

**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 CO<sub>2</sub> 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](mailto: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

Where Residents & Employees Thrive

-----  
----- CONFIDENTIALITY NOTICE: This electronic mail transmission and any documents accompanying this electronic mail transmission are intended by the sender for the use of the named addressee(s) to which it is directed and may contain information that is privileged or otherwise confidential. It is not intended for transmissions to, or receipt by, anyone other than the named addressee(s) (or a person authorized to deliver it to the named addressee(s)). It should not be copied or

forwarded to any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying or forwarding it, and notify the sender of the error by reply e-mail.

**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](mailto: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](http://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](mailto: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.<sup>1</sup> 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](mailto: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*.<sup>1</sup> (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).<sup>2</sup>

---

<sup>1</sup> 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.**

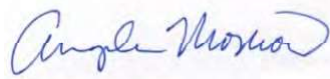
Vegetation removal within a protected watercourse shall be restricted to the removal of downed trees, trees that are precariously undercut and trees that have the potential of creating a major obstruction within the floodway. Removal work shall be done in an environmentally-sensitive manner, so as to 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](mailto:jcobb@californiawildlifefoundation.org)



Angela Moskow  
Manager  
California Oaks Coalition  
[amoskow@californiaoaks.org](mailto:amoskow@californiaoaks.org)

cc: Michele Sheehan, Save Seven Hills Ranch

---

<sup>2</sup>[https://library.municode.com/ca/contra\\_costa\\_county/codes/ordinance\\_code?nodeId=TIT9SU\\_DIV914DR\\_CH914-14RI-WSE](https://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](http://www.californiaoaks.org)  
Telephone: (510) 763-0282

**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](mailto:carolanhess13@gmail.com); [hess@astound.com](mailto: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](#)

**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](#)

---

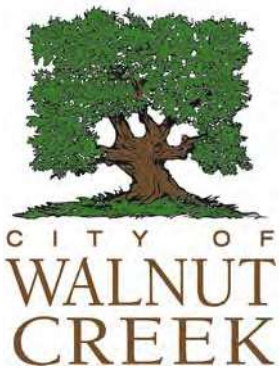
Mr Tully

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

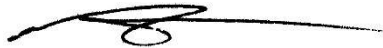
23. Refer to comments provided for Hydrology and Water Quality above.

#### 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](mailto: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

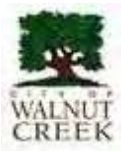
**From:** [Andrew M Smith](#)  
**To:** [Sean Tully](#)  
**Subject:** City of Walnut Creek scoping letter  
**Date:** Monday, August 23, 2021 11:38:43 AM  
**Attachments:** [Walnut Creek scoping letter \(Spieker\).pdf](#)

---

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](http://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](mailto: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](mailto: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](mailto: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:** [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](mailto: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](mailto: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](mailto: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](http://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.


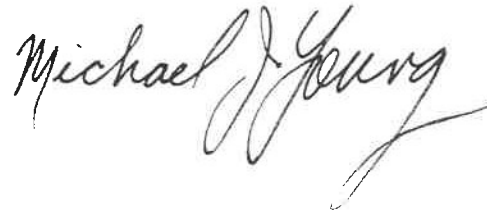
- **Land use.** We believe that the proposed Spieker plan is too massive a development for this property and would completely and forever change the peaceful and bucolic environment of the surrounding residential neighborhoods and Heather Farm Park, located next to Seven Hills Ranch. The density of the 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](mailto: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](mailto: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:** [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](http://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

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.**



CHAIRPERSON  
**Laura Miranda**  
*Luiseño*

VICE CHAIRPERSON  
**Reginald Pagaling**  
*Chumash*

SECRETARY  
**Merri Lopez-Keifer**  
*Luiseño*

PARLIAMENTARIAN  
**Russell Attebery**  
*Karuk*

COMMISSIONER  
**William Mungary**  
*Paiute/White Mountain Apache*

COMMISSIONER  
**Julie Tumamait-Stenslie**  
*Chumash*

COMMISSIONER  
[Vacant]

COMMISSIONER  
[Vacant]

COMMISSIONER  
[Vacant]

EXECUTIVE SECRETARY  
**Christina Snider**  
*Pomo*

**NAHC HEADQUARTERS**  
1550 Harbor Boulevard  
Suite 100  
West Sacramento,  
California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
NAHC.ca.gov



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](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](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](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](mailto: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](mailto: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](mailto:Sean.Tully@dcd.cccounty.us)

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

[pplacewc@gmail.com](mailto: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](mailto: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](mailto: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

**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 thoroughway 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