money is important, a healthy environment is also important.

Draught and COVID-19 are issues that are here to stay and the profitability of healthcare centers is not certain. Surveys conducted by the American Health Care Association (AHCA) and National Center for Assisted Living (NCAL) found:

- 55% of nursing home respondents said they were operating at a loss and 89% of nursing homes said were operating a profit margin of 3% or less. Meanwhile, 50% of assisted living facilities said they were operating at a loss while 73% had a profit margin of 3% of less.
- The top drivers of increased expenses for nursing homes include PPE (97%) staff pay (78%) and additional staff (46%). The top drivers of increased expenses for assisted living facilities is also PPE (95%), staff "hero pay" (55%) and cleaning supplies (50%).
- 93% of nursing homes reported government funding is extremely or very important to help with COVID-related losses for their company.

I ask you to please not destroy land for the short term benefit of making money. While development is not stoppable, we should seek to recycle land that has already been graded for developments, left abandoned, and keep the land, especially one so accessible to a park, for many people to enjoy for generation to come, free of cement, garbage and greenhouse gases.

Thank you for your time.

Regards,

Tara Robertson
Walnut Creek, CA

From: [T.I](#)
To: [Sean Tully](#)
Subject: Comment on EIR Scoping for Spieker Development Project
Date: Thursday, August 19, 2021 8:55:12 AM

Hello;

I am a homeowner directly across from the planned development with Walnut Creek dividing Seven Hills Ranch and my backyard. I enjoy the beautiful view of wild hillsides and see the deer, coyotes running across the fields and trees ever since I moved here in 1997. It was the beauty of the wildlife and undeveloped hillside and trees that drew me to the property. I do not wish to see this development cut down the beautiful trees and expand more than the current plans and already am pained to know the hillside view will be taken away with buildings.

Please do not approve the removal of the current trees on the property any additional expansion of the current plans. What little wildlife we have in Contra Costa should be cherished and maintained.

My son went to school at Seven Hills Ranch school and I applaud their consideration of keeping their building to the east side of the property and preserving the hillside along Walnut Creek. Additional buildings, traffic is NOT what the area needs.

Respectfully,
Tina Ishida, Homeowner

From: [Virginia Lane](#)
To: [Sean Tully](#)
Subject: [BULK] Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 16, 2021 10:28:35 AM

... a haiku...

we don't follow rules
we want to make more money
the silent trees wept

Virginia

Sent from my iPad

Good afternoon. My name is Larry McEwen and I am a member of the Board of the Walden District Improvement Association, which represents over seven thousand residents both in, and to the North of Walnut Creek. Over the last five years, our neighborhood has been inundated with high density developments which either exceed existing local zoning requirements or previously approved agreements with the County. They include 124 condominiums planned to occupy the site of the former Palmer School which will essentially clear cut 100 trees including 6 heritage Oaks, the trunk of one of which is over six feet in diameter; 200 apartments in Block C of the Transit Village where 100 condominiums had been previously approved; 284 apartments on del Hombre rising six stories; and over 40 homes to be constructed by Habitat for Humanity on a lot approved for 15 units.

As you know, all the recent State housing initiatives favor removing low-density housing in the vicinity of Transit Villages by over-riding existing local zoning limitations on development. Since this project does not fall within the parameters of these new State initiatives, the County should take exception to these State laws by drawing a line on other developments in our area not near Transit Villages such as this one.

Now Spieker Development is coming with its plan for almost 500 more units on the 30-acre Seven Hill Ranch site which, according to the developer, will destroy 300 trees and require moving or exporting over 17,000 truckloads of dirt and the construction of retaining walls rising over 20 feet high facing Walden members living on Cherry Lane. We would like to see an eye-level depiction of the site's planned profile when completed as viewed by our members on Cherry Lane. This retaining wall would also preclude the possibility of creating a pathway along the Creek providing additional access for residents to Heather Farms Park and the Country Wood Shopping Center.

Enough is enough! Walden is tired of being run roughshod by developers planning around a thousand new housing units for which our members will bear the brunt of the environmental and traffic impacts. Ideally, the Seven Hills property can be converted into a park for the use by the public affording access to Heather Farms. Alternatively, if it must be developed, let it be in accordance with current single family zoning as contained in the County's General Plan.

From: [Larry/Kathy](#)
To: [Sean Tully](#)
Subject: Fwd: Walden comments on the EIR for the Seven Hills Ranch development
Date: Wednesday, August 25, 2021 8:04:56 PM
Attachments: [Letter on Seven Hills - JLP.docx](#)

Sean: Here's a written copy of my comments on the above event.. Have a good vacation.

Thanx,

Larry McEwen

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

From: Larry/Kathy <elmwoode@comcast.net>
To: Jeffrey Peckham <jlp94597@gmail.com>, "Dominguez, Leo" <leordominguez@gmail.com>, Fred Nelson <bigkahuna47@yahoo.com>, Christiane Wilson <paralegal1@comcast.net>
Date: 08/16/2021 5:19 PM
Subject: Walden comments on the EIR for the Seven Hills Ranch development

Attached are the comments which I made on behalf of Walden to the County at today's hearing for the Environmental Impact Review for this project. If you would like to submit comments of your own, they should be sent to Ruben Hernandez, Department of Conservation and Development, Contra Costa County. The deadline for written submissions is next Monday.

Larry McEwen, Secretary
Walden District Improvement Association



PO Box 309, Walnut Creek, CA 94597

August 23, 2021

Mr. Sean Tully, Principal Planner
Contra costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

Via Email Sean.Tully@dcd.cccounty.us

Dear Mr. Tully:

RE: Notice of Preparation for Proposed Spieker Senior Continuing Care Community Project

Following are our requests for topics to be included in the Environmental Impact Report for the Spieker Senior Housing project at Seven Hills Ranch.

Summary of requests for investigation in the EIR

- Dependence of birds visiting Heather Farm Park's e-bird hotspot on Seven Hills Ranch resources
- Evaluation of listed species' presence in wetlands and perennial streams, or elsewhere on property
- Thorough evaluation of valley oak woodland, including realistic replacement options
- Effects on air quality
- Evaluation of visual effects of solar panels, if used
- Evaluation of project alternatives that conform to the current General Plan

Discussion

The Seven Hills Ranch property is unique, both in terms of its location and its lack of disturbance. The site is part of a larger open space area that includes the adjacent Heather Farm Park, Diablo Hills Golf Course and connections to Shell Ridge and all of the open space and park land to the south and east. Because of this, the property is used as a migratory corridor for wildlife that includes Shell Ridge and the Heather Farm natural areas. The fallow land along the creek north of the property probably extends the corridor all the way to Suisun Bay via the Walnut Creek channel.

There is an e-bird site in Heather Farm Park with about 1300 separate lists and sightings of up to 178 bird species (Figures vary somewhat, but are impressive and indicative of the site's richness, popularity, and long staying power.) The dependence of these birds on the resources of the Seven Hills habitat should be investigated in the EIR, not only for dependence of any listed species, but general dependence. Common species are the basis of any ecosystem. Heather Farm has a small nature area, but it isn't large enough to sustain the current number and variety of birds by itself.

The site contains some scarce and important riparian resources. There are very few natural, perennial wetlands and waters in this area, which make the perennial tributary that bisects the site as well as the tributary to the west critical to native wildlife. The EIR should include studies to see whether California red-legged frogs, California tiger salamanders, western pond turtles, and any other listed or otherwise significant species are present.

The site also contains important valley oak woodland including a number of very old, large trees.

Because of these and other important resources on the site and the fact that the site has largely been undisturbed, the biological reports and mapping that have been commissioned by the applicant should be the subject of an independent peer review as part of the Environmental Impact Report (EIR).

Even a cursory review of the site demonstrates that the arborist's report is inadequate; it doesn't properly document all of the trees on the property and fails to account for damage to the trees' roots as a result of project grading and retaining wall construction. An updated and more complete and accurate survey of the trees is required in order to ascertain the extent of the potential project impacts.

Perhaps even more importantly, the mitigation suggested by the arborist's report doesn't comply with standard, accepted practice for oak tree mitigation. The report calls for just one 15-gal tree to be planted for each of the protected valley oaks that would be removed. This replacement ratio is inadequate and does not comply with the standard, accepted practice for oak tree mitigation. The minimum amount of oak tree mitigation is usually 3:1 based upon the diameter at breast height (dbh) of trunk of the tree.

Finally, the project as planned does not contain enough undeveloped land for even these replacement trees, much less the number of actual trees that should be required given the status of these protected oaks and what will be required by state agency staff.

Therefore, given the importance of the site and the resources involved a more complete analysis of the site and the biological resources and mapping should be completed as part of the EIR and an adequate arborist report should be undertaken.

The property in its current state is a carbon sink and the proposed project would remove most of the natural resources making it so while adding sources of pollution. The project's effects on air quality – both temporary and permanent – should be evaluated as part of the EIR.

If the proposed project is going to use solar energy, the glare effects of the solar panels on both birds/wildlife and neighbors should be evaluated.

In addition to the proposed project and the no-build alternative, we request that the EIR also evaluate the following types of projects:

1. A project that would be legal under the existing 3-5 single family/acre zoning and Single Family Medium land use
2. A planned development that would leave part of the property in its natural state and allow access to and from the neighborhood and the park
3. A project that would largely honor the City of Walnut Creek's General Plan that leaves this property as open space
4. The need for additional senior housing given the number of similar projects already underway nearby and the need for senior housing elsewhere in the county

Thank you for considering our comments and requests for further information.

Yours truly,

A handwritten signature in cursive script that reads "Bill Hunt".

William Hunt
President

From: [Bill Hunt](#)
To: [Sean Tully](#)
Subject: comments for Spieker Project NOP
Date: Monday, August 23, 2021 4:41:56 PM
Attachments: [WCOSF NOP Comments for Spieker Project.docx](#)

Sean,

Please see attached comments from the Walnut Creek Open Space Foundation on the Spieker Project.

Bill Hunt

President, Walnut Creek Open Space Foundation

From: whillemsen@aol.com
To: [Sean Tully](#)
Subject: Fwd: Seven Hills Ranch Development
Date: Thursday, August 26, 2021 1:13:27 PM

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

From: whillemsen@aol.com
To: sean.tully@dcd.cccounty.us <sean.tully@dcd.cccounty.us>
Sent: Thu, Aug 26, 2021 9:42 am
Subject: Seven Hills Ranch Development

Sean-

I just wanted to comment on the proposed development of the Seven Hills Ranch. As you know the 30 acres are a beautiful combination of rolling hills and valleys. This area could be easily developed into a single dwelling housing project without destroying the natural beauty. It is located in the center of Walnut Creek near schools and shopping. It would seem to make a lot of sense to provide more housing in Walnut creek. It would provide an excellent source of tax revenue as would the current plan. If carefully planned this has the potential be a amazing combination of housing and park area. This is an unusual opportunity to add 30 acres of housing to an already flourishing city. Housing is in great demand currently in Walnut Creek and this could help the situation.

I am not going to go in to all the other reasons for changing the current plan. It would seem the current proposed project would fi in better with the Naval Weapons Station project.

Regards,
Wayne Willemsen

From: [Wendy Reynolds Buckley](#)
To: [Sean Tully](#)
Subject: Public comment on ERI scoping for Spieker development project
Date: Friday, August 20, 2021 3:47:46 PM

My name is Wendy Reynolds Buckley. I am an attorney and I am a 20 year resident of Walnut Creek and live in the Northgate area. As elected officials you represent the citizens of Contra Costa County, more specifically Walnut Creek citizens in this case. I don't even know where to begin. There are SO many reasons why you should not allow another new development to be built in Contra Costa County on Seven Hills Ranch.

Firstly, the land is zoned for open space and not for commercial or residential housing. The citizens of Walnut Creek need to keep these trees and animals. We do not want 17,000 dump trucks full of soil to be excavated from the site. We do not want 400 plus trees to be torn down especially when most of them are PROTECTED. What does protected mean if it means the trees can be taken down?!?

Secondly, our infrastructure cannot sustain the cars that are already traveling up and down Ygnacio Valley Road everyday. For the tens of thousands of Walnut Creek citizens who live in the Northgate area, this road is the only way to get to our two hospitals, freeways and downtown area. Adding another 1,000 plus cars for residents and employees would overburden the already congested parking lot that we call Ygnacio Valley Road.

Thirdly, the citizens of Contra Costa County have already been asked to conserve water because of the drought. Adding a 500 unit development to an already water deprived area is ridiculous! Another housing development was just turned down in San Ramon for this very same reason! In addition electricity and power needed for this huge facility is also extremely problematic. The citizens who already live here barely have enough power and are told to conserve energy. Some days our power is turned off completely yet you are considering adding more people and a huge facility that our infrastructure can't support?!

Lastly, you represent the citizens of Contra Costa County not this development company. It is very clear that the Walnut Creek citizens do NOT want you to re-zone the open space nor do they want Seven Hills Ranch to be demolished for a senior facility. There is no logical reason for this development please say NO!!

Wendy Reynolds Buckley, Esq.

From: [Yvonne LaLanne](#)
To: [Sean Tully](#)
Subject: Spieker Development Project EIR
Date: Friday, August 20, 2021 12:43:38 PM

2 Seven Hills Ranch letter to County Aug 2021

Sean Tully,

Sean Tully@dcd.cccounty.us

RE: Public Comment on Environmental Impact Report for Spieker Development Project

OH GOOD GRIEF !

As an over 35 year resident of Walnut Creek it is inconceivable that this development would be considered a good idea. Walnut Creek and CCC both have two huge, ongoing, long standing problems:

ever increasing traffic and lack of housing. Residents have been promised over and over the government will address and solve these problems. This Spieker Development Project is guaranteed to make these and other problems worse. All this in the name of corporate greed, and for the supposed benefit of several hundred upper class retirees. Of course, those residents will also have their quality of life reduced by the same increased traffic, strain on scarce resources such as air quality, water and lack of natural spaces.

Once again the citizens of CCC are asking what is the use of all the hard work put into the formation of General Plans, if the plans are thrown out at the behest of a large overdevelop.

On behalf of all who live in CCC, use Heather Farm Park, drive Ygnacio Valley Road, and live along that corridor PLEASE stop this bad idea from going forward. Any part of an Environmental Impact Report should be enough to end this potential environmental nightmare.

With serious regard,

Dr. Yvonne LaLanne

147 Los Altos Ave

Walnut Creek, 94598

CC: Kevin Wilk, Mayor Walnut Creek , kwilk@walnut-creek.org

Supervisor Karen Mitchkoff, district 4, CCC Board of Supervisors

supervisormitchoff@bos.cccounty.us

Michele Sheehan, Save Seven Hills Ranch

"Save Seven Hills Ranch" <SaveSevenHillsRanch@gmail.com>

[Assembly Member Rebecca Bauer-Kahan](#)-DEM # 16

12677 Alcosta Boulevard, #395, San Ramon, CA 94583

[Senator Steven M. Glazer](#)-DEM # 7

51 Moraga Way, Orinda, CA 94563

League of Women Voters, Diablo Valley

Mary Schreiber

action-advocacy@lwvdv.org

Sent from [Mail](#) for Windows

8/16/2021 Zoning Administrator's Meeting

3:30 Session

Item 2a.

Scott Sheppard: Good afternoon, everybody. Can you hear me? My name is Scott Sheppard, my wife and I have been residence here in Walnut Creek for 15 years. We have 3 daughters and put them through school in Walnut Creek. I am a CPA in the construction industry. I understand the issues we are facing here and the biggest concern I have coming out of this EIR report is going to be the fact that your talking about destroying 30 acres of pristine, undeveloped land that the City of Walnut Creek would never be able to regain back. I think that its disingenuous that the Speiker Senior Development partners to believe that somehow they are going to bring nature back and figure out how to replace 400 trees and make a 600 unit parking lot garage, somehow a piece of natural beauty that will replace the existence of open space that we cherish and love as Walnut Creek residence. I hope and pray that the people at the Zoning Administration understand how important this is. That the 80 people that are on this call are only a small slice of the people that will stand up against this. Now the EIR is important, but the truth is the Zoning cannot be changed to allow this. The plan for that land never allowed for this type of development. Speiker knows that so we ask all of you to protect our open spaces, who understand the Walnut Creek community. Do your part. Thank you.

Larry McEwen: Good afternoon, my name is Larry McEwen and I'm a member of the Board of the Walden District Improvement Association, which represents over 7,000 residents, both in and to the north of Walnut Creek. Over the past 5 years, our neighborhood has been inundated with high density developments, which either exceeded local, existing local zoning requirements or previously approved agreements with the County. They include 124 condominiums planned to occupy the site of the former Palmer's School, which is actually clear cut 100 trees, including 6 heritage oaks, trunk of one of which was over 6 feet in diameter, 200 apartments in Block C of the Transit Village, where 100 condos have been previously approved. 284 apartments on Del Hombro rising 6 stories and over 40 homes to be constructed by Habitat for Humanity on a lot approved for half that. As you know, all the recent state housing institutive favored moving low density housing in a vicinity of transit villages by overriding existing local zoning limitations of development. Since this project does not fall within the parameters of these new state initiatives, the County should take exceptions to these state laws by drawing a land *** of other developments in our area, not near transit villages such as this one. Now, Speiker Development is coming with this plan with almost 500 more units on the 30 acre Seven Hills Ranch site, which according to the developer, will destroy more than 300 trees and require moving an extra 17,000 truck loads of dirt, construction of a retaining walls, rising over 20 feet high, facing Walden on Cherry Lane. We would like to see an eye level depiction of the sites plan profile when completed as viewed by our members on Cherry Lane. This also retaining wall would also include the possibility of creating a pathway of the creek, providing additional access for residence to Heather Farms Park and the Country wood Shopping Center. Enough is enough. Walden is tired of being *** by developers planning around a thousand housing units. Our members will bear the brunt of the environmental and traffic impacts. Ideally, the seven hills property can be converted into a park used by the public ***** access to Heather Farms. Alternatively, if it must be developed, let it be in accordance with current single family zones as contained in the County's General Plan.

Patricia McGowan: My name is Patricia McGowan. I live at 3799 Harrison Street in Oakland. I'm a retired Urban Planner and I've been offering my professional input to the Saves Seven Hills Ranch Community Group. The key environmental impacts that I'm requesting included in this EIR are four categories. First one is the temporary impacts from construction. Particularly the air quality impacts, dust and noise. All three of those during construction of this project will last for years. Related to air quality we asked that you look into the diesel admissions from all the earth work equipment and the trucks to be used to move around this excessive amount that the dirt that the developer would like to remove and move around the site. Also, the air quality impacts from *** those impacts on the children that use the adjacent school. The general public, both the kids and adults who use park and the adjacent golf courses as well as the area residence. And then the air quality from the impacts from the diesel trucks that will deliver all the concrete and the asphalt, construction equipment throughout the four year construction project. The next impact that I'd like to request the EIR consider is to analyze how the project will comply with the County's required compliance with the ABAG, which is the Association Bay Area Governments regional housing needs allocation. Many of you might know preliminary determination made by ABAG and unincorporated Contra Costa County in the 8 year period coming up from 2023 to 2031 over 7,600 housing units need to be built in the County and an additional 5,800 units in Walnut Creek. So the notice of preparation states that this project doesn't have any residential component. So if that's true, I would like the EIR to indicate how the project advances the County's requirement for compliance with the regional housing needs allocation. Third, I request that the EIR analyze how the project will comply with the County's Inclusionary Housing Ordinance or explain why these buildings will house 700 people are not considered housing as it relates to the County's Inclusionary Ordinance and then lastly, I request that the EIR include an alternative development scenario that complies with the County's General Plan, which is medium density residential on this site. And that scenario would have less disruption to the natural site, less earth work and more trees. Thank you.

Trevor Cappa: I am a resident of Walnut Creek, about 2 blocks away from where the proposed development is and I'm a local CPA. I'd like to propose that the EIR limited in scope as possible. As we should all know, California has a housing crisis and developing these units is extremely important. This development is less than 2 miles away from BART and also to remember that inputs like these are extremely unhelpful in the development of housing. There are 80 people on this call and 70,000 in Walnut Creek so we have about .01% of the City's population here and remember when we are talking about this pristine open space, we are talking about hills, with some dead trees on them. It's not a pretty space, there's a park right by that still is open space as a result, I'd like to ask that we limit the EIR as much as possible in order to promote housing, affordability in the area. Thank you.

Michelle Sheen (sp?): I'm from Walnut Creek. I want to thank you for accepting our comments today for the review process on the Spieker Development Environmental Impact Report. I speak here today for Save Seven Hills Ranch, a grass-roots organization which admittedly feels there are better ways taking advantage of this sites closest to the city of Walnut Creek Heather Farm Park and its unique history of being recognized for its beauty, rolling hills, spectacular views and intact natural habitat. Save Seven Hills Ranch has close to 2300 signatures on our "Save and Sensible not Super Size Petition" and has a large core group of active supporters. We will be sending in written comments for several of the impacts which we would like to ensure the EIR addresses. But today I'm going to talk about only two we would like included. We ask the EIR examine the project conformance with relevant land use plans and regulations of both the County & the City of Walnut Creek General Plan and Zoning Ordinances. The

project site is within the City of Walnut Creek's sphere of influence. And that must be taken into account in the EIR. In particular, the city has ordinances relating to hillsides and ridge line development, which must be recognized, along with prohibitions on ungated communities. Secondly, we ask that the EIR recognize the unique location next to the City of Walnut Creek Heather Farm park. A city park that is used by 1 ½ million people per year. The site sits across of heavily used public walks, bike ways and trails. The sites visibility to park, trail and walk way uses and the proposed illumination of the possibilities of the ***** must be considered. We asked the EIR **** that the project is unusually high retaining walls and it's complete wall off design will create an inaccessible compound which eliminates the connected possibility for this site, for people as well as wildlife. I'd also like to address that it does not fulfill housing requirements. It is not in any way affordable or fulfill any of the inclusionary requirements. There is a lot of downtown in Walnut Creek, we are looking to having housing there. And this open space is definitely not good trees, it has a beautiful, pristine natural environment. And I would say it needs to be considered in the EIR. Thank you

Sarah Calen (sp?) I am a resident of Walnut Creek for 30 years. I am 30 years old so this is where I was born and raised. I went to Buena Vista Elementary School, Walnut Creek and Carondelet High School and I graduated from St. Mary's with an undergraduate degree. So the plan for Seven Hills need be improved. The greatest improvement would be redeveloping as a cultural or historical and nature preserve. The loss of echo systems and urban environments is a long standing issue, which has been studied ambiguously. The increment of change is slight though it shifts the baseline each person perceives. So that the current echo system as perceived by the current generations is normal, when in fact it is grossly abnormal. Diminishing green space is nearly unperceived happen over time and this change contributes immensely to the position many cities eventually find themselves in. Less attractive, more crowded, offering less to wildlife even far less to humans. While intended land used decisions without this perspective and in combinations with developers, typical short term profit driven mentality. Diminish our lives and the lives who follow us. This project as proposed is seemingly well intended short sided proposals. The impact on quality seems obvious. More air conditioning units require more power. More pavement as approved to greenery. Carbon dioxide lowering in plants and trees. If sounds to trite or obvious, review the NOAA temperature charts in the last 50 years and compare to the loss of trees world wide. It's pretty obvious. The long term use of this space should be that. Long term. Though there is a need for senior housing there are need for many previous developed sites still to be repurposed. Fortunately, Developers shy away to these due to the lengthening of the project time line when demolition or other clean up needs to be done. Clearing trees and grading prior to construction is so much easier and more profitable for these companies. Please consider these environment when disposing of the current plan for Seven Hills. Thank you.

Leslie.....: I represent two groups today, I'm president of Friends of the Creeks and a board member of Walnut Creek open space foundation. One of the things that concerns the friends of the Creeks is access to the creek from this development, there is none. We would like to see opportunities for this along the back of the property where the creek is and would like to consider what could be done to bring *** to the water shed. The creek, the key to that is the creek flow channel which is behind Seven Hills Ranch. There are a couple of opportunities there we would like preserved for future use. Second, public access is easily possible along the creek but none is provided we would like to see that for two reasons, so that people can enjoy the creeks but so that there can be public access on the west side of the park and an opportunity for a non vehicular traffic route for other points east, such as Countrywood Shopping

Center. ***** is more important than it is now. We would like to see meaningful analysis of the wetlands for listed species particular CTS and CLRS we are concerned that the wetlands is going to be buried in a canyon and the animals are not going to like it, even if there are no listed species there. We also joined the chorus of people asking for evaluation of different alternatives. Uh, we too would like to see an analysis of a single family median project. At least one, either three or five units per acre and one for a planned development, which would concentrate development in part of the site and leave the rest of the site open as open space publicly accessible. Ready to be enjoyed by all. If the pandemic has taught us anything, it is that people like the outdoors and their opportunities to be in it. I think that the plan elevations that are provided are an improvement over what was in the original plans, but they still are not in context, and I believe the public could use more help in interpreting those things by seeing some trees for scale, etc. Moving onto the moment Creek open space foundations issues. They too, are a you know, signing onto the last three, the wetlands, the alternatives, and the elevations. Heather Farm is a birding hotspot. They're up to a hundred and seventy eight species, three thousand different lists. These numbers are a bit vague, but there's substantial whatever the exact totals are. thank you.

Marsha: Hello, my name is Marsha Nuey, my husband and I have lived for twenty six years e 521 anderson way in Walnut Creek, which backs up to Kinross Drive. We would be greatly impacted by the proposed speaker development and strongly recommend you do not approve it. On the other side of Kinross Drive from our home is a group of eleven homes that sit on the street club view terrace. When this development was proposed and eventually approved by the City of Walnut Creek, we were promised by the City Council members at the end of Kinross Drive would remain closed and access to Seven Hills Ranch would not be allowed from that point. The City Council knew of our concerns to maintain a quiet residential neighborhood consistent with the city of Walnut Creek 's General Plan. Kinross Drive has an elevation change of twenty feet in less than a tenth of a mile. We now experience vehicle noise as cars and trucks accelerate going up the hill. If this project were to proceed, we would be exposed to the daily traffic noise of hundreds and hundreds of cars and trucks going in and out of the development. This would change our quality of life and make living here are very different. Seven Hills Ranch is a jewel in our community. As it sits next to Heather Farms Park, it would be a wonderful opportunity to extend the park by adding Seven Hills Ranch towards the ridge. As Leslie just said before me, the pandemic has shown us the great need for outdoor recreational space. I hope you can see the possibilities. That would save hundreds of trees, maintain habitat for many animals and birds, and keep our quality of life that we enjoy living here in our community. Thank you.

Rosemary: I'd like to express my concerns on several areas of the ER. Report the property at Seven Hills Ranch has been zoned agriculture for over a century. It has been a Wildlife Refuge all that time. Currently, there is many, many deer, turkeys, coyotes, fox, and a large variety of hers who called this home rental and Cooper Hawks have nests in the mature trees there. Acorn woodpeckers, great horned owls, swallows Bluebirds, Black headed grosbeaks and many more also live in the mature trees. For birds, there is absolutely no replacement for mature trees needed for nest safety and food. The Speaker Plan Corporation plans to remove nearly four hundred trees, of which approximately three hundred and fifty of those trees are currently on the county's protected tree list. Any attempt to replace mature trees with a fifteen gallon tree replacement means absolutely nothing to the wildlife that these trees that need these trees. This plan will decimate the bird population. In these times, the California wildfire is burning down our forests as I speak. Right now it seems ludicrous to allow speaker to destroy one

hundred and two hundred year old California Oaks. California last eighteen million trees in twenty eighteen to disease and fire. Who's going to monitor how is Speaker is protecting the few trees they're planning on keeping. What is the oversight of wildlife there? How will trees on Heather Farms H O A property be protected if the trees root system extend ten to forty feet past the property line of the H O A. Their plan is to cut start cutting the hills down just ten feet from the property line and four, ten to fifteen to twenty feet retaining laws. How will this affect and protect our existing trees on our side of the fence? My foundation, by the way, is just eight feet away from the property line so how is all this destruction of these hills and moving hundreds of tons of soil when it affects the buildings on our side of the fence? Who will be protecting our buildings and foundations from damage, regarding the transportation why is the city and county approving only one entrance into this property? There are currently four H O A and one apartment complex consisting altogether of 912 units using Marchbanks, plus a golf course and restaurant, which receives approximately 200 cars a day or around 73,000 visitors a year. Also, approximately 1.5 million visitors visit Heather Farms Park and they also use Marchbanks as well, which is just a two lane roads. Each lane is little over 9 foot wide, not the standard 10 foot wide bike lanes on each side of the road is only 41 inches wide, not the standard 6 foot average width the smart banks is more narrow than the average street. The average width of a junk truck is 9 feet. That means there is only 6 inch clearance between large dump trucks going up and down the street, and bikers and walkers using the bike path lane. Clearly not enough room for safety. I'm requesting the county explore all options of entry to Heather farms, not just the Kinross drive. Thank you.

Mike Young: I'm a long term resident here in Walnut Creek and live very close to this proposed massive megalopolis, which I think is completely out of sync with surrounding areas and with Walnut Creek. But, I would like the environmental impact report go into a deep analysis about the fact that there is no water for this project, we are in a state of severe drought. In May, Governor Newsom declared forty one counties, including Contra Costa County to be in a state of drought emergency and asked for a fifteen voluntary percent cut consumption of water. In April of April, 27, 2021 East Bay mud declared a drought emergency. And I think, Contra Costa County water district is it's the water district that would service this proposed area. On July 8, 2021, Contra Costa Water District asked its customers for a 10 percent voluntary conservation and stated that we are in stage one of the drought and that we have water shortages. Also in May, the Contra Costa Water district was told by the federal government that it's water allocation from the Central Valley Project was reduced and that the district would receive only enough water to meet public health and safety standards. And if you go online to drought.gov, 100% of the people in Contra Costa County, it says, are affected by the drought and this lack of water is the driest July since for a hundred and 27 years, rainfall is 7.4 inches below normal. There is a lawsuit down in Tassajara Valley or two or three lawsuits. Some of lawsuits revolve around the fact that there is no water in sufficient water. East Bay mud could not certified. They state that we cannot service that area for water, and I suspect that Contra Costa Water district would say the same thing about this proposed monstrosity. So, I request that the EIR include a thorough discussion about the draft long term effects of the drought and where the water is going to come from for this huge project. Thank you under three minutes, I think.

Amara Morrison- I am an attorney with Wendel Rosen in Oakland. We represent the Seven Hills School connection with its interest in the development of the Seven Hills Ranch. Given its proximity to the school. By way of background, the school is operated in its current location and Walnut Creek since the 1960's schools population is currently 420 students, and serves preschool, kindergarten primary and

middle school students, which age from 3 to 15 years of age. For decades, students at the school have spent their days overlooking Mount Diablo from their campus, and I've also enjoyed the rolling hills that extend from the school to the west. Indeed, many of the students play on play structures and playgrounds immediately adjacent to those hills, which is the site of this development proposal. I will stay at state at the outset that my client finds the proposal in its current configuration unacceptable due to its lack of respect for and sensitivity to the environment. Aside from the topics, which are listed on pages 3 to 5 in the Notice of Preparation, we request the following issues also be included in the environmental impact report. We see that the projects impacts on BMT 's are going to be evaluated, but we feel that the projects impacts on level of service should also be evaluated if the county has not yet adopted BMT as the sequel threshold. We also see that the environmental impact report is proposed to address noise and vibration in addition to air quality impacts. And we request that the impacts of the extensive amount of grading here immediately adjacent to the school be analyzed in terms of air quality impacts to sensitive receptors and according to the Cal Air Resources Board School age children are considered sensitive receptors, so I'd want to see particular attention paid to that in the EIR's analysis to this point. We would also note that the construction is estimated to last between 3 and 4 years and request a thorough analysis be prepared relative to noise and air quality impacts to the students during the duration of this construction. We also request as Miss McGowan, I believe her name is pointed out earlier, a detailed analysis of the air quality and noise impacts resulting from the truck trips, particularly the result in greenhouse gas emissions, diesel emissions, which are necessary to accommodate that level of earth movement. A fugitive dust impacts should also be impacted, the school is directly located west and would suffer from those prevailing winds coming from the west. The issue of noise, we would also request a close analysis of the operational noise, particularly as it relates to the Medical Center, which is going to be immediately adjacent to the to the school and on the issue of aesthetics, we feel that the EIR should employ the use of some level of photo simulation to show the impacts of the project during construction and also post construction perhaps 2 to 5 to 10 years out, and this is particularly important, given the extensive removal of three hundred and some trees which were going to be removed as a part of the project, and finally, as has been noted by many of the commenters, this afternoon, we request that the applicant and staff work to develop a robust set of alternatives which can be meaningfully proposed, and we would also be consistent with the current zoning for the property, and we just have to believe that there are a range of alternatives that will have far fewer environmental Impacts that this project is likely to result in. Thank you so much for your time and attention and consideration of our comments and we will be submitting written comments in advance of next Monday's deadline. Thank you.

Bruce Reeves: Uhm, environment suggests long term to me, and I'm thinking a hundred years ahead. Looking back at Walnut Creek and Contra Costa County. And I'm wondering what the positive and negative feelings would be of our great grandchildren as they look back on this period of time and see the housing this proposed by Spieker, versus the open space that we now have, and I would urge those who are involved in all of this to try to think a hundred years ahead. We've lived here since 1962 worked with Gary Gender and others on the open space project that has resulted in the current Walnut Creek open space. I don't think of us as tree huggers. I have a feeling that there's an awful lot of cynicism out there among certain groups. We're thinking money. The thing that attracts people to Walnut Creek is not further development, and I think the EIR should take that into account, so I appreciate what you what you're doing. I appreciate the effort that you're making. Thank you so much.

David Martin: I live on Seven Hills Ranch road. My wife and I've lived here for 24 years and to the gentleman who referred to the land is just a bunch of hills with dead trees. Let me assure you that it is not back when Sheridan Hale was alive not many years ago my family and I used to walk up along those hills and it is a beautiful piece of property. And the trees are very much alive. I will keep this short. And it first to express my agreement with several speakers who have come before me, particularly Patricia McGowan, Michelle she and Sarah Kaelin, and recently Amara Morrison. I want to say that I really believe that the size and scale of what is being proposed is absolutely out of character, with not only with what is in the general plan, but the surrounding neighborhoods that leveling the proposed leveling of the hills and the filling in of the **** and leveling to build out what looks like a battleship sized type Fortress with high retaining walls will be visible for neighborhoods, it's from the surrounding neighborhoods and the loss of all the trees and impact on the wildlife and the long term environment. And I appreciate Sarah Kaelin's comments on the long term environmental impact and how important it is that it's that city and county governments pay such important attention to this as we must across the whole world. So the size, scope and impact our inappropriate I, I believe that the general plan should not be amended to accommodate it. The zoning should not be changed and I echo and support the comments that reasonable alternatives be developed for the property.

Arvind Ramesh: Yeah I was just calling in. I'll keep it short as well. I would implore you guys to keep the EIR as small as legally possible and streamline housing that is desperately needed in the area. An EIR is an environmental law that is often abused to stop new housing, and for those of you who are not familiar, that's that's one of the reasons why housing is so ludicrously expensive in California. Meetings like this, a lot of people show up and throw every reason you know that they can find to block new housing. And again, I love nature as much as anyone. Here I make heavy use of the parks open space, the trails that we have in Walnut Creek, but I also do want to acknowledge the magnitude of the housing crisis that we're in right now. It's much easier to sit here and block housing when you're a longtime homeowner is not affected by sort of the crazy things that are going on two million dollar houses with twenty or thirty bids on them, so you know, I know I'm not gonna convince people on this call, but at least consider what it's like for the next generation, who you know, wants to buy a home or it has a home burdened with housing costs. And yeah, just sort of as a background I went to Valley Verde Elementary School. I went to Foothill Middle School, Northgate High School. I've been here my whole life and I basically have seen almost all of my peers priced out the area. So you know, just take a second to think what are the outcomes of sitting here and blocking every housing development that comes up, you know. And it's always, oh, it could be different. It could be this, but at the end of the day, the end result is housing just gets, it just gets blocked so yeah, I think these four fifty homes senior homes are again desperately needed. You know? Obviously we have a lot of seniors that could use that housing. And then when they move their their old homes get opened up for new people. So yeah, I would just reiterate that you know the eighty people on this call that are many of which are against this project. I would stress that they represent less than point. One percent of Walnut Creek, let alone Contra Costa County. So to all the decision makers on this call, I would implore you to keep this EIR smallest possible. Streamline housing that is desperately, desperately needed and think about all the people out there that may not know this call or don't have time to attend calls like this and you know make make the right decision and approve the project. Thank you.

Robert Tobin: I am taken by the sign. If it's not up now, but when the meeting started it said this is the Department of Conservation and Development. And so I'm just struck by the balance between those two things. And I empathize with the struggle to how you harmonize those. My understanding from dealing with this issue elsewhere is that that's why you have a general plan. And that's why you have zoning. Because conservation is not going to generate tax revenues at the county and the cities desperately need after Prop. 13, and so it's the general plan. The zoning are always that those two things are going to be balanced because otherwise you know development is just going to drive the process. And so I would just challenge and besiege really the decision makers here to look at both sides of that challenge. And to see that it's that it is the general plan is owning that establishes that the level playing field in which developers are all told where can be developed. What can be developed, how it needs to be developed, and when you start changing zoning rules and general plan, pretty much the level playing field goes out the window. And that's not how it's supposed to work, because otherwise the Department of Conservation and Development will be the Department of Development. And that's kind of it. And we are depending on you to do both and to give them equal attention. Even though the economics is on one side and not the other. Thank you.

Anne. I live here in Walnut Creek. In the Heather Farms area. And I just want to preface my comments by saying I'm not opposed to development in general, and I'm certainly not opposed to senior housing because I am one. But anyway, I am opposed to this development for many reasons, and many of the reasons people have already stated but certainly, starting with the devastation and destruction of open space, the leveling of seven hills to removal of three hundred and some trees and the displacement of the wildlife and replacing natural habitat and open space with a development that Walnut Creek already has. Actually, in Rossmore. Rossmore houses short of ten thousand citizens in a city of approximately 70,000 citizens so and then not to mention you have senior housing throughout Walnut Creek, such as Sunrise assisted Living, Kensington Heritage, Oak Creek. There's a new place in the Shadelands and that's just to mention a few. So our seniors are definitely being taken care of. The question is who does this development serve otherwise? It's certainly not deserving are Walnut Creek children or Walnut Creek teens or young adults. It doesn't serve young families. It's not serving established families here, and it's certainly not serving the middle agers coming and going from work and that may middle age folks here about fifty five percent of our Walnut Creek population. However, open space does serve the greater community as it serves by providing a quality of life in an aesthetic that most of us have lived here, moved here for. This really, you know, was highlighted during Covid when we were able to get out finally in this. The only place we could go in the wildlife that we could enjoy. This is part of our neighborhood. It's smack dab in the middle of the established quiet neighborhoods and in the middle of our trails and bike paths. And it's again it's one of the reasons we've moved here. You know, Walnut Creek has always done a great job of combining progress, growth and development while maintaining and protecting our open spaces, this open space so I guess for me the final plea is to not change the zoning on this, to not disturb the general plan. That's what we've come to count on and you know we can do better with this land and if the county believes we need more of this type of housing for seniors, that's fantastic. Move it. It's a big county. We can move it off to the side where you're not going to planking.

David Andre: Yes we can everybody I've really enjoyed all the speakers except for two. I've lived in this town my entire life. And, well, not my entire life. I moved to Santa Cruz and then Oakland and San Francisco. I've seen a lot of development and I just want to say this is just a really bad idea. I am not

specific as some of the other speakers are that know the laws. And no everything going on, but it's such a bad idea to cut down any tree, any tree that's lived three hundred years, two hundred years, hundred and fifty years. This is ridiculous. What's going on and try to drive down in Asia Valley Road right now and imagine what this is going to do to that. It is just ridiculous that this is even being considered and you should not rezone. You cannot reason you cannot do this. OK and I got a song for you. *Let's save the trees. I'm going to keep it under three minutes. Let's save the trees. We've got to see the trees. Let's save the trees, come on lets save the trees.....*" And then I'm going to give it up to someone else who knows more of the technical jargon. Thank you.

Mike Scott: I'm a forty six year Walnut Creek resident. Now most of us have read in national news magazines at Bay Area traffic now no longer trails LA's but it is as bad. Our air quality, worse than New York City's. Overbuilt, overheated Walnut Creek has 71, 000 choke people. The immediate West County area, a quarter million. Ned Spieker Jr. of Menlo Park, wants to build a Rossmoor, Jr. on the only remaining unspoiled parcel, this side of six lane divided highway Ygnacio Valley Road. Leveling, rolling pastoral hills a third of a million cubic yards of earth. 17,000 truckloads. Rip out 400 oxygen returning trees, 353 of them protected. Under Contra Costa County chapter 8.16-63 protection and preservation. Look it up. We would think these wealthy seniors, certainly our cities children. There are three schools in the immediate area can use all the oxygen fresh air they can get. Heather Farm Park was fine in 1970 when Walnut Creek population half today is. Adjacent Seven Hills Ranch provides not just oxygen breathing room for us all, but it's home to myriad wildlife. Allows rainwater absorption for already depleted groundwater. Ned Spiker's proposal will strain already overburdened sewers. Our electric grid. Leave are overwrought city with more noise. Air and light pollution, the latter interrupting human circadian rhythm, causing breast cancer in women. All this for an unneeded senior community for the one or two percent. Including a huge restaurant with liquor license. Which could be built on numerous other already leveled sites like the **** Rossmoor Shopping Center, a ghost town husk other than Safeway Rite Aid, Starbucks, the unrelenting noise and dust alone from four long years of this Dresden. is but prelude to leaving Walnut Creek akin to Daly City it's unhealthy by any yard stick and destroys the last direct connection to Walnut Creek's 19th century heritage. I surrender my remaining seconds to Joni Mitchell. "Paved Paradise put up a parking lot with a pink hotel, a boutique. And swinging hot spot."

Sam Van Zandt: My wife and I have lived here for more than thirty years. I moved here from San Francisco to get away from the city, and I certainly don't want to see more city in this beautiful community. And I I wrote some prepared remarks, but I'm also going deviate a little bit. Have you seen the area? It has everybody who is talking today seen this area. It's just beautiful. The Seven Hills Ranch property, I walked over there this afternoon to take another look. It's part of my daily routine to walk over to that area. And yes, it's a hot day, but it was worth it because I just love the area and you should see it while you can. But if you drive Ygnacio Valley Boulevard to get there it may take you awhile, especially during commute hours when the congestion can be really challenging. And after you've seen this site, I want to ask you to imagine how congested traffic will be one hundreds trucks are added each day to remove the beauty of this pristine property. To level this wonderful hilly area, does historic ranch then imagine that after the development after the four years of development is completed, when hundreds of employees and visitors are going to jam this formally quiet, peaceful area with a lot of new traffic, it's not going to be pretty and it's going look like a city. So and the other question is, where is the infrastructure to support all this new traffic and the people who've been the cause of traffic? As I said, I live nearby. I deliver for Meals on Wheels in the area too, so I know a lot about the traffic in the area

and Ygnacio Valley Boulevard is we all know is already overburdened with cars traveling through Walnut Creek to get to Antioch and Brentwood, and that's poor planning in itself. And who benefits from this project? Not the neighbors, not the crowds of travel on YV? Certainly not the taxpayers of Walnut Creek. The scheme is designed for the convenience of one tiny group of wealthy seniors without thought to the rest of the senior community of Walnut Creek or the community at large. The project benefits the developers who plan to alter historic site forever to build an exclusive village for a small number of people at great cost to our community at large. And we are the people who really paid the price. And lots of our quality of life we won't even be allowed in once it's developed its low density, low density is changed to high density. This development is allowed. It's going to push out one of the most beautiful and most historic open spaces in Walnut Creek. The county should not be considering rezoning any area for residential purposes that does not include low and middle income residents as well. Yeah, we need housing. Developers don't even call this scheme housing and this housing, so called housing development benefits the very few at the expense of all Contra Costa County taxpayers. It's a beautiful area.

Jan Warren: a longtime resident of Walnut Creek. I support the current density of for the property and asked for a denial of a developer 's request for a general plan amendment. We are in an accelerating climate emergency. We need to rethink our decisions about how and where to build the purpose for our construction, who benefits, and the repercussions to the community and planet. Every aspect from site selection preparation of the site, and selection and transport of materials used to build a development needs to be evaluated on the basis of its impact on our warming planet. The proposed project will level and existing habitat and natural lands that sequesters carbon. Removes trees that clean the air, and shaved that cools the area. We've seen animals increasingly entering our neighborhoods because they are being pushed out of their natural habitats they proposed timeline of this project at three to four years will have a negative impact on the land, air, natural habitat and closest neighborhood. That includes a particulate matter entering the young lungs of our kids at Seven Hills School. Most dump trucks have a capacity of ten to sixteen cubic yards. This project anticipates offsite removal of 7500 cubic yards, which results in 469 to 750 truck trips. Use of concrete and asphalt will increase the storage of heat and reduce the availability of natural rain to soak into the land and increase runoff during heavy rains. The build out is 360 units with 460 occupancy units and 622 parking spaces. Recent reports show that we are over building the amount of needed spaces. Kinross Drive is a winding road and not designed for heavy through traffic. Except for emergency use, there's only one way in and out of this development. So **** living operates biamonte, another CCRC at the Orchards in Walnut Creek, which was built on level land and is within walking distance of bus transit, grocery stores, retail shops and restaurants. There is too much impact on the environment for this project at this location. Thank you.

Christine: I just want say I moved to Walnut Creek in 1982 with my family. I've always been blown away by the beautiful scenery. I moved away for creative time but now I'm back with my own family here and I, too, like many of the other people who are participating here have been very upset by the amount of development that has been going on. Just seeing them cutting down the oak tree at Scott 's restaurant. And that just happened recently. All of this has been very, very difficult to process. Now my problem specifically with this development as many other people had said, is why destroy, why rezone this property that's already zoned as agricultural land? Why not go to some of this retail space that is just consuming all of this area? The new mall that was built in Concord. We've got empty the old Encore

Gymnastics space we've got empty retail space everywhere. Why aren't we rezoning some of the retail space and repurposing that, and I think Sarah mentioned it earlier that the costs of that are just too expensive for a developer to take on. And in the meantime, what we would be doing if this is approved is irreversible damage. It's an irreversible project that would forever change the landscape of Walnut Creek. Now in 1970, when there was a proposition to develop Shell Ridge and basically bulldoze half of that away. People got up. They spoke their mind and they prevented it from happening. And Can you imagine if that didn't happen in 1970? What Walnut Creek would look like today? So, I just want everyone to consider that. I refuse to drive up and down Ygnacio Valley Road whenever I can refuse it. But you know, I still have an elderly parent who lives on the other end of Ygnacio so I do have to drive that and there's no way it could accommodate the construction for four years. Or having people 300, 400 more units. And as this talk about needing housing, I don't know about you guys, but I don't know many seniors that can afford a 2.5 million, two bedroom unit. So, really not sure how we're helping and we're not doing anything to help the housing crisis and I really hope that this is considered and we get a very, very thorough environmental report done on this. That's my two cents, thank you.

Juan Xu: Thank you for taking my call. Me and my husband moved into Walnut Creek about 13 years ago and we moved into Heather Farms Park about eight years ago we lived in this beautiful place for about eight years and two years ago we gave birth to our daughter. So, when we live here, we all houses literally just off the fence of the Seven Hills range, so we can enjoy the scenery. We can see different kinds of animals. Deer's in the short distance, coyotes, turkeys, and many different kinds of birds, which I don't know the name of them, but they are beautiful. I hope my children can my child can grow up seeing these beautiful things as the same way as we do. And definitely, we don't want to expose her to the construction pollution and worst air conditions construction so like other people mentioned in the call, we do hope that the developers can find other places to develop senior houses which could be in good use, but these days. I'm joined on this special place in as it is in the middle of the city. Thank you.

Michael Martin: I've lived in Walnut Creek since twenty twelve and I've really loved the city. It's been a fantastic place to raise my daughter and we just had another son. I have a different point of view than a number of the speakers I've heard today. I believe that Walnut Creek is exactly the place where we should be building housing amidst a housing crisis. It is a wonderful place to be, and it's very convenient to a lot of places where people work and for people who want to put housing elsewhere. I just look around and I don't see that many places that are going to be as effective as this as trying to help find people, places to live, including hopefully my parents in the future. So, I greatly appreciate the opportunity to put my comment in today. I really hope that while we study this development to make sure it doesn't have negative impacts on the rest of the city and the surroundings around it, I would rather not see unnecessary process unnecessary environmental review, building up barriers beyond what is necessary to have a safe and successful project. I look forward to welcoming more neighbors here to Walnut Creek in the future. Thank you very much for the opportunity to comment.

Karen D: long term, twenty plus years resident of Walnut Creek. I just want to characterize myself as not being anti-growth and I'm not anti-development. In fact, I've supported many development projects in Walnut Creek over the past twenty years. This includes the development expansion in downtown Walnut Creek, including many apartments and condominiums, retail space and business buildings, and

the Broadway Plaza Mall. We experienced at Walnut Creek is incorporating high density planning and for the most part thoughtful ways developing a plan that includes putting the building to facilities and areas that are close to downtown, but also expanding that plan to use other appropriate areas like the Shadelands, the corridor of Mount Diablo Boulevard from the Broadway Plaza down to highway 24 and also along Ygnacio Valley Road corridor for many miles. These are very high traffic areas but also have access to public transportation and access to downtown via biking, buses, cars and walking and public transportation. The Seven Hills Ranch location and property are not inappropriate and thoughtful location for the Spiker project. This ranch is a pristine, low density, quiet, isolated agriculture area of our county. This project is also proposed. To be a huge and high-density development and not fit for this location. The amount of grading and leveling of the Seven Hills Ranch will require between 10,000 to 20,000 truckloads of soil to be excavated. The topography of the land is beautiful and natural and should not be decimated for a huge inappropriate development. To me it's quite unbelievable to think that Walnut Creek is a community that protects heritage oaks and has a beautiful Land Trust will even consider approving this project which wants to remove and cut down 400 beautiful trees, 350 of which are protected status. This is not thoughtful to speak or of our board. Given Walnut Creek historical approach to protecting beautiful land, property and associated assets, including our wildlife and trees. The visual impact of this project on our beautiful land will be enormous. Converting the natural habitat for urban and high density and will change the long term native wildlife forever. Traffic being mentioned by many people is already a huge issue in Walnut Creek on 680 and Ygnacio Valley Road. Why create more congestion? I don't read or see any plans by Spiker that could really seriously mitigate this real traffic problem. To me it's irrelevant that Spiker is taken years to find the location of Walnut Creek to build an assisted living became a project this project due to its size and its proposed characteristics should be slated for location in either downtown Walnut Creek or one of these commercial areas or high density areas, or repurposed retail as other people have suggested, were high density as planned. Forward, please do not feel that you have to approve every project that is presented to you. Walnut Creek has already approached or is already approved and continues to develop high density housing projects for many years. We need to be more thoughtful about our locations and impacts of all these projects and especially these large behemoth projects. Please just don't consider that the project can meet a couple of requirements for high density and assisted living, when this project has so many negative impacts and outcomes that cannot be reversed.

Armand: I was born and raised in the Contra Costa County area grand from conquered as well as Martinez. Currently living in San Francisco but my family still resides in Walnut Creek and not in favor of support this project for many reasons. The first is fundamentally that housing is incredibly expensive in the Bay Area and the continued insistence that every Planning Commission and every meeting I go to that I support housing, just not in this project is why we face this disaster. So, if you look at the census data for Walnut Creek for example, going back to 2014, the price of a medium bedroom was 1,764.00 in 2020 it is 2,080. Somebody talked about Walnut Creek they were really proud of opposing a project in the 1970s. It's because of opposition of projects that's gone so far back and had decreased validation of housing of jobs spin-off housing. So we've set the various housing mark on the fire, and that's having enormous consequences. Contra Costa County in 2019 so 43 percent increase in the rate of homelessness. Speaking of the environment, this kind of dense urban infill development is exactly what we need to prevent environmental catastrophe. I don't think I need to tell anyone here that we have recurring smog and smoke choking our plan of choking our environment a regular basis now, and that's exactly blade to climate change by telling us that projects into built somewhere else would end up

happening is we're not protecting nature. It gets fall further out and Tracy to Stockton would be cut down our natural environment cause more car based travel and destroy our environment. I want to preserve the ability to for kids to see trees, to see plans to see wildlife. We're not going to do that if you don't create places for people to live, and especially projects like this one. Which have a significant fordable component or for seniors assisted based living and are ***** a very modest amount of density relative to any other global city or standard. This idea that we can quibble over individual projects and try to nitpick and say this isn't the right thing. While people are dying on the streets and our forests on fire. And my kids are going to live in hellscape that we're creating now. It's a more obligations that people want a creek and the kids want to creek and their kids. And we need to improve this project and we need to improve more because too much is at stake. Thank you.

Jim Frey: I live in Walnut Creek. I'm a member of the Save Seven Hills Ranch Organization, an organization that is growing rapidly as more people learn about the proposed development of Seven Hills Ranch. We are against this development for a number of reasons. Forgive me for going over some that have already been mentioned more than once. First, the development does go against the general plan, which at the time, but it was accepted, had received a full vetting and agreement. The plan reflects the goals of retaining open space and development that would limit environmental impact. Second, it is our understanding that the speaker development plan would require the removal of 350 to 400 trees, including many old oak trees from the 30 acre site. Their development plan requires the leveling of three hills, which work will require the removal of seventeen thousand dump truck loads of dirt. From the area and in order to create a level site. Clearly, this will result in wiping out bird and animal habitat on Seven Hills Ranch. The construction would take three to four years and result in retaining walls and excessive 20 feet in height around the perimeter. And several buildings between two and four stories tall that would absorb virtually all open space. Third, once completed, it's estimated that the end out traffic which will feed onto Marsh Banks Road and then on to Ygnacio Valley Road will add an estimated 1100 car and trucks per day to Ygnacio traffic, which has been mentioned numerous times. We all know already has backups every morning and afternoon for blocks. It will great, greatly increased the demand for electric power and water, both of which are in short supply. So, on behalf of Seven Hills Ranch, Save Seven Hills Ranch, we are asking that the County Supervisors know of the strong objection of many people in Walnut Creek regarding this proposed project. We're asking the Supervisors to retain the general plan as written. And keep that plan without amendment. Thanks for the time.

LR: Yes, I well I was raised in Walnut Creek, and I don't even recognize it now. And I agree with all of these other speakers about traffic, air pollution and I don't know if items can just be added to an environmental impact report, you know, categories or whatever can you just had to them ad hoc? I don't know, but whatever the categories are that are available, you know you have to follow through with every one of them. Do not shorten this environmental impact report. Think about the future and for you people who think there's going to be affordable housing there, no. No, that is not true. This is the most ridiculous plan I've ever heard of. Do not change the General City plan or whatever it's called for Walnut Creek. Enough is enough with this development in that town. It used to be a quiet. You have this, you know quiet small town feeling no, no, not anymore. Now it's a joke. That's all I'm going to say, thank you.

Bob Peoples: resident of Contra Costa County and I'm opposed to changing the county general plan and zoning to allow development of Seven Hills Ranch had increased densities beyond what would currently be proposed instead I believe this area should remain in its natural state, which will in void substantial

costs to the county and society, the residents of the county. While providing immense benefits in an increasingly urbanized environment, I'm not opposed to development to meet the needs of the community, but such a development should occur within existing development footprints rather than building on green fields. This area Seven Hills Ranch is really not the typical infill area that you find in urban areas, which are appropriate to develop instead, it is a natural area with significant benefits to society. Having said that, I would again urge that the alternatives to locating a senior housing facility elsewhere other than on Seven Hills Ranch, a natural area destroying it is to look at redevelopment of existing urban areas. There are a lot of shopping centers which have economic problems, you know I no longer economically viable could provide the site for such a facility and it would provide some additional housing. All be it very expensive housing for seniors. Thank you.