

## **Appendix A:** **EIR Noticing and Public Involvement**

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**Town of Danville**  
**Notice of Preparation and Notice of Public Scoping Meeting**  
**Martin Hills Ranch Residential Project**

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**Date:** January 21, 2025

**To:** State Clearinghouse and Interested Public Agencies, Parties, and Organizations

**From:** David Crompton, Chief of Planning, Town of Danville Planning Division

**Subject:** Notice of Preparation of an Environmental Impact Report for the Martin Hills Ranch Residential Project and Notice of Public Scoping Meeting

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**NOTICE IS HEREBY GIVEN THAT** the Town of Danville (Lead Agency and Town) will prepare a Draft Environmental Impact Report (Draft EIR) for the proposed Martin Hills Ranch Residential Project (proposed project). The Draft EIR will address the potential physical and environmental effects of the proposed project for each of the environmental topics outlined in the California Environmental Quality Act (CEQA) Appendix G thresholds. The Town will use the Draft EIR when considering approval of the proposed project. Pursuant to CEQA Guidelines Section 15082, the project description, location, and potential environmental effects of the proposed project are described in the attached materials and available on the project website at <https://danvilletowntalks.org/private-land-development>.

**30-DAY NOTICE OF PREPARATION COMMENT PERIOD:** The Town is soliciting comments from public agencies, organizations, and members of the public regarding the scope and content of the Draft EIR and the environmental issues and alternatives to be addressed in the Draft EIR. In accordance with the time limits established by CEQA, the Notice of Preparation (NOP) public review period will begin on **January 21, 2025**, and will end on **February 20, 2025**. Please provide your written/typed comments (including name, affiliation, telephone number, and contact information) to David Crompton via email at [dcrompton@danville.ca.gov](mailto:dcrompton@danville.ca.gov) or mail to the address shown below by **5:00 p.m., on Friday, February 20, 2025**. If you wish to be placed on the notification list for this proposed project or need additional information, please contact:

David Crompton, Chief of Planning  
Town of Danville, Planning Division  
500 La Gonda Way  
Danville, CA 94526  
Phone: 925.314.3349  
Email: [dcrompton@danville.ca.gov](mailto:dcrompton@danville.ca.gov)

**PUBLIC SCOPING MEETING:** The Town will hold a Public Scoping Meeting to: (1) inform the public and interested agencies about the proposed project; and (2) solicit public comment on the scope of the environmental issues to be addressed in the Draft EIR as well as the range of alternatives to be evaluated. The meeting will be held on **Tuesday, January 28, 2025**, during the Town's regularly scheduled Planning Commission Meeting starting at **5:00 p.m.** The Planning Commission Meeting will be held at the following location:

Danville Town Meeting Hall  
201 Front Street  
Danville, CA 94526

Information regarding the Planning Commission meetings, agendas, and meetings as well as instructions for submitting public comments at in-person meetings is available at the following website: <https://www.danville.ca.gov/129/Meetings-Agendas-Minutes>. Please contact the City Clerk at 925.314.3401 or email [cityclerk@danville.ca.gov](mailto:cityclerk@danville.ca.gov) with any additional questions.

## MARTIN HILLS RANCH RESIDENTIAL PROJECT

### Project Location and Setting

#### Location

##### Regional

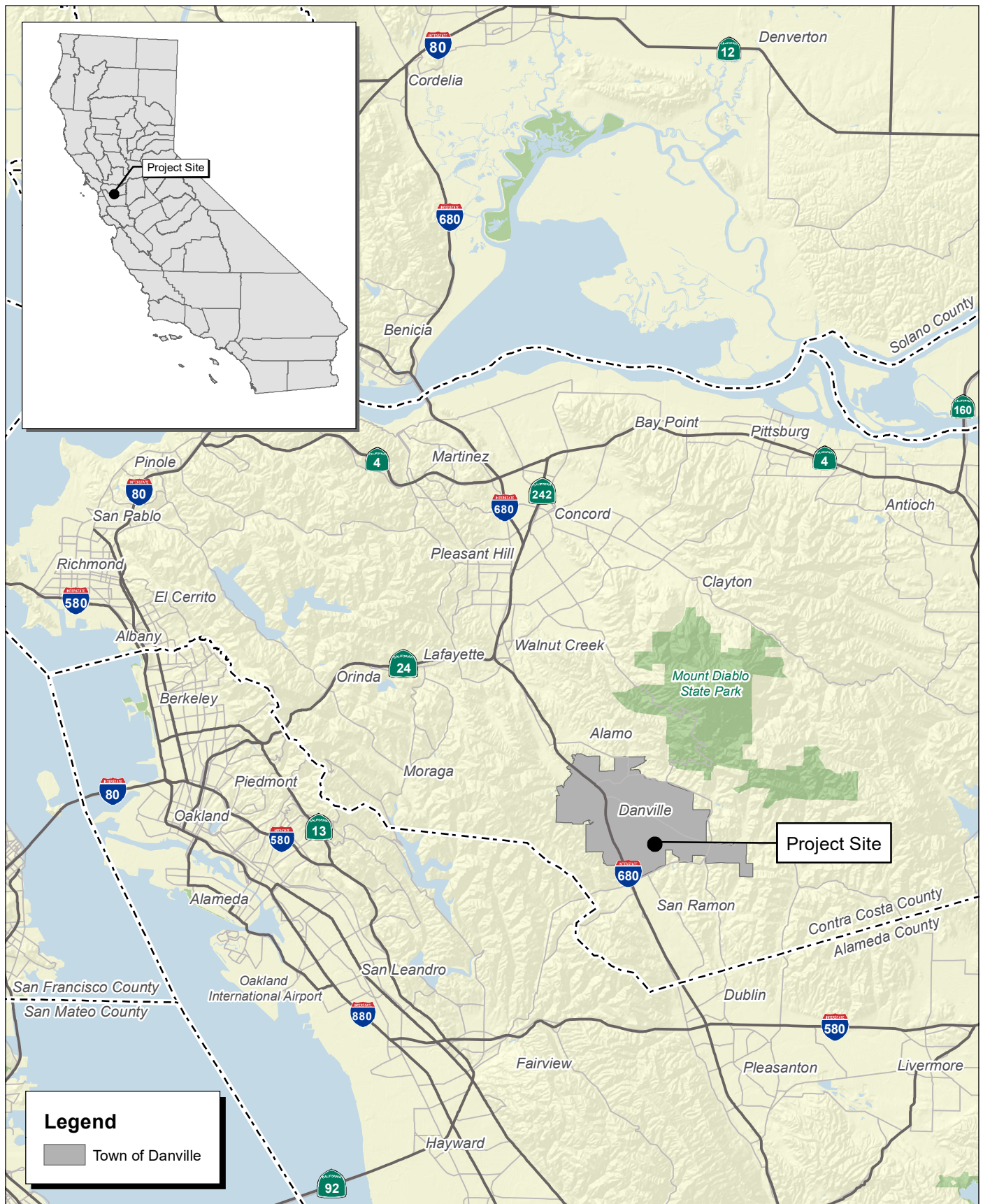
The Town is located in the eastern San Francisco Bay Area of Northern California. The Town is bordered to the north by the unincorporated community of Alamo, to the east by the unincorporated communities of Blackhawk and Diablo, to the south by the City of San Ramon, and to the west by the Las Trampas Regional Wilderness Park and unincorporated Contra Costa County (Exhibit 1). Located in southwestern Contra Costa County, the Town covers approximately 18 square miles and has historically been a suburban community serving major employment centers to the west (e.g., the City of San Francisco) and to the south (e.g., the City of San José). Regional access to the Town is provided by Interstate 680 (I-680) and State Route (SR) 24 to the west and I-580 to the south.

##### Local Setting

The approximately 102-acre project site is located off Borica Drive and Como Way; however, development under the proposed project would only occur within 29 acres in the southeastern portion of the site (Exhibit 2). The project site does not currently have a street address but can be accessed at the eastern ends of Borica Drive and Como Way. The project site consists of five Assessor's Parcel Numbers (APNs): 218-010-008, 218-010-009, 218-010-010, 218-010-011, and 218-010-012.

Presently, the project site is vacant and varies topographically. The northeastern and western portions of the project site are steep and hilly with a relatively flat plateau at the highest point of the project site. The northern and eastern portions of the project site contain some small ravines and natural drainage features following the natural drainage downward. Overall, the project site has a total elevation gain of approximately 165 feet from the lowest portion of the project site in the southeast, which is approximately 590 feet above mean sea level (AMSL) to the highest point of the project site, approximately 754 feet AMSL.

The project site is located within the *Diablo, California* United States Geological Survey (USGS) 7.5-minute Topographic Quadrangle Map (Latitude 37° 47' 54.15" North; Longitude 121° 57' 30.94" West).



Source: Census 2000 Data, The California Spatial Information Library (CaSIL).

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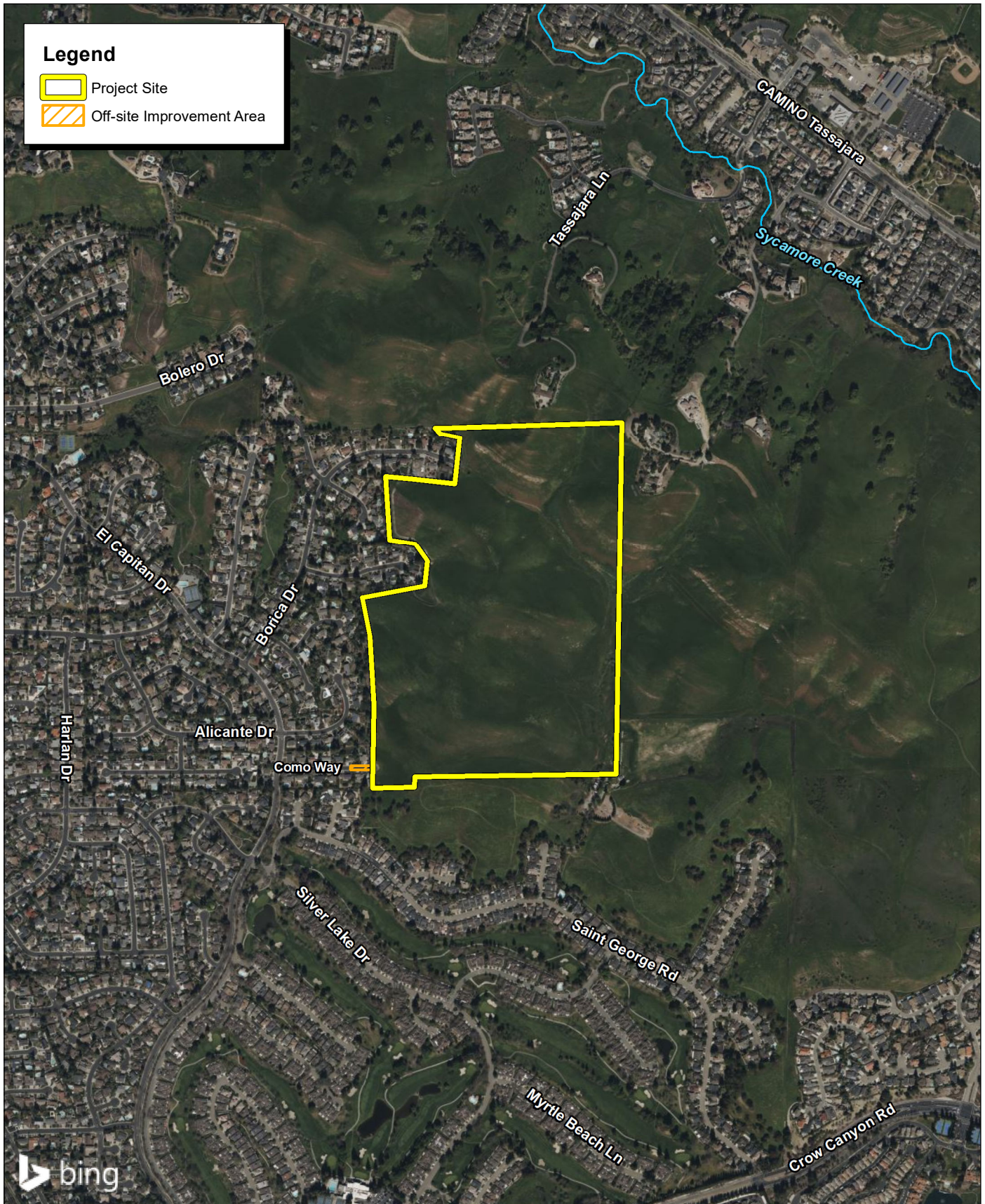


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## Exhibit 1 Regional Location Map

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TOWN OF DANVILLE  
MARTIN HILLS RANCH RESIDENTIAL PROJECT  
NOTICE OF PREPARATION



Source: Bing Aerial Imagery. County of Contra Costa. CBG Civil Engineers, January 2025

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## Exhibit 2 Local Vicinity Map

## Existing Land Use Designation and Zoning

The project site is designated Agriculture by the Town of Danville 2030 General Plan (2030 General Plan). In 1997, the Williamson Act Contracts that applied to the project site expired and were not renewed. However, the expiration of the Williamson Act Contracts were not properly recorded; therefore, when the current General Plan was adopted, the properties under this land use designation were incorrectly identified as bound by Williamson Act Contracts to remain in agricultural use. The Town officially filed the expiration of the Williamson Act Contract on August 21, 2024.

While the property is still zoned A-4, because the project site's Williamson Act Contract has expired, the site is entitled to return to the A-2, General Agricultural Zoning District, which applied prior to the Williamson Act Contract. The A-2 district permits all types of agriculture, including farming, horticultural, and livestock production, other agricultural uses, such as sheds, warehouse, and granaries, and a detached single-family dwelling and accessory structures on each parcel. The A-2 district allows residential uses at a density of one unit per 5 acres.

## Surrounding Land Uses

The project site is surrounded by the following land uses:

### North

The General Plan designates the vacant land immediately north of the project site as Residential, Single-family—Rural Residential (Rural Residential), as well as General Open Space, and the existing single-family homes north of the project site as Residential, Single-family—Country Estate (Country Estate), and Residential, Single-family—Low Density (SFL).

### South

The General Plan designates the vacant lands south of the project site as General Open Space and the existing single-family homes farther south of the project site as Residential, Single-family—Medium Density (SFM).

### East

The General Plan designates the vacant lands east of the project site as Rural Residential and General Open Space.

### West

The General Plan designates the existing single-family homes west of the project site as SFL and SFM.

## Project Description

### Proposed Residential Project

The project applicant proposes to construct 20 single-family homes, with approximately 25 percent (five homes) being designed with accessory dwelling units (ADUs) (Exhibit 3). The residential lots

would be clustered in the southeastern portion of the approximately 102-acre project site. The proposed project is expected to generate approximately 70 residents.<sup>1,2</sup>

The 20 residential lots would range between 14,553 square feet and 25,387 square feet and the proposed project would also include several agricultural lots located north and west of the residences. Furthermore, the proposed project would construct project access off Como Way and internal streets to provide internal circulation within the project site.

## Land Use Designation and Proposed Zoning

The proposed project includes the development of 20 residential lots and 5 ADUs. The site's General Plan land use designation is Open Space–Agricultural. The Town's A-2; General Agricultural District is listed as Consistent with this land use designation. As previously discussed, the project site's Williamson Act Contract was not renewed; therefore, its underlying zoning district would apply to the proposed project. The applicable A-2 District permits one dwelling unit per 5 acres. Given that the project site is approximately 102 acres, the existing zoning for the project site would allow up to 20 residential lots. However, because the project applicant proposes to cluster the residential lots in the southeast corner of the project site, the proposed project would require a rezone to Planned Unit Development District (P-1).

The Town's 2030 General Plan includes the subject "Elworthy East/Bolero" site as a Special Concern Area, and provides additional direction to guide development of the site. Language within the Special Concern Area acknowledges the limited development potential of the site, and requires that that steeper slopes and ridgeline areas be preserved as permanent open space.

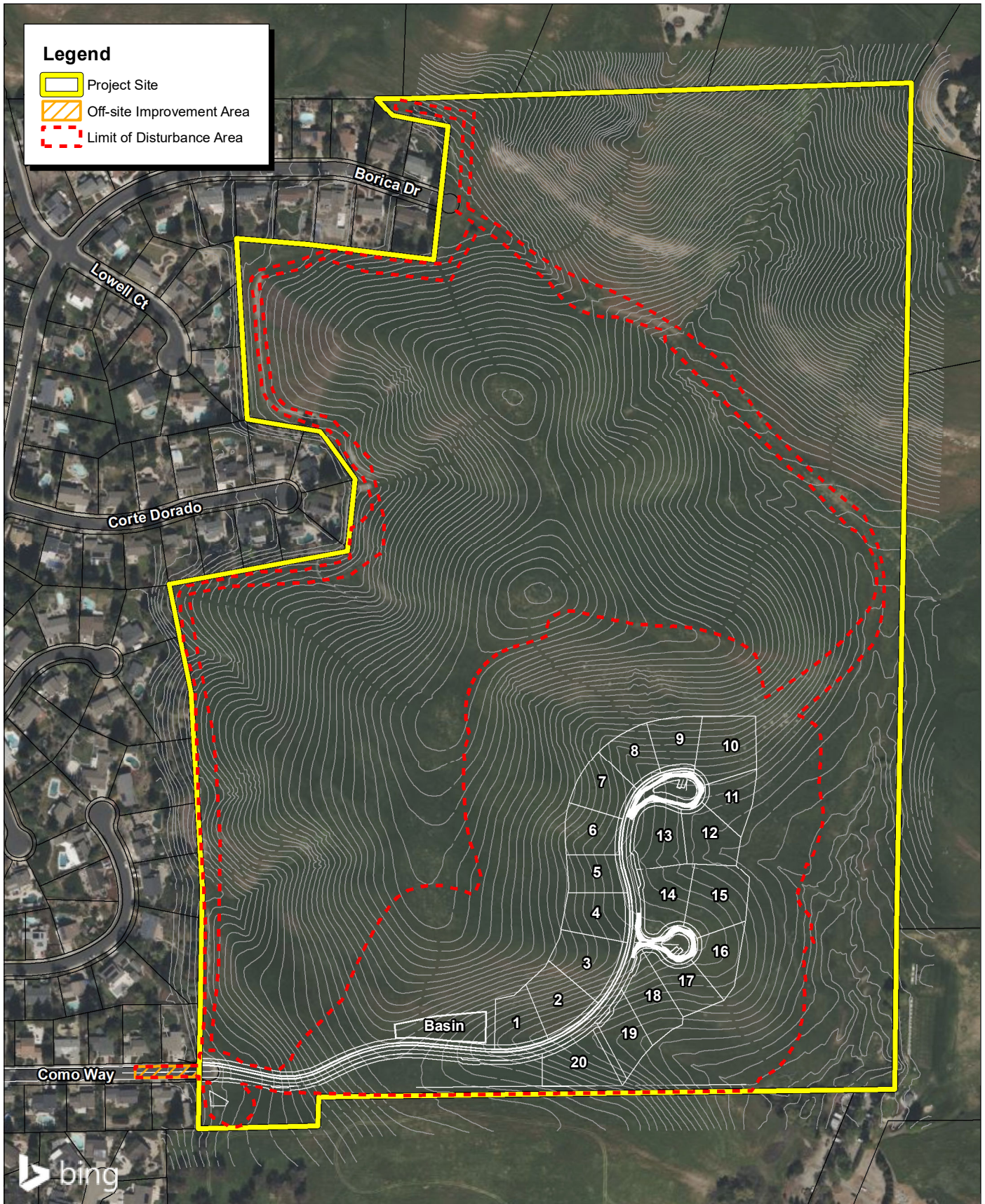
## Site Access, Circulation, and Parking

### Vehicle

The project site would be accessed via a proposed private extension of Como Way at the southwestern corner of the project site that would serve all of the proposed lots within the proposed project. There would be one cul-de-sac off the proposed Como Way extension that would serve Lots 13, 14, 15, and 16 (Court A). The proposed Como Way extension would terminate at the northeastern corner of the residential development area near Lots 9, 10, 11, and 12. In addition to the two- to three-car garages attached to each proposed single-family home and the parking available within the driveway, the proposed project would also provide 10 parking spaces on internal streets. Specifically, two on-street parking stalls would be provided in front of Lot 18, two on-street parking stalls would be provided in front of Lot 16, four on-street parking stalls would be provided in front of Lots 12 and 13, and two on-street parking stalls in front of Lot 8.

<sup>1</sup> Project population calculated by multiplying the total number of dwelling units (19 single-family homes and five ADUs) by the Town's average household size of 2.75 persons (24 x 2.75 = 66).

<sup>2</sup> United States Census Bureau. 2024. QuickFacts: Danville own, California. Website: <https://www.census.gov/quickfacts/fact/table/danvilletowncalifornia/INC110222>. Accessed July 11, 2024.



Source: Bing Aerial Imagery. CBG Civil Engineers, January 2025

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## Exhibit 3 Site Plan

Access for emergency response vehicles would also be provided by a fire trail extending from Borica Drive on the northwestern portion of the project site and from a proposed extension of Como Way on the southwestern portion of the project site. Additionally, in accordance with Fire Department requirements, fire apparatus roads with adequate width and turnaround provisions would also be provided on-site.

## **Transit**

### ***Bus***

Bus transit services in the vicinity of the project site are provided by County Connection. County Connection provides bus service to and from the Dublin/Pleasanton and Walnut Creek Bay Area Rapid Transit (BART) Stations to the Town, including the Sycamore Valley Park and Ride.

### ***Rail***

BART is a regional rail transit service that operates within the County and provides connections to Contra Costa, San Francisco, Alameda, and San Mateo counties. The nearest BART stations are the Dublin/Pleasanton BART Station, approximately 7.46 miles south of the project site, and the Walnut Creek BART Station, approximately 9.48 miles northwest of the project site.

## **Bicycle and Pedestrian**

Currently, there are no existing bicycle lanes on Como Way adjacent to the project site. The nearest bicycle route to the proposed project is a Class III bicycle route along El Capitan Drive, connecting to Camino Ramon and Crow Canyon Road, approximately 700 feet west of the project site. In addition, the Iron Horse Regional Trail, which connects to the Class III bicycle route on El Capitan Drive, is located approximately 1 mile west of the project site. The Iron Horse Regional Trail provides a multiuse bicycle/pedestrian pathway, running from the City of Pleasanton to the City of Concord. Pedestrian sidewalks currently exist along Como Way and the streets in the project vicinity. No sidewalks would be provided along the proposed extension of Como Way.

## **Landscaping**

The proposed project would plant a total of 137 trees, including 16 different tree species. Trees would be planted along the proposed extension of Como Way, including within the median of Court A and the terminus of the proposed extension of Como Way and along the edges of the proposed bioretention areas at the entrance to the proposed development. Landscaping alongside roadways would consist of drought-tolerant trees species requiring minimal irrigation, fertilization, and maintenance.

## **Utilities**

### **Domestic Water**

Water service to the project site would be provided by the East Bay Municipal Utility District (EBMUD). Water service to the project site would be provided by a connection to proposed off-site 8-inch diameter water lines in the southwest corner of the project site. Water service throughout the project site would be provided in 8-inch diameter water lines under the proposed internal streets.

## Stormwater Drainage

The proposed project would connect to an existing 15-inch storm drain within Como Way. Storm drains would range from approximately 12 inches to 24 inches within the project site. The proposed project would include two drainage management areas (DMAs), including two bioretention areas, as stormwater treatment features:

- **DMA 1:** DMA 1 would include the residential lots and the majority of the internal roadways, totaling approximately 10.56 acres. DMA 1 would include one bioretention area (Bioretention Area 1) located along the north side of the proposed extension of Como Way, directly west of Lot 1, totaling approximately 10,560 square feet. DMA 1 would be routed to a new outfall in the eastern channel of the project site.
- **DMA 2:** DMA 2 would include an approximately 2.80-acre area just west of the existing terminus of Como Way. It would contain one approximately 1,140-square-foot bioretention area (Bioretention Area 2) located just south of the proposed Como Way extension at the entrance of the proposed development. DMA 2 would drain to an existing storm drain within Como Way.

Additionally, the proposed project would also construct a debris berm and V-ditch in the western boundary adjacent to existing homes.

## Sanitary Sewer

Sanitary sewer service for the proposed project would be provided by Central Contra Costa Sanitary District (Central San). Sanitary sewer service to the project site would be provided by a connection to proposed off-site 8-inch diameter sewer lines in the southwest corner of the project site. Sanitary sewer service throughout the project site would be provided in 8-inch diameter sanitary sewer lines under the proposed internal streets.

## Solid Waste and Recycling Collection

The proposed project would be served by Republic Services, which provides recycling and solid waste collection to the Town through Central Contra Costa County Solid Waste Authority (RecycleSmart). RecycleSmart provides solid waste services for Central Contra Costa County residents and businesses and is contracted with Republic Services for the collection, transfer, and disposal of garbage, recycling, and organics.

## Power and Telecommunications

Electric and gas services for the proposed project would be provided by Pacific Gas and Electric Company (PG&E). The proposed project would connect to existing utility lines in Como Way. AT&T would provide phone services, and Comcast would provide phone and high-speed internet services.

## Phasing and Construction

The proposed project would be constructed in one phase beginning in Summer 2026 and would take approximately 12–15 months to complete, dependent on when the sale of proposed dwelling units

## Project Objectives

The project objectives and underlying purposes of the proposed project are to:

- Convert a vacant, underutilized property into a residential development in alignment with the Town of Danville's General Plan.
- Generate new, additional property tax revenues for the Town of Danville through the conversion of unused property.
- Provide high-end homes to create a move-up large lot community.
- Create a private community of homes nestled in a secluded environment surrounded by open space.
- Create a residential community surrounded by the site's ridges, which will remain as open space or potentially be farmed to enhance the homes' secluded location.
- Provide stormwater and residential water run-off consistent with the existing natural site drainage.
- Promote land use compatibility with neighboring residential uses by the development of compatible housing product density to nearby existing residential development.
- Provide a circulation system that minimizes the number of homes to lessen any traffic impacts to existing neighborhoods.
- Provide an infrastructure system, including sewer, water, and storm drain systems, that will adequately serve full buildout of the proposed project.
- Provide adequate off-street parking for all on-site uses so as not to impact the development's neighbors.
- Provide for the development to have adequate separation from existing neighbors.
- Provide improved drainage and potential slide protection from the project's property for the adjacent neighborhood.
- Meet the objectives of the Town of Danville for new housing.
- Provide affordable housing consistent with the Town of Danville's affordable housing requirements by the use of Accessory Dwelling Units or Lock-off Units.
- Enhance the living experience in adjacent neighborhoods by use of an architectural character and style that is consistent with the character of neighboring communities and the Town of Danville.
- Provide additional character and sense of arrival to the community by providing a long (approximately 1,000 feet) landscaped entry road.
- Provide signage and entry monumentation and landscape feature to announce the entry to the development.
- Preserve Town of Danville's protected ridgeline.

- Maintain the existing natural beauty by preserving the site's existing creek and establishing grading setbacks to accomplish preservation.
- Avoid protected wetlands or provide wetland mitigation measures.
- Repair landslides on the project site.

## Required Discretionary and Ministerial Approvals

Discretionary approvals and permits are required by the Town of Danville for implementation of the proposed project. The proposed project would require the following discretionary approvals and actions, including:

- Approval of the Final EIR
- Approval of a Development Plan application
- Approval of a Vesting Tentative Map
- Approval of Rezoning application, rezoning the site from A-4, Agricultural Preserve District, to P-1, Planned Unit Development District.

Subsequent ministerial actions would be required for the implementation of the proposed project including issuance of grading and building permits.

A number of other agencies in addition to the Town of Danville will serve as Responsible and Trustee Agencies, pursuant to CEQA Guidelines Section 15381 and Section 15386, respectively. These agencies may include, but are not limited to, the following:

- United States Fish and Wildlife Service (USFWS)
- California Department of Fish and Wildlife (CDFW)
- EBMUD
- PG&E
- United State Army Corps of Engineers (USACE)
- California State Water Resources Control Board (State Water Board)
- Central San
- San Ramon Fire Protection District (SRFPD)

## Environmental Review

Following completion of the 30-day NOP public review period, the Town will incorporate relevant information into the Draft EIR, including results of public scoping and technical studies. Subsequently, the Draft EIR will be circulated for public review and comment for a 45-day public review period.

The Town requests that any potential Responsible or Trustee Agency responding to this notice do so in a manner consistent with CEQA Guidelines Section 15082(b). All parties that have submitted their names and emails or mailing addresses will be notified throughout the CEQA review process.

A copy of the NOP (in full color) can be found on the Town's website:  
<https://danvilletowntalks.org/private-land-development>.

If you wish to be placed on the mailing list or need additional information, please contact David Crompton, Chief of Planning, Town of Danville Planning Division, at 925.314.3349 or [dcrompton@danville.ca.gov](mailto:dcrompton@danville.ca.gov).

## Potential Environmental Effects

The Draft EIR will evaluate if there are potentially significant environmental impacts associated with approval and implementation of the proposed project. Consistent with the CEQA Guidelines (Appendix G), the Draft EIR will analyze the reasonably foreseeable direct, indirect, and cumulative effects of the proposed project on focused resources, including, but not limited to:

- Aesthetics, Light, and Glare
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Energy
- Geology, Soils, and Seismicity
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Recreation
- Transportation
- Utilities and Service Systems
- Wildfire

## Potentially Significant Environmental Issues

In preparation of the NOP and the Project Description, the Town has found that the following topical areas may contain potentially significant environmental issues that will require further analysis in the Draft EIR. These topical areas are as follows:

- **Biological Resources**—The proposed project site contains an environment with ephemeral drainages and seasonal wetlands, which are protected by State and federal laws. Impacts to these aquatic features could be potentially significant unless fully mitigated through the implementation of mitigation measures or design features.
- **Geology, Soils, and Seismicity**—The proposed project site contains a documented history of landslides and differing elevations and slopes. Impacts related to geology and soils could be potentially significant unless fully mitigated through the implementation of mitigation measures or design features.
- **Transportation**—The proposed project includes the extension of Como Way to serve the proposed homes in addition to the existing homes along Como Way. Impacts related to traffic could be potentially significant unless fully mitigated through the implementation of mitigation measures or design features.

## Effects Found not to be Significant

Unless specific comments are received during the NOP public comment period that indicate a potential for the proposed project to result in a significant impact, the following issues will be addressed in the Effects Found not to be Significant section of the Draft EIR.

- **Mineral Resources**—The 2030 General Plan Final EIR (2030 General Plan FEIR) identified that no portion of the Town is designated by the California Department of Conservation as having the potential to be a significant source of composite materials or industrial minerals. Additionally, there are no known locally important mineral resources within the Town. As such, the proposed project would have no impact related to mineral resources.
- **Population and Housing**—The proposed project would include 20 single-family homes and five deed-restricted ADUs. As such, the proposed project would be expected to generate approximately 70 residents. The current population of the Town is approximately 44,000 persons. The General Plan EIR projected an increase up to approximately 50,760 persons in the year 2030. As such, the increase of approximately 70 persons estimated under the proposed project would be well within the projected population increase of the General Plan EIR as the current population of the Town is approximately 42,299 persons. Therefore, the proposed project would not result in unplanned population growth. Additionally, the project site is currently vacant, containing no residential structures. Therefore, the proposed project would not displace existing persons or housing, and there would be no impacts related to displacement of persons or housing.



**Yana Garcia**  
Secretary for  
Environmental Protection



**Department of Toxic Substances Control**

Katherine M. Butler, MPH, Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200  
[dtsc.ca.gov](http://dtsc.ca.gov)



**Gavin Newsom**  
Governor

**SENT VIA ELECTRONIC MAIL**

January 30, 2025

David Crompton  
Chief of Planning  
Town of Danville, Planning Division  
500 La Gonda Way  
Danville, CA 94526  
[dcrompton@danville.ca.gov](mailto:dcrompton@danville.ca.gov)

RE: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT  
FOR THE MARTIN HILLS RANCH RESIDENTIAL PROJECT DATED JANUARY 21,  
2025, STATE CLEARINGHOUSE NUMBER [2025010602](#)

Dear David Crompton,

The Department of Toxic Substances Control (DTSC) reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Martin Hills Ranch Residential Project (Project). The Proposed Project would develop 20 single-family homes, with approximately five designed with accessory dwelling units. The 20 residential lots would range between 14,553 square feet and 25,387 square feet and the proposed project would also include several agricultural lots. DTSC recommends and requests consideration of the following comments:

1. When agricultural crops and/or land uses are proposed or rezoned for residential use, a number of contaminants of concern (COCs) can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are dichloro-diphenyl-trichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet [HHRA NOTE NUMBER 3, DTSC-SLs](#)

approved thresholds. If they are not, remedial action must take place to mitigate them below those thresholds.

Additional COCs may be found in mixing/loading/storage areas, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required.

2. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in [DTSC's PEA Guidance Manual](#). Additionally, DTSC advises referencing the [DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

DTSC would like to thank you for the opportunity to comment on the NOP of a DEIR for the Martin Hills Ranch Residential Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via our [CEQA Review email](#) for additional guidance.

Sincerely,

*Tamara Purvis*

Tamara Purvis  
Associate Environmental Planner  
HWMP - Permitting Division – CEQA Unit  
Department of Toxic Substances Control  
[Tamara.Purvis@dtsc.ca.gov](mailto:Tamara.Purvis@dtsc.ca.gov)

David Crompton  
January 30, 2025  
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cc: (via email)

Governor's Office of Land Use and Climate Innovation  
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## NATIVE AMERICAN HERITAGE COMMISSION

February 4, 2025

David Crompton  
Town of Danville  
500 La Gonda Way  
Danville CA 94526

CHAIRPERSON  
**Reginald Pagaling**  
Chumash

VICE-CHAIRPERSON  
**Buffy McQuillen**  
Yokayo Pomo, Yuki,  
Nomlaki

SECRETARY  
**Sara Dutschke**  
Miwok

PARLIAMENTARIAN  
**Wayne Nelson**  
Luiseño

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Ohlone-Costanoan

COMMISSIONER  
**Stanley Rodriguez**  
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COMMISSIONER  
**Bennae Calac**  
Pauma-Yuima Band of  
Luiseño Indians

ACTING EXECUTIVE  
SECRETARY  
**Steven Quinn**

**NAHC HEADQUARTERS**  
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California 95691  
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[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)

**Re: 2025010602 Martin Hill Ranch Residential Project, Contra Costa County**

Dear Mr. Crompton:

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

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

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

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

## AB 52

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

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

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

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

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

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

## NAHC Recommendations for Cultural Resources Assessments

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

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([https://ohp.parks.ca.gov/?page\\_id=30331](https://ohp.parks.ca.gov/?page_id=30331)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:  
[Mathew.Lin@NAHC.ca.gov](mailto:Mathew.Lin@NAHC.ca.gov).

Sincerely,

*Mathew Lin*

Mathew Lin  
Cultural Resources Analyst

cc: State Clearinghouse

## California Department of Transportation

DISTRICT 4  
OFFICE OF REGIONAL AND COMMUNITY PLANNING  
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660  
[www.dot.ca.gov](http://www.dot.ca.gov)



February 20, 2025

SCH #: 2025010602  
GTS #: 04-CC-2025-00947  
GTS ID: 35226  
Co/Rt/Pm: CC/680/R5.231

David Crompton, Chief of Planning  
Town of Danville  
500 La Gonda Way  
Danville, CA 94526

### **Re: Martin Hills Ranch Residential Project — Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR)**

Dear David Crompton:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Martin Hills Ranch Residential Project. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the January 2025 NOP.

Please note this correspondence does not indicate an official position by Caltrans on this project and is for informational purposes only.

#### **Project Understanding**

The Town of Danville is proposing to construct 20 single-family homes, five with accessory dwelling units (ADUs), on a currently vacant site located off Borica Drive and Como Way. The majority of the 102-acre project site would remain agricultural land, while the residential development is expected to take up about 29 acres total. The proposed project would also include construction of a project access road off Como Way and internal streets to provide circulation within the site.

#### **Travel Demand Analysis**

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Vehicle Miles Traveled (VMT) analysis for land use projects, please review Caltrans'

David Crompton, Chief of Planning  
February 20, 2025  
Page 2

Transportation Impact Study Guide ([link](#)). Caltrans looks forward to reviewing the VMT analysis in the DEIR when it is available.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Mary McGee, Transportation Planner, via [LDR-D4@dot.ca.gov](mailto:LDR-D4@dot.ca.gov). For future early coordination opportunities or project referrals, please visit Caltrans LDR website ([link](#)) or contact [LDR-D4@dot.ca.gov](mailto:LDR-D4@dot.ca.gov).

Sincerely,

A handwritten signature in black ink that reads "Llisel Ayon". The signature is fluid and cursive, with the first name "Llisel" and last name "Ayon" clearly distinguishable.

Llisel Ayon  
Acting Branch Chief, Local Development Review  
Office of Regional and Community Planning

c: State Clearinghouse



February 20, 2025

David Crompton, Chief of Planning  
Town of Danville, Planning Division  
500 La Gonda Way  
Danville, CA 94526

Re: Notice of Preparation of a Draft Environmental Impact Report for the Martin Hills Ranch  
Residential Project, Danville

Dear Mr. Crompton:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Martin Hills Ranch Residential Project (Project) located in the Town of Danville (Town). EBMUD has the following comments.

## **WATER SERVICE**

EBMUD's San Ramon Pressure Zone, with a service elevation range between 450 and 650 feet, will serve the proposed development located below 650 feet. Water service to any portion of the development located above 650 feet is not available. A water main extension, at the project sponsor's expense, will be required to serve the proposed development. Please see the attached EBMUD documents for California (Waterworks Standards) Code of Regulations, Title 22, Section 64572 (Water Main Separation) and EBMUD requirements for placement of water mains. When the Project plans are finalized, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions for providing water service to the proposed development. Engineering and installation of water mains and services require substantial lead time, which should be provided for in the project sponsor's schedule.

## **GEOLOGY**

On page 13, second bullet under Potentially Significant Environmental Issues, the NOP indicates that existing landslides have been mapped throughout the development area. The EIR should detail any proposed landslide mitigation measures for the proposed development so that no landslide impact hazard is posed to proposed water pipelines that will serve the development.

## **WATER CONSERVATION**

The Project presents an opportunity to incorporate water conservation measures. EBMUD requests that the Town include in its conditions of approval a requirement that the project

David Crompton, Chief of Planning  
February 20, 2025  
Page 2

sponsor comply with Assembly Bill 325, "Model Water Efficient Landscape Ordinance," (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). The project sponsor should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense.

If you have any questions concerning this response, please contact Sandra Mulhauser, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-7032.

Sincerely,



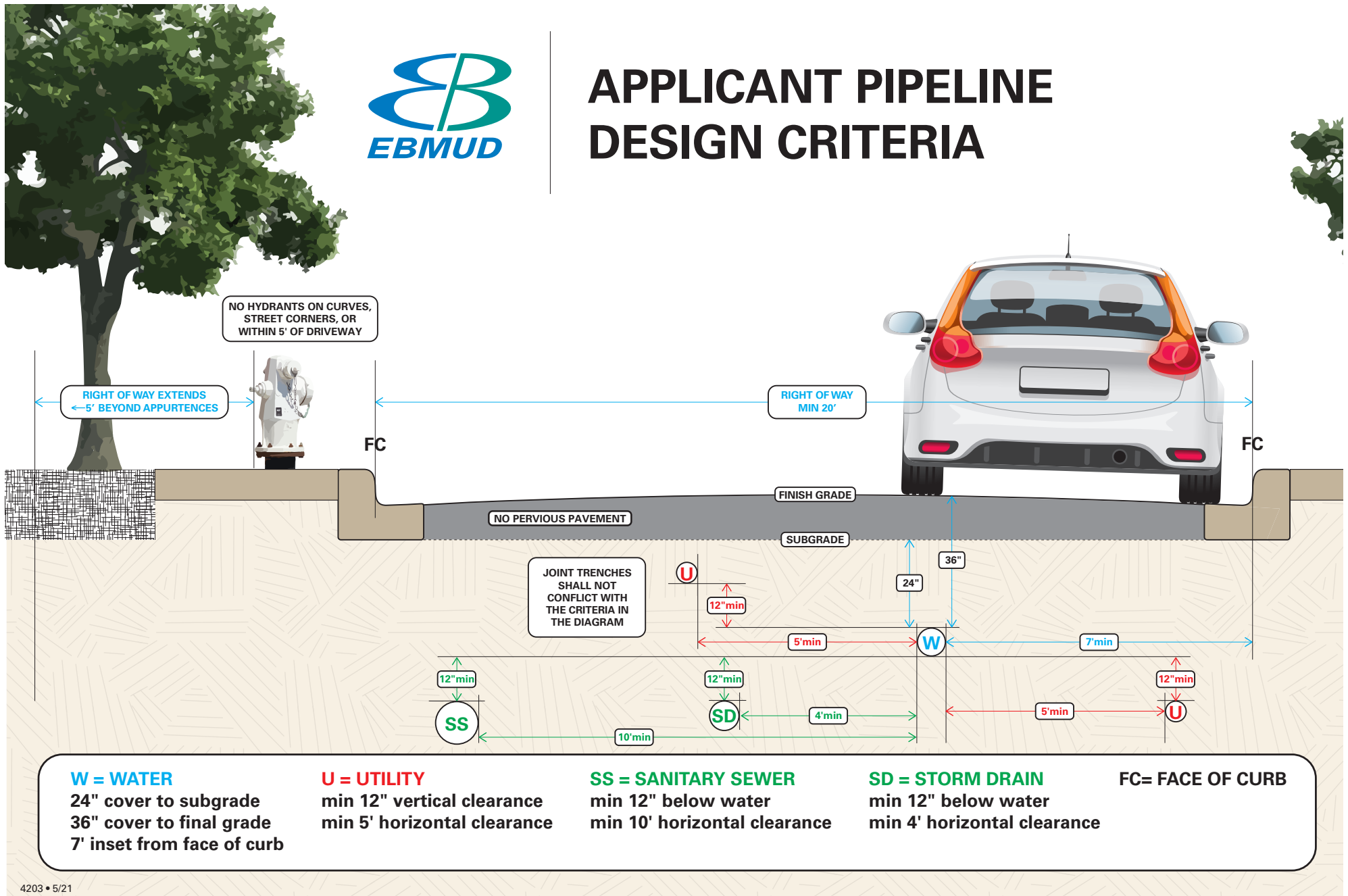
David J. Rehnstrom  
Manager of Water Distribution Planning

DJR:AIT:kn  
wdpd25\_015 Martin Hills Ranch Residential Project

Attachment: Main Extension Design Criteria



# APPLICANT PIPELINE DESIGN CRITERIA





## **Applicant Pipeline Design Criteria**

EBMUD values applicant pipeline projects and is committed to providing a thorough and efficient design. To ensure an efficient design process and to avoid significant delays the design criteria below should be adhered to when submitting improvement plans.

### Design Criteria

- Water mains shall be seven (7) feet from face of curb.
- Water mains shall maintain a minimum one (1) foot vertical and five (5) foot horizontal clearance from other utilities.
- Gas mains shall meet the one (1) foot vertical separation requirement by installing the gas main below the water main only.
- Water mains shall maintain a minimum ten (10) foot horizontal clearance (O.D. to O.D.) and be located a minimum one (1) foot above any sewer main. Title 22 CCR
- Water mains shall maintain a minimum four (4) feet horizontal clearance (O.D. to O.D.) and be located a minimum one (1) foot above any storm drain. Title 22 CCR
- Water mains shall have a 36-inch cover to final grade and 24-inch cover to pavement subgrade.
- Joint trenches that are in conflict with the criteria above may delay the project. Submit to EBMUD final joint trench plans (no intent plans) which include the size of the joint trench and the utilities located inside.
- Water mains shall not be installed under pervious pavement.
- Water mains installed under decorative pavement, pavers, or stamped concrete will require an additional paving agreement.
- Hydrants shall not be located on curved sections of street, street corners, or within five feet of a driveway.
- Right of ways for 6-inch and 8-inch water mains shall be a minimum of 20 feet wide and extend five (5) feet past the water main centerline.
- Right of ways for 12-inch to 24-inch water mains shall be a minimum of 20 feet wide and extend eight (8) feet past the water main centerline.

Please contact the New Business Office representative assigned to your project if there are any questions regarding the requirements listed above. Meeting this criteria will enable the most efficient design possible.

## David Crompton

---

**From:** William Reeves <wreeves@mfrlegal.com>  
**Sent:** Wednesday, January 22, 2025 12:00 PM  
**To:** Rob Ewing  
**Cc:** 'Linda Reeves'; David Crompton  
**Subject:** RE: Martin Hills Ranch Project  
**Attachments:** Plans.pdf

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Thanks for your email below.

From a lay perspective, key issues that would appear to bear on the scope of the EIR are the location of the homes and ingress/egress to the homes.

S. Stringer previously provided the attached while advising that ingress/egress would be via Como Way - not Borica. I have written to S. Stringer to re-confirm.

A separate interest relates to the hillside given prior stability issues and events (i.e., landslide). Stringer has given certain assurances as contemplated work to the hillside (i.e., grading, drainage). We simply want to ensure these assurances are met.

Thank you.

William C. Reeves



**MORALES • FIERRO • REEVES**

**CA Office**

1440 Maria Lane

Suite 200

Walnut Creek, CA 94596

925/288-1776

**NV Office**

600 S. Tonopah Dr.

Suite 300

Las Vegas, NV 89106

702/699-7822

**AZ Office**

7702 E. Doubletree Ranch Rd.

Suite 300

Scottsdale, AZ 85258

602/258-0755

**From:** Rob Ewing <REwing@danville.ca.gov>  
**Sent:** Wednesday, January 22, 2025 11:46 AM  
**To:** William Reeves <wreeves@mfrlegal.com>; David Crompton <DCrompton@danville.ca.gov>  
**Cc:** Linda Reeves <lindawreeves@yahoo.com>  
**Subject:** RE: Martin Hills Ranch Project

Good morning,

You'll be able to watch the meeting online. If you go to this page on our website (<https://www.danville.ca.gov/129/Meetings-Agendas-Minutes>) you'll find the instructions for how to view live or after the fact. The Town does not allow remote participation during meetings. On the Thursday or Friday before the meeting, the staff report and any attachments will be posted to this page as well for public review.

At this point, the goal is to determine the scope of the EIR so you can submit any written comments regarding that. Once a draft EIR is done, it will be made available for public review and comment.  
Rob Ewing

**From:** William Reeves <wreeves@mfrlegal.com>  
**Sent:** Wednesday, January 22, 2025 10:29 AM  
**To:** David Crompton <DCrompton@danville.ca.gov>  
**Cc:** Rob Ewing <REwing@danville.ca.gov>; Linda Reeves <lindawreeves@yahoo.com>  
**Subject:** Martin Hills Ranch Project

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We reside at 424 Corte Dorado and received the attached Notice.

If able, we may attend/monitor the meeting virtually.

Please advise regarding logistics.

Thank you.

William C. Reeves



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**CA Office**

1440 Maria Lane

Suite 200

Walnut Creek, CA 94596

925/288-1776

**NV Office**

600 S. Tonopah Dr.

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Las Vegas, NV 89106

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**AZ Office**

7702 E. Doubletree Ranch Rd.

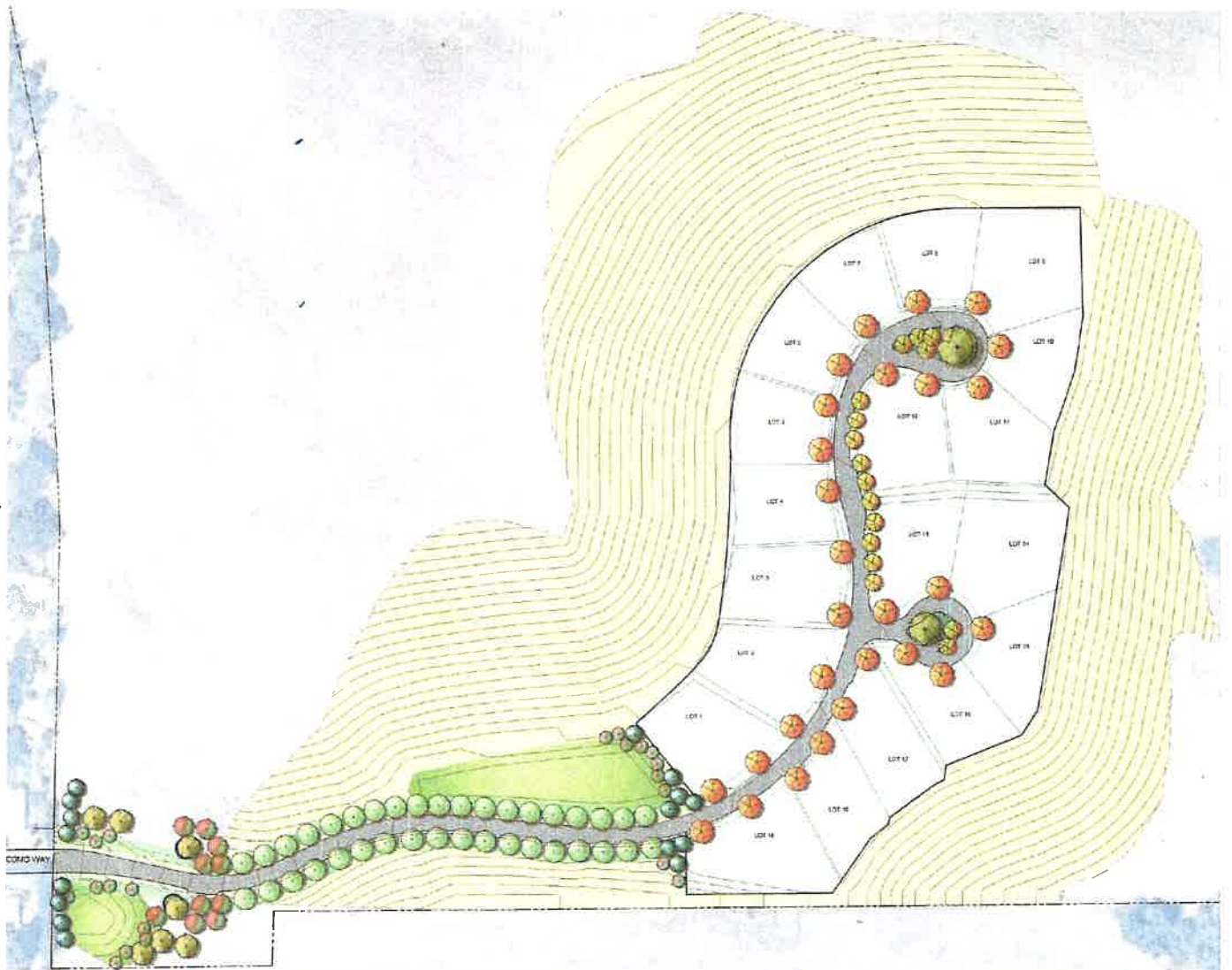
Suite 300

Scottsdale, AZ 85258

602/258-0755

\*\*\*\*\*PLEASE NOTE \*\*\*\*\*

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STRATFORD  
LS RANCH, LLC

# **MARTIN HILLS RANCH** Danville, California

**SITE PLAN**  
PRELIMINARY PHASE  
JULY 2024

**cbg** CARLSON  
BLADDER &  
GIBSON, INC.

Real Estate Services  
10000 Highway 101  
Suite 100  
Petaluma, CA 94952  
415.442.1111  
www.carlsonbladder.com

**VTA**  
SCALE: 1" = 50'-0"  
REPORT 1

Copyright © 2024 Carlson Bladder & Gibson, Inc. All rights reserved. This drawing is a preliminary site plan and is not to be used for construction purposes. It is intended for informational purposes only. The information contained herein is not to be used for any other purpose without the written consent of Carlson Bladder & Gibson, Inc.

This report has been reviewed by the American Psychological Association and its published version is available for personal or internal reference use only. It is not to be distributed outside the organization. The views and opinions expressed herein are those of the author(s) and do not necessarily represent those of the American Psychological Association.

## David Crompton

---

**From:** David Haen <davidjhaen@gmail.com>  
**Sent:** Tuesday, January 28, 2025 4:11 PM  
**To:** David Crompton  
**Subject:** Re: Martin Hills Ranch Project

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This email originated from outside of the Town of Danville and was not sent from a Town Staff member! Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Thank you for the prompt response.

Kind regards,  
David Haen

> On Jan 28, 2025, at 3:03 PM, David Crompton <DCrompton@danville.ca.gov> wrote:

>

> Hi David,

>

> The open space would be encumbered by scenic easements and conservation easements dedicated to the Town of Danville. The land would be owned and maintained by a Geologic Abatement District (GHAD), which is a public agency. Trails would be created and public trail easements would be recorded to allow public access.

>

> The latest revised plans have eliminated the parcel near Borica. The Town would not support that lot. All twenty lots are now clustered together.

>

> If you have any further questions, feel free to contact me.

>

> Sincerely,

>

> David Crompton

> Chief of Planning

>

> -----Original Message-----

> From: David Haen <davidjhaen@gmail.com>

> Sent: Tuesday, January 28, 2025 8:29 AM

> To: David Crompton <DCrompton@danville.ca.gov>

> Subject: Re: Martin Hills Ranch Project

>

>

> \*\*\*CAUTION\*\*\* THIS EMAIL WAS NOT SENT FROM DANVILLE STAFF

>

> This email originated from outside of the Town of Danville and was not sent from a Town Staff member! Do not click on links or open attachments unless you recognize the sender and know the content is safe.

>

> Dear David,

>

> I live on Corte Dorado which backs on to the property and had a few questions.

>

> If the reasoning from A-4 to P-1 goes through, how permanent is permanent open space designation for the large portion of this? Could a governor, city council, or other body over rule that say 5, 10, or 15 years from now? Does open space mean anyone in the community can use/ access the land?

>

> Also, there is a parcel carved out at the top (east end) of Borica. Does the developer have the ability build homes here? There is no mention of it in the documents online or mailed notification other than it's marking on the map.

>

> Thank you,

> David Haen

>

> 420 Corte Dorado

> .

## David Crompton

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**From:** Russ Nelson <russnelson258@yahoo.com>  
**Sent:** Wednesday, January 29, 2025 3:20 PM  
**To:** David Crompton  
**Subject:** Martin Hills Ranch

\*\*\*CAUTION\*\*\* THIS EMAIL WAS NOT SENT FROM DANVILLE STAFF

This email originated from outside of the Town of Danville and was not sent from a Town Staff member! Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I am a home owner on Balceta Ct. from 1976, when Shadow Hills was developed. The 100 acres behind our home has been used for grazing cattle all this time. Yes the property has been rezoned a few times but each time the development failed. Now it is up for development again.

My concern is who will be responsible for future mud slides that affect those of us that live below. 2023 there's was a mud slide the affected our home and the next door. Due to this being the first time of a slide it was called a "an act of god". So it cost us \$65000.00 for all the damage. Now that everyone knows there is a problem with mud slides I assume the owner of the property will be held responsible for damages. I have not seen anything that is going to be done to prevent this from happening.

This problem needs to be addressed.

Glenn Nelson  
258 Balceta Ct  
510-708-9087

## David Crompton

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**From:** Len Giacoletto <len.giacoletto@comcast.net>  
**Sent:** Wednesday, January 29, 2025 10:32 AM  
**To:** David Crompton  
**Subject:** Project PUD 24-0002 and SD 9679

\*\*\*CAUTION\*\*\* THIS EMAIL WAS NOT SENT FROM DANVILLE STAFF

This email originated from outside of the Town of Danville and was not sent from a Town Staff member! Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. David Crompton:

I have been a resident of Danville, living at 414 Como Way since 1977. I was unable to attend the meeting due to health issues.

I have safety concerns about the building of 20 new homes above my property. Como Way is a very narrow street adding 80 or more cars a day on this street will have great extreme safety issues. When we have two cars going both ways now it creates a problem. With cars parked at the curb one of the drivers has to slow down and pull over.

I ask that you take a few minutes to drive the street and see for yourself.

I remember years ago go when they tried to build homes in the same area some council Members drove Como Way and canceled the project.

Thank you for your attention.

Sincerely, Leonard Giacoletto

925 200 2348

Sent from my iPad

## David Crompton

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**From:** Jerry Abercrombie <jmabercrombie@mac.com>  
**Sent:** Friday, January 31, 2025 11:49 AM  
**To:** David Crompton  
**Subject:** PUD 24-0002 and SD 9679 Martin Hills Ranch Residential Project: Public Comments on Draft EIR

**\*\*\*CAUTION\*\*\* THIS EMAIL WAS NOT SENT FROM DANVILLE STAFF**

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David Compton, Chief of Planning

Dear David:

I wanted to provide some additional comments concerning the Martin Hills Ranch Project and the Draft EIR. My wife and I are generally supportive of the proposed project. We have lived here since Spring of 1982. This is the first proposed project for development of this land that actually is in keeping with the Town's General Plan and would preserve the majority of open space in this area.

In talking with the developers that have said that they plan to "construct a debris berm and V-ditch in the western boundary adjacent to existing homes." They have said that they would build these debris berms behind both the Valle and Kennedy/DalPorto properties (401 and 397 Borica Drive) at the north west perimeter of the project. **It is necessary that the Debris Berms and V-Ditch be extended and tied into either the existing V-Ditch or newly constructed V-Ditch and Debris Berms directly behind the Abercrombie, Watson and Duffek properties (393, 389 and 385 Borica Drive) and terminated at the existing catch basin behind 385 Borica Drive. We realize that this area falls into the land owned by CHU, but this should be required to mitigate negative drainage/slide behind these properties.** If the debris berms and V-ditch are not extended beyond the Kennedy/DalPorto property (397 Borica Drive) there is high likelihood that significant drainage and mud slides would occur downstream behind 393, 389 and 385 Borica Drive.

Please let me know if you would like to view the area behind our property and would require access. I am available on 925.487.7639.

Jerry Abercrombie  
393 Borica Drive  
Danville, CA 94526

Sent from my iPad  
925.487.7639



February 3, 2025

RE: Project PUD 24-0002 and SD9679 – Martin Hills Ranch Residential Project

Planning Commission,

As long time residents of Como Way in Danville, we have some concerns regarding this project. We were out of town during the meeting, but want to submit our concerns here.

- Our street is not wide enough to accommodate additional traffic, especially construction traffic. We are not open to losing the sidewalks on our street or the ability to park on our street
- It is currently difficult to turn onto El Capitan at the bottom of our street. The way El Capitan curves means you have to pull quite a ways out before you can see if traffic is coming from the left. Drivers also tend to drive fast on El Capitan until they hit the first stop sign just past Como Way. Adding more traffic entering and exiting Como Way would increase the risk of accidents
- We have been told the developer plans to have only 19 or 20 homes on the land and the remaining acres will be “permanent” open space. We do not trust that this is true. How can we be guaranteed this would be the case? Also, how can we be sure it will be only 19 or 20 single family homes and not higher density housing? We absolutely do not approve of more housing being built than we have been told. We don’t necessarily approve of the current proposal.
- This may seem silly, but we really enjoy seeing the cows at the top of our street and do not want them to disappear

Thank you for your consideration.

Sincerely,

Jim and Michelle Bleasdel

419 Como Way, Danville CA

## David Crompton

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**From:** Donald Trask <d3traskii@gmail.com>  
**Sent:** Monday, February 3, 2025 6:53 PM  
**To:** David Crompton  
**Cc:** Donald Trask  
**Subject:** PUD 24-0002 and SD 9679 - Martin Hills Ranch Residential Project - EIR Feedback

\*\*\*CAUTION\*\*\* THIS EMAIL WAS NOT SENT FROM DANVILLE STAFF

This email originated from outside of the Town of Danville and was not sent from a Town Staff member! Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello David,

I thought the meeting on January 28, 2025 went well. The two speakers from the audience brought up some valid concerns.

Overall, the draft EIR covers the pertinent areas. My primary concerns regarding the environmental impact study has to do with drainage, landscaping, and the maintenance of the proposed drainage management areas as well as the debris berm and V ditch.

I live at 350 Castenada Court and our property backs up to parcel A of the proposed development. We have an easement on our property with a drain culvert on the northwest side. This culvert is just on our side of the property line and a natural V on parcel A's landscape helps guide the water into our culvert and down the storm drain. Currently, no one ensures that the V shaped landscape is maintained and accurately directs the water into the culvert. I have had to jump the fence and clear the debris in the V shaped area and make minor adjustments to the V in order to capture the water into our culvert. A large amount of water (Ex. 100s of gallons per minute) runs down our culvert when there is a significant downpour and failure to capture the water in the culvert would flood our yard and house in a short period of time.

Concern: The culvert on our property line is not identified in any of the current pictures on the Martin Hills website while culverts on other residents' properties backing up to parcel A are. This is a concern. I want to make sure our culvert is included in the EIR and any changing of the landscape (Ex. Fire road bordering our property line; V ditch and debris berm...) considers the water runoff and our culvert. Also, Bruce brought up at the meeting that no one is maintaining the current irrigation systems now but it would seem prudent for the new owner to periodically inspect the irrigation system. In big storms, there is a significant amount of water running down the hills (more surfaces that do not absorb due to the project, will mean more water runoff as well) and the risk to the properties bordering this project from improperly maintained irrigation is significant. We have had some pretty bad mudslides in recent storms and it is on a lot of property owners minds currently.

Landscaping of Parcel A. Currently, there is a dirt firebreak (dirt path mowed twice a year approximately 8 feet wide) behind our property with fairly tall weeds/vegetation growing on the hillside. The two ideas floated around so far is to plant olive trees on the hillside or grapevines. Either of these ideas would be an improvement if periodically maintained with weeds mowed down.

Fence - Currently, the fence bordering our properties is in disrepair and consists of 4 barbed wire strands tied to leaning metal rods constructed over 30 years ago. Although the cows roaming the hills are nice to look at, I have had to remove

cows from my yard three times over the last ten years and have to mend the barbed wire strands when they break. Has there been any thought to putting in a new fence for aesthetics or ? to prevent livestock from wandering off?

Project Overall - I like the idea of a PUD on parcel B instead of peppering the hillside with mini mansions in five acre parcels (as long as the zoning does not change in the future for the remaining openspace). Although the actual preparation and construction will be a short term nuisance, the idea that the development will not be visible from our lower lining streets is a positive. Public trails on the hills? I'll wait to see what is proposed. My property is currently fairly secluded and having a walking trail bordering the back of my property may be a nuisance.

Thank you for inviting us to the meeting and reviewing our feedback.

Don Trask  
350 Castenada Court

## David Crompton

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**From:** Bruce Daseking <bruce@daseking.com>  
**Sent:** Wednesday, February 19, 2025 11:09 AM  
**To:** David Crompton  
**Subject:** Martin Hills Ranch Residential Project

**\*\*\*CAUTION\*\*\* THIS EMAIL WAS NOT SENT FROM DANVILLE STAFF**

This email originated from outside of the Town of Danville and was not sent from a Town Staff member! Do not click on links or open attachments unless you recognize the sender and know the content is safe.

David Crompton  
Chief of Planning  
Town of Danville, Planning Division

Dear Mr. Crompton,

I am writing to express my serious concerns regarding the adequacy of the Environmental Impact Report (EIR) for the proposed Martin Hills Ranch (Elworthy East) Residential Project. After a thorough review, I believe the EIR fails to fully analyze and mitigate the significant environmental impacts associated with this development, particularly as they relate to land use consistency, traffic and safety, infrastructure, drainage, and environmental preservation.

### 1. Inconsistency with the 2030 General Plan and Land Use Designation

The proposed project is in direct conflict with the Town of Danville's 2030 General Plan, which designates this site as a "Special Concern Area." The General Plan explicitly states that development on this site is highly constrained and that steeper slopes and ridgeline areas must be preserved as permanent open space. However, the EIR does not provide a sufficient justification for rezoning the site from A-2 (General Agricultural District) to P-1 (Planned Unit Development). The justification for altering this designation needs to be fully addressed before the project moves forward.

### 2. Traffic and Safety Concerns on Como Way

The EIR fails to adequately analyze or mitigate the traffic and safety impacts associated with adding 20 homes and 5 ADUs along Como Way. Como Way's current width of 32 feet does not meet the 36-foot standard for a roadway with parking on both sides (per the Town's Standard Plan 104b). This will create safety and congestion issues for existing residents.

Additionally:

- Como Way and El Capitan intersection poses a significant safety risk due to its existing curve and limited sight distance, which will be exacerbated by increased traffic. In addition, the lack of street lighting between Como Way and St Regis further exacerbates the sight issues.
- The Como Way extension was not part of the original subdivision plan, likely due to its substandard width, yet the EIR does not consider Borica Drive as a more viable alternative despite it being wider and better suited for access.
- Other dead-end streets in the subdivision serve between 10-17 homes—the proposal would double that number on Como Way, creating disproportionate impacts.

The EIR acknowledges that traffic impacts will be significant yet fails to provide specific mitigation measures for these impacts. Simply identifying an impact without addressing solutions is inadequate under CEQA.

### 3. Inadequate Turnaround and Infrastructure Deficiencies

The current EIR fails to provide an adequate turnaround at the transition between the public roadway and the proposed private road. This will create operational challenges for:

- Fire trucks, garbage trucks, and other service vehicles, which will be forced onto private property for turnarounds—a direct violation of Town Standards.
- The existing roadway on Como Way is in poor condition and will need improvements to handle increased construction and residential traffic. Yet, these necessary roadway upgrades are omitted from the EIR.

### 4. Deficiencies in Drainage and Stormwater Mitigation

The existing site already has drainage issues, partly due to inadequate maintenance of current drainage facilities. While the EIR proposes stormwater runoff control measures, it fails to address whether the existing infrastructure is capable of handling additional flows. Key concerns include:

- Who will maintain the proposed drainage infrastructure? The EIR does not specify if this responsibility will fall on the HOA, the Town, or another entity. If left to an HOA, adjacent property owners could be at risk of infrastructure failure that impacts their homes, with no recourse.
- Failure to properly address stormwater impacts could lead to significant flooding, erosion, and long-term maintenance issues that would negatively affect both new and existing residents.
- The EIR does not adequately address existing seasonal wetlands and how they will be mitigated against further environmental degradation.

### 5. Unresolved Geotechnical and Seismic Concerns

The project site has a documented history of landslides, with both current and ancient landslide activity on record. The EIR acknowledges that geology, soils, and seismicity pose significant risks but does not specify mitigation measures beyond the proposed building sites. A site-wide geotechnical analysis and full mitigation plan must be incorporated into the EIR to ensure long-term stability.

### 6. Ambiguity Regarding HOA Responsibilities and Maintenance of Open Space

The EIR fails to outline how the remaining undeveloped land will be maintained, particularly regarding:

- Weed abatement and wildfire safety, which are critical for fire prevention in an area with documented wildfire risk.
- Drainage and stormwater infrastructure, which, if neglected, could have devastating consequences for surrounding properties.

Additionally, while an HOA is proposed for the development, the EIR does not clarify the HOA's governance, funding, or obligations. Existing homeowners should not be placed at risk for maintenance failures that would directly affect their properties and safety.

## 7. The EIR Fails to Consider Feasible Alternatives

The primary function of an EIR is to identify significant environmental impacts and propose feasible alternatives to reduce those impacts. However, the current EIR:

- Does not explore alternative access routes—particularly the more viable option of Borica Drive, which is wider and better suited for increased traffic.
- Does not consider alternative development configurations that would reduce environmental and infrastructure impacts.
- Does not justify why these alternatives were not considered, violating CEQA's requirement to fully evaluate reasonable alternatives.

## Conclusion: A Deficient EIR That Requires Revisions

The purpose of the EIR is to identify and mitigate significant environmental impacts and to evaluate reasonable alternatives that reduce those impacts. The current EIR does neither. The unresolved inconsistencies, traffic concerns, infrastructure deficiencies, drainage risks, and lack of a clear HOA plan make this report incomplete and insufficient under CEQA requirements.

For these reasons, I strongly urge the Town of Danville to:

1. Fully address traffic, safety, and roadway deficiencies on Como Way and consider alternative access routes such as Borica Drive.
2. Require additional geotechnical and hydrological studies to properly mitigate risks associated with landslides, drainage, and seasonal wetlands.
3. Clarify the responsibility and enforcement mechanism for drainage and HOA maintenance obligations to ensure adjacent homeowners are not adversely impacted.
4. Revise the EIR to consider reasonable alternatives to the current development plan, including different access points and improved clustering strategies.

Until these concerns are adequately analyzed and mitigated, I urge you to withhold approval of this EIR and require necessary revisions. Thank you for your time and attention to this matter.

Sincerely,  
Bruce Daseking (Resident)  
423 Como Way  
Danville, CA 94526

510-772-0732

[Bruce@daseking.com](mailto:Bruce@daseking.com)

**Please confirm receipt.**

Dear Mr. Crompton,

I am writing as a resident of Como Way to express my concerns about the suitability of the Environmental Impact Report for the proposed Martin Hills Ranch Residential Project. I believe the report fails to address issues, such as:

1. With the current drainage problems, it is not clear that the land can handle more drainage nor who will be responsible for its maintenance or future issues. There was a landslide on Balceta Ct. last year (which is one street over from Como Way) where homes at the top of that hill were filled with the dirt from the open space landslide. We do not want a landslide on Como Way due to the lack of proper planning for the proposed development.
2. Increased traffic is not suitable for Como Way as it is narrow and has parking on both sides. Plus, the intersection at El Capitan is visually difficult to see to the left due to the curved nature of El Capitan.
3. For safety reasons, access to the proposed development is better suited on a much wider road, such as Borica Drive.

I strongly urge the Town of Danville to address the traffic, safety, and alternate access point concerns, as well as address the responsibilities for drainage issues to ensure that the proposed development does not negatively impact the current residence on Como Way.

Until the above, and other resident concerns are addressed properly, I request that approval of the proposed development be put on hold. Thank you for your consideration.

Regards,

A handwritten signature in blue ink, appearing to read 'Kyla Ryan', with a long horizontal flourish extending to the right.

Kyla Ryan  
Resident at: 427 Como Way, Danville, CA 94526

February 20, 2025

Chief of Planning

Town of Danville Planning Commission

Dear Mr. Crompton,

This letter contains our serious concerns with the planned development by Bates Stringer Martin Hills Ranch, LLC.

As long-term residents on Como Way, our home and property will be negatively impacted by the planned development. There are several safety problems that must be addressed with the environmental impact statement and the development plan to keep Como Way a safe street for the residents.

Como Way is not wide enough to provide safe and proper access to twenty additional homes and five accessory dwelling units (ADUs). The street is just 32 feet wide with parking permitted on both sides of the road, which is not up to the Town's standard for a road with two-way traffic and parking. The width of the street restricts two-way traffic with cars parked in front of homes. We are very concerned about traffic safety along Como Way if this development is allowed to proceed. This is evident in the first enclosed picture.

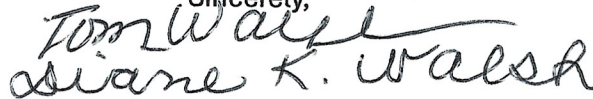
There are limited sight lines at the intersection of Como Way and El Capitan Drive due to the curve of the road that make it unsafe to bring additional vehicle traffic to turn from Como Way onto El Capitan. Vehicle traffic routinely exceeds the posted speed limit along El Capitan making this intersection dangerous. We are very concerned with the unsafe amount of heavy equipment and vehicle traffic that will impact Como Way during construction and service and private vehicle traffic once the development is complete.

We are very concerned about traffic control and the speed of private and service vehicles descending from the planned development down the steep grade of Como Way. The increase in vehicle traffic will pose significant risks to the residents who live along Como Way and routinely walk along the street.

We are concerned about regrading the hills above our home to build a street to the new development. Periods of rain already bring large amounts of runoff down the hill and into our property. The existing infrastructure does not adequately address the runoff and is not maintained properly. The draft environmental impact report highlights the challenges with storm water runoff but does not provide recommended mitigation measures to prevent our home from being impacted by the development. The developer's plan includes a stormwater catchment basin immediately above our home putting our livelihood and property at risk of flooding if the basin overflows.

As residents of the Town of Danville, we request that you address these concerns and consider alternatives to the proposed development and revise the Environmental Impact Report to incorporate these serious concerns. We also request the Town of Danville consider moving the street access to the planned development from Como Way to Borica Drive. Borica Drive meets the Town's standards for vehicle parking and two-way traffic and is appropriately sized to handle the additional traffic during all phases of the planned development.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Walsh" on the top line and "Diane K. Walsh" on the bottom line.

Tom and Diane Walsh

426 Como Way

Danville, CA 94526

- Enclosures:
- (1) Picture of Como Way street width
  - (2) Pictures Intersection of Como Way and El Capitan Drive
  - (3) Pictures of car visibility from Como Way
  - (4) Pictures of Borica Drive







