

From: [Save Seven Hills Ranch](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 23, 2021 3:15:53 PM
Attachments: [1 SSHRanch NOP Response.pdf](#)
[Figure 1.3 Photosimulationx.pdf](#)
[Figure 2.11 Biological Constraints.pdf](#)
[Figure 3.20 Land Use Compatibility.pdf](#)

Attached please find our public comment for the Spieker Development Project, County Files CDGP20-00001,CDRZ20-03255,CDMS20-00007, CDDP20-03018, CDLP20-02838.

Please advise us that you have received this email. I understand you are out of office until September 2, however, we want to be sure that these were received when they were sent on Aug 23 prior to the 5pm deadline.

Thank you,

Michele Sheehan
[Save Seven Hills Ranch](#)



THE SEVEN HILLS SCHOOL

August 23, 2021

Via email: sean.tully@dcdccounty.us
Department of Conservation and Development
30 Muir Road
Martinez, California 94553
Attention: Sean Tully

**Re: Comments re: Notice of Preparation and Scoping Meeting for an EIR for the
Spieker Senior Continuing Care Community Project
(County File Numbers CDGP20-00001; CDRZ20-03255; CDMS20-00007; CDDP20-03018; and
CDLP20-02038)**

Dear Mr. Tully,

Contra Costa County is considering a proposal from Spieker Senior Development Partners that would turn a 30.4-acre parcel of undeveloped land on the easterly end of Seven Hills Ranch Road into a senior community for 460 residents. These facilities border The Seven Hills School, a local independent school serving children in preschool through 8th grade since 1962.

The Seven Hills School, which educates over 400 children across the Bay Area, is fundamentally opposed to this project as currently contemplated. Our environmental and safety concerns, with impacts on the children and families we serve, are outlined as follows and we hope the environmental impacts outlined below will be thoroughly analyzed in the Environmental Impact Report (EIR) which will be prepared in connection with the project's entitlement.

AIR QUALITY, DUST, AND VIBRATION

If approved, construction is estimated to take place over a 3-4 year period, which would severely interrupt school activities and adversely affect the learning environment for our students. Current plans show the extent of grading would extend right up to the southern and eastern property lines between the Seven Hills School and the project site.

In the present realities of COVID-19, much of student learning, dining, socializing, and physical activities have moved outdoors for ventilation and safety. We are concerned with wind-blown dust, a typical problem on any construction site, and the air quality impacts of this project. Since the project construction is slated to go on for years, these are substantial changes to the ambient conditions at Seven Hills School with more than just typical short-term construction windows.

To that end, we request that a thorough analysis be included in the EIR in terms of air quality impacts to sensitive receptors (school age children per the California Air Resources Board). We request a thorough analysis of all particulate matter associated with the grading activities necessary for the project, including diesel particulate matter. This is particularly important given the considerable grading activities which will occur in connection with project construction.

We also request a thorough analysis of the noise impacts associated with the construction activities.

OPERATION NOISE

The operation of the Medical Center, planned to be east of the school, could have long-term impacts on the school setting, including daily noise from commercial delivery trucks, ambulances, and vehicles. The plan appears to show a loading bay on the west side of the Medical Building, pointed directly at Seven Hills School and less than 80 feet from the property line.

Therefore, we request the noise analysis include operational noise impacts as well.

VIEW ALTERATION

According to the elevations shown in the grading plan, the spectacular view of Mount Diablo from the east side of the campus would be completely obstructed by the two-story west wing of the Medical Center. The west wing of the new Medical Center would have a building height of about 28 to 30 feet, with a roof peak height of the new building up to about 161 feet in elevation. Most of the ridgeline views leading up to the mountaintop would be obstructed and replaced by the west facade of the two-story building, and views of the beautiful lone oak tree in Seven Hills Ranch would be gone along with the open hillside.

We request the EIR employ the use of photo-simulation to demonstrate the aesthetic impact of the project on the environment both during construction and 2, 5 and 10 years' post-construction; this is particularly important given the 350+ trees which will be removed as a part of the project.

CHANGE IN VISUAL CHARACTER AND AESTHETICS

One of the special qualities of Seven Hills School is its natural, bucolic setting, where stewardship of nature and the environment is built into the curriculum. From the approach through Heather Farm Park to views from the campus, this project would completely alter that condition, and the property's natural landscape setting would become urban.

We request multiple photo simulations to provide an accurate depiction of what the new buildings, retaining walls, and other development features would do to the existing setting and the impact to the spectacular views from the campus which attract many of our families.

DAMAGE TO TREES

The project would require the removal of over 350 trees from the site and could affect over 60 additional trees the applicant is contending would be preserved, including the row of 14 younger oaks planted

along the south side of the School. Construction of retaining walls within 15 feet of these trees could lead to their decline and accelerated death, including the beautiful lone oak on the hillside as you approach Seven Hills School through Heather Farm Park.

An independent evaluation by a certified arborist should be conducted as part of the EIR to verify details on tree removal and the likelihood of survival for the over 60 trees in close proximity to improvements that the applicant is claiming will be preserved.

LOSS OF WILDLIFE HABITAT

Seven Hills School and Seven Hills Ranch have special history as the original home of the Diablo Junior Museum and its founder Alexander Lindsay. That history and character, and the habitat Seven Hills Ranch continues to provide to wildlife today, will be lost if this application is approved. The rolling grasslands, perennial wetland, and over 350 trees will be lost in the conversion to urban use.

ALTERNATIVES

One of the most important functions of an EIR is to provide an evaluation of alternatives to a proposed application, including a No Project Alternative, as well as a range of alternatives that serve to address some of the significant adverse impacts of an application. Alternatives that reduce the mass and dramatic change in the character of the site proposed under the Project, that provide greater setbacks as a buffer from Seven Hills School and its relationship to Heather Farm Park, and serves to protect the majority of the trees on the site by restricting grading and development within their driplines must be explored in the EIR.

We also know that the cumulative impact of housing developments and global climate change mitigation for future housing developments is almost impossible unless the developments are designed and constructed in an environmentally sustainable manner. We ask that any development projects, including this one, adhere to the highest standards of environmental sustainability including off-grid, natural and organic materials, open space, walkable design, and public transit opportunities.

Thank you for your time and attention to our thoughts on the impact of this project on the Seven Hills School.

Kathleen McNamara
Head of School
The Seven Hills School
kmcnamara@sevenhillsschool.org
www.sevenhillsschool.org

Matthew P. Janopaul
Board Chair
The Seven Hills School Board of Trustees
mjanopaul@solsticevllc.com

From: [Amara L. Morrison](#)
To: [Sean Tully](#)
Subject: NOP Comment Letter_08232021.PDF Spieker Senior Continuing Care Community Project
Date: Monday, August 23, 2021 1:19:57 PM
Attachments: [NOP Comment Letter_08232021.PDF](#)

Good afternoon, Sean—

Attached please find a comment letter regarding the Notice of Preparation and Scoping Meeting for the Spieker Senior Continuing Care Community Project's EIR submitted by our client, The Seven Hills School.

Thank you, Sean and please let me know if you have questions.

Amara Morrison

Amara L. Morrison

Attorney

t: 510-834-6600

d: 510-622-7689

amorrison@wendel.com

wendel.com



Wendel Rosen LLP
1111 Broadway, 24th Fl
Oakland, CA 94607

CONFIDENTIALITY NOTICE:

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this message in error, please immediately notify the sender by return email and delete this email message from your computer. Thank you.

For more information about Wendel Rosen LLP, click here:
<http://www.wendel.com>

From: [Sharon Doherty](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 23, 2021 10:03:20 AM

Dear Mr. Tully:

As a resident of the city of Walnut Creek living on Kinross Drive, I have some major concerns regarding the traffic on Kinross Drive which has been mentioned as a possible through traffic access to the proposed Spieker Development Project.

Kinross Drive and all the streets in Heather Farms Homeowners Association are private streets, maintained and paid for by the homeowners. Of most importance, there are many young families living on Kinross Drive walking, riding bikes, and crossing this narrow winding street. There are many pathways throughout our community, and those pathways connect to Kinross Drive where walkers must step out to cross to the other side of Kinross Drive. Large construction trucks would not be able to see a person or persons stepping out to cross the street.

Since Kinross Drive is maintained and paid for by the homeowners it is not a public street and cannot be used as a through street for the public. For the safety of all residents of Kinross Drive, the idea that it could be a through pass to a proposed development is a tragedy waiting to happen. Let's be smart and be safe and realize that Kinross Drive is a narrow winding street not conducive to large trucks and large traffic. It is a residential street.

Thank you
Sharon Doherty
345 Kinross Drive
Walnut Creek, Ca 94598

From: [Stephanie Dark](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 22, 2021 7:55:09 PM

Dear Mr. Tully,

I am writing as a resident who will be impacted by this development, to let you know the grave concerns I have about approving a General Plan Amendment in order to move this development forward.

I am concerned it will impact our natural resources. We are going into another major drought, which will impact the availability of our precious water supply. The amount of construction this work will require will take an enormous amount of water, and the hundreds of new residents and employees to support this development will also impact our water supply.

I am concerned about the significant change to the existing landscape. The tree loss is astounding, as the current development plan intends to cut 350 protected trees, and may damage those few trees remaining. In addition, hills will be topped-off and valleys will be filled in with the equivalent of 17,000 dump trucks worth of dirt to create the flat building surface, held in place with retaining walls up to 21 feet in height. Natural landscape will be paved over in order to create 451 housing units, multi-story Clubhouse, Rec Building, Health Care Center for residents, and maintenance buildings, parking garage and a total of 519 parking spaces.

I am concerned about the impact to the neighborhood residents both during and after construction. The construction would result in more traffic on already impacted Ygnacio Valley Rd, as well as construction noise and dust, which can severely impact residents with allergies and other health issues. Note that this work will be taking place nearby John Muir Hospital, where Ygnacio is the only means for hospital patients and employees to gain access. Ygnacio Valley Rd. is severely impacted with traffic during peak commute hours, as well as often busy outside of those hours. The road would be even more impacted with all these new residents and the staff to support them.

I am concerned about the impact to the native wildlife in the area. Converting a large swath from natural habitat to urban use will result in the complete loss of habitat for local wildlife; this includes the loss of habitat for deer, fox, owls, turtle nesting, skunk, snake, lizards, turkeys, many species of birds including hawks., and many more species. The aforementioned loss of 350 Protected Status trees means the loss of species that depend on them.

Finally, I am concerned that the developer is providing a false assertion for a need for housing that already exists. A property search within 15 miles of this site should indicate there are already numerous senior housing options in the area, and a wider view will showcase the plethora of senior housing options between the Berkeley and Sacramento. Furthermore, this is marketed to a small segment of seniors who can afford its high entry fee and substantial monthly fees.

There is a significant need to accurately and holistically assess the impact of this development. An EIR needs to address the impact to:

- Air Quality (construction, exhaust, impact to adjacent public parks and schools).
- Biological Resources (landscape, wildlife, waterways)
- Energy (power grid impact)
- Geology (risk of liquefaction and three nearby faultlines, water runoff)
- Water (paved vs exposed soil ratio, impact to creek channel, to residential water availability)
- Land Use (non-conforming land use plans, policies, & regulations of the both City and County that offers no true residential housing)
- Housing and Tax implications (doesn't fulfill county housing requirements, no clear model how this model impacts local tax revenue for government services)

These are but a few of the issues that highlight the need for a thorough EIR. It is important to share with the public how this proposal threatens to completely eradicate this natural landscape, and how the General Plan Amendment which, if approved, would allow the complete destruction of this property.

In closing, I urge you to deny the developer's request for a General Plan Amendment and retain the current density for this property.

Sincerely,
Stephanie Dark
62 San Marino Ct.
Walnut Creek, CA 94598

From: [S. Reed](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 22, 2021 12:55:53 PM

My name is Stephen Reed and I live in the general area of this proposed project. I've heard from virtually all my neighbors and we are extremely concerned about this proposed project.

1. The destruction of of virtually all the trees.
2. No one has defined how people will get into, and out of this unwanted project. I haven't heard anyone define this.
3. Signs at the corner of Walnut Blvd., and Sevens Hills Ranch road specify "NO THROUGH TRAFFIC TO YGNACIO". Homestead Ave is virtually impossible as it has private ownership on from 1500 Homestead to Seven Hills.
4. When will the new owners define many of the questions the to the surrounding neighbors. All this secrecy is just plan wrong. It's about time the facts are made public.

From: [Sue Gannon](#)
To: [Sean Tully](#)
Subject: Strong opposed to Seven Hills Ranch development
Date: Thursday, August 19, 2021 7:52:56 PM

I wish to express my dismay that this project is even being considered. Even though I am of the population to which this luxury retirement home is target (age 71), it's destructive of natural habitat and a waste of natural resources. The construction alone will produce a huge amount of carbon emission. In addition, the increase in traffic will clog an already congested route.

Please vote against this environmental disaster.

Sincerely,
Sue Gannon
Walnut Creek resident

From: [Susan Fischer](#)
To: [Sean Tully](#)
Subject: Fwd: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 22, 2021 3:37:15 PM

Dear Mr Tully,

I am contacting you with my concerns regarding the negative impacts that the Spieker Development Project will cause to our community. I request that the impacts be studied in the upcoming EIR.

Air quality is of concern and will be impacted during the 3-4 year construction period from the construction vehicles exhaust and from the dust raised by the movement of 225,000 CY of fill. Upon completion of the project, air quality will continue to be negatively impacted from the vehicles associated with the 451 housing units and from the large number of employees commuting (most likely in their own cars) to and from the facility. Air quality is already of great concern in our area due to excess traffic and the ongoing fires.

I am also very concerned about the loss of 400+ trees. Recently the most definitive scientific report on climate change was released by the United Nations—warning that the climate crisis is accelerating in unprecedented and irreversible ways. Trees help stop climate change by removing carbon dioxide from the air, storing carbon in the trees and soil, and releasing oxygen into the atmosphere. It is also of note that 350 of the trees are protected under County and City statutes. The housing units and other buildings associated with this project will not help to improve our climate. The loss of trees also leads to the loss of habitat for the wildlife that resides on the property or use it as a corridor. Our wildlife is already struggling to survive within our urban environments, and we should be preserving the little wildlife habitat that remains. Seven Hills Ranch is next to Heather Farm Park, a designated eBird Hotspot with many species living or migrating through the park and Seven Hills Ranch.

The greenhouse gas emissions associated with this project are also of concern. As stated above, we would be losing the trees and therefore the positive effect they have on our climate. The EIR must also assess the impact that the project's greenhouse gas emissions would have on the environment and climate.

It is also important for the EIR to address the unique location of Seven Hills Ranch being adjacent to Heather Farm Park. Heather Farm Park is very popular and used by 1.5 million people per year. The proposed project is in view of the park users and those passing through the park on walkways and bikeways. The small nature area at Heather Farm Park is popular and continuously in use and must satisfy the needs of a growing population. A walled-off community does not allow for this need. I believe this is a unique opportunity for the County/City/public consortium to purchase Seven Hills Ranch for preservation. Preserving this property will allow for the preservation of the 400+ trees and other native plants that are necessary to help battle climate change and provide a home for numerous wild birds and animals. The natural beauty and nature of Seven Hills ranch is also important and beneficial for all of us living in this busy urban environment. Our open spaces are important to our well being and the loss of this benefit should be addressed.

Thank you for considering my concerns and please address them in the upcoming EIR.

Sincerely,

Susan O. Fischer
2735 Cherry Lane
Walnut Creek, CA 94597

From: [Tai Chang](#)
To: [Sean Tully](#)
Subject: Public Comment on EIR Scoping for Spieker Development Project
Date: Sunday, August 15, 2021 4:18:46 PM

Dear Contra Costa County Department of Conservation and Development:

I am a 15-year resident of Walnut Creek, and I strongly urge you to deny Spieker's proposed land use amendment to change the land use designation of the project site from Single-Family Residential, Medium Density (SM) to Congregate Care/Senior Housing. Walnut Creek needs more affordable housing for people who work in Walnut Creek, but cannot afford to live here. Walnut Creek would also benefit from growing Heather Farm Park, which is the city's only destination park and which serves over 1.5 million visitors annually. Let the creation of affordable single family housing, for which the land is already zoned, around this beautiful space for people who work and live in Walnut Creek be your legacy.

There is an opportunity cost to the proposed Spieker project, and that cost is the further development of park space in Walnut Creek as well as the loss of the natural beauty of Seven Hills Ranch. Spieker's project levels 17,000 dump trucks of earth and replaces it with retaining walls up to 26 feet high, enclosing massive 3- and 4-story buildings that in our neighborhood would be comparable to seeing the Titanic next to a flotilla of sailboats. We don't want that. Let's preserve the natural beauty of this ranch and build sensibly around it. Let's create more park space, in which Walnut Creek and Costra Costa County residents can gather, laugh, and play. Let that be your legacy.

Walnut Creek does not need Spieker's proposed continuing care project. Perhaps there is a need for a continuing care community, but the one that Spieker is proposing is only for the very wealthy. It's not affordable. And it's not consistent with the character of the community that is already in the Heather Farm neighborhood. That community consists of a mix of single family residences, townhouses, and low density apartments, that are home to hundreds of families. We live here to be close to the parks and open spaces and have easy access to our transportation hubs (Walnut Creek and Pleasant Hill BART) and downtown Walnut Creek. This neighborhood - our community - would be negatively impacted by a relatively large corporation moving to the center of it, with over 250 workers coming in and out everyday, in addition to the traffic created by the services needed for a continuing care facility. I imagine there is a need for Walnut Creek to have a continuing care facility, but let the city conduct a needs assessment and let the city explore planning options. The County and the city of Walnut Creek should do what's right for its residents. Spieker's proposed project isn't it. Let's do the right thing - let that be your legacy.

Sincerely,

Tai Chang
Walnut Creek resident

Email: tylerchang@yahoo.com (please do not publish my contact information)
Phone: 925-935-4653 (please do not publish my contact information)

From: [Tara Robertson](#)
To: [Sean Tully](#)
Subject: Seven Hills Ranch Development
Date: Monday, August 23, 2021 4:33:20 PM

To who it may concern,

This email is in regards to the nursing home development wanting to grade and destroy the land near Heather Park Farms for a for-profit development that is temporary but the destruction it will be permanent. Just the parking lot and abundance of cars of the development contributes to greenhouse gases like carbon dioxide, methane and nitrous oxide. In fact, the environmental cost of so many parking spaces can also raise the amount of carbon dioxide emitted per mile by as much as 10 percent for an average car (<https://phys.org/>). All this next to a park.

As with any care center, the majority of employees will be minimum wage health care workers, forced to commute down Ygnacio Valley Road. Since nursing home do not want to take any liability, emergency vehicles are called upon constantly called, adding to the negative environmental impact of the area, Like any building, hospitals and other medical settings incur emissions due to the energy consumption of their facilities. However, the most carbon intensive aspects of healthcare are not happening at the hospital itself. The bulk of healthcare emissions are happening elsewhere due to the actions and consumption patterns, 70% of healthcare emissions come from the supply chain, and disposing the the goods and supplies that come from that supply chain. (<https://sustainability.yale.edu>)

As a citizen, we are asked to save water, save energy, be aware of what's recyclable, to be less wasteful. Yet, if you have the money, you can build and use as many resources as you want, but is this the message to send? The environment is in crisis, we have to teach our children, while money is important, a healthy environment is also important.

Draught and COVID-19 are issues that are here to stay and the profitability of healthcare centers is not certain. Surveys conducted by the American Health Care Association (AHCA) and National Center for Assisted Living (NCAL) found:

- 55% of nursing home respondents said they were operating at a loss and 89% of nursing homes said were operating a profit margin of 3% or less. Meanwhile, 50% of assisted living facilities said they were operating at a loss while 73% had a profit margin of 3% or less.
- The top drivers of increased expenses for nursing homes include PPE (97%) staff pay (78%) and additional staff (46%). The top drivers of increased expenses for assisted living facilities is also PPE (95%), staff "hero pay" (55%) and cleaning supplies (50%).
- 93% of nursing homes reported government funding is extremely or very important to help with COVID-related losses for their company.

I ask you to please not destroy land for the short term benefit of making money. While development is not stoppable, we should seek to recycle land that has already been graded for developments, left abandoned, and keep the land, especially one so accessible to a park, for many people to enjoy for generation to come, free of cement, garbage and greenhouse gases.

Thank you for your time.

Regards,

Tara Robertson
Walnut Creek, CA

From: [T.I](#)
To: [Sean Tully](#)
Subject: Comment on EIR Scoping for Spieker Development Project
Date: Thursday, August 19, 2021 8:55:12 AM

Hello;

I am a homeowner directly across from the planned development with Walnut Creek dividing Seven Hills Ranch and my backyard. I enjoy the beautiful view of wild hillsides and see the deer, coyotes running across the fields and trees ever since I moved here in 1997. It was the beauty of the wildlife and undeveloped hillside and trees that drew me to the property. I do not wish to see this development cut down the beautiful trees and expand more than the current plans and already am pained to know the hillside view will be taken away with buildings.

Please do not approve the removal of the current trees on the property any additional expansion of the current plans. What little wildlife we have in Contra Costa should be cherished and maintained.

My son went to school at Seven Hills Ranch school and I applaud their consideration of keeping their building to the east side of the property and preserving the hillside along Walnut Creek. Additional buildings, traffic is NOT what the area needs.

Respectfully,
Tina Ishida, Homeowner

From: [Virginia Lane](#)
To: [Sean Tully](#)
Subject: [BULK] Public Comment on EIR Scoping for Spieker Development Project
Date: Monday, August 16, 2021 10:28:35 AM

... a haiku...

we don't follow rules
we want to make more money
the silent trees wept

Virginia

Sent from my iPad



PO Box 309, Walnut Creek, CA 94597

August 23, 2021

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

Via Email Sean.Tully@dcd.cccounty.us

Dear Mr. Tully:

RE: Notice of Preparation for Proposed Spieker Senior Continuing Care Community Project

Following are our requests for topics to be included in the Environmental Impact Report for the Spieker Senior Housing project at Seven Hills Ranch.

Summary of requests for investigation in the EIR

Dependence of birds visiting Heather Farm Park's e-bird hotspot on Seven Hills Ranch resources
Evaluation of listed species' presence in wetlands and perennial streams, or elsewhere on property
Thorough evaluation of valley oak woodland, including realistic replacement options
Effects on air quality
Evaluation of visual effects of solar panels, if used
Evaluation of project alternatives that conform to the current General Plan

Discussion

The Seven Hills Ranch property is unique, both in terms of its location and its lack of disturbance. The site is part of a larger open space area that includes the adjacent Heather Farm Park, Diablo Hills Golf Course and connections to Shell Ridge and all of the open space and park land to the south and east. Because of this, the property is used as a migratory corridor for wildlife that includes Shell Ridge and the Heather Farm natural areas. The fallow land along the creek north of the property probably extends the corridor all the way to Suisun Bay via the Walnut Creek channel.

There is an e-bird site in Heather Farm Park with about 1300 separate lists and sightings of up to 178 bird species (Figures vary somewhat, but are impressive and indicative of the site's richness, popularity, and long staying power.) The dependence of these birds on the resources of the Seven Hills habitat should be investigated in the EIR, not only for dependence of any listed species, but general dependence. Common species are the basis of any ecosystem. Heather Farm has a small nature area, but it isn't large enough to sustain the current number and variety of birds by itself.

The site contains some scarce and important riparian resources. There are very few natural, perennial wetlands and waters in this area, which make the perennial tributary that bisects the site as well as the tributary to the west critical to native wildlife. The EIR should include studies to see whether California red-legged frogs, California tiger salamanders, western pond turtles, and any other listed or otherwise significant species are present.

The site also contains important valley oak woodland including a number of very old, large trees.

Because of these and other important resources on the site and the fact that the site has largely been undisturbed, the biological reports and mapping that have been commissioned by the applicant should be the subject of an independent peer review as part of the Environmental Impact Report (EIR).

Even a cursory review of the site demonstrates that the arborist's report is inadequate; it doesn't properly document all of the trees on the property and fails to account for damage to the trees' roots as a result of project grading and retaining wall construction. An updated and more complete and accurate survey of the trees is required in order to ascertain the extent of the potential project impacts.

Perhaps even more importantly, the mitigation suggested by the arborist's report doesn't comply with standard, accepted practice for oak tree mitigation. The report calls for just one 15-gal tree to be planted for each of the protected valley oaks that would be removed. This replacement ratio is inadequate and does not comply with the standard, accepted practice for oak tree mitigation. The minimum amount of oak tree mitigation is usually 3:1 based upon the diameter at breast height (dbh) of trunk of the tree.

Finally, the project as planned does not contain enough undeveloped land for even these replacement trees, much less the number of actual trees that should be required given the status of these protected oaks and what will be required by state agency staff.

Therefore, given the importance of the site and the resources involved a more complete analysis of the site and the biological resources and mapping should be completed as part of the EIR and an adequate arborist report should be undertaken.

The property in its current state is a carbon sink and the proposed project would remove most of the natural resources making it so while adding sources of pollution. The project's effects on air quality – both temporary and permanent – should be evaluated as part of the EIR.

If the proposed project is going to use solar energy, the glare effects of the solar panels on both birds/wildlife and neighbors should be evaluated.

In addition to the proposed project and the no-build alternative, we request that the EIR also evaluate the following types of projects:

1. A project that would be legal under the existing 3-5 single family/acre zoning and Single Family Medium land use
2. A planned development that would leave part of the property in its natural state and allow access to and from the neighborhood and the park
3. A project that would largely honor the City of Walnut Creek's General Plan that leaves this property as open space
4. The need for additional senior housing given the number of similar projects already underway nearby and the need for senior housing elsewhere in the county

Thank you for considering our comments and requests for further information.

Yours truly,

A handwritten signature in cursive script that reads "Bill Hunt".

William Hunt
President

From: [Bill Hunt](#)
To: [Sean Tully](#)
Subject: comments for Spieker Project NOP
Date: Monday, August 23, 2021 4:41:56 PM
Attachments: [WCOSF NOP Comments for Spieker Project.docx](#)

Sean,

Please see attached comments from the Walnut Creek Open Space Foundation on the Spieker Project.

Bill Hunt

President, Walnut Creek Open Space Foundation

From: [Wendy Reynolds Buckley](#)
To: [Sean Tully](#)
Subject: Public comment on ERI scoping for Spieker development project
Date: Friday, August 20, 2021 3:47:46 PM

My name is Wendy Reynolds Buckley. I am an attorney and I am a 20 year resident of Walnut Creek and live in the Northgate area. As elected officials you represent the citizens of Contra Costa County, more specifically Walnut Creek citizens in this case. I don't even know where to begin. There are SO many reasons why you should not allow another new development to be built in Contra Costa County on Seven Hills Ranch.

Firstly, the land is zoned for open space and not for commercial or residential housing. The citizens of Walnut Creek need to keep these trees and animals. We do not want 17,000 dump trucks full of soil to be excavated from the site. We do not want 400 plus trees to be torn down especially when most of them are PROTECTED. What does protected mean if it means the trees can be taken down?!?!

Secondly, our infrastructure cannot sustain the cars that are already traveling up and down Ygnacio Valley Road everyday. For the tens of thousands of Walnut Creek citizens who live in the Northgate area, this road is the only way to get to our two hospitals, freeways and downtown area. Adding another 1,000 plus cars for residents and employees would overburden the already congested parking lot that we call Ygnacio Valley Road.

Thirdly, the citizens of Contra Costa County have already been asked to conserve water because of the drought. Adding a 500 unit development to an already water deprived area is ridiculous! Another housing development was just turned down in San Ramon for this very same reason! In addition electricity and power needed for this huge facility is also extremely problematic. The citizens who already live here barely have enough power and are told to conserve energy. Some days our power is turned off completely yet you are considering adding more people and a huge facility that our infrastructure can't support?!

Lastly, you represent the citizens of Contra Costa County not this development company. It is very clear that the Walnut Creek citizens do NOT want you to re-zone the open space nor do they want Seven Hills Ranch to be demolished for a senior facility. There is no logical reason for this development please say NO!!

Wendy Reynolds Buckley, Esq.

From: [Yvonne LaLanne](#)
To: [Sean Tully](#)
Subject: Spieker Development Project EIR
Date: Friday, August 20, 2021 12:43:38 PM

2 Seven Hills Ranch letter to County Aug 2021

Sean Tully,

Sean Tully@dcd.cccounty.us

RE: Public Comment on Environmental Impact Report for Spieker Development Project

OH GOOD GRIEF !

As an over 35 year resident of Walnut Creek it is inconceivable that this development would be considered a good idea. Walnut Creek and CCC both have two huge, ongoing, long standing problems:

ever increasing traffic and lack of housing. Residents have been promised over and over the government will address and solve these problems. This Spieker Development Project is guaranteed to make these and other problems worse. All this in the name of corporate greed, and for the supposed benefit of several hundred upper class retirees. Of course, those residents will also have their quality of life reduced by the same increased traffic, strain on scarce resources such as air quality, water and lack of natural spaces.

Once again the citizens of CCC are asking what is the use of all the hard work put into the formation of General Plans, if the plans are thrown out at the behest of a large overdevelop.

On behalf of all who live in CCC, use Heather Farm Park, drive Ygnacio Valley Road, and live along that corridor PLEASE stop this bad idea from going forward. Any part of an Environmental Impact Report should be enough to end this potential environmental nightmare.

With serious regard,

Dr. Yvonne LaLanne

147 Los Altos Ave

Walnut Creek, 94598

CC: Kevin Wilk, Mayor Walnut Creek , kwilk@walnut-creek.org

Supervisor Karen Mitchkoff, district 4, CCC Board of Supervisors

supervisormitchoff@bos.cccounty.us

Michele Sheehan, Save Seven Hills Ranch

"Save Seven Hills Ranch" <SaveSevenHillsRanch@gmail.com>

[Assembly Member Rebecca Bauer-Kahan](#)-DEM # 16

12677 Alcosta Boulevard, #395, San Ramon, CA 94583

[Senator Steven M. Glazer](#)-DEM # 7

51 Moraga Way, Orinda, CA 94563

League of Women Voters, Diablo Valley

Mary Schreiber

action-advocacy@lwvdv.org

Sent from [Mail](#) for Windows



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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



August 30, 2021

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

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

Dear Mr. Tully:

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

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

PROJECT DESCRIPTION AND LOCATION

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

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

Mr. Sean Tully
 Contra Costa County
 August 30, 2021
 Page 2 of 9

impact. Please include a complete description of the following Project components in the Project description:

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

ENVIRONMENTAL SETTING

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

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

Mr. Sean Tully
 Contra Costa County
 August 30, 2021
 Page 3 of 9

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

¹ SSC: California Species of Special Concern

² T: Threatened

³ FP: Fully Protected

⁴ E: Endangered

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

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

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

Mr. Sean Tully
Contra Costa County
August 30, 2021
Page 4 of 9

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

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

IMPACT ANALYSIS AND MITIGATION MEASURES

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

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

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

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

Mr. Sean Tully
Contra Costa County
August 30, 2021
Page 5 of 9

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

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

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

1. Western Burrowing Owl

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

Mr. Sean Tully
Contra Costa County
August 30, 2021
Page 6 of 9

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

2. Trees and Riparian Vegetation

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

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

Mr. Sean Tully
Contra Costa County
August 30, 2021
Page 7 of 9

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

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

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

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

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

Mr. Sean Tully
Contra Costa County
August 30, 2021
Page 8 of 9

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

REGULATORY REQUIREMENTS

California Endangered Species Act

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

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

Lake and Streambed Alteration Agreement

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

FILING FEES

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

Mr. Sean Tully
Contra Costa County
August 30, 2021
Page 9 of 9

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

Sincerely,

DocuSigned by:

Stacy Sherman

692D021D81CA4F7...

Stacy Sherman
Acting Regional Manager
Bay Delta Region

cc: State Clearinghouse #2021070517

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

Mr. Tully,

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

Thank you,

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

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

Mr. Tully,

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

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

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

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

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

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

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

Sincerely,

James Frey

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

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

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

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

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

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

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

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

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

Yours truly

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

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

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

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

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

From: [Larry/Kathy](#)
To: [Sean Tully](#)
Subject: Fwd: Walden comments on the EIR for the Seven Hills Ranch development
Date: Wednesday, August 25, 2021 8:04:56 PM
Attachments: [Letter on Seven Hills - JLP.docx](#)

Sean: Here's a written copy of my comments on the above event.. Have a good vacation.

Thanx,

Larry McEwen

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

From: Larry/Kathy <elmwoode@comcast.net>
To: Jeffrey Peckham <jlp94597@gmail.com>, "Dominguez, Leo" <leordominguez@gmail.com>, Fred Nelson <bigkahuna47@yahoo.com>, Christiane Wilson <paralegal1@comcast.net>
Date: 08/16/2021 5:19 PM
Subject: Walden comments on the EIR for the Seven Hills Ranch development

Attached are the comments which I made on behalf of Walden to the County at today's hearing for the Environmental Impact Review for this project. If you would like to submit comments of your own, they should be sent to Ruben Hernandez, Department of Conservation and Development, Contra Costa County. The deadline for written submissions is next Monday.

Larry McEwen, Secretary
Walden District Improvement Association

From: whillemsen@aol.com
To: [Sean Tully](#)
Subject: Fwd: Seven Hills Ranch Development
Date: Thursday, August 26, 2021 1:13:27 PM

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

From: whillemsen@aol.com
To: sean.tully@dcd.cccounty.us <sean.tully@dcd.cccounty.us>
Sent: Thu, Aug 26, 2021 9:42 am
Subject: Seven Hills Ranch Development

Sean-

I just wanted to comment on the proposed development of the Seven Hills Ranch. As you know the 30 acres are a beautiful combination of rolling hills and valleys. This area could be easily developed into a single dwelling housing project without destroying the natural beauty. It is located in the center of Walnut Creek near schools and shopping. It would seem to make a lot of sense to provide more housing in Walnut creek. It would provide an excellent source of tax revenue as would the current plan. If carefully planned this has the potential be a amazing combination of housing and park area. This is an unusual opportunity to add 30 acres of housing to an already flourishing city. Housing is in great demand currently in Walnut Creek and this could help the situation.

I am not going to go in to all the other reasons for changing the current plan. It would seem the current proposed project would fit in better with the Naval Weapons Station project.

Regards,
Wayne Willemsen

8/16/2021 Zoning Administrator's Meeting

3:30 Session

Item 2a.

Scott Sheppard: Good afternoon, everybody. Can you hear me? My name is Scott Sheppard, my wife and I have been residence here in Walnut Creek for 15 years. We have 3 daughters and put them through school in Walnut Creek. I am a CPA in the construction industry. I understand the issues we are facing here and the biggest concern I have coming out of this EIR report is going to be the fact that your talking about destroying 30 acres of pristine, undeveloped land that the City of Walnut Creek would never be able to regain back. I think that its disingenuous that the Speiker Senior Development partners to believe that somehow they are going to bring nature back and figure out how to replace 400 trees and make a 600 unit parking lot garage, somehow a piece of natural beauty that will replace the existence of open space that we cherish and love as Walnut Creek residence. I hope and pray that the people at the Zoning Administration understand how important this is. That the 80 people that are on this call are only a small slice of the people that will stand up against this. Now the EIR is important, but the truth is the Zoning cannot be changed to allow this. The plan for that land never allowed for this type of development. Speiker knows that so we ask all of you to protect our open spaces, who understand the Walnut Creek community. Do your part. Thank you.

Larry McEwen: Good afternoon, my name is Larry McEwen and I'm a member of the Board of the Walden District Improvement Association, which represents over 7,000 residents, both in and to the north of Walnut Creek. Over the past 5 years, our neighborhood has been inundated with high density developments, which either exceeded local, existing local zoning requirements or previously approved agreements with the County. They include 124 condominiums planned to occupy the site of the former Palmer's School, which is actually clear cut 100 trees, including 6 heritage oaks, trunk of one of which was over 6 feet in diameter, 200 apartments in Block C of the Transit Village, where 100 condos have been previously approved. 284 apartments on Del Hombro rising 6 stories and over 40 homes to be constructed by Habitat for Humanity on a lot approved for half that. As you know, all the recent state housing institutive favored moving low density housing in a vicinity of transit villages by overriding existing local zoning limitations of development. Since this project does not fall within the parameters of these new state initiatives, the County should take exceptions to these state laws by drawing a land *** of other developments in our area, not near transit villages such as this one. Now, Speiker Development is coming with this plan with almost 500 more units on the 30 acre Seven Hills Ranch site, which according to the developer, will destroy more than 300 trees and require moving an extra 17,000 truck loads of dirt, construction of a retaining walls, rising over 20 feet high, facing Walden on Cherry Lane. We would like to see an eye level depiction of the sites plan profile when completed as viewed by our members on Cherry Lane. This also retaining wall would also include the possibility of creating a pathway of the creek, providing additional access for residence to Heather Farms Park and the Country wood Shopping Center. Enough is enough. Walden is tired of being *** by developers planning around a thousand housing units. Our members will bear the brunt of the environmental and traffic impacts. Ideally, the seven hills property can be converted into a park used by the public ***** access to Heather Farms. Alternatively, if it must be developed, let it be in accordance with current single family zones as contained in the County's General Plan.

Patricia McGowan: My name is Patricia McGowan. I live at 3799 Harrison Street in Oakland. I'm a retired Urban Planner and I've been offering my professional input to the Saves Seven Hills Ranch Community Group. The key environmental impacts that I'm requesting included in this EIR are four categories. First one is the temporary impacts from construction. Particularly the air quality impacts, dust and noise. All three of those during construction of this project will last for years. Related to air quality we asked that you look into the diesel admissions from all the earth work equipment and the trucks to be used to move around this excessive amount that the dirt that the developer would like to remove and move around the site. Also, the air quality impacts from *** those impacts on the children that use the adjacent school. The general public, both the kids and adults who use park and the adjacent golf courses as well as the area residence. And then the air quality from the impacts from the diesel trucks that will deliver all the concrete and the asphalt, construction equipment throughout the four year construction project. The next impact that I'd like to request the EIR consider is to analyze how the project will comply with the County's required compliance with the ABAG, which is the Association Bay Area Governments regional housing needs allocation. Many of you might know preliminary determination made by ABAG and unincorporated Contra Costa County in the 8 year period coming up from 2023 to 2031 over 7,600 housing units need to be built in the County and an additional 5,800 units in Walnut Creek. So the notice of preparation states that this project doesn't have any residential component. So if that's true, I would like the EIR to indicate how the project advances the County's requirement for compliance with the regional housing needs allocation. Third, I request that the EIR analyze how the project will comply with the County's Inclusionary Housing Ordinance or explain why these buildings will house 700 people are not considered housing as it relates to the County's Inclusionary Ordinance and then lastly, I request that the EIR include an alternative development scenario that complies with the County's General Plan, which is medium density residential on this site. And that scenario would have less disruption to the natural site, less earth work and more trees. Thank you.

Trevor Cappa: I am a resident of Walnut Creek, about 2 blocks away from where the proposed development is and I'm a local CPA. I'd like to propose that the EIR limited in scope as possible. As we should all know, California has a housing crisis and developing these units is extremely important. This development is less than 2 miles away from BART and also to remember that inputs like these are extremely unhelpful in the development of housing. There are 80 people on this call and 70,000 in Walnut Creek so we have about .01% of the City's population here and remember when we are talking about this pristine open space, we are talking about hills, with some dead trees on them. It's not a pretty space, there's a park right by that still is open space as a result, I'd like to ask that we limit the EIR as much as possible in order to promote housing, affordability in the area. Thank you.

Michelle Sheehan: I'm from Walnut Creek. I want to thank you for accepting our comments today for the review process on the Spieker Development Environmental Impact Report. I speak here today for Save Seven Hills Ranch, a grass-roots organization which admittedly feels there are better ways taking advantage of this sites closest to the city of Walnut Creek Heather Farm Park and its unique history of being recognized for its beauty, rolling hills, spectacular views and intact natural habitat. Save Seven Hills Ranch has close to 2300 signatures on our "Save and Sensible not Super Size Petition" and has a large core group of active supporters. We will be sending in written comments for several of the impacts which we would like to ensure the EIR addresses. But today I'm going to talk about only two we would like included. We ask the EIR examine the project conformance with relevant land use plans and regulations of both the County & the City of Walnut Creek General Plan and Zoning Ordinances. The

project site is within the City of Walnut Creek's sphere of influence. And that must be taken into account in the EIR. In particular, the city has ordinances relating to hillsides and ridge line development, which must be recognized, along with prohibitions on ungated communities. Secondly, we ask that the EIR recognize the unique location next to the City of Walnut Creek Heather Farm park. A city park that is used by 1 ½ million people per year. The site sits across of heavily used public walks, bike ways and trails. The sites visibility to park, trail and walk way uses and the proposed illumination of the possibilities of the ***** must be considered. We asked the EIR **** that the project is unusually high retaining walls and it's complete wall off design will create an inaccessible compound which eliminates the connected possibility for this site, for people as well as wildlife. I'd also like to address that it does not fulfill housing requirements. It is not in any way affordable or fulfill any of the inclusionary requirements. There is a lot of downtown in Walnut Creek, we are looking to having housing there. And this open space is definitely not good trees, it has a beautiful, pristine natural environment. And I would say it needs to be considered in the EIR. Thank you

Sarah Kalin: I am a resident of Walnut Creek for 30 years. I am 30 years old so this is where I was born and raised. I went to Buena Vista Elementary School, Walnut Creek and Carondelet High School and I graduated from St. Mary's with an undergraduate degree. So the plan for Seven Hills need be improved. The greatest improvement would be redeveloping as a cultural or historical and nature preserve. The loss of echo systems and urban environments is a long standing issue, which has been studied ambiguously. The increment of change is slight though it shifts the baseline each person perceives. So that the current echo system as perceived by the current generations is normal, when in fact it is grossly abnormal. Diminishing green space is nearly unperceived happen over time and this change contributes immensely to the position many cities eventually find themselves in. Less attractive, more crowded, offering less to wildlife even far less to humans. While intended land used decisions without this perspective and in combinations with developers, typical short term profit driven mentality. Diminish our lives and the lives who follow us. This project as proposed is seemingly well intended short sided proposals. The impact on quality seems obvious. More air conditioning units require more power. More pavement as approved to greenery. Carbon dioxide lowering in plants and trees. If sounds to trite or obvious, review the NOAA temperature charts in the last 50 years and compare to the loss of trees world wide. It's pretty obvious. The long term use of this space should be that. Long term. Though there is a need for senior housing there are need for many previous developed sites still to be repurposed. Fortunately, Developers shy away to these due to the lengthening of the project time line when demolition or other clean up needs to be done. Clearing trees and grading prior to construction is so much easier and more profitable for these companies. Please consider these environment when disposing of the current plan for Seven Hills. Thank you.

Leslie.....: I represent two groups today, I'm president of Friends of the Creeks and a board member of Walnut Creek open space foundation. One of the things that concerns the friends of the Creeks is access to the creek from this development, there is none. We would like to see opportunities for this along the back of the property where the creek is and would like to consider what could be done to bring *** to the water shed. The creek, the key to that is the creek flow channel which is behind Seven Hills Ranch. There are a couple of opportunities there we would like preserved for future use. Second, public access is easily possible along the creek but none is provided we would like to see that for two reasons, so that people can enjoy the creeks but so that there can be public access on the west side of the park and an opportunity for a non vehicular traffic route for other points east, such as Countrywood Shopping

Center. ***** is more important than it is now. We would like to see meaningful analysis of the wetlands for listed species particular CTS and CLRS we are concerned that the wetlands is going to be buried in a canyon and the animals are not going to like it, even if there are no listed species there. We also joined the chorus of people asking for evaluation of different alternatives. Uh, we too would like to see an analysis of a single family median project. At least one, either three or five units per acre and one for a planned development, which would concentrate development in part of the site and leave the rest of the site open as open space publicly accessible. Ready to be enjoyed by all. If the pandemic has taught us anything, it is that people like the outdoors and their opportunities to be in it. I think that the plan elevations that are provided are an improvement over what was in the original plans, but they still are not in context, and I believe the public could use more help in interpreting those things by seeing some trees for scale, etc. Moving onto the moment Creek open space foundations issues. They too, are a you know, signing onto the last three, the wetlands, the alternatives, and the elevations. Heather Farm is a birding hotspot. They're up to a hundred and seventy eight species, three thousand different lists. These numbers are a bit vague, but there's substantial whatever the exact totals are. thank you.

Marsha: Hello, my name is Marsha Nuey, my husband and I have lived for twenty six years e 521 anderson way in Walnut Creek, which backs up to Kinross Drive. We would be greatly impacted by the proposed speaker development and strongly recommend you do not approve it. On the other side of Kinross Drive from our home is a group of eleven homes that sit on the street club view terrace. When this development was proposed and eventually approved by the City of Walnut Creek, we were promised by the City Council members at the end of Kinross Drive would remain closed and access to Seven Hills Ranch would not be allowed from that point. The City Council knew of our concerns to maintain a quiet residential neighborhood consistent with the city of Walnut Creek 's General Plan. Kinross Drive has an elevation change of twenty feet in less than a tenth of a mile. We now experience vehicle noise as cars and trucks accelerate going up the hill. If this project were to proceed, we would be exposed to the daily traffic noise of hundreds and hundreds of cars and trucks going in and out of the development. This would change our quality of life and make living here are very different. Seven Hills Ranch is a jewel in our community. As it sits next to Heather Farms Park, it would be a wonderful opportunity to extend the park by adding Seven Hills Ranch towards the ridge. As Leslie just said before me, the pandemic has shown us the great need for outdoor recreational space. I hope you can see the possibilities. That would save hundreds of trees, maintain habitat for many animals and birds, and keep our quality of life that we enjoy living here in our community. Thank you.

Rosemary: I'd like to express my concerns on several areas of the ER. Report the property at Seven Hills Ranch has been zoned agriculture for over a century. It has been a Wildlife Refuge all that time. Currently, there is many, many deer, turkeys, coyotes, fox, and a large variety of hers who called this home rental and Cooper Hawks have nests in the mature trees there. Acorn woodpeckers, great horned owls, swallows Bluebirds, Black headed grosbeaks and many more also live in the mature trees. For birds, there is absolutely no replacement for mature trees needed for nest safety and food. The Speaker Plan Corporation plans to remove nearly four hundred trees, of which approximately three hundred and fifty of those trees are currently on the county's protected tree list. Any attempt to replace mature trees with a fifteen gallon tree replacement means absolutely nothing to the wildlife that these trees that need these trees. This plan will decimate the bird population. In these times, the California wildfire is burning down our forests as I speak. Right now it seems ludicrous to allow speaker to destroy one

hundred and two hundred year old California Oaks. California last eighteen million trees in twenty eighteen to disease and fire. Who's going to monitor how is Speaker is protecting the few trees they're planning on keeping. What is the oversight of wildlife there? How will trees on Heather Farms H O A property be protected if the trees root system extend ten to forty feet past the property line of the H O A. Their plan is to cut start cutting the hills down just ten feet from the property line and four, ten to fifteen to twenty feet retaining laws. How will this affect and protect our existing trees on our side of the fence? My foundation, by the way, is just eight feet away from the property line so how is all this destruction of these hills and moving hundreds of tons of soil when it affects the buildings on our side of the fence? Who will be protecting our buildings and foundations from damage, regarding the transportation why is the city and county approving only one entrance into this property? There are currently four H O A and one apartment complex consisting altogether of 912 units using Marchbanks, plus a golf course and restaurant, which receives approximately 200 cars a day or around 73,000 visitors a year. Also, approximately 1.5 million visitors visit Heather Farms Park and they also use Marchbanks as well, which is just a two lane roads. Each lane is little over 9 foot wide, not the standard 10 foot wide bike lanes on each side of the road is only 41 inches wide, not the standard 6 foot average width the smart banks is more narrow than the average street. The average width of a junk truck is 9 feet. That means there is only 6 inch clearance between large dump trucks going up and down the street, and bikers and walkers using the bike path lane. Clearly not enough room for safety. I'm requesting the county explore all options of entry to Heather farms, not just the Kinross drive. Thank you.

Mike Young: I'm a long term resident here in Walnut Creek and live very close to this proposed massive megalopolis, which I think is completely out of sync with surrounding areas and with Walnut Creek. But, I would like the environmental impact report go into a deep analysis about the fact that there is no water for this project, we are in a state of severe drought. In May, Governor Newsom declared forty one counties, including Contra Costa County to be in a state of drought emergency and asked for a fifteen voluntary percent cut consumption of water. In April of April, 27, 2021 East Bay mud declared a drought emergency. And I think, Contra Costa County water district is it's the water district that would service this proposed area. On July 8, 2021, Contra Costa Water District asked its customers for a 10 percent voluntary conservation and stated that we are in stage one of the drought and that we have water shortages. Also in May, the Contra Costa Water district was told by the federal government that it's water allocation from the Central Valley Project was reduced and that the district would receive only enough water to meet public health and safety standards. And if you go online to drought.gov, 100% of the people in Contra Costa County, it says, are affected by the drought and this lack of water is the driest July since for a hundred and 27 years, rainfall is 7.4 inches below normal. There is a lawsuit down in Tassajara Valley or two or three lawsuits. Some of lawsuits revolve around the fact that there is no water in sufficient water. East Bay mud could not certified. They state that we cannot service that area for water, and I suspect that Contra Costa Water district would say the same thing about this proposed monstrosity. So, I request that the EIR include a thorough discussion about the draft long term effects of the drought and where the water is going to come from for this huge project. Thank you under three minutes, I think.

Amara Morrison- I am an attorney with Wendel Rosen in Oakland. We represent the Seven Hills School connection with its interest in the development of the Seven Hills Ranch. Given its proximity to the school. By way of background, the school is operated in its current location and Walnut Creek since the 1960's schools population is currently 420 students, and serves preschool, kindergarten primary and

middle school students, which age from 3 to 15 years of age. For decades, students at the school have spent their days overlooking Mount Diablo from their campus, and I've also enjoyed the rolling hills that extend from the school to the west. Indeed, many of the students play on play structures and playgrounds immediately adjacent to those hills, which is the site of this development proposal. I will stay at state at the outset that my client finds the proposal in its current configuration unacceptable due to its lack of respect for and sensitivity to the environment. Aside from the topics, which are listed on pages 3 to 5 in the Notice of Preparation, we request the following issues also be included in the environmental impact report. We see that the projects impacts on BMT 's are going to be evaluated, but we feel that the projects impacts on level of service should also be evaluated if the county has not yet adopted BMT as the sequel threshold. We also see that the environmental impact report is proposed to address noise and vibration in addition to air quality impacts. And we request that the impacts of the extensive amount of grading here immediately adjacent to the school be analyzed in terms of air quality impacts to sensitive receptors and according to the Cal Air Resources Board School age children are considered sensitive receptors, so I'd want to see particular attention paid to that in the EIR's analysis to this point. We would also note that the construction is estimated to last between 3 and 4 years and request a thorough analysis be prepared relative to noise and air quality impacts to the students during the duration of this construction. We also request as Miss McGowan, I believe her name is pointed out earlier, a detailed analysis of the air quality and noise impacts resulting from the truck trips, particularly the result in greenhouse gas emissions, diesel emissions, which are necessary to accommodate that level of earth movement. A fugitive dust impacts should also be impacted, the school is directly located west and would suffer from those prevailing winds coming from the west. The issue of noise, we would also request a close analysis of the operational noise, particularly as it relates to the Medical Center, which is going to be immediately adjacent to the to the school and on the issue of aesthetics, we feel that the EIR should employ the use of some level of photo simulation to show the impacts of the project during construction and also post construction perhaps 2 to 5 to 10 years out, and this is particularly important, given the extensive removal of three hundred and some trees which were going to be removed as a part of the project, and finally, as has been noted by many of the commenters, this afternoon, we request that the applicant and staff work to develop a robust set of alternatives which can be meaningfully proposed, and we would also be consistent with the current zoning for the property, and we just have to believe that there are a range of alternatives that will have far fewer environmental Impacts that this project is likely to result in. Thank you so much for your time and attention and consideration of our comments and we will be submitting written comments in advance of next Monday's deadline. Thank you.

Bruce Reeves: Uhm, environment suggests long term to me, and I'm thinking a hundred years ahead. Looking back at Walnut Creek and Contra Costa County. And I'm wondering what the positive and negative feelings would be of our great grandchildren as they look back on this period of time and see the housing this proposed by Spieker, versus the open space that we now have, and I would urge those who are involved in all of this to try to think a hundred years ahead. We've lived here since 1962 worked with Gary Gender and others on the open space project that has resulted in the current Walnut Creek open space. I don't think of us as tree huggers. I have a feeling that there's an awful lot of cynicism out there among certain groups. We're thinking money. The thing that attracts people to Walnut Creek is not further development, and I think the EIR should take that into account, so I appreciate what you what you're doing. I appreciate the effort that you're making. Thank you so much.

David Martin: I live on Seven Hills Ranch road. My wife and I've lived here for 24 years and to the gentleman who referred to the land is just a bunch of hills with dead trees. Let me assure you that it is not back when Sheridan Hale was alive not many years ago my family and I used to walk up along those hills and it is a beautiful piece of property. And the trees are very much alive. I will keep this short. And it first to express my agreement with several speakers who have come before me, particularly Patricia McGowan, Michelle she and Sarah Kaelin, and recently Amara Morrison. I want to say that I really believe that the size and scale of what is being proposed is absolutely out of character, with not only with what is in the general plan, but the surrounding neighborhoods that leveling the proposed leveling of the hills and the filling in of the **** and leveling to build out what looks like a battleship sized type Fortress with high retaining walls will be visible for neighborhoods, it's from the surrounding neighborhoods and the loss of all the trees and impact on the wildlife and the long term environment. And I appreciate Sarah Kaelin's comments on the long term environmental impact and how important it is that it's that city and county governments pay such important attention to this as we must across the whole world. So the size, scope and impact our inappropriate I, I believe that the general plan should not be amended to accommodate it. The zoning should not be changed and I echo and support the comments that reasonable alternatives be developed for the property.

Arvind Ramesh: Yeah I was just calling in. I'll keep it short as well. I would implore you guys to keep the EIR as small as legally possible and streamline housing that is desperately needed in the area. An EIR is an environmental law that is often abused to stop new housing, and for those of you who are not familiar, that's that's one of the reasons why housing is so ludicrously expensive in California. Meetings like this, a lot of people show up and throw every reason you know that they can find to block new housing. And again, I love nature as much as anyone. Here I make heavy use of the parks open space, the trails that we have in Walnut Creek, but I also do want to acknowledge the magnitude of the housing crisis that we're in right now. It's much easier to sit here and block housing when you're a longtime homeowner is not affected by sort of the crazy things that are going on two million dollar houses with twenty or thirty bids on them, so you know, I know I'm not gonna convince people on this call, but at least consider what it's like for the next generation, who you know, wants to buy a home or it has a home burdened with housing costs. And yeah, just sort of as a background I went to Valley Verde Elementary School. I went to Foothill Middle School, Northgate High School. I've been here my whole life and I basically have seen almost all of my peers priced out the area. So you know, just take a second to think what are the outcomes of sitting here and blocking every housing development that comes up, you know. And it's always, oh, it could be different. It could be this, but at the end of the day, the end result is housing just gets, it just gets blocked so yeah, I think these four fifty homes senior homes are again desperately needed. You know? Obviously we have a lot of seniors that could use that housing. And then when they move their their old homes get opened up for new people. So yeah, I would just reiterate that you know the eighty people on this call that are many of which are against this project. I would stress that they represent less than point. One percent of Walnut Creek, let alone Contra Costa County. So to all the decision makers on this call, I would implore you to keep this EIR smallest possible. Streamline housing that is desperately, desperately needed and think about all the people out there that may not know this call or don't have time to attend calls like this and you know make make the right decision and approve the project. Thank you.

Robert Tobin: I am taken by the sign. If it's not up now, but when the meeting started it said this is the Department of Conservation and Development. And so I'm just struck by the balance between those two things. And I empathize with the struggle to how you harmonize those. My understanding from dealing with this issue elsewhere is that that's why you have a general plan. And that's why you have zoning. Because conservation is not going to generate tax revenues at the county and the cities desperately need after Prop. 13, and so it's the general plan. The zoning are always that those two things are going to be balanced because otherwise you know development is just going to drive the process. And so I would just challenge and besiege really the decision makers here to look at both sides of that challenge. And to see that it's that it is the general plan is owning that establishes that the level playing field in which developers are all told where can be developed. What can be developed, how it needs to be developed, and when you start changing zoning rules and general plan, pretty much the level playing field goes out the window. And that's not how it's supposed to work, because otherwise the Department of Conservation and Development will be the Department of Development. And that's kind of it. And we are depending on you to do both and to give them equal attention. Even though the economics is on one side and not the other. Thank you.

Anne. I live here in Walnut Creek. In the Heather Farms area. And I just want to preface my comments by saying I'm not opposed to development in general, and I'm certainly not opposed to senior housing because I am one. But anyway, I am opposed to this development for many reasons, and many of the reasons people have already stated but certainly, starting with the devastation and destruction of open space, the leveling of seven hills to removal of three hundred and some trees and the displacement of the wildlife and replacing natural habitat and open space with a development that Walnut Creek already has. Actually, in Rossmoor. Rossmoor houses short of ten thousand citizens in a city of approximately 70,000 citizens so and then not to mention you have senior housing throughout Walnut Creek, such as Sunrise assisted Living, Kensington Heritage, Oak Creek. There's a new place in the Shadelands and that's just to mention a few. So our seniors are definitely being taken care of. The question is who does this development serve otherwise? It's certainly not deserving are Walnut Creek children or Walnut Creek teens or young adults. It doesn't serve young families. It's not a serving established families here, and it's certainly not serving the middle agers coming and going from work and that may middle age folks here about fifty five percent of our Walnut Creek population. However, open space does serve the greater community as it serves by providing a quality of life in an aesthetic that most of us have lived here, moved here for. This really, you know, was highlighted during Covid when we were able to get out finally in this. The only place we could go in the wildlife that we could enjoy. This is part of our neighborhood. It's smack dab in the middle of the established quiet neighborhoods and in the middle of our trails and bike paths. And it's again it's one of the reasons we've moved here. You know, Walnut Creek has always done a great job of combining progress, growth and development while maintaining and protecting our open spaces, this open space so I guess for me the final plea is to not change the zoning on this, to not disturb the general plan. That's what we've come to count on and you know we can do better with this land and if the county believes we need more of this type of housing for seniors, that's fantastic. Move it. It's a big county. We can move it off to the side where you're not going to planking.

David Andre: Yes we can everybody I've really enjoyed all the speakers except for two. I've lived in this town my entire life. And, well, not my entire life. I moved to Santa Cruz and then Oakland and San Francisco. I've seen a lot of development and I just want to say this is just a really bad idea. I am not

specific as some of the other speakers are that know the laws. And no everything going on, but it's such a bad idea to cut down any tree, any tree that's lived three hundred years, two hundred years, hundred and fifty years. This is ridiculous. What's going on and try to drive down in Asia Valley Road right now and imagine what this is going to do to that. It is just ridiculous that this is even being considered and you should not rezone. You cannot reason you cannot do this. OK and I got a song for you. *Let's save the trees. I'm going to keep it under three minutes. Let's save the trees. We've got to see the trees. Let's save the trees, come on lets save the trees.....*" And then I'm going to give it up to someone else who knows more of the technical jargon. Thank you.

Mike Scott: I'm a forty six year Walnut Creek resident. Now most of us have read in national news magazines at Bay Area traffic now no longer trails LA's but it is as bad. Our air quality, worse than New York City's. Overbuilt, overheated Walnut Creek has 71, 000 choke people. The immediate West County area, a quarter million. Ned Spieker Jr. of Menlo Park, wants to build a Rossmoor, Jr. on the only remaining unspoiled parcel, this side of six lane divided highway Ygnacio Valley Road. Leveling, rolling pastoral hills a third of a million cubic yards of earth. 17,000 truckloads. Rip out 400 oxygen returning trees, 353 of them protected. Under Contra Costa County chapter 8.16-63 protection and preservation. Look it up. We would think these wealthy seniors, certainly our cities children. There are three schools in the immediate area can use all the oxygen fresh air they can get. Heather Farm Park was fine in 1970 when Walnut Creek population half today is. Adjacent Seven Hills Ranch provides not just oxygen breathing room for us all, but it's home to myriad wildlife. Allows rainwater absorption for already depleted groundwater. Ned Spiker's proposal will strain already overburdened sewers. Our electric grid. Leave are overwrought city with more noise. Air and light pollution, the latter interrupting human circadian rhythm, causing breast cancer in women. All this for an unneeded senior community for the one or two percent. Including a huge restaurant with liquor license. Which could be built on numerous other already leveled sites like the **** Rossmoor Shopping Center, a ghost town husk other than Safeway Rite Aid, Starbucks, the unrelenting noise and dust alone from four long years of this Dresden. is but prelude to leaving Walnut Creek akin to Daly City it's unhealthy by any yard stick and destroys the last direct connection to Walnut Creek's 19th century heritage. I surrender my remaining seconds to Joni Mitchell. "Paved Paradise put up a parking lot with a pink hotel, a boutique. And swinging hot spot."

Sam Van Zandt: My wife and I have lived here for more than thirty years. I moved here from San Francisco to get away from the city, and I certainly don't want to see more city in this beautiful community. And I I wrote some prepared remarks, but I'm also going deviate a little bit. Have you seen the area? It has everybody who is talking today seen this area. It's just beautiful. The Seven Hills Ranch property, I walked over there this afternoon to take another look. It's part of my daily routine to walk over to that area. And yes, it's a hot day, but it was worth it because I just love the area and you should see it while you can. But if you drive Ygnacio Valley Boulevard to get there it may take you awhile, especially during commute hours when the congestion can be really challenging. And after you've seen this site, I want to ask you to imagine how congested traffic will be one hundreds trucks are added each day to remove the beauty of this pristine property. To level this wonderful hilly area, does historic ranch then imagine that after the development after the four years of development is completed, when hundreds of employees and visitors are going to jam this formally quiet, peaceful area with a lot of new traffic, it's not going to be pretty and it's going look like a city. So and the other question is, where is the infrastructure to support all this new traffic and the people who've been the cause of traffic? As I said, I live nearby. I deliver for Meals on Wheels in the area too, so I know a lot about the traffic in the area

and Ygnacio Valley Boulevard is we all know is already overburdened with cars traveling through Walnut Creek to get to Antioch and Brentwood, and that's poor planning in itself. And who benefits from this project? Not the neighbors, not the crowds of travel on YV? Certainly not the taxpayers of Walnut Creek. The scheme is designed for the convenience of one tiny group of wealthy seniors without thought to the rest of the senior community of Walnut Creek or the community at large. The project benefits the developers who plan to alter historic site forever to build an exclusive village for a small number of people at great cost to our community at large. And we are the people who really paid the price. And lots of our quality of life we won't even be allowed in once it's developed its low density, low density is changed to high density. This development is allowed. It's going to push out one of the most beautiful and most historic open spaces in Walnut Creek. The county should not be considering rezoning any area for residential purposes that does not include low and middle income residents as well. Yeah, we need housing. Developers don't even call this scheme housing and this housing, so called housing development benefits the very few at the expense of all Contra Costa County taxpayers. It's a beautiful area.

Jan Warren: a longtime resident of Walnut Creek. I support the current density of for the property and asked for a denial of a developer 's request for a general plan amendment. We are in an accelerating climate emergency. We need to rethink our decisions about how and where to build the purpose for our construction, who benefits, and the repercussions to the community and planet. Every aspect from site selection preparation of the site, and selection and transport of materials used to build a development needs to be evaluated on the basis of its impact on our warming planet. The proposed project will level and existing habitat and natural lands that sequesters carbon. Removes trees that clean the air, and shaved that cools the area. We've seen animals increasingly entering our neighborhoods because they are being pushed out of their natural habitats they proposed timeline of this project at three to four years will have a negative impact on the land, air, natural habitat and closest neighborhood. That includes a particulate matter entering the young lungs of our kids at Seven Hills School. Most dump trucks have a capacity of ten to sixteen cubic yards. This project anticipates offsite removal of 7500 cubic yards, which results in 469 to 750 truck trips. Use of concrete and asphalt will increase the storage of heat and reduce the availability of natural rain to soak into the land and increase runoff during heavy rains. The build out is 360 units with 460 occupancy units and 622 parking spaces. Recent reports show that we are over building the amount of needed spaces. Kinross Drive is a winding road and not designed for heavy through traffic. Except for emergency use, there's only one way in and out of this development. So **** living operates biamonte, another CCRC at the Orchards in Walnut Creek, which was built on level land and is within walking distance of bus transit, grocery stores, retail shops and restaurants. There is too much impact on the environment for this project at this location. Thank you.

Christine: I just want say I moved to Walnut Creek in 1982 with my family. I've always been blown away by the beautiful scenery. I moved away for creative time but now I'm back with my own family here and I, too, like many of the other people who are participating here have been very upset by the amount of development that has been going on. Just seeing them cutting down the oak tree at Scott 's restaurant. And that just happened recently. All of this has been very, very difficult to process. Now my problem specifically with this development as many other people had said, is why destroy, why rezone this property that's already zoned as agricultural land? Why not go to some of this retail space that is just consuming all of this area? The new mall that was built in Concord. We've got empty the old Encore

Gymnastics space we've got empty retail space everywhere. Why aren't we rezoning some of the retail space and repurposing that, and I think Sarah mentioned it earlier that the costs of that are just too expensive for a developer to take on. And in the meantime, what we would be doing if this is approved is irreversible damage. It's an irreversible project that would forever change the landscape of Walnut Creek. Now in 1970, when there was a proposition to develop Shell Ridge and basically bulldoze half of that away. People got up. They spoke their mind and they prevented it from happening. And Can you imagine if that didn't happen in 1970? What Walnut Creek would look like today? So, I just want everyone to consider that. I refuse to drive up and down Ygnacio Valley Road whenever I can refuse it. But you know, I still have an elderly parent who lives on the other end of Ygnacio so I do have to drive that and there's no way it could accommodate the construction for four years. Or having people 300, 400 more units. And as this talk about needing housing, I don't know about you guys, but I don't know many seniors that can afford a 2.5 million, two bedroom unit. So, really not sure how we're helping and we're not doing anything to help the housing crisis and I really hope that this is considered and we get a very, very thorough environmental report done on this. That's my two cents, thank you.

Juan Xu: Thank you for taking my call. Me and my husband moved into Walnut Creek about 13 years ago and we moved into Heather Farms Park about eight years ago we lived in this beautiful place for about eight years and two years ago we gave birth to our daughter. So, when we live here, we all houses literally just off the fence of the Seven Hills range, so we can enjoy the scenery. We can see different kinds of animals. Deer's in the short distance, coyotes, turkeys, and many different kinds of birds, which I don't know the name of them, but they are beautiful. I hope my children can my child can grow up seeing these beautiful things as the same way as we do. And definitely, we don't want to expose her to the construction pollution and worst air conditions construction so like other people mentioned in the call, we do hope that the developers can find other places to develop senior houses which could be in good use, but these days. I'm joined on this special place in as it is in the middle of the city. Thank you.

Michael Martin: I've lived in Walnut Creek since twenty twelve and I've really loved the city. It's been a fantastic place to raise my daughter and we just had another son. I have a different point of view than a number of the speakers I've heard today. I believe that Walnut Creek is exactly the place where we should be building housing amidst a housing crisis. It is a wonderful place to be, and it's very convenient to a lot of places where people work and for people who want to put housing elsewhere. I just look around and I don't see that many places that are going to be as effective as this as trying to help find people, places to live, including hopefully my parents in the future. So, I greatly appreciate the opportunity to put my comment in today. I really hope that while we study this development to make sure it doesn't have negative impacts on the rest of the city and the surroundings around it, I would rather not see unnecessary process unnecessary environmental review, building up barriers beyond what is necessary to have a safe and successful project. I look forward to welcoming more neighbors here to Walnut Creek in the future. Thank you very much for the opportunity to comment.

Karen D: long term, twenty plus years resident of Walnut Creek. I just want to characterize myself as not being anti-growth and I'm not anti-development. In fact, I've supported many development projects in Walnut Creek over the past twenty years. This includes the development expansion in downtown Walnut Creek, including many apartments and condominiums, retail space and business buildings, and

the Broadway Plaza Mall. We experienced at Walnut Creek is incorporating high density planning and for the most part thoughtful ways developing a plan that includes putting the building to facilities and areas that are close to downtown, but also expanding that plan to use other appropriate areas like the Shadelands, the corridor of Mount Diablo Boulevard from the Broadway Plaza down to highway 24 and also along Ygnacio Valley Road corridor for many miles. These are very high traffic areas but also have access to public transportation and access to downtown via biking, buses, cars and walking and public transportation. The Seven Hills Ranch location and property are not inappropriate and thoughtful location for the Spieker project. This ranch is a pristine, low density, quiet, isolated agriculture area of our county. This project is also proposed. To be a huge and high-density development and not fit for this location. The amount of grading and leveling of the Seven Hills Ranch will require between 10,000 to 20,000 truckloads of soil to be excavated. The topography of the land is beautiful and natural and should not be decimated for a huge inappropriate development. To me it's quite unbelievable to think that Walnut Creek is a community that protects heritage oaks and has a beautiful Land Trust will even consider approving this project which wants to remove and cut down 400 beautiful trees, 350 of which are protected status. This is not thoughtful to speak or of our board. Given Walnut Creek historical approach to protecting beautiful land, property and associated assets, including our wildlife and trees. The visual impact of this project on our beautiful land will be enormous. Converting the natural habitat for urban and high density and will change the long term native wildlife forever. Traffic being mentioned by many people is already a huge issue in Walnut Creek on 680 and Ygnacio Valley Road. Why create more congestion? I don't read or see any plans by Spiker that could really seriously mitigate this real traffic problem. To me it's irrelevant that Spieker is taken years to find the location of Walnut Creek to build an assisted living became a project this project due to its size and its proposed characteristics should be slated for location in either downtown Walnut Creek or one of these commercial areas or high density areas, or repurposed retail as other people have suggested, were high density as planned. Forward, please do not feel that you have to approve every project that is presented to you. Walnut Creek has already approached or is already approved and continues to develop high density housing projects for many years. We need to be more thoughtful about our locations and impacts of all these projects and especially these large behemoth projects. Please just don't consider that the project can meet a couple of requirements for high density and assisted living, when this project has so many negative impacts and outcomes that cannot be reversed.

Armand: I was born and raised in the Contra Costa County area grand from conquered as well as Martinez. Currently living in San Francisco but my family still resides in Walnut Creek and not in favor of support this project for many reasons. The first is fundamentally that housing is incredibly expensive in the Bay Area and the continued insistence that every Planning Commission and every meeting I go to that I support housing, just not in this project is why we face this disaster. So, if you look at the census data for Walnut Creek for example, going back to 2014, the price of a medium bedroom was 1,764.00 in 2020 it is 2,080. Somebody talked about Walnut Creek they were really proud of opposing a project in the 1970s. It's because of opposition of projects that's gone so far back and had decreased validation of housing of jobs spin-off housing. So we've set the various housing mark on the fire, and that's having enormous consequences. Contra Costa County in 2019 so 43 percent increase in the rate of homelessness. Speaking of the environment, this kind of dense urban infill development is exactly what we need to prevent environmental catastrophe. I don't think I need to tell anyone here that we have recurring smog and smoke choking our plan of choking our environment a regular basis now, and that's exactly blade to climate change by telling us that projects into built somewhere else would end up

happening is we're not protecting nature. It gets fall further out and Tracy to Stockton would be cut down our natural environment cause more car based travel and destroy our environment. I want to preserve the ability to for kids to see trees, to see plans to see wildlife. We're not going to do that if you don't create places for people to live, and especially projects like this one. Which have a significant fordable component or for seniors assisted based living and are ***** a very modest amount of density relative to any other global city or standard. This idea that we can quibble over individual projects and try to nitpick and say this isn't the right thing. While people are dying on the streets and our forests on fire. And my kids are going to live in hellscape that we're creating now. It's a more obligations that people want a creek and the kids want to creek and their kids. And we need to improve this project and we need to improve more because too much is at stake. Thank you.

Jim Frey: I live in Walnut Creek. I'm a member of the Save Seven Hills Ranch Organization, an organization that is growing rapidly as more people learn about the proposed development of Seven Hills Ranch. We are against this development for a number of reasons. Forgive me for going over some that have already been mentioned more than once. First, the development does go against the general plan, which at the time, but it was accepted, had received a full vetting and agreement. The plan reflects the goals of retaining open space and development that would limit environmental impact. Second, it is our understanding that the speaker development plan would require the removal of 350 to 400 trees, including many old oak trees from the 30 acre site. Their development plan requires the leveling of three hills, which work will require the removal of seventeen thousand dump truck loads of dirt. From the area and in order to create a level site. Clearly, this will result in wiping out bird and animal habitat on Seven Hills Ranch. The construction would take three to four years and result in retaining walls and excessive 20 feet in height around the perimeter. And several buildings between two and four stories tall that would absorb virtually all open space. Third, once completed, it's estimated that the end out traffic which will feed onto Marsh Banks Road and then on to Ygnacio Valley Road will add an estimated 1100 car and trucks per day to Ygnacio traffic, which has been mentioned numerous times. We all know already has backups every morning and afternoon for blocks. It will great, greatly increased the demand for electric power and water, both of which are in short supply. So, on behalf of Seven Hills Ranch, Save Seven Hills Ranch, we are asking that the County Supervisors know of the strong objection of many people in Walnut Creek regarding this proposed project. We're asking the Supervisors to retain the general plan as written. And keep that plan without amendment. Thanks for the time.

LR: Yes, I well I was raised in Walnut Creek, and I don't even recognize it now. And I agree with all of these other speakers about traffic, air pollution and I don't know if items can just be added to an environmental impact report, you know, categories or whatever can you just had to them ad hoc? I don't know, but whatever the categories are that are available, you know you have to follow through with every one of them. Do not shorten this environmental impact report. Think about the future and for you people who think there's going to be affordable housing there, no. No, that is not true. This is the most ridiculous plan I've ever heard of. Do not change the General City plan or whatever it's called for Walnut Creek. Enough is enough with this development in that town. It used to be a quiet. You have this, you know quiet small town feeling no, no, not anymore. Now it's a joke. That's all I'm going to say, thank you.

Bob Peoples: resident of Contra Costa County and I'm opposed to changing the county general plan and zoning to allow development of Seven Hills Ranch had increased densities beyond what would currently be proposed instead I believe this area should remain in its natural state, which will in void substantial

costs to the county and society, the residents of the county. While providing immense benefits in an increasingly urbanized environment, I'm not opposed to development to meet the needs of the community, but such a development should occur within existing development footprints rather than building on green fields. This area Seven Hills Ranch is really not the typical infill area that you find in urban areas, which are appropriate to develop instead, it is a natural area with significant benefits to society. Having said that, I would again urge that the alternatives to locating a senior housing facility elsewhere other than on Seven Hills Ranch, a natural area destroying it is to look at redevelopment of existing urban areas. There are a lot of shopping centers which have economic problems, you know I no longer economically viable could provide the site for such a facility and it would provide some additional housing. All be it very expensive housing for seniors. Thank you.