



FINAL
Environmental Impact Report
Martin Hills Ranch Residential Project
Town of Danville, Contra Costa County, California
State Clearinghouse Number 2025010602

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SECTION 1: INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the Town of Danville (Lead Agency) has evaluated the comments received on the Martin Hills Ranch Residential Project Draft Environmental Impact Report (Draft EIR). Pursuant to CEQA Guidelines Section 15132, this Final EIR includes a list of persons, organizations, and agencies that provided comments on the Draft EIR; responses to the comments received regarding the Draft EIR; and errata, or revisions to the Draft EIR; and a Mitigation Monitoring and Reporting Program (MMRP) for use by the Town of Danville during its review.

This document is organized into five sections:

- **Section 1—Introduction.** Provides an introduction to the Final EIR.
- **Section 2—Master Responses.** Provides a single, comprehensive response to similar comments about a particular topic.
- **Section 3—Responses to Written Comments.** Provides a list of the agencies, organizations, and individuals who commented on the Draft EIR. Copies of all of the letters received regarding the Draft EIR and responses thereto are included in this section.
- **Section 4—Response to Public Meeting Verbal Comments.** Provides responses to verbal comments received at the Planning Commission meeting held on April 28, 2026, to solicit public comments on the Draft EIR. A link to the full recorded public meeting is included in this section.
- **Section 5—Errata.** Includes an addendum listing refinements and clarifications on the Draft EIR, which have been incorporated.

The Final EIR includes the following contents:

- Draft EIR (provided under separate cover)
- Draft EIR Appendices (provided under separate cover)
- Responses to Written Comments on the Draft EIR and Errata (Sections 3 and 5 of this document)
- MMRP (provided under separate cover)

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SECTION 2: MASTER RESPONSES

Master responses address similar comments made by multiple public agencies, businesses, organizations, or individuals through written comments submitted to the Town of Danville. Master responses are provided in the order in which they are referenced in the responses in Section 3.

2.1 - List of Master Responses

- Master Response 1—Non-CEQA Issues Not Addressed in the Final EIR
- Master Response 2—Project Site Drainage
- Master Response 3—Project Site Geology
- Master Response 4—Como Way Roadway Width and Design
- Master Response 5—Emergency Response and Access
- Master Response 6—Wildfire
- Master Response 7—Lot 22

2.2 - Master Responses

Master Response 1—Non-CEQA Issues Not Addressed in the Final EIR

Summary of Relevant Comments

Various comments received address issues that either (1) reference non-environmental issues outside of the scope of recognized California Environmental Quality Act (CEQA) frameworks; or (2) relate to social, economic, or general health and safety topics that are not project impacts on the physical environment and thus fall outside the scope of CEQA. Generally, these comments, referred to herein collectively as “Non-CEQA Issues” involve but are not limited to the following topics:

- Economic effects or other similar perceived impacts related to property values, maintenance costs, and infrastructure costs;
- New suggestions for elements of the proposed project or conditions of approval unrelated to environmental topic areas;
- Existing resident privacy;
- Parking concerns;
- Social effects or other similar concerns related to the proposed project’s impact to community culture; or
- General objection to either the merits of the entire proposed project, or a portion thereof, but did not raise any specific issues related to the adequacy of the environmental impact analysis.

These comments do not raise significant environmental issues or provide input about the environmental analysis or conclusions in the Draft Environmental Impact Report (Draft EIR). This Master Response addresses why these Non-CEQA Issues are not further addressed in the Final EIR and confirms that these comments will nonetheless be included in the administrative record and

provided to Town decision-makers for consideration during the proposed project’s public hearing process.

Response

In compliance with CEQA Guidelines, the Draft EIR evaluates the potential for the proposed project to adversely impact the physical environment based upon an assessment of identified significance thresholds. Under CEQA Guidelines, the Lead Agency must evaluate comments on the Draft EIR and prepare written responses for inclusion in the Final EIR (Public Resources Code [PRC] § 21091(d); CEQA Guidelines §§ 15088(a), 15132). The written responses must describe the disposition of any “significant environmental issues” raised by commenters (CEQA Guidelines § 15088(c)).

However, CEQA Guidelines does not require that a lead agency respond to every comment received on a Draft EIR, but only comments raising significant environmental issues (PRC § 21091(d)(2)(B); CEQA Guidelines §§ 15088(a), (c), 15132(d), 15204(a)).

The CEQA Guidelines specify that comments on a Draft EIR should focus on the sufficiency of the document’s identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts (CEQA Guidelines § 15204(a)). “Economic or social effects of a project” in and of themselves “shall not be treated as significant effects on the environment.” (CEQA Guidelines § 15131(a)). Economic and social effects that are not related to physical impacts shall not be evaluated in an EIR (CEQA Guidelines § 15064(e), 15131(a), 15131(b)). Accordingly, issues related to revenue loss, infrastructure cost, budget deficits, parking, and similar economic and/or social concerns are appropriately not addressed in this environmental document. To the extent comments raise policy, social, economic, or other non-environmental concerns, those concerns do not require additional CEQA analysis. To the extent any comment also raises a physical environmental issue; however, that issue is addressed in the topic-specific responses and master responses below.

Additionally, as identified in the “Thresholds of Significance” section within each topical section (Section 3.1, Aesthetics, Light, and Glare through Chapter 4, Effects Found not to be Significant), the Town as Lead Agency elected to analyze the proposed project against the significance thresholds in CEQA Guidelines Appendix G Environmental Checklist, which is the Town’s standard practice for EIRs. Several comments identify concerns that could be generally characterized as relating to a specific topical section, but these comments neither relate nor apply to any of the thresholds utilized by the Lead Agency and detailed in CEQA Guidelines Appendix G, nor otherwise specifically relate to an adverse physical impact of the project on the environment. For the reasons explained above, the Final EIR will not provide further responses to comments on Non-CEQA Issues. However, as previously indicated, each comment will be included in the administrative record for the proposed project and will be provided to Town decision-makers for consideration as part of the public hearing process on the proposed project. In this regard, the Town will review, evaluate, and consider, as determined appropriate, all comments received as part of the decision-making process. No changes are warranted, and no further response is required.

Master Response 2—Project Site Drainage

Summary of Relevant Comments

Multiple commenters expressed concern about existing stormwater drainage capacity on their adjacent properties and inquired as to how the proposed project would impact stormwater runoff and flood flows on the project site. Additionally, commenters requested improvements be made to the existing stormwater infrastructure on the project site to address drainage conditions affecting the commenters' respective properties. Commenters also raised comments regarding maintenance of storm drainage systems.

Response

In response to comments regarding drainage conditions, proposed project improvements and maintenance of storm drainage systems, Master Response 2 first provides a summary of the proposed project's storm drainage system to address the proposed project's hydrology impacts. Following the discussion of the proposed project storm drainage system and proposed project hydrology impacts, the response addresses the three general categories of drainage comments as follows:

1. Comments regarding existing drainage conditions;
2. Comments regarding drainage conditions for properties on the north side of Borica Drive; and
3. Comments regarding drainage conditions for properties along Como Way.

Summary of Proposed Project Storm Drainage System to Address Project Impacts

As noted in Draft EIR Section 3.10, Hydrology and Water Quality, on page 3.10-15, the proposed project would result in approximately 7.2 acres of new impervious surfaces compared to the existing conditions on the project site. Section 3.10, Hydrology and Water Quality, page 3.10-18 states that the proposed project would include a new on-site storm drain system that would collect the proposed project's surface drainage and discharge it to two bioretention basins, along with other new stormwater infrastructure. This drainage system is also displayed in Draft EIR Chapter 2, Project Description, Exhibit 2-7, Stormwater Control Plan,. Bioretention Basin No. 1 would be located immediately west of Lot 1 and Bioretention Basin No. 2 would be located immediately south of Como Way, near the project entrance. The basins would be 0.31 acre and 0.7 acre, respectively, and have been designed to accommodate stormwater flows from the proposed development. The existing stormwater utilities on Borica Drive are not anticipated to be altered.

After treatment at the two proposed bioretention basins, stormwater runoff from Bioretention Basin No. 2 would be conveyed westward to the existing storm drain in Como Way. Meanwhile, as discussed in Draft EIR Section 3.10, Hydrology and Water Quality, page 3.10-15, the existing drainage patterns for the project site would be maintained with runoff from Bioretention Basin No. 1 conveyed to the southeast corner of the site where a new headwall and rock outfall would convey the runoff to an existing 60-inch storm drain pipe that conveys stormwater to the south. This means that the stormwater runoff from proposed project Lots 1 through 20 would be directed away from the existing homes on Como Way and Borica Drive. Only Lot 21 would include new connections to

existing stormwater facilities under Como Way. Since no development is proposed on Lot 22, no new stormwater infrastructure would be included on Lot 22, nor would stormwater flows be directed toward Borica Drive. As described in Draft EIR Section 3.10, Hydrology and Water Quality, on page 3.10-19, any future development on Lot 22 would be subject to compliance with the Town's National Pollutant Discharge Elimination System (NPDES), as well as preparation of a Storm Water Pollution Prevention Plan (SWPPP) and Stormwater Management Plan.

As discussed on page 3.10-16, all proposed outfalls would be constructed in compliance with the Contra Costa County Flood Control and Water Conservation District (FC District) requirements. The proposed rock outfall would provide erosion protection and stabilization to manage stormwater flows from the project site through ground stabilization. The proposed outfall, along with the stormwater water quality treatment facilities within each residential parcel and serving the private road network, would be designed to reduce runoff volume and pollutants from entering the Town's stormwater drainage system or waterways, in accordance with Provision C.3 in the Municipal Regional Stormwater Permit (MRP) as implemented by the San Francisco Bay Regional Water Quality Control Board (San Francisco Bay RWQCB).

Moreover, to demonstrate compliance with the Town and NPDES and MRP requirements, "Modeling of Stormwater Runoff Flow-Duration and Peak Flow Control Performance" was conducted by Balance Hydrologics and included as Appendix G of the Draft EIR ("Hydrology Study"). Draft EIR Section 3.10, Hydrology and Water Quality, page 3.10-19 states that the stormwater runoff flow modeling analysis in the Hydrology Study confirmed the proposed project's compliance with Section C.3.g of the MRP (RWQCB Order R2-2022-0018), which strictly limits changes in the duration of runoff flow rates in the range from one-tenth of the 2-year event flow to the 10-year event flow. To determine compliance with the pertinent requirements, the hydrologic modeling used Version 2023 of the Bay Area Hydrologic Model (BAHM), which allows for simulation of runoff for pre- and post-project conditions over a 49-year period. Additionally, the modeling confirmed that the proposed project would not result in any adverse downstream impacts related to peak flow rates from large design storm events, specifically those larger than the upper-bound 10-year event threshold that applies for hydromodification management as further documented in the Hydrology Study.

Draft EIR Section 3.10, Hydrology and Water Quality, Table 3.10-1 summarizes the Hydrology Study pre- and post-project peak flow levels set forth in Appendix G, exhibiting the anticipated decrease in peak flow rates upon project completion and operation. In the worst-case conservative 100-year flood scenario, the highest pre-project stormwater flow rate of approximately 65.2 cubic feet per second would be decreased to a post-project stormwater flow rate of approximately 63.5 cubic feet per second. As such, based on the results of the Hydrology Study analysis, the proposed project's on-site stormwater management and treatment facilities have been appropriately sized to accommodate stormwater flows from the proposed development, and post-project peak flow rates would be reduced compared to existing conditions. Therefore, because the proposed project would include relevant design features that ensure regulatory compliance and adherence to standard operational requirements, proposed project implementation would not result in significant changes in drainage or include elements that would impede or redirect flood flows, nor would the proposed project be anticipated to result in a significant impact related to stormwater runoff and capacity. No mitigation measures related to these environmental topics would be implemented.

Furthermore, Draft EIR Section 3.10, Hydrology and Water Quality, page 3.10-16, notes that the proposed project would also improve portions of the existing V-ditch in the western boundary adjacent to existing homes located on the south side of Borica Drive. A proposed debris berm would slow down and divert the flow of debris away from adjacent development and the V-ditch would collect storm flows on the western portion of the project site. This system would remain within the proposed project site and would not contribute a net increase in surface runoff for the surrounding areas. Rather, the Hydrology Study and modeling results provided in Appendix G of the Draft EIR determined that post-project peak flow rates would be reduced from the pre-project condition due to on-site stormwater management features, as well as overall project stormwater improvements at the downstream connection.

Additionally, the project applicant would prepare a clearly-defined Operations and Maintenance Plan to ensure that installed stormwater treatment measures and hydromodification management controls are inspected and properly operated and maintained for the life of the proposed project. Specifically, the Homeowner's Association (HOA) and Geologic Hazard Abatement District (GHAD) would be responsible for the monitoring and maintenance of the proposed stormwater infrastructure as stated in Draft EIR, Section 3.7, Geology, Soils, and Seismicity, on page 3.7-16. Therefore, proposed project impacts related to project site drainage, stormwater runoff, and flooding would be less than significant.

1. Comments regarding existing drainage conditions south of Borica Drive

As stated in Draft EIR Section 3.10, Hydrology and Water Quality, on page 3.10-16 and summarized above, the proposed project would improve portions of the existing V-ditch in the western boundary adjacent to existing homes located on the south side of Borica Drive. A proposed debris berm would slow down and divert the flow of debris away from adjacent development and the V-ditch would collect storm flows on the western portion of the project site. This system would remain within the proposed project site and would not contribute a net increase in surface runoff for the surrounding areas. Rather, the Hydrology Study and modeling results provided in Appendix G of the Draft EIR determined that post-project peak flow rates would be reduced from the pre-project condition due to on-site stormwater management features, as well as overall project stormwater improvements at the downstream connection. Therefore, the Draft EIR concludes based on substantial evidence that the proposed project would not contribute to existing drainage conditions affecting properties south of Borica Drive.

2. Comments regarding drainage conditions for the Corte Dorado Court properties on the north side of Borica Drive

California law provides that the owner of uphill property possesses a natural easement on land downhill for drainage of surface water flowing in its natural course. If the uphill property does not change the natural flow, there is generally no liability on the uphill owner to the downhill owner, and no requirement for the uphill property owner to enter into an agreement with the downhill property owner to permit the flow of water on the downhill property. An uphill owner is only liable for damage caused to others' property when the uphill owner has acted unreasonably in the management of the property, or altered the natural course of the stormwater in a way that harms the downhill owner.

The existing drainage conditions on the project site and the 428 and 432 Corte Dorado Court properties (“Corte Dorado Properties”) predate the proposed project by decades. Documentation submitted to the Town as part of the commenters’ comments on the Draft EIR¹ indicates that when the houses at the Corte Dorado Properties were built in the mid-1970s, the Corte Dorado property owners (or their predecessors) entered into a 1987 Release Agreement to settle a lawsuit regarding similar drainage concerns. Under the agreement, the prior owner of the 428 Corte Dorado Court property was solely responsible for any changes to the historical grading that may have altered the natural course of the stormwater. The owner of 428 Corte Dorado provided a full and complete release for the existing drainage issues and assumed full responsibility for the “repair work” that they agreed to perform to remedy any such problems as may have existed and agreed to undertake improvements on their property or the adjoining property (i.e., the project site) to correct the drainage issues. The parties to that agreement resolved their dispute nearly 40 years ago through litigation and a negotiated settlement.

The project applicant is not a party to the 1987 Release Agreement and was not responsible for the performance of any obligations associated with that agreement. Any changes (if any) in the existing project site drainage conditions today are associated with the existing condition of the property. The proposed project does not include any proposed changes to the grade of the watershed adjacent to the Corte Dorado Properties (with the exception of a small section of corrective grading adjacent to the Corte Dorado Properties, as discussed below). This area would be left undisturbed from its current condition as documented in the Hydrology Study and Section 3.10, Hydrology and Water Quality, of the Draft EIR. Consequently, the proposed project is not responsible for the performance of the commenters (or other parties’) obligations under the prior 1987 Release Agreement.

Therefore, the Draft EIR concludes based on substantial evidence that the proposed project would not contribute to existing drainage conditions affecting the Corte Dorado Properties.

3. Comments regarding drainage conditions for properties along Como Way.

The proposed storm drainage system is designed to retain stormwater flows on the project site, and to offset the proposed project’s contribution to stormwater flows. As discussed above, the proposed Bioretention Basin No. 1 would be located immediately west of Lot 1 and Bioretention Basin No. 2 would be located immediately south of Como Way, near the project entrance. The bioretention basins would be 0.31 acre and 0.7 acre, respectively, and have been designed to accommodate stormwater flows from the proposed development. After treatment at the two proposed bioretention basins, stormwater runoff from Bioretention Basin No. 2 would be conveyed westward to the existing storm drain in Como Way. As discussed in Draft EIR Section 3.10, Hydrology and Water Quality, on page 3.10-15, the existing drainage patterns for the project site would be maintained with runoff from Bioretention Basin No. 1 conveyed to the southeast corner of the project site where a new headwall and rock outfall would convey the runoff to an existing 60-inch storm drain pipe that conveys stormwater to the south. The stormwater runoff from Lots 1 through 20 would be directed away from the existing homes on Como Way, Corte Dorado, and Borica Drive. Only Lot 21 would include new connections to existing stormwater facilities under Como Way.

¹ See the Release Agreement dated July 29, 1987 (the “1987 Release Agreement”).

Therefore, the Draft EIR concludes based on substantial evidence that the proposed project would not contribute to existing drainage conditions affecting the Como Way properties.

Conclusion

As explained Draft EIR Section 3.10, Hydrology and Water Quality, the Draft EIR concluded that the proposed project would not result in a significant impact related to drainage, stormwater runoff, flooding, or stormwater system capacity. Because these impact areas were determined to be less than significant, the Lead Agency has no independent authority to require additional improvements beyond the project design features, operational requirements, and applicable regulatory compliance measures identified in the Draft EIR. CEQA mitigation is required only where necessary to avoid or substantially lessen a significant environmental effect; accordingly, where potential impacts have been reduced to below a level of significance, CEQA Guidelines does not provide a nexus for requiring additional improvements as mitigation.

Master Response 3—Project Site Geology

Summary of Relevant Comments

Various commenters brought up concerns related to the history of landslides, mudflows, and soil instability on the project site. Commenters raised concerns about the potential for the proposed project development to cause increased soil instability and geologic events to occur on the project site.

Response

As noted in Draft EIR Section 3.7, Geology, Soils, and Seismicity, on page 3.7-13, a Preliminary Evaluation of the Corte Dorado hillside landslide was conducted by Baez Geotechnical Group, and included in Appendix E of the Draft EIR, which identified eight prior landslides, including mudflow events at the project site. These landslides occurred adjacent to the residences at the terminus of Corte Dorado, on the western side of the project site. Thus, the location of the prior landslide events occurred outside of the proposed development area and its limits of disturbance in the southern portion of the project site, and outside of Lot 22 to the north.

While development is proposed outside of the historic locations of these landslide events, the proposed project would still implement Mitigation Measure (MM) GEO-1, which requires the implementation of the recommendations provided in the Preliminary Evaluation, Geotechnical Exploration, and Final Letter, included in Appendix E of the Draft EIR. These geotechnical evaluations analyze project site susceptibility to multiple geologic hazards and make site-specific recommendations which include, but are not limited to, construction of a mudflow catchment basin, debris berm, a retaining wall, cut and fill slopes, and post-tensioned mat foundations on the project site. The Geotechnical Exploration makes site-specific recommendations concerning earthwork, grading, seismic design parameters, and soil stabilization to address existing site conditions. The Geotechnical Exploration determined that the proposed project would be feasible from a geotechnical standpoint, with the incorporation of conclusions and recommendations into the design and construction of the proposed project, as required by MM GEO-1. As stated in Draft EIR Section 3.7, Geology, Soils, and Seismicity, on page 3.7-14, and demonstrated in the Mitigation Monitoring and Reporting Program (MMRP), if the project is approved, these recommendations

must be incorporated into project plans prior to the issuance of any building or grading permits by the Town, as applicable. The Town would be required to verify that implementation within the project site plans has occurred in the MMRP prior to the project moving forward. Moreover, no development is currently proposed on Lot 22. If any development is proposed on Lot 22 in the future, such a proposal would require review of the conclusions and recommendations contained in the Geotechnical Exploration to determine whether modifications are necessary. Following compliance with standard engineering practice and the site-specific recommendations referenced in MM GEO-1, potential impacts concerning landslides would be less than significant with mitigation incorporated.

Additionally, as detailed in Section 3.7, Geology, Soils, and Seismicity, on page 3.7-16, the proposed project would also construct a debris berm and improve portions of the existing V-ditch in the western boundary adjacent to existing homes. A proposed debris berm would slow down and divert the flow of debris away from adjacent development and the V-ditch would collect storm flows on the western portion of the project site. The maintenance of the debris berm would be provided by the GHAD. Since the proposed project would improve drainage on the project site and incorporate MM GEO-1, as explained above, operation of the proposed project would not result in substantial soil-related hazards, and impacts would be less than significant.

Master Response 4—Como Way Roadway Width and Design

Summary of Relevant Comments

Several commenters expressed concern about the adequacy of the existing Como Way roadway width. These commenters raised concern that the roadway would not have the potential to accommodate the increased amount of roadway users and, as such, result in inadequate traffic safety on Como Way.

Response

Draft EIR Section 3.15, Transportation and Traffic, page 3.15-7 states that Como Way is currently approximately 32 feet wide. As detailed on page 3.15-23, Municipal Code Section 31.22 requires that public minor streets with curbs include a 32-foot-wide pavement width. Municipal Code Section 31-2 defines a “minor street” as any street which serves traffic for not more than 24 dwelling units. Como Way is a minor street as it primarily provides access to approximately 13 existing residential properties, and it has curbs; therefore, the applicable minimum width requirement for the existing street is 32 feet and not 36 feet. Draft EIR Appendix I, page 10 notes that the existing width of Como Way meets this minimum roadway width requirement from the Municipal Code. As discussed below, the 32-foot-wide section exceeds the applicable requirements for emergency vehicle access.

Emergency vehicles such as fire trucks are larger than private passenger vehicles, so compliance with the Fire Code implies that the road also accommodates smaller private passenger vehicles. Between the existing and proposed houses, Como Way would have an Average Daily Traffic (ADT) volume of 363 vehicles per day. According to the *Guidelines for Geometric Design of Very Low-Volume Local Roads* ($ADT \leq 400$), American Association of State Highway and Transportation Officials (AASHTO), 2001, a two-way road in an urban setting with parking permitted on both sides and an ADT of at most 400 vehicles per day should be 28 to 34 feet in width. The existing 32-foot-wide section falls within this range. Further, *A Policy on Geometric Design of Highways and Streets* (“Greenbook”),

AASHTO, 2018, states that roads that serve residences only may be as narrow as 26 feet, including a 12-foot-wide bidirectional travel lane and seven feet of parking on each side. The existing 32-foot-wide section therefore meets and exceeds this standard.

The proposed project would extend Como Way. The width of the extended portion of Como Way on the project site is anticipated to range from approximately 22 feet for portions without street parking to 30 feet in instances where street parking is proposed for one side of the road. The proposed project would also introduce the addition of new residential dwelling units on the extended portion of Como Way. As such, the proposed project would provide a roadway width that would not be consistent with the applicable Municipal Code 32-foot-wide requirement. However, the proposed project would provide five affordable low-income Accessory Dwelling Units (ADUs), which allows the proposed project to qualify for the benefits of the State Density Bonus Law (Government Code § 65915). Under State Density Bonus Law, a jurisdiction cannot apply to an eligible density bonus project any development standard that will have the effect of physically precluding development at the density provided and with the incentives/concessions granted in light of the applicant's project objectives (Government Code § 65915(e)(1)).

The proposed project is requesting a waiver of development standards in accordance with State Density Bonus Law to allow for 22-foot-wide roadway widths instead of the minimum roadway width required under the Municipal Code Section 31.22. Based on the steep hillside slopes and the terrain of the project site, granting this Density Bonus Law waiver would avoid extensive grading and minimize topographic alteration of the project site consistent with Town development standards. Alternatively, Municipal Code Section 31.22.2(c) also allows for exceptions to the minimum roadway width based on factors such as the terrain conditions in hillside areas. Accordingly, the proposed project would also request an exception to the roadway development standard under the aforementioned Municipal Code Section 31.22.2(c) due to the same physical site constraints that prevent compliance with this road standard. Moreover, the proposed roadway would still provide an adequate width for two-way vehicular travel to occur for the trips generated from proposed project operations.

Moreover, the proposed roadway would still provide an adequate width for two-way vehicular travel to occur for the trips generated from proposed project operations based on two sources. One is that the California Fire Code Section 503.1.1 requires a 20-foot width for fire access, which assumes larger than typical fire apparatus vehicles and emergency conditions, so a 22-foot-wide road for typical, non-emergency operation is adequate. Further, San Ramon Valley Fire Protection District (SRVFPD) requirements state that roadways with parking allowed on one side must be 21 to 28 feet in width. The proposed 30-foot-wide roadway with parking on one side therefore exceeds this requirement. The second source is the AASHTO Greenbook, which prescribes travel lane widths of 10 to 11 feet, and parking lane widths of 7 feet. Therefore, a roadway with two travel lanes spanning 22 feet, and a roadway with two travel lanes and a parking lane of 30 feet, meets or exceeds the standards established in the Greenbook. In addition, Draft EIR Section 3.9, Hazards and Hazardous Materials, page 3.9-21 notes that the SRVFPD would be required to consult with the Town for approval of the site plan to ensure access is sufficient. Therefore, with adherence to the applicable Municipal Code requirements and with approval of the requested State Density Bonus Law waiver,

the proposed project would not substantially increase hazards related to roadways and impacts would be less than significant.

As noted in Draft EIR Section 3.15, Transportation and Traffic, on page 3.15-25, no collisions on Como Way and El Capitan Drive have been recorded in the most recent 5-year study period for collision data. Pages 3.15-25 and 3.15-26 discuss how the slope of the project site may have the potential to result in increased speeds for westbound drivers along the extended Como Way. The proposed project would install a traffic circle at the project site entrance to reduce potential speeds to 15 miles per hour. In addition, the design of the traffic circle would include consideration for trucks through the inclusion of mountable truck aprons as appropriate, as well as the installation of deterrence features for westbound (downhill) traffic to use the eastbound (uphill) side of the traffic circle to achieve a faster path of travel. The traffic circle would also include appropriate signage and striping to warn oncoming drivers of the traffic-calming device and enable them to slow accordingly. While the final design of the traffic circle may not occur until construction plans for building permits have been submitted, inclusion of the traffic-calming device in the plans for the proposed project would result in an impact on safety that is less than significant.

Master Response 5—Emergency Response and Access

Summary of Relevant Comments

Many commenters expressed their concern regarding emergency access to the project site, including in the event of an emergency. Additionally, some commenters stated that the proposed project would have limited entry points for emergency vehicles and these access roads would not meet California Fire Code regulations due to their design.

Response

As stated in Draft EIR Chapter 2, Project Description, page 2-15, access for emergency response vehicles would be provided by a 10-foot-wide fire trail extending from Borica Drive in the northwestern portion of the project site and from the proposed extension of Como Way in the southwestern portion of the project site. Fire protection services for the project site would be provided by the SRVFPD.

Emergency access is discussed in Draft EIR Section 3.15, Transportation and Traffic, on pages 3.15-26 and 3.15-27. The discussion explains that Municipal Code Section 10-6 adopts the 2022 California Fire Code as the standard for the Town, along with amendments from SRVFPD through Ordinance No. 2022-37. Between Section D103.3 of Ordinance No. 2022-37 and the California Fire Code Section 503.1.1 Buildings and Facilities, fire access roads are required to be provided within 150 feet of all exterior building walls (unless an exemption is granted), which needs to have a minimum unobstructed width of 20 feet, a minimum inside turn radius of 25 feet, and a minimum outside turn radius of 45 feet. Any fire access road longer than 150 feet requires a turnaround, and Section D103.3 of Ordinance No. 2022-37 requires a diameter of 90 feet for a cul-de-sac. Appendix D of the California Fire Code requires roadways adjacent to fire hydrants to be at least 26 feet wide.

Draft EIR Section 3.15, Transportation and Traffic, page 3.15-26 notes that the proposed project would meet the adopted horizontal roadway requirements by providing a 22- to 30-foot-wide

roadway with turning radius greater than 25 feet for inside corners and 45 feet for outside corners, as well as road widening to 26 feet at instances adjacent to fire hydrants. The proposed extension to Como Way would end in a cul-de-sac turnaround with an outer radius of 40 feet. There would be another turnaround extending from Como Way that would also have an outer radius of 40 feet. While this is adequate per the Town's Municipal Code requirement for a 35-foot radius, it would not meet the California Fire Code requirement of a 45-foot radius, as stated above. The project applicant is anticipated to secure an exemption from the Fire Code Officials for the 45-foot radii requirement to permit 40-foot radii.

As noted in Draft EIR Section 3.15, Transportation and Traffic, on page 3.15-27, Appendix D Section D107.1 of the California Fire Code requires residential developments with more than 30 dwelling units to have two separate fire access roads. Development of the proposed project would result in a cumulative total of 39 dwelling units (including the existing 13 dwelling units on Como Way, the 21 proposed residential units, and the five proposed ADUs). As discussed above, the proposed project would provide emergency response vehicle access via a new fire access road off Borica Drive, as well as through an extension of Como Way. These access roads would be maintained by the HOA or the GHAD that will be formed for the proposed project. As such, the proposed project would have two fire access points for the SRVFPD to utilize as needed and would comply with the California Fire Code fire access road count requirement. No waivers would be needed to meet this access requirement. In addition, according to the California Department of Motor Vehicles (DMV), emergency vehicles have the right-of-way when their sirens and red lights are on and other vehicles on the road must allow emergency vehicles to pass.² Thus, any vehicles on Como Way would be legally required to yield to emergency response vehicles, which would minimize emergency response time conflicts.

Moreover, the extension of Como Way would bring the existing 700-foot-long road to a total length of around 2,500 feet. However, Municipal Code 31-22.1.g, Block Length, specifies that the maximum block length (distance between intersections or an intersection and road terminus) permissible is 1,000 feet. While the fire access road would reduce the block length on Como Way by providing a secondary connection partway into the project site, there would still be approximately 1,400 feet between the access road connection to Como Way and the eastern terminus of the road. The Danville City Engineer has indicated that block lengths in Danville longer than 1,000 feet are common, and an exception would be granted by the Town. As noted above, the California Fire Code allows for the granting of an exemption to fire access road requirements. Draft EIR Appendix I, page 18 states that, with approval of the block length and cul-de-sac turnaround radii exceptions, the proposed project would be designed to accommodate emergency response vehicles and would not impede emergency responders, resulting in a less than significant impact on emergency response and proposed project traffic would have a negligible effect on emergency response times.

Furthermore, Draft EIR Section 3.14, Public Services, page 3.13-14 notes that the proposed project would be required to comply with all applicable laws, regulations, plans, and policies including, among others. General Plan Policies 6.03 and 6.08 in Chapter 3, Growth Management, require new development to demonstrate a plan for the provision of fire services and payment of applicable

² California Department of Motor Vehicles (DMV). 2025. California's Driver Handbook Section 7: Laws and Rules of the Road (Continued). Website: <https://www.dmv.ca.gov/portal/handbook/california-driver-handbook/laws-and-rules-of-the-road-cont1/>. Accessed June 3, 2026.

development impact fees to ensure a proportionate fair share contribution toward any future fire protection facilities needed to serve the SRVFPD service area. Therefore, the proposed project would have a less than significant impact related to emergency access and emergency response.

Master Response 6—Wildfire

Summary of Relevant Comments

Several commenters expressed their concern regarding access to the project site in the event of a wildfire emergency. Commenters noted that the project site is in a wildfire-susceptible area that is not conducive to evacuation.

Response

In relation to wildfires, Draft EIR Section 3.17, Wildfire, page 3.17-1 states that the project site is not located within a Very High Fire Hazard Severity Zone identified by the California Department of Forestry and Fire Protection. However, the project site is located within a “Very High Threat to Development” area identified by the Town’s General Plan. Buildings on properties in the very high threat zones must comply with specified building requirements which increase their ability to resist the intrusion of flames or burning embers by a vegetation fire. Further, Draft EIR Section 3.17, Wildfire, page 3.17-10 states that development under the proposed project would be consistent with the County and Town plans and policies in place to reduce the risks associated with wildland fires. Specifically, the proposed project would be consistent with General Plan Policy 25.01, Policy 25.03, and Policy 25.06, as follows:

- General Plan Policy 25.01 requires safe roofing and other fire prevention standards for development in high fire hazard areas by maintaining a Fire Safe Roofing Ordinance, in coordination with the SRVFPD.
- Policy 25.03 assures the provision of adequate access for fire equipment to all developed and open space areas. Policy 25.06 further requires the maintenance of “defensible space” (e.g., areas free of highly flammable vegetation) around homes in fire-prone areas and requires the clearing or thinning of fire-prone vegetation within 30 feet of access and evacuation routes, and routes to critical facilities.
- General Plan Policy 25.05 would require SRVFPD review of the proposed project prior to approval and incorporate measures for fire prevention as deemed necessary. This SRVFPD review would also ensure consistency with applicable provisions of the California Building Code and California Fire Code. Further, SRVFPD would also be required to provide written verification of the SRVFPD’s anticipated response time and the proposed project’s distance to existing stations. Because the proposed project would undergo review by SRVFPD, the proposed project would be evaluated to ensure that wildfire risk or spread would not be exacerbated.

Further, Draft EIR Section 3.17, Wildfire, page 3.17-9 states that the project site is subject to the Town’s Emergency Operations Plan (EOP) and the County’s Local Hazard Mitigation Plan (LHMP). In the event of an evacuation, these plans identify major freeways, such as Interstate 680 (I-680), and major roadway corridors, such as Sycamore Valley Road, as emergency access routes. The proposed

project would extend Como Way and would not include any elements that would impact these major evacuation routes. Further, in the event of an evacuation emergency, the Town and County would provide emergency updates through Danville Police Department's Nixle account and the Contra Costa County Community Warning System, respectively.³ These emergency updates can provide basic information about the emergency and inform people what protective action they need to take, such as when to evacuate.⁴ This would ensure that only those within the applicable evacuation area would evacuate. Moreover, the Town would be required to work with police and fire departments during buildout of the project site to ensure the proposed project meets evacuation planning goals, services are responsive to community needs, and proposed roadway systems would allow for evacuation and firetruck access in the event of a wildfire emergency. Therefore, the proposed project would have a less than significant impact related to wildfire emergencies. No wildfire evacuation modeling would be required.

Master Response 7—Lot 22

Summary of Relevant Comments

Multiple commenters inquired about the addition of Lot 22 on the northern portion of the project site. The comments received included concerns regarding the change in the number of proposed lots as presented in the Notice of Preparation (NOP) document compared to the number of lots evaluated in the Draft EIR. Additionally, commenters inquired about impacts to existing residents on Borica Drive due to the creation of Lot 22.

Response

CEQA Guidelines expressly contemplates that a project may be refined or modified during the environmental review process because the purpose of the NOP is to solicit input on the scope and content of the environmental analysis, not to establish a final or fixed project description. (CEQA Guidelines §§ 15082, 15083.) It is therefore common and appropriate for project details to evolve following NOP circulation.

While the NOP circulated from January 21, 2025, did not include Lot 22 as part of the preliminary project description, the Draft EIR includes an updated and comprehensive project description that expressly identifies and describes Lot 22 as part of the proposed project. CEQA Guidelines requires that the Draft EIR include a Project Description that is sufficiently detailed to allow for meaningful environmental analysis (CEQA Guidelines § 15124), and that the adequacy of the EIR be judged based on whether it reflects a good faith effort at full disclosure (CEQA Guidelines § 15151). Courts have confirmed that project refinements during the CEQA process do not invalidate an EIR, provided that the environmental impacts of the project as ultimately defined are adequately evaluated. (See *Southwest Regional Council of Carpenters v. City of Los Angeles* (2022) 76 Cal.App.5th 1154 [Court held the EIR did not violate CEQA's requirement of an accurate, stable, and finite project description even though the project itself was revised and ultimately approved with components not matching those of any individual alternative studied in the EIR or discussed in the NOP].)

³ Town of Danville. Stay Connected. Website: <https://www.danville.ca.gov/798/Stay-Connected>. Accessed June 3, 2026.

⁴ Contra Costa County Office of the Sheriff. Contra Costa County Community Warning System. Website: <https://cwsalerts.com/>. Accessed June 3, 2026.

CEQA Guidelines does not require the analysis to be frozen at the NOP stage or to analyze only earlier conceptual layouts. Rather, an EIR must evaluate the impacts of the project as proposed at the time of Draft EIR circulation. Here, the Draft EIR does so, including explicit consideration of Lot 22.

The Draft EIR evaluates the environmental impacts of the proposed project as proposed at the time of circulation, including the creation of Lot 22 as part of the project's subdivision layout and site configuration as defined in Chapter 2, Project Description. Since no residential development is proposed on Lot 22 and no building envelope, grading plan, or site-specific development proposal for Lot 22 is before the Town, the Draft EIR does not evaluate physical environmental impacts from the hypothetical future construction of a single-family residence on Lot 22 because such analysis would be speculative and unsupported by a defined proposal. If development of Lot 22 is proposed in the future, that proposal would be subject to separate discretionary review and the appropriate level of environmental review that is required at that time.

Specifically, in relation to fire access and emergency response, any future development on Lot 22 would be subject to General Plan Policy 25.05, coordination with the SRVFPD, and Town review to ensure consistency with applicable plans and policies. Lot 22 would be directly accessible via Borica Drive and would not impede the adjacent proposed fire access trail, nor would it substantially alter the existing cul-de-sac width. For geologic hazards, any development that would occur on Lot 22 would be required to have a site-specific geologic report prepared pursuant to General Plan Policy 24.03. Additionally, potential development on Lot 22 would be required to adhere to General Plan Policy 24.04, which requires development to be constructed in accordance with geologic recommendations to minimize risks related to cutting and filling of slopes, landslide areas, and environmental concerns. In addition, construction would be required to be in compliance with the California Building Standards Code (CBC). Compliance with standard engineering practices and the site-specific recommendations referenced would ensure that potential impacts concerning landslides would be less than significant.

Since no development is currently proposed on Lot 22, there would be no change to the existing drainage pattern of this area, and no new stormwater infrastructure would be developed. As described in Draft EIR Section 3.10, Hydrology and Water Quality, on page 3.10-19, any future development on Lot 22 would be subject to compliance with the Town's NPDES, as well as preparation of a SWPPP and Stormwater Management Plan.

The Draft EIR does evaluate environmental effects associated with the current proposed project configuration, including topics such as land use consistency, circulation, access, and emergency response as the Lot 22 borders are provided in the overall site plan.

Moreover, the Draft EIR conservatively evaluates the potential of a future residential development on Lot 22 through population estimates. As noted in Draft EIR Chapter 5, Other CEQA Considerations, Section 5.2.1, Direct Population Growth on page 5-2, estimates are utilized in anticipated trip generation estimates, public service demand estimates, and utilities and service systems demand estimates. Therefore, the analysis pertaining to these environmental topic areas conservatively assume buildout of Lot 22 given physical development elements are not required. As discussed in Draft EIR Chapter 4, Effects Found not to be Significant, Section 4.2.2, Population and

Housing on pages 4-1 and 4-2, the anticipated increase in Town population from development of the proposed project would be within that accounted for in the Town's General Plan EIR. Thus, impacts would be less than significant.

Accordingly, although Lot 22 was not included in the preliminary NOP description, it is fully incorporated into and evaluated in the Draft EIR. This refinement is consistent with CEQA's iterative review process and does not affect the adequacy of the environmental analysis. No further revision is required.

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SECTION 3: RESPONSES TO WRITTEN COMMENTS

3.1 - List of Authors

A list of public agencies, organizations, and individuals that provided comments on the Martin Hills Ranch Residential Project Draft Environmental Impact Report (Draft EIR) is presented below. Each comment has been assigned a code. Individual comments within each communication have been numbered so comments can be cross-referenced with responses. Following this list, the text of the communication is reprinted and followed by the corresponding response.

Author	Author Code
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State Agencies

California Department of Fish and Wildlife	CDFW
California Department of Transportation	CALTRANS

Local Agencies

Contra Costa County Flood Control and Water Conservation District	FC DISTRICT
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Individuals

Albert and Caitlyn Valle	AC VALLE
Bruce Daseking	B DASEKING
Bruce Muirhead	B MUIRHEAD
Chris and Margie Duffek	CM DUFFEK
Dana and Mike Power	DM POWER
Jerry Abercrombie	J ABERCROMBIE
Jessica Brown	J BROWN
Joshua Russell	J RUSSELL
Jason and Kyla Ryan	JK RYAN
Karen and Greg Barnes	KG BARNES
Michelle Bleasdel	M BLEASDELL
Nancy Watson	N WATSON
Ryan Nickelson 1	R NICKELSON-1
Ryan Nickelson 2	R NICKELSON-2
Residents	RESIDENTS
Tom and Diane Walsh	TD WALSH
William Reeves	W REEVES

3.2 - Responses to Comments

3.2.1 - Introduction

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the Town of Danville, as the Lead Agency, evaluated the comments received on the Draft EIR (State

Clearinghouse [SCH] No. 2025010602) for the Martin Hills Ranch Residential Project and prepared the following responses to the comments received. This Response to Comments document becomes part of the Final EIR for the project in accordance with CEQA Guidelines Section 15132.

3.2.2 - Comment Letters and Responses

The comment letters reproduced in the following pages follow the same organization as used in the List of Authors.

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFEGAVIN NEWSOM, Governor
MEGHAN HERTEL, DirectorBay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
wildlife.ca.gov

May 19, 2026

David Crompton, Chief of Planning
Town of Danville
500 La Gonda Way
Danville, CA, 94526
DCrompton@danville.ca.gov**Subject: Martin Hills Ranch Residential Project, Draft Environmental Impact Report, SCH No. 2025010602, Contra Costa County**

Dear David Crompton:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a Draft Environmental Impact Report (EIR) from the Town of Danville for the Martin Hills Ranch Residential Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

REGULATORY REQUIREMENTS**California Endangered Species Act**

A CESA Incidental Take Permit (ITP) must be obtained from CDFW 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. Under CESA, "take" means "hunt, pursue, catch, capture, or

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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kill, or attempt to hunt, pursue, catch, capture, or kill." (Fish & G. Code, § 86.) CDFW's issuance of an ITP is subject to CEQA and to facilitate permit issuance, any project modifications and mitigation measures must be incorporated into the CEQA document analysis, discussion, and 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. Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064 & 15065.) In addition, pursuant to CEQA, the lead agency cannot approve a project unless all impacts to the environment are avoided or mitigated to less-than-significant levels, or the lead agency makes and supports findings of overriding consideration for impacts that remain significant despite the implementation of all feasible mitigation. Findings of consideration under CEQA, however, do not eliminate the Project proponent's obligation to comply with the Fish and Game Code.

Fully Protected Species

Fully protected species, such as white-tailed kite (*Elanus leucurus*) may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

- Take is for necessary scientific research;
- Efforts to recover a fully protected, endangered, or threatened species;
- Live capture and relocation of a bird species for the protection of livestock; or
- They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).

Specified types of infrastructure projects may be eligible for an ITP for unavoidable impacts to fully protected species if certain conditions are met (Fish & G. Code §2081.15). Project proponents should consult with CDFW early in the project planning process.

Lake and Streambed Alteration Agreement

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting river, lakes or streams and associated riparian habitat. Notification is required for any activity that may 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, drainage ditches, washes, watercourses with a subsurface flow, and floodplains is generally subject to notification requirements. In addition, infrastructure installed beneath such aquatic features, such as through horizontal directional drilling, is also generally subject to notification requirements. Therefore, any impact to the mainstems, tributaries, or floodplains or associated riparian habitat caused by the proposed Project will likely require an LSA Notification. CDFW may not execute a final LSA Agreement until it has considered the draft EIR and complied with its responsibilities as a responsible agency under CEQA.

Raptors and Other Nesting Birds

CDFW has authority over actions that may result in the disturbance or destruction of active bird nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include section 3503 (regarding unlawful take, possession, or needless destruction of the nests or eggs of any bird), section 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and section 3513 (regarding unlawful take of any migratory nongame bird).

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PROJECT DESCRIPTION SUMMARY

Proponent: Bates Stringer Martin Hills Ranch LLC

Objective: The objective of the Project is to construct 21 single-family homes with 25 percent of homes designed with Accessory Dwelling Units. A twenty-second single-family home may be developed within the Project site at a future date. Internal roadways, and a driveway off Como Way to facilitate access and circulation within the Project site. One of five parcels will remain undeveloped at this time but may be developed with a single-family residence in the future.

Location: The Project site is located off Borica Drive and Como Way in the Town of Danville, in Contra Costa County, California. The approximate Project centroid is located at Latitude 37.79857°, Longitude -121.95850°.

Timeframe: The proposed project would be constructed in one phase beginning in Summer 2026 and would take approximately 12–15 months to complete.

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COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the Town of Danville in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

I. Mitigation Measure or Alternative and Related Impact Shortcoming

COMMENT 1: Pre-construction Survey and Avoidance of Burrowing Owl (Mitigation Measure BIO-1b)

The draft EIR notes the presence of ground squirrel (*Otospermophilus beecheyi*) burrows and suitable grassland habitat to support burrowing owl within the Project site. As of May 6, 2026, California Natural Diversity Database (CNDDDB) records show eight occurrences of burrowing owl (*Athene cunicularia*) reported within five miles of the Project site. The closest occurrence record was recorded in August 2025 and overlaps with the southeastern portion of the Project site where construction is planned (CDFW 2026). Given the recency of the record and the proximity of this occurrence to the Project site, there is a high likelihood that burrowing owl may use the Project site and/or suitable habitat adjacent to the site.

Potentially significant direct impacts associated with Project activities may include burrow collapse, entombment, displacement, reduction of habitat or habitat quality, reduction of foraging area, nest abandonment, reduced reproductive success, reduction in health and vigor or eggs and/or young, and direct mortality of individuals.

Burrowing owl is currently a candidate species under CESA and is afforded the same protection as a CESA-listed species (CEQA Guidelines, § 15380, subds.(b)). Unauthorized take of this species pursuant to CESA is a violation of Fish and Game Code section 2080 et seq.

Mitigation measures proposed by Mitigation Measure BIO-1b are insufficient to reduce potential adverse effects to burrowing owl to less-than-significant levels. Potential issues and recommended updates to the mitigation measures are outlined in further detail in the sub-comments below.

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COMMENT 1a: Burrowing Owl Preconstruction Surveys

If burrowing owl are present within the Project site or within a range of disturbance by Project activities but are not detected by the single preconstruction survey proposed by

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Mitigation Measure BIO-1b, unmitigated significant adverse impacts to burrowing owl may occur.

CDFW recognizes and appreciates that a season of burrowing owl surveys were conducted in support of the preparation of the draft EIR and acknowledges that the findings were negative. Since these surveys were conducted, a new burrowing owl occurrence has been recorded in CNDDDB within the Project site (CDFW 2026). Additionally, the 2012 Staff Report on Burrowing Owl Mitigation notes that failure to locate burrowing owl during one field season does not constitute evidence that the site is no longer occupied. There remains potential for burrowing owl to occur in habitat within or adjacent to the Project site despite negative survey findings from the 2025 breeding season (CDFW 2012).

Recommendation 1: CDFW recommends that breeding and non-breeding season surveys consistent with the timing, frequency, considerations, and methodology of the Staff Report on Burrowing Owl Mitigation's appendix D (CDFW 2012) be conducted by a qualified biologist prior to any vegetation removal or ground-disturbing activities. CDFW recommends that survey results be submitted to CDFW upon completion.

Depending on the time between the initial survey efforts conducted in support of the draft EIR and Project construction, CDFW recommends that additional surveys in accordance with the Staff Report on Burrowing Owl Mitigation (CDFW 2012) be repeated immediately prior to construction.

COMMENT 1b: Burrowing Owl Protective Buffers

The buffers proposed by Mitigation Measure BIO-1b are insufficient to protect burrowing owl from Project-related disturbances. The 2012 Staff Report on Burrowing Owl Mitigation includes guidelines for implementation of buffers based on both the time of year and the level of disturbance. The recommended buffer sizes range from 50 to 500 meters (164 to 1640 feet) during the non-breeding season, and 200 to 500 meters (656 to 1640 feet) during the breeding season. Based on these guidelines, a 160-foot buffer as proposed by Mitigation Measure BIO-1b would be insufficient to protect burrowing owl individuals from medium-to-high levels of disturbance during the non-breeding season, and a 300-foot buffer would be insufficient to protect burrowing owl from any level of disturbance during the breeding season.

If burrowing owl are present within or adjacent to the Project site, individuals may be affected during construction activities if appropriate protective measures are not implemented. Because they roost underground, burrowing owl may be killed or injured during ground disturbance or during the movement of heavy equipment within the Project site. If these activities result in burrow collapse, individuals may be entombed within burrows or displaced. Visual or noise disturbances caused by Project activities may result in nest abandonment, potentially resulting in reduce health and vigor or the loss of eggs or young in active nests.

Recommendation 2: If a burrowing owl individual or known burrowing owl burrow (active or inactive) is detected, either during pre-construction surveys or construction activities, CDFW recommends that no-disturbance buffers, as outlined in the Staff Report on Burrowing Owl Mitigation (CDFW 2012), be implemented around each burrow or complex of burrows prior to and during any ground-disturbing activities. CDFW also recommends that these buffers be implemented for both wintering and breeding burrowing owl.

COMMENT 1c: Passive Relocation of Burrowing Owl

Mitigation Measure BIO-1b provides for passive relocation of burrowing owl using one-way doors, contingent upon CDFW approval of an exclusion plan. The Staff Report on Burrowing Owl Mitigation (CDFW 2012) clarifies that exclusion is not take avoidance,

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minimization, or mitigation and is considered a potentially significant impact under CEQA. Exclusion and/or eviction can result in "take" (as defined by Fish and Game Code section 86). Evicted burrowing owl may suffer from reduced reproductive success or direct mortality through prolonged exposure to harsh environmental conditions, such as extreme cold or heat, without adequate shelter or protection or predation.

Without proper site evaluation and care, evicted or excluded burrowing owl have the potential to experience higher levels of mortality and reduced reproductive success. Data from a recent study suggests that evicted burrowing owl often settle in burrows of a lower quality (Hennessy et. al. 2020), and relatively close to the site of their eviction (avg. of 570 meters), meaning that impacts to the species are still possible after eviction. CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012) considers the eviction or exclusion of burrowing owl to have a potentially significant impact under CEQA.

Recommendation 3: If burrowing owl are identified during surveys, the Project should consult with CDFW to determine if the Project can avoid take, and if avoidance is not feasible, to acquire a CESA ITP, pursuant to Fish and Game Code section 2081, subdivision (b) prior to any ground-disturbing activities.

COMMENT 1d: Burrowing Owl Habitat Mitigation

The draft EIR does not provide mitigation for Project-related impacts to burrowing owl habitat. The Project site contains Project implementation would result in the permanent loss of 28.76 acres of suitable nesting, roosting, and foraging habitat for burrowing owl through the conversion of grassland habitat to a residential development. The Project site contains 97.14 acres of grassland habitat in total, and disturbances associated with the new residential development will also degrade adjacent habitat quality and result in loss of usable habitat for burrowing owl beyond the immediate Project footprint.

The 2024 Burrowing Owl Petition identifies habitat loss, fragmentation, and degradation as a primary threat to burrowing owl in California (CDFW 2024). Burrowing owl were formerly numerous throughout the San Francisco (SF) Bay Area region, particularly in the interior east of the Bay, but populations have rapidly declined over the past three decades. The number of breeding burrowing owl pairs in the SF Bay area have decreased from 165 in 1993 to less than 25 as of 2023 (CDFW 2024). If unmitigated, the permanent loss of habitat as a result of Project implementation loss would be a potentially significant adverse impact to burrowing owl as a species threatened by habitat loss.

Recommendation 4: CDFW recommends that the Project obtain an ITP if impacts to nesting habitat, including occupied and/or satellite burrows are expected, as the risk of take is high.

Even if take is not expected to occur during Project construction and therefore an ITP is not obtained, CDFW recommends that permanent impacts to foraging and nesting habitat, including occupied burrows and satellite burrows habitat, be mitigated by: (a) permanent conservation of land with current documented presence of burrowing owl and similar vegetation communities (grassland, scrublands, desert, urban, and agriculture) to provide for burrowing owl nesting, wintering, and dispersal comparable to or better than that of the impact area, and (b) providing sufficiently large acreage on each parcel to support burrowing owl, and presence of fossorial mammals, including ground squirrel. If the proposed mitigation lands require habitat enhancements to meet species needs, then those enhancements should be made, including, but not limited to, enhancement or expansion of burrows for breeding, creation of shelter and dispersal opportunities, and removal or control of population stressors.

If Project impacts result in the "take" (as defined by Fish and Game Code section 86) of burrowing owl, the land conservation described above may not be sufficient mitigation. If

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it is believed that "take" may occur, the Project should consult with CDFW and obtain a CESA ITP, pursuant to Fish and Game Code section 2081, subdivision (b).

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COMMENT 2: Impacts to Nesting Birds (Mitigation Measure BIO-1c)

Mitigation Measure BIO-1c may not be sufficient to reduce potential Project-related impacts to nesting birds to less-than-significant levels. Additionally, Mitigation Measure BIO-1c references a CDFW-recommended "minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors." Please be advised that these minimum buffers do not reflect official recommendations from CDFW and may not be adequate to protect nesting birds in all circumstances.

The Project has the potential to result in the take of nesting birds, including white-tailed kite. Tree and vegetation removal may result in the direct mortality of nesting birds, and construction activities may generate noise or visual disturbances which may in turn result in nest abandonment, reduced reproductive success, or loss or reduced health or vigor of eggs or young.

Take of nesting birds, birds in the orders Falconiformes or Strigiformes, and migratory nongame bird as designated in the federal Migratory Bird Treaty Act is a violation of Fish and Game Code (§ 3503, 3503.5, 3513).

To assist the Project in reducing potentially substantial adverse impacts to nesting birds to less-than-significant levels, CDFW recommends that Mitigation Measure BIO-1c is replaced with the following potentially feasible mitigation measure:

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*If the proposed project requires vegetation to be removed during nesting bird season (February 1 to September 15), a qualified biologist shall conduct a focused survey for active nests within **five days** prior to the initiation of project-related activities. If a lapse in project-related activities of **seven days** or longer occurs, another focused survey will be required before project activities can be reinitiated. Surveys shall be conducted in all potential habitat located at project work sites and in staging and storage areas. The minimum survey radii surrounding the work area shall be the following: (1) 250 feet for non-raptors; and (2) 1,000 feet for raptors.*

A qualified biologist shall determine an appropriately-sized avoidance buffer to protect the bird's normal bird behavior to prevent nesting failure or abandonment. The buffer distance recommendation should be developed after field investigations that evaluate the bird(s) apparent distress in the presence of people or equipment at various distances. Typical minimum protective buffers between each identified nest site and the construction site are as follows: i) 250 feet for passerines and ii) 1,000 feet for raptors.

A qualified Biologist will delineate the avoidance buffer using Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. The buffer zone will be maintained around the active nest site(s) until the young have fledged and are foraging independently. No construction activities or construction foot traffic is allowed to occur within the avoidance buffer(s). The qualified Biologist shall monitor the active nest during construction activities and modify the protection zone accordingly to prevent project-related nest disturbance until the young have fledged. If signs of disturbance and behavioral changes are observed, work shall cease and the protective buffer shall be increased.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or

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David Crompton, Chief of Planning
Town of Danville
May 19, 2026
Page 7

supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

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CONT.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. 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. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

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CONCLUSION

CDFW recommends the draft EIR be revised to incorporate the recommendations outlined above to reduce significant impacts to burrowing owl to a less-than-significant level. CDFW appreciates the opportunity to comment on the draft EIR to assist the Town of Danville in identifying and mitigating Project impacts on biological resources.

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Questions regarding this letter or further coordination should be directed to Torrey Soland, Environmental Scientist, at (707) 266-2878 or Torrey.Soland@wildlife.ca.gov; or Sara Kern, Senior Environmental Scientist (Supervisory), at Sara.Kern@wildlife.ca.gov.

Sincerely,

DocuSigned by:

B77E9A6211EF486...
Erin Chappell
Regional Manager
Bay Delta Region

ec: Office of Land Use and Climate Innovation, State Clearinghouse, Sacramento

REFERENCES

- California Department of Fish and Wildlife (CDFW). 2012. Staff Report on Burrowing Owl Mitigation. State of California Natural Resources Agency, Sacramento, CA. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843>.
- California Department of Fish and Wildlife (CDFW). (2024). Petition Evaluation for Western Burrowing Owl (*Athene cunicularia hypugaea*). Report to the Fish and Game Commission. State of California Department of Fish and Wildlife, Sacramento, CA.
- California Department of Fish and Wildlife (CDFW). 2026. Biogeographic Information and Observation System (BIOS). <https://www.wildlife.ca.gov/Data/BIOS>. Accessed May 6, 2026.
- Hennessy, S.M., Wisinski, C., Ronan, N., Gregory, C., Swaisgood, R., & Nordstorm, L. 2020. Assessing California's Relocation Guidelines for Burrowing Owls Affected by Renewable Energy Development. California Energy Commission.

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State Agencies

California Department of Fish & Wildlife (CDFW)

Response to CDFW-1

This comment provides introductory remarks. This comment is included in the administrative record and will be provided to the decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to CDFW-2

This comment is included in the administrative record and will be provided to the decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to CDFW-3

This comment is noted. No response is required.

Response to CDFW-4

This comment is noted. No response is required.

Response to CDFW-5

This comment summarizes the project description. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to CDFW-6

The August 2025 California Natural Diversity Database (CNDDDB) burrowing owl occurrence overlapping the southeastern portion of the project site is acknowledged. In consideration of the recent occurrence record and CDFW's recommendations regarding additional survey effort, the Applicant agrees that supplemental surveys are warranted to determine the current status of burrowing owl occupancy within and adjacent to the project site.

To address CDFW's concerns regarding reliance on a single pre-construction survey and to provide survey coverage consistent with the intent of the 2012 Staff Report on Burrowing Owl Mitigation, a more comprehensive burrowing owl survey program will be implemented. The survey program will include two breeding-season surveys and a pre-construction survey conducted immediately prior to the initiation of ground-disturbing activities. Collectively, these surveys will further evaluate burrowing owl use of the site. Additionally, these surveys would ostensibly identify any individual burrowing owls associated with the CNDDDB occurrence that overlaps the southeastern portion of the project site. Given that the occurrence was observed during the end of the 2025 breeding season, if burrowing owl had previously occupied the site in the late summer of 2025, then it is reasonable to assume (given this species' strong site fidelity) burrowing owl would return to the project site in 2026.

Qualified biologists will survey the project site and a 500-foot buffer for burrowing owls, occupied burrows, suitable burrows, and signs of occupancy, with particular focus on the southeastern portion

of the site where the August 2025 occurrence was documented and on previously identified suitable burrows. Surveys will be conducted using pedestrian transects throughout suitable habitat to determine the presence or absence of burrowing owls and occupiable burrows. Any burrowing owls, occupied burrows, or evidence of owl use (e.g., pellets, whitewash, feathers, or prey remains) will be documented using sub-meter GPS technology and photography.

Following completion of the breeding surveys, a Burrowing Owl Survey Memorandum will be prepared documenting survey methods, conditions, results, habitat and burrow mapping, and an impact assessment (see Appendix A to this Final EIR). The Memorandum will also provide recommendations for avoidance, minimization, and mitigation measures, including appropriate protective buffers consistent with CDFW guidance, if burrowing owls or occupied burrows are identified. In the event burrowing owls are detected, the Applicant will coordinate with CDFW to determine appropriate avoidance measures and evaluate the need for additional consultation and permitting, including compliance with the California Endangered Species Act, as applicable. Please refer to Section 5, Errata, of this document for revisions to Mitigation Measure (MM) BIO-1b, in Draft EIR Section 3.4, Biological Resources, on page 3.4-30, according to CDFW recommendations.

Implementation of the survey program will provide the information necessary to evaluate burrowing owl occupancy, inform protective measures, and ensure that potential impacts to burrowing owl are appropriately avoided, minimized, or mitigated.

Response to CDFW-7

Comment noted. See *Response to CDFW-6*. No additional response is required.

Response to CDFW-8

Comment noted. See *Response to CDFW-6*. No additional response is required.

Response to CDFW-9

Comment noted. See *Response to CDFW-6*. No additional response is required.

Response to CDFW-10

Comment noted. See *Response to CDFW-6*. No additional response is required.

Response to CDFW-11

Comment noted. Please refer to Section 5, Errata, of this document for revisions to MM BIO-1c, in Draft EIR Section 3.4, Biological Resources, on page 3.4-31, according to CDFW recommendations. This includes revising the end of nesting bird season from August 31 to September 15, requiring a focused survey for active nests to be conducted within five days prior to project initiation (changed from seven days), and revising minimum protective buffers for raptors from 500 feet to 1,000 feet. Additionally, the minimum survey radii surrounding the work area shall be the following: (1) 250 feet for non-raptors; and (2) 1,000 feet for raptors; and another focused survey will be required if there is a lapse in project-related activities of seven days or longer. These revisions to MM BIO-1c do not change the disposition of the Draft EIR as implementation of MM BIO-1c would still result in a less than significant impact related to biological resources. No additional response is required.

Response to CDFW-12

Comment noted. Any special-status species and natural communities detected during project surveys will be reported to the CNDDB. No additional response is required.

Response to CDFW-13

Following certification of the Final EIR, the project applicant would file the Notice of Determination and pay all applicable CDFW fees for CEQA documents, pursuant to Title 14, California Code of Regulations Section 753.5. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to CDFW-14

Please refer to the Responses to CDFW-6 through CDFW-11 for a discussion related to the comments and recommendations provided by CDFW. This comment is noted. No response is required.

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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



May 22, 2026

SCH #: 2025010602
GTS #: 04-CC-2025-01116
GTS ID: 35226
Co/Rt/Pm: CC/680/R5.231

David Crompton, Chief of Planning
City of Danville
510 La Gonda Way
Danville, CA 94526

Re: Martin Hills Ranch Residential Project— 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 April 2026 DEIR.

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

Project Understanding

The proposed project would include constructing 20 single-family homes with five of those homes including accessory dwelling units.

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' Transportation Impact Study Guide ([link](#)).

The project VMT analysis and significance determination are undertaken in a manner consistent with the Office of Land Use and Climate Innovation's (LCI) Technical Advisory. Per the DEIR, this project is found to have potentially significant VMT impact before mitigation. To mitigate this, Strategy T-4 and T-23 of the California Air Pollution Control Officers Association's (CAPCOA's) Handbook are set to be implemented in this

David Crompton, Chief of Planning
May 22, 2026
Page 2

project. Strategy T-4 refers to integrating affordable and below-market-rate housing into land use and climate planning. Strategy T-23 refers to providing community-based travel planning. The VMT outcomes from these mitigation measures should be monitored annually to ensure that they sufficiently reduce VMT impacts to less than significant levels as stated in the document.

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Construction-Related Impacts

Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, please visit Caltrans Transportation Permits ([link](#)).

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Marley Mathews, Associate Transportation Planner, via 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.

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Sincerely,



YUNSHENG LUO
Branch Chief, Local Development Review
Office of Regional and Community Planning

c: State Clearinghouse

California Department of Transportation (CALTRANS)

Response to CALTRANS-1

This comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the Draft EIR. This comment is included in the administrative record and will be provided to the decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to CALTRANS-2

As described in the Draft EIR, Chapter 2, Project Description, the proposed project would include 25 percent of the total base units available for lower-income households, thereby meeting the requirements of Strategy T-4 of the California Air Pollution Control Officer's Association's (CAPCOA) Handbook. Further, as detailed in Draft EIR Section 3.15, Transportation and Traffic, MM TRANS-2 requires the development of a Community-Based Transportation Plan (CBTP) for review and approval by the Town, thereby ensuring compliance with Strategy T-23 of the CAPCOA Handbook. After program approval, the proposed project's Homeowner's Association (HOA) shall administer the CBTP program for all residents within the HOA to achieve the maximum feasible vehicle miles traveled reduction of 2.3 percent per the CAPCOA Handbook. The HOA shall be required to submit documentation to the Town on an annual basis to demonstrate ongoing program implementation. As such, the proposed project would implement measures that would sufficiently reduce impacts related to Vehicle Miles Traveled (VMT) to less than significant levels. This comment is included in the administrative record and will be provided to the decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to CALTRANS-3

As provided in the Draft EIR Section 3.15, Transportation and Traffic, the proposed project would be required to comply with all applicable State and local guidelines with regard to construction-related traffic, including the movement of oversized or excessive load vehicles, as applicable. The proposed project would procure all necessary permits prior to commencement of construction activities. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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From: [Thao Nguyen](#)
To: [Riley Anderson-Barrett](#)
Cc: [Joe Smithonic](#); [David Crompton](#)
Subject: RE: Martin Hills (Elworthy East) Development - Notice of Availability of a Draft EIR
Date: Tuesday, May 19, 2026 11:06:40 AM
Attachments: [image003.png](#)

*****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.

Hi Riley,

The Contra Costa County Flood Control and Water Conservation District (FC District) has reviewed the Draft Environmental Impact Report (DEIR) dated April 6, 2026, by FirstCarbon Solutions for the Martin Hills Ranch Project (Sub 9679, APNs 218-010-008, -009, -010, -011, -012) in the Town of Danville (Town). We submit the following comments:

1. The project is in the San Ramon Creek watershed. We recommend that all developments in the San Ramon Creek watershed be required to mitigate their adverse drainage impact upon the natural creeks. Toward that end, the following should be added to the conditions of approval for the future developments' applications:

Mitigate the impact of additional stormwater runoff from those developments on San Ramon Creek by either of the following methods:

- Remove 1 cubic yard of channel excavation material from the inadequate portion of San Ramon Creek for each 50 square feet of new impervious surface area created by the development. All excavated material shall be disposed of off-site by the developer at his own cost. The site selection, land rights, and construction staking will be performed by the FC District.

OR, upon written request by the developer:

- Provide for a cash payment in lieu of actual excavation and removal of material from the inadequate portion of San Ramon Creek. The cash payment will be calculated at a rate of \$0.10 per square foot of new impervious surface area created by the development. The added impervious surface area created by the development will be based on the FC District's standard impervious surface area ordinance. The FC District will use these funds to work on San Ramon Creek annually.

2. As stated in the Hydrology Section of the DEIR (section 3.10.6), "the proposed project's on-site stormwater management and treatment facilities have been sized to accommodate stormwater flows from the proposed development, and post-project

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peak flow rates would be reduced as compared to existing conditions.”

The FC District does not recommend the use of bioretention areas (C.3 facilities) sized to meet Contra Costa Clean Water Program C.3 requirements for mitigating peak flows. These C.3 Facilities have not been proven to perform as peak flow mitigation measures under design storm flow conditions for the 10-year storm and above. They do not account for the saturated condition of soils that could precede a 10-year design storm. They have not been in use long enough to provide operational experience that they will continue to perform as designed and be maintained properly. C.3 facilities that are proposed to be used to mitigate peak flows should be analyzed in a way that ignores the above surface storage volume required by the C.3 facilities sizing criteria. Further, we recommend that C.3 facilities be analyzed using a hydrograph produced by or accepted by the FC District.

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We appreciate the opportunity to review the DEIR and welcome continued coordination. Please let us know if you have any questions.

Thanks,
Thao



Thao Nguyen Nguyen | Staff Engineer
Contra Costa County Flood Control & Water Conservation District
255 Glacier Drive, Martinez, CA 94553
thao.nguyen@pw.cccounty.us | Office: 925-313-2197

From: Riley Anderson-Barrett <randersonbarrett@danville.ca.gov>
Sent: Tuesday, April 7, 2026 3:39 PM
To: _Town Council <council@danville.ca.gov>; Tai Williams <TWilliams@danville.ca.gov>; Dave Casteel <DCasteel@danville.ca.gov>; Rob Ewing <REwing@danville.ca.gov>; fcd <fcd@pw.cccounty.us>; ccchazmat@cchealth.org; Jerryfahy@pw.cccounty.us; jreyes@ccta.net; Central San <forwardplanning@centralsan.org>; lvelasco@ebparks.org; david.rehnstrom@ebmud.com; EMBUD <Planning.Review@ebmud.com>; LouAnn.Teixeira@lafco.cccounty.us; Lam, Kimberly <klam2@republicservices.com>; much@sonoma.edu; nwic@sonoma.edu; lbobadilla@sanramon.ca.gov; Roy Wendel <rwendel@srvfire.ca.gov>; ehirst@srvusd.net; lbobadilla@sanramon.ca.gov; Kathleen.A.Dadey@usace.army.mil; goforth.kathleen@epa.gov; ryan_olah@fws.gov; romy.deguzman@usps.gov; pgeplanreview@pge.com; chris.medders@pge.com; support@xfinitymobile.com; Tosin Ladeinde <tol2@pge.com>; Yvette Arteaga-Largent <yarteaga-largent@srvfire.ca.gov>; Contra Costa County Public Works <pw@pw.cccounty.us>; Steve Ughe <sughe@republicservices.com>; Rhonda Martinez <RCMb@pge.com>; Gigi Gines <ggines@srvusd.net>; Danny Williams <Danny_Williams2@comcast.com>; Jesus Avila <jesus.r.avila@usps.gov>; Contra Costa County Conservation & Development, Todd Fitzsimmons <todd.fitzsimmons@dcd.cccounty.us>

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

Subject: Martin Hills (Elworthy East) Development - Notice of Availability of a Draft EIR

Hello all,

Please see the attached Notice of Availability of a Draft EIR for the Martin Hills (Elworthy East) Development located in Danville.

The public review period is April 7, 2026 through May 22, 2026 with a public hearing to be held on Tuesday, April 28, 2026 at 5:00 p.m. at 201 Front Street, Danville. The meeting agenda will be posted to the Town's website at <https://www.danville.ca.gov/129/Meetings-Agendas-Minutes>.

All documents and additional information can be found on the project page at https://danilletowntalks.org/private-land-development/news_feed/martin-hills-elworthy-east.

For questions or comments regarding this project, you may contact David Crompton, Chief of Planning, at dcrompton@danville.ca.gov or (925) 314-3349.

Best,



Riley Anderson-Barrett

Associate Planner

Town of Danville | 500 La Gonda Way | Danville, CA 94526

(925) 314-3314

randersonbarrett@danville.ca.gov | www.danville.ca.gov

#LiveLocallyDanville



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Local Agencies

Contra Costa County Flood Control and Water Conservation District (FC DISTRICT)

Response to FC DISTRICT-1

The proposed project would not increase surface runoff and would actually decrease surface runoff compared to existing conditions as discussed in the Draft EIR, Section 3.10, Hydrology and Water Quality. The Town of Danville has not adopted an impervious surface area fee ordinance, nor has Contra Costa County (County) adopted an impervious surface area ordinance to collect fees for working with the San Ramon Creek watershed. Consequently, the proposed project would not be required to fund or implement measures for which it is not contributing an impact to the watershed. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to FC DISTRICT-2

The FC District comments are noted. The proposed project bioretention facilities are designed in accordance with standard practices and methodologies accepted by the Contra Costa Clean Water Program C.3 requirements and National Pollutant Discharge Elimination System (NPDES) Order No. R2-2022-0018 NPDES Permit No. CAS612008 May 11, 2022. Please also refer to Master Response 2, Project Site Drainage, in Section 2, Master Responses, of this document. This response details the “Modeling of Stormwater Runoff Flow-Duration and Peak Flow Control Performance” that was conducted by Balance Hydrologics and included in Draft EIR, Appendix G. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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From: [Albert Valle](#)
To: [David Crompton](#)
Cc: [Caity](#)
Subject: Public Comment on DEIR – Martin Hills Ranch (Elworthy East)
Date: Tuesday, April 28, 2026 7:40:24 AM

*****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.

To the Danville Planning Commission:

As a nearby resident with direct familiarity with the project area, I am submitting this comment regarding the adequacy of the Draft Environmental Impact Report (DEIR) pursuant to the California Environmental Quality Act (CEQA).

1

While the DEIR concludes that potentially significant impacts can be mitigated to “less-than-significant” levels, those conclusions rely on assumptions that are not fully supported by site-specific conditions, documented environmental data, or evaluation of long-term and cumulative effects. As such, the DEIR does not provide a sufficiently complete informational basis for decision-making.

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Under CEQA, conclusions of ‘less-than-significant’ impact must be supported by substantial evidence. The current DEIR does not meet that standard in several key areas.

This site functions as part of a connected ecological system, not an isolated parcel, and warrants a higher standard of analysis than is currently reflected.

1. Biological Resources

The site supports a functioning habitat system, including documented special-status species such as the prairie falcon, as well as a range of raptors, apex predators, and amphibians indicative of an intact food web.

The DEIR’s reliance on limited pre-construction surveys does not adequately capture seasonal species use, foraging ranges, or long-term impacts of habitat fragmentation, lighting, and human activity.

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Requested Action:

Require expanded, multi-season biological studies and a more rigorous evaluation of habitat connectivity, species movement, and long-term ecological function. The current analysis does not support a less-than-significant conclusion.

2. Wildfire Risk and Emergency Access

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The DEIR does not fully evaluate the implications of introducing additional residential density into a hillside wildland-urban interface with constrained access via existing streets such as Como Way.

Key risks include limited evacuation capacity, increased ignition potential, and insufficient analysis of simultaneous evacuation and emergency response.

Requested Action:

Conduct comprehensive, scenario-based wildfire evacuation modeling and emergency response analysis under worst-case conditions.

3. Geologic Hazards

The site is subject to multiple overlapping geologic hazards, including mapped landslide areas, severe seismic shaking (MM VIII), and soils with high shrink-swell potential.

The DEIR does not adequately analyze combined hazard scenarios, such as seismic events triggering slope instability under saturated conditions or post-development drainage changes.

Requested Action:

Require a site-specific geotechnical and seismic analysis that evaluates combined and worst-case scenarios. The current record does not support a less-than-significant determination.

4. Project Configuration and Land Use Changes

The project has been materially modified, including the reintroduction of a residential lot at the terminus of Borica Drive under the State Density Bonus Law, along with associated development standard waivers.

This configuration differs from earlier project iterations and introduces distinct environmental, access, and safety considerations.

Key issues include:

- The Borica lot creates localized traffic and emergency access constraints not present in the previously clustered design
- It introduces additional edge effects and environmental disturbance in a sensitive hillside area
- The DEIR does not clearly demonstrate that these impacts have been fully evaluated as part of the current project configuration

Requested Action:

Revise the DEIR to evaluate the project as currently proposed, including the Borica lot and associated development standard waivers. The current record does not demonstrate that these

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impacts have been fully analyzed.

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5. Traffic and Cumulative Impacts

The DEIR lacks sufficient detail regarding localized traffic impacts on existing residential streets, construction-phase disruptions, and the cumulative effects of incremental development on infrastructure, wildfire exposure, and habitat fragmentation.

11

Requested Action:

Provide a more detailed localized circulation analysis and strengthen cumulative impact analysis to reflect regional conditions.

Conclusion

Where project modifications materially affect environmental conditions, CEQA requires that those impacts be fully evaluated in the environmental document.

The DEIR does not currently provide substantial evidence to support its conclusions that project impacts can be reduced to less-than-significant levels.

The DEIR appears to understate the site's environmental sensitivity and does not fully reflect the project as currently proposed.

12

We respectfully request that the Town address the deficiencies outlined above before determining the DEIR to be adequate under CEQA.

Thank you for your consideration.
Albert & Caitlyn Valle

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

From: **HOA Services - Stacey Lint** <Email_Alert@calibersoftware.email>

Date: Mon, Apr 27, 2026 at 1:16 PM

Subject: Shadow Hills - Martin Hills Development Update - Public Comment Meeting

To: Albert Valle <albertvalle@gmail.com>

Dear Homeowners,

You may have received a notice from the Town regarding the Planning Commission Meeting being held tomorrow at which they will discuss the Draft Environmental Impact Report (EIR) for the proposed Martin Hills Ranch development. This is the development of homes that is proposed in the hills behind Como Way and Borica Drive.

An EIR (Environmental Impact Report) is a document that determines potential environmental effects of a development and proposes possible mitigation measures. The project plan for the Martin Hills Ranch development and full documents, including the draft EIR, are available here:

https://danvilletowntalks.org/private-land-development/news_feed/martin-hills-elworthy-east

The Public Comment Period is open for written comments. In person comments may be made on the draft EIR at the Town Planning Commission Meeting.

Planning Commission Meeting (Public Comment):

April 28, 2026 at 5:00 PM

Danville Town Meeting Hall, 201 Front Street

Thank you,

Management on behalf of

The Board of Directors

Shadow Hills

Individuals

Albert and Caitlyn Valle (AC VALLE)

Response to AC VALLE-1

This comment's general introductory statements do not raise any specific issues with respect to the proposed project or the Draft EIR. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to AC VALLE-2

The Draft EIR was prepared in accordance with CEQA and the CEQA Guidelines and relies upon available data from regulatory databases and relevant planning documents, in addition to site-specific resource analyses referenced throughout the Draft EIR and included as appendices to the Draft EIR. The purpose of the Draft EIR is to conduct site-specific analysis of the proposed project at the level of detail commensurate with the project description, pursuant to CEQA. As further detailed in the Draft EIR, Chapter 1, Introduction, environmental impacts are considered on a project-level basis. As provided within CEQA Guidelines Section 15126.4(a)(3), "mitigation measures are not required for effects which are not found to be significant." Consistent with CEQA's statutory framework, mitigation measures are required only where the EIR identifies a significant effect on the environment (Public Resources Code [PRC] §§ 21002, 21002.1(b); CEQA Guidelines §§ 15126.4(a)(1), 15091(a)(1)), see also *Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 407 [EIR must identify feasible mitigation for significant effects but is not required to speculate or engage in unsupported analysis]; *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 76.) Additionally, as stated in Section 15126.4(a)(4)(B), mitigation measures must be "roughly proportional to the impacts of the project." Accordingly, a lead agency does not have authority under CEQA to require additional mitigation measures where a project impact has been shown to be reduced to below a level of significance, and additional mitigation would exceed the project's contribution to the impact.

The mitigation measures discussed throughout the Draft EIR and summarized within Table ES-1, Executive Summary Matrix, were identified based on project-level analysis and will be implemented through the Mitigation Monitoring and Reporting Program (MMRP), which is included as part of this Final EIR (under a separate cover), to ensure enforceability in accordance with CEQA Guidelines Section 15126.4(a)(2). This comment is included in the administrative record and will be provided to decision-makers for review and consideration. However, because the comment does not raise new, substantial evidence or identify a specific inadequacy in the Draft EIR's analysis, no further response or revision to the Draft EIR is required (CEQA Guidelines § 15088(a); *City of Long Beach v. Los Angeles Unified School Dist.* (2009) 176 Cal.App.4th 889, 898–899).

Response to AC VALLE-3

CDFW, the trustee agency with jurisdiction over biological resources, reviewed the Draft EIR and recommended more extensive mitigation for nesting birds, raptors, and burrowing owls but did not require multi-season or additional species-specific surveys beyond those already conducted. CEQA allows the lead agency to rely on the expertise of trustee agencies. As summarized in Section 3.4,

Biological Resources, the existing survey effort conducted for the proposed project includes a general biological resources assessment, aquatic resources delineation, focused burrowing owl surveys, special-status plant surveys, and California red-legged frog surveys, which constitutes substantial evidence supporting the analysis. CEQA does not mandate multi-year or seasonal surveys unless needed to evaluate a potentially significant impact, and the commenter does not identify any species or habitat for which the existing data are inadequate.

Further, Draft EIR Section 3.4, Biological Resources, MM BIO-1a through MM BIO-1c incorporate CDFW's recommended protections for nesting birds, raptors, and burrowing owls, ensuring that any species with potential to occur on-site would be identified and avoided through pre-construction surveys and enforceable mitigation. With these measures, impacts would be reduced to less than significant. As the comment does not demonstrate a deficiency in the CEQA analysis, no additional response is required.

Response to AC VALLE-4

Please refer to Master Response 5, Emergency Response and Access, and Master Response 6, Wildfire, in Section 2, Master Responses, of this document. These responses discuss the Draft EIR's thorough analysis of emergency access for the project site, as well as impacts related to wildfire susceptibility on the project site. Additionally, please refer to Master Response 4, Como Way Roadway Width and Design, in Section 2, Master Responses, of this document. This response provides additional detail regarding the adequacy of Como Way's roadway width and design with applicable standards for vehicle travel.

In addition, please refer to the Draft EIR Section 3.17, Wildfire, Impact WILD-2. As further discussed in this section, the proposed project would be required to provide safe roofing and other fire prevention standards for development in high fire hazard areas by maintaining a Fire Safe Roofing Ordinance, in coordination with the San Ramon Valley Fire Protection Department. Fire safe roofing is a form of home hardening. Further, the proposed project would be required to maintain "defensible space" (e.g., areas free of highly flammable vegetation) around homes in fire-prone areas and require the clearing or thinning of fire-prone vegetation within 30 feet of access and evacuation routes and routes to critical facilities. Research has shown that implementing home hardening and defensible space strategies together can double the number of homes and other structures that survive a blaze.¹ Furthermore, removing the vegetation within a 5-foot perimeter of homes could reduce structure losses by approximately 17 percent. These strategies have the potential to further prevent loss by slowing the spread of fire. Thus, the proposed project would not exacerbate wildfire risks. Evacuation modeling and emergency response analysis are not requirements under CEQA Guidelines, and therefore, a response to the requested action does not fall under the scope of this document. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

¹ University of California, Berkeley. November 10, 2025. Wildfire Defense That Works. Website: <https://engineering.berkeley.edu/news/2025/11/wildfire-defense-that-works/>. Accessed July 1, 2026.

Response to AC VALLE-5

Please refer to Section 2, Master Responses, Master Response 3, Project Site Geology, of this document. This response discusses the geotechnical studies that were previously prepared for the proposed project and project site and included in Appendix E of the Draft EIR. The geotechnical recommendations identified in the studies included within Appendix E of the Draft EIR would be incorporated into the proposed project's design through MM GEO-1, as well as regulatory compliance with the California Building Standards Code (CBC). Adherence to these requirements would address each potential seismic hazard outlined in the CBC to ensure impacts would be less than significant. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to AC VALLE-6

Please refer to Section 2, Master Responses, Master Response 7, Lot 22, of this document. This response provides a discussion of the lot off Borica Drive (Lot 22) as part of the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to AC VALLE-7

Draft EIR Section 3.15, Transportation and Traffic, evaluates traffic, circulation, and emergency access impacts associated with the project as proposed, including conditions affecting individual lots such as Lot 22. The analysis in the Transportation, Circulation, and Emergency Access sections is based on the project configuration described in Chapter 2 and includes site-specific roadway conditions, access points, and operational characteristics and specifically includes Lot 22 (Draft EIR Chapter 2, Project Description, Section 2.2.1, Proposed Project). These analyses evaluate whether the project would result in significant impacts related to vehicle circulation, roadway capacity, and emergency access, and identify mitigation measures where necessary. Please refer to Section 2, Master Responses, Master Response 5, Emergency Response and Access, in this document. This response discusses emergency access constraints related to Lot 22 and Borica Drive. This comment is included in the administrative record and will be provided to the decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to AC VALLE-8

As discussed in the Draft EIR Section 3.7, Geology, Soils, and Seismicity, and addressed in Appendix E, the proposed project would not be located on a geologic unit or soil that is unstable or that would become unstable as a result of the proposed project. In addition, adherence to MM GEO-1 would require implementation of recommendations provided in the Preliminary Geotechnical Exploration, which includes constructing a mudflow catchment basin, a retaining wall, and adherence to the other recommendations within the Geotechnical Exploration. These site-specific recommendations would ensure that impacts related to hillside disturbance remain less than significant. Further, as

described in the Draft EIR Section 3.7, Geology, Soils, and Seismicity, the proposed project would be developed in accordance with General Plan Policy 24.04, which requires all development on hillside sites to be designed and constructed to minimize cutting and filling of slopes, avoid high risk landslide areas, and fully address environmental and aesthetic concerns. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to AC VALLE-9

The comment asserts, in general terms, that the Draft EIR does not clearly demonstrate that environmental impacts have been fully evaluated for the current project configuration. However, the comment is broad and conclusory and does not identify any specific impact area, analytical deficiency, or evidence to support this assertion.

CEQA requires that comments submitted on a Draft EIR raise specific environmental issues and be supported by facts or reasoned argument (CEQA Guidelines § 15088(a)(c)). Conclusory statements without factual support do not constitute substantial evidence and do not allow for a detailed response (CEQA Guidelines §§ 15088(c), 15384).

The Town is only required to respond in good faith to significant environmental points raised; however, general or unsupported comments do not obligate the Town to provide additional analysis beyond that already included in the EIR. As discussed in the Draft EIR and further addressed in the responses to comments on the Draft EIR, the environmental analysis is based on the project description set forth in Chapter 2 and contains a level of detail commensurate with the level of detail in the project description in accordance with CEQA. Pursuant to CEQA Guidelines Section 15124, the Draft EIR provides sufficient detail regarding the proposed project's location, characteristics, and objectives to support meaningful environmental review. The Draft EIR evaluates impacts associated with this defined project configuration, including direct, indirect, and cumulative effects, using established thresholds of significance and technical analyses.

Please refer to Response to AC VALLE-2 through AC VALLE-8 for discussion related to biological resources, wildfire risk and emergency access, geologic hazards, and land use changes.

Notably, CEQA does not require perfection or exhaustive analysis of every potential variation; rather, the adequacy of an EIR is judged based on whether it reflects a good faith effort at full disclosure and provides sufficient information for informed decision-making (CEQA Guidelines § 15151). The Draft EIR meets this standard.

This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Accordingly, because the comment provides no specific information or substantial evidence demonstrating that the environmental analysis is deficient, no further response is required.

Response to AC VALLE-10

Please refer to Section 2, Master Responses, Master Response 7, Lot 22, of this document. This response details the analysis conducted related to Lot 22 for the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to AC VALLE-11

Pursuant to Senate Bill (SB) 743, CEQA transportation analysis now evaluates VMT, rather than vehicle delay or Level of Service (LOS). Under Public Resources Code Section 21099(b)(2) and CEQA Guidelines Section 15064.3, vehicle delay may not be treated as a significant environmental impact under CEQA, except for roadway capacity projects. Accordingly, the Draft EIR appropriately evaluates transportation impacts using VMT rather than LOS.

However, while not required under CEQA, an LOS analysis was prepared and included in Appendix I of the Draft EIR. As noted on page 1 in Appendix I of the Draft EIR, all study intersections within the proposed project study area operate acceptably under existing conditions and would be expected to continue operating acceptably with traffic from the proposed project added.

Additionally, a list of projects included in the cumulative analysis, in consultation with the Town, is included in the Draft EIR Chapter 3, Environmental Impact Analysis, Table 3-1: Cumulative Projects. This table, and all associated cumulative impact analysis, accounts for future development in proximity to the project site. As noted in the Draft EIR, Section 3.15, Transportation and Traffic, transportation modeling for the proposed project included vehicle trips from cumulative future developments that are not related to the proposed project, including the projects listed in Table 3-1. Cumulative impacts related to transportation were determined to be less than significant.

This comment is included in the administrative record and will be provided to the decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to AC VALLE-12

Please refer to Responses to AC VALLE-1 through AC VALLE-12 for responses related to biological resources, wildfire risk and emergency access, geologic hazards, land use, and traffic. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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Date: May 21, 2026

To:

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

Subject: Comments on Draft Environmental Impact Report – Martin Hills Ranch Residential Project

Dear Mr. Crompton,

As a 30-year resident of Como Way, I am submitting formal comments regarding the Draft Environmental Impact Report (DEIR) for the Martin Hills Ranch Residential Project. I am concerned that the DEIR relies on assumptions, exceptions, and future approvals rather than demonstrating that the project, as proposed, meets Town standards and protects existing residents.

1

This is not opposition to development in general. It is in opposition to this project as currently presented.

1. Reliance on Exceptions Instead of Standards

The project requires deviations from adopted standards, including roadway width, turnaround design, and block length. The Transportation Impact Study states that the applicant should secure exemptions for roadway width, maximum block length, and cul-de-sac turnaround radius (Transportation Impact Study, March 5, 2026, pp. 11, 29). A less-than-significant conclusion should not depend on exceptions that have not yet been granted.

2

2. Access and Traffic Safety

Primary access through Como Way places an undue burden and a material change on an existing residential street. The project would generate 231 average daily trips (DEIR Section 3.15, p. 3.15-16, Table 3.15-2), while Como Way currently carries approximately 60 average daily trips (Draft EIR Appendix H – Noise Supporting Information, Existing-03). Furthermore, the existing roadway width on Como Way is 32'. The current Town standard (104b attached) for a cul-de-sac with parking on both sides is 36'. The Transportation Impact Study, March 5, 2026, (pp. 10) *incorrectly* states that the Town requirement is 32' and concludes that the cross section of Como Way is adequate. This statement is false and misleading. The DEIR also does not adequately address traffic speed, sight distance at El Capitan, roadway slope, or the effect of turning a quiet cul-de-sac into the primary access point for a new subdivision.

3

3. Fire Access and Emergency Response

The DEIR states that emergency access would be provided from Borica Drive, but also relies on exemptions from Town standards related to block length and fire turnaround requirements (DEIR Section 3.15, p. 3.15-27). Fire access is a life safety issue, not a design preference. The

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project should demonstrate compliance without relying on future exceptions. In addition, it is unclear if the proposed access from Borica Drive meets the SRVFD requirements for fire protection and which party would be responsible for maintaining that access.

4
CONT

4. Hillside and Scenic Impacts

The site is steep, hilly, and within the Town's Scenic Hillside Ordinance Zone (DEIR Chapter 2, p. 2-1; DEIR Section 3.1, p. 3.1-11). The DEIR does not provide enough detail on grading, roadway cuts, building heights, colors, lighting, or final architectural plans to show that the project will preserve hillside character. Furthermore, the Corrective Grading Plan by ENGEO (The project's Soils Engineer) Figure 1 shows the grading limits to the top of the hillside and a major cut through the hillside for the extension of Como Way. This approach fails to preserve the hillside character as required.

5

5. Drainage and Maintenance

The project includes new storm drain facilities, bioretention areas, and drainage management areas, including drainage to the existing 15-inch storm drain in Como Way (DEIR Chapter 2, p. 2-21). The DEIR does not adequately define who will maintain these facilities, how maintenance will be funded, or how existing residents will be protected if drainage systems fail.

6

6. Geotechnical and Landslide Risks

The DEIR identifies the site as being within a Landslide Zone and states that eight prior landslides, including mudflow events, have occurred on the project site (DEIR Section 3.7, p. 3.7-17). The DEIR relies on MM GEO-1 and future GHAD documents, but does not clearly define long-term monitoring, funding, enforcement, or maintenance responsibilities.

7

7. Alternatives Analysis

Residents specifically requested analysis of Borica Drive access and alternative development configurations (DEIR Chapter 1, pp. 1-6 to 1-7, Table 1-1). The alternatives analysis does not meaningfully evaluate Borica Drive as primary access, a split-access configuration, or a reduced Como Way access scenario. CEQA requires meaningful alternatives that could reduce impacts.

8

8. Vehicle Miles Traveled Analysis

As proposed, this is a hillside, auto-dependent residential project. The current transportation analysis (Appendix I - Transportation Supporting Information, page 12) indicates that the project fails to meet the VMT requirement by 2.3%. The analysis does not account for the high probability that the number of ADUs will exceed the five currently included, which will further exacerbate the VMT failure. Furthermore, the proposed solution to meet VMT requirements relies solely on the project's HOA through community-based travel planning (CBTP). I am concerned that the HOA will lack the necessary incentives to ensure these requirements are met

9

9. Construction Impacts

Construction is expected to occur over approximately 12 to 15 months (DEIR Chapter 2, p. 2-25). However, this duration does not seem to account for home construction, which could

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continue for years following the completion of the initial infrastructure. The Town should require enforceable conditions for haul routes, construction hours, dust control, noise, staging, emergency access, worker parking, neighborhood notification, construction duration and restoration of Como Way.

10
CONT

In conclusion, this project relies on concessions, assumptions, and future approvals that may make it work for the applicant but do not adequately protect existing residents. I request that the Town require additional analysis, uphold the Town's Scenic Hillside Ordinance Zone, properly address the current width of Como Way as substandard, impose enforceable mitigation measures, and evaluate meaningful alternatives before allowing the project to proceed.

11

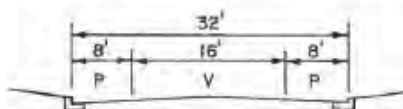
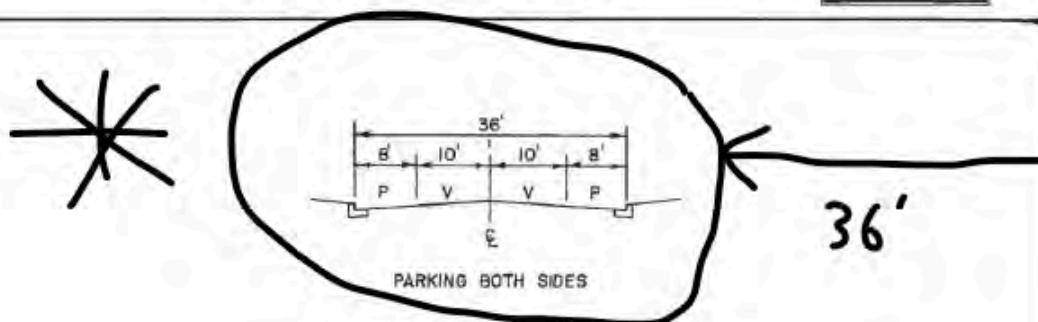
Sincerely,



Bruce W. Daseking
Danville Resident

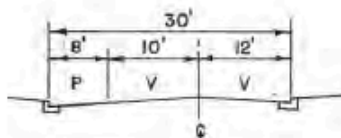
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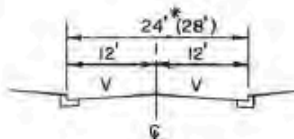


2 WAY TRAFFIC
PARKING BOTH SIDES
PRIVATE STREET ONLY

← PRIVATE



PARKING ONE SIDE



NO PARKING
* PRIVATE STREET ONLY

LEGEND

P = PARKING
V = VEHICLES
C = CENTER LINE



CUL-DE-SAC, LANE, PLACE, MINOR STS.
(1 to 80 UNITS)

Scale NOT TO SCALE	Drawn By B.C. Checked By MZ	No. Rev. By
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PARKING & VEHICULAR LANES RESIDENTIAL (PUBLIC/PRIVATE STREETS)	CITY ENGINEER RCE 31870 DATE	Sht. 2 of 2

Bruce Daseking (B DASEKING)

Response to B DASEKING-1

This comment's general introductory statements do not raise any specific issues with respect to the proposed project or the Draft EIR. Specific issues summarized in the introduction are addressed in detail in the responses below. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B DASEKING-2

Please refer to Master Response 4, Como Way Roadway Width and Design, in Section 2, Master Responses, of this document. This response discusses applicable roadway standards for the proposed project. Please also refer to Master Response 5, Emergency Response and Access, in Section 2, Master Responses, of this document. This response provides further discussion related to the proposed project's emergency access points. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B DASEKING-3

LOS describes the operating conditions experienced by users of a transportation facility. LOS is a quantitative stratification of a performance measure or measures representing quality of service. However, pursuant to SB 743, CEQA transportation analysis now evaluates VMT, rather than vehicle delay or LOS. Under Public Resources Code Section 21099 (b)(2), and CEQA Guidelines Section 15064.3, vehicle delay may not be treated as a significant environmental impact under CEQA, except for roadway capacity projects. Accordingly, the Draft EIR appropriately evaluates transportation impacts using VMT rather than LOS.

Please refer to Master Response 4, Como Way Roadway Width and Design, in Section 2, Master Responses, of this document. This response details the applicability of roadway width requirements for Como Way. This comment is included in the administrative record and will be provided to decision-makers for review and consideration.

Further, a sight distance analysis was provided on pages 14 and 15 in Appendix I of the Draft EIR for vehicles turning in to and from Como Way and El Capitan Drive. This analysis was evaluated based on sight distance criteria contained in the *Highway Design Manual* published by Caltrans. The recommended sight distance at intersections of public streets is based on corner sight distances with the approach travel speeds used as the basis for determining the recommended sight distance. As such, a speed survey was conducted to identify the observed speeds of cars traveling along these roadways and not just utilizing the existing posted speed limit. The 85th-percentile speed for the southbound direction was found to be 32 miles per hour. For left turns from Como Way onto El Capitan Drive (into southbound traffic), 32 mph translates to a requirement for approximately 450 feet of sight distance. While only 350 feet of sight distance was observed, the all-way stop-controlled intersection of El Capitan Drive and Alicante Drive-Balceta Court is located 260 feet north of and visible from El Capitan Drive and Como Way. Because of the presence of stop controls at this

intersection, the additional time required for traffic to stop and then accelerate at the intersection presents sufficient reaction time for westbound drivers turning left from Como Way onto El Capitan Drive. It is noted that the corner sight distance required for the posted speed limit of 25 mph is 350 feet, matching the distance observed. Therefore, there is adequate sight distance at El Capitan Drive and Como Way for left-turn movements into or out of Como Way. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B DASEKING-4

Please refer to Master Response 5, Emergency Response and Access, in Section 2, Master Responses, of this document. This response discusses how the proposed project would implement fire access and fire safety features, meeting the intent of applicable codes. Additionally, please refer to Master Response 7, Lot 22, in Section 2, Master Responses, of this document. This response discusses the applicability of requirements related to Lot 22. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B DASEKING-5

As provided within Draft EIR Section 3.1, Aesthetics, Light, and Glare, the P-1 district would allow for the clustering of the allowable lots into a mostly hidden area in a valley behind a ridgeline. Therefore, the proposed project would protect open space and hillside and ridgeline views. Page 3.1-11 in the Draft EIR notes that the proposed project would be consistent with General Plan Policy 1.02, with similar visual character to existing residences. Further, the proposed project is within the Towns Scenic Hillside Ordinance Zone. As such, the proposed project would be consistent with the Scenic Hillside and Major Ridgeline Development Ordinance, which establishes regulations on land identified as scenic hillside areas. Page 3.1-12 in the Draft EIR notes proposed project lighting sources, which include stationary sources; such as structure lighting, decorative landscaping, solar panels, and streetlights; and mobile sources, such as headlights from motor vehicles. With design review under the General Plan and the Residential Design Guidelines developed and approved for the proposed project, impacts would be less than significant.

Please also refer to Master Response 3, Project Site Geology, in Section 2, Master Responses, of this document. This response provides further discussion related to the Geotechnical Exploration, specifically in relation to cut and fill slopes. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B DASEKING-6

Please refer to Master Response 2, Project Site Drainage, in Section 2, Master Responses, of this document. This response details the design adequacy and maintenance of stormwater infrastructure for the proposed project. The Geologic Hazard Abatement District (GHAD) would be responsible for the monitoring and maintenance of the proposed project stormwater infrastructure, as discussed in Master Response 2. This comment is included in the administrative record and will be provided to

decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B DASEKING-7

Please refer to Master Response 3, Project Site Geology, in Section 2, Master Responses, of this document. This response discusses the applicability and timing of MM GEO-1, as well as the responsibility of the GHAD to maintain the proposed facilities such as the mudflow catchment basin, debris berm, and retaining wall to ensure ongoing protection. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B DASEKING-8

As noted in the Draft EIR, Chapter 6, Alternatives to the Proposed Project, factors that may eliminate alternatives from detailed consideration include (i) failure to meet most of the basic project objectives, (ii) infeasibility taking into account economic, environmental, social, technological, and legal factors, and (iii) inability to substantially lessen or avoid significant environmental impacts of the proposed project. As further detailed in the Draft EIR, Chapter 6, the Borica Drive Connection Alternative was rejected from further consideration as the development of an additional road would require further ground-disturbing activities that would not reduce or avoid environmental impacts. Further, as noted on page 8 within the Geotechnical Exploration in the Draft EIR, Appendix E, soils north of the project site were found to be conducive to liquefaction, therefore posing a potential increase in impacts related to liquefaction. Accordingly, the Draft EIR properly eliminated a Borica Drive connection alternative from detailed analysis because it would not feasibly attain most project objectives, would not demonstrably substantially lessen the significant impacts identified for the proposed project, and could introduce additional impacts associated with ground disturbance and liquefaction-prone soils.

This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B DASEKING-9

As stated in the Draft EIR Chapter 2, Project Description, on pages 2-8 in Section 2.2, Project Characteristics, the proposed project site plans would include the development of five Accessory Dwelling Units (ADUs). No other ADUs are proposed as part of the proposed project. While State law allows ADUs to be considered ministerially in certain circumstances, whether any individual property owner may seek to construct an ADU in the future is unknown, contingent on future owner decisions, and subject to future regulations in effect at the time of any application. The possibility that some homeowners may elect to pursue ADUs at an indeterminate time in the future does not constitute a reasonably foreseeable indirect effect of the proposed project. To the extent the commenter suggests that ADUs could affect traffic, that topic is addressed in the Draft EIR based on the proposed project's anticipated unit count and development envelope.

CEQA does not require an EIR to assume maximum theoretical buildout under all possible scenarios where such buildout is not proposed and not part of the project approvals, and to do so would be speculative. Doing so would improperly inflate the project description and conflict with CEQA's requirement that environmental review be tied to an accurate and stable project description. Accordingly, the Draft EIR appropriately limits its analysis to the impacts of the proposed 26-unit residential project. There is no requirement to account for ADUs in the Draft EIR as the inclusion of ADUs does not count toward density and does not result in adverse impacts on the environment that requires additional review. No further analysis is required.

As further described in the Draft EIR, Section 3.15, Transportation and Traffic, implementation of MM TRANS-2 would require that the CBTP is reviewed and approved by the Town, which would ensure its implementation. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B DASEKING-10

The construction duration identified in the Draft EIR Chapter 2, Project Description, reflects the California Emissions Estimator Model (CalEEMod) default assumptions which are based on the number and type of residential units. Use of CalEEMod is recommended by the Bay Area Air Quality Management District (Bay Area Air District) and is standard practice for CEQA air quality analyses. CalEEMod includes discrete construction phases, and the most intensive activities would occur during site preparation and grading which involve substantial earthmoving and heavy equipment use, while the building construction phase would occur over a longer duration with comparatively lower equipment intensity and more intermittent activity. Although individual home construction could extend beyond the modeled schedule depending on developer phasing and market conditions, the CalEEMod-derived schedule conservatively assumes a continuous buildout scenario and captures peak emissions associated with construction activities. In addition, as noted in the Draft EIR Section 3.3, Air Quality, the Town's General Plan policies require the implementation of standard dust control practices (e.g., watering, track-out control, and stabilization of disturbed surfaces) consistent with applicable Bay Area Air District recommendations which would substantially reduce dust emissions during construction. Other construction-related considerations identified by the commenter (e.g., haul routes, construction hours, staging, and notifications) do not identify a deficiency in the Draft EIR's air quality analysis, and therefore no further response is required.

Construction impacts evaluated throughout the Draft EIR consider the development of 21 residential units. As further discussed in the Draft EIR Section 3.12, Noise, construction of the proposed project would comply with the Town's restrictions on construction hours in order to ensure impacts related to noise are less than significant during construction of the proposed project. In addition, as detailed in the Draft EIR Section 3.3, Air Quality, Impact AIR-1, fugitive dust control measures would be required to be implemented during the construction of the proposed project in order to reduce localized dust impacts. Please refer to Section 2, Master Responses, Master Response 5, Emergency Response and Access, in this document. This response provides further information related to the project site's emergency access. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new,

substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B DASEKING-11

Please refer to Responses to B DASEKING-1 through B DASEKING-10 for the previous discussion based on waivers, the Town's Scenic Hillside Ordinance Zone, Como Way, mitigation measures, and alternatives. These responses provide discussion regarding the Draft EIR project-level analysis as it pertains to CEQA Guidelines. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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May 17, 2026

Town of Danville Planning Division

Attn: David Crompton, Chief of Planning

500 La Gonda Way

Danville, CA 94526

RE: Formal Opposition to Martins Hills Development Project – Proposed Lot at Borica Drive

Dear Mr. Crompton and Members of the Planning Division,

My name is Bruce Muirhead. My wife, Denise Pare-Muirhead, and we own the property at 388 Borica Drive, which is one lot removed from the proposed single-family lot recently added to the Martins Hills development as Lot 22 Parcel D.

We are in agreement with our neighbors, The Russells at 392 Borica Drive, and are writing to formally express our strong opposition to the inclusion of this specific lot. We request that this letter be included in the official administrative record.

1. Breach of Prior Assurances and Lack of Transparency

This lot appears to be an "11th-hour" addition. We were explicitly assured by the developer, Scott Stringer at the outset of the project – as all Borica homeowners were, at an in-person meeting on August 1 ,2024 that no residential lot would be placed at the end of Borica Drive. Furthermore, the Town's website listed this as a 19-lot project as recently as earlier this month. The sudden increase to 21 lots plus an additional 5 ADUS, as well as this "surprise" 22nd lot on Borica, lacks the transparency expected in the public planning process.

2. Inconsistency with the Danville 2030 General Plan

The proposed lot contradicts several General Plan goals:

- **Density & Character:** Adding a single, nearly one-acre lot in an existing neighborhood does not align with Danville's preference for new housing to be "clustered." Nor does this plan serve to preserve small-town character, which is important to the Town of Danville.

- | | |
|--|---|
| <ul style="list-style-type: none"> • Open Space Preservation (General Planning and Development 1.07): The General Plan mandates a balance between development and the preservation of open space. This lot is a scenic hillside/ridgeline used by local wildlife (deer, fox, coyotes) and enjoyed by the community. Converting this A-4 zoned land to P-1 for a single residence unnecessarily destroys a vital scenic corridor. | 4 |
| <ul style="list-style-type: none"> • Grading and Topography: The hilly nature of this lot requires excessive grading which will destroy the scenic hillside, land where wildlife currently resides. | 5 |
| <ul style="list-style-type: none"> • Neighborhood Fit and Feel: Including one .95 acre lot that goes considerably up into the hillside with a brand new home is inconsistent with the surrounding neighborhood of noticeably smaller lots with homes built in the 1970s. | 6 |

3. Direct Negative Impact on Residential Quality of Life

We are close enough to this lot to be extremely concerned about:

- | | |
|--|---|
| <ul style="list-style-type: none"> • Privacy, view and noise: Not knowing what kind of house that will be built on this lot, we are concerned about the privacy of our primary residence, the very thing we love most about where we live, and the main reason we purchased the property almost 44 years ago in the first place. The loss of privacy, loss of view of a scenic hillside and added noise that will occur were not present or anticipated when we purchased our home under the existing A-4 zoning framework. A significant portion of the oversized 0.95 acre lot is a hill which, and, depending on what kind of house will be built, can impact our privacy at the end of Borica Drive. | 7 |
| <ul style="list-style-type: none"> • Potential runoff from the hill onto my property. There is currently a storm drain at the end of Borica Drive. Has it been studied as to where this storm drain would be moved to and what the potential effects would be on our property and surrounding properties? There have also been past landslides extremely close and possibly on this new proposed lot. In terms of runoff, if it hasn't been included in the project, we request some kind of debris berm and V-ditch, etc. be built behind the homes, including ours, on the south side of Borica Drive to control runoff from the hills behind our homes. | 8 |
| <ul style="list-style-type: none"> • Safety and Infrastructure: The end of Borica will also serve as fire road access and is a necessary turnaround point for traffic. Placing a home here creates a logistical conflict for emergency and utility vehicles. | 9 |

- **Fire Mitigation:** Currently, cattle grazing on this A-4 land provides essential fire reduction. Removing this grazing land increases fire risk for the entire street. Further, what is the plan regarding an annual firebreak around this large parcel? Building a lot in this location will only increase the possibility of wildfire in the neighborhood. 10

- **Decrease in property value:** My property value will decrease due to this project. 11

4. Proposed Mitigations and Questions

We strongly urge the Town to remove this lot from Borica Drive and the project all together or relocate it off Como Way where the other homes are being built. It does not make any rational sense to include a single residential lot at the end of Borica Drive away from the subdivision. We are unaware of any other Danville housing developments that are all clustered together but also include one single residential lot created far away from the subdivision. Please add this lot to the cluster.

If the Town does not remove this lot or relocate it to the main development off Como Way, we formally request the following mitigations:

- **Relocation:** Move the lot and house over the ridge so it is not visible from Borica Drive and my property. Why ruin the view at the current end of Borica Drive? 12
- **Height Restrictions:** Limit the structure to a single story with no ADU allowed.
- **Setbacks & Screening:** Require maximum setbacks from our property line and a mandatory, high-density privacy landscaping plan.
- **Require a separate EIR study for Lot "22" off Borica Drive:** In reading through the EIR, it is apparent that the lot on Borica Drive was not part of the original plan and as such it appears the site was not evaluated with the same care, consideration or viewpoint as the main sub-division site. The EIR and development plan appears to currently defer almost all specifics about this site/location to the future, which makes no sense at all. We ask that all specifics about this proposed site be defined now, rather than in the future.

Additionally, we request clarification on the long-term management of the remaining open space, specifically regarding grazing, fire break maintenance, and possible 13

public access. For the record, we are not in favor of having hiking trails directly behind our home in the open space due to noise, privacy, trash and fire concerns.

13
CONT.

We are close enough to this last-minute lot and are negatively impacted by this project in its current state. The homeowners on Como Way (while clearly also being negatively impacted by this project) won't have to look at an albatross of a new house however it is designed, or worse, an undeveloped vacant lot. We, the neighborhood, and the greater Danville community will be losing a view of the scenic hillside and open space as will the animals currently traveling and hunting there. We are not the only ones who feel this way. We are aware of neighbors who live on Borica Drive who are also concerned and opposed to the creation of this residential lot as well.

14

We urge the Planning Division to reconsider the placement of this lot. It is an outlier to the main development that provides no benefit to the community while causing significant harm to the existing residents of Borica Drive.

Please keep us informed of all future notices, hearings and staff reports regarding this matter.

We look forward to your written response and would welcome the opportunity to discuss this matter further.

Sincerely,

Bruce Muirhead
Denise Pare-Muirhead
388 Borica Drive, Danville
925.786.1758
bamu@comcast.net

Bruce Muirhead (B MUIRHEAD)

Response to B MUIRHEAD-1

Please refer to Section 2, Master Responses, Master Response 7, Lot 22, in this document. This response provides a discussion of Lot 22 as part of the proposed project. The Draft EIR disclosed the inclusion of Lot 22 and potential impacts if the lot were to be developed in the future. This comment's general introductory statements do not raise any specific issues with respect to the proposed project or the Draft EIR. Specific issues summarized in the introduction are addressed in detail in the responses below. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B MUIRHEAD-2

Please refer to Section 2, Master Responses, Master Response 7, Lot 22, in this document. This response provides a discussion of Lot 22 as part of the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B MUIRHEAD-3

As further detailed in the Draft EIR Section 3.11, Land Use and Planning, because the proposed project would include 25 percent of the total base units available for lower-income households, it is eligible for a density bonus to increase the number of single-family homes from 20 to 22. Therefore, the proposed project would be consistent with the project site's zoning and the General Plan's land use designation and State Density Bonus Law. Should development of Lot 22 be proposed in the future, its proximity to existing residential units located along Borica Drive would be consistent with the General Plan's goal of clustered development. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B MUIRHEAD-4

Please refer to the Draft EIR, Section 3.11, Land Use and Planning, Impact LAND-2. This impact analysis discusses that the project site's Williamson Act contract was terminated, therefore deeming the project site's underlying zoning district applicable. The applicable A-2 District permits one dwelling unit per five acres. Further, because the proposed project would include 25 percent of the total base units available for lower-income households, it is eligible for a density bonus to increase the number of single-family homes from 20 to 22 under State Density Bonus Law. Additionally, this section details that rezoning to P-1 would preserve the majority of the project site as permanent open space and would impose design limitations so that the development would minimize visual impacts. Specifically, the P-1 district would allow for the clustering of the allowable lots into a mostly hidden area in a valley behind a ridgeline. Therefore, the proposed project is consistent with the project site's zoning and would protect open space and hillside and ridgeline views consistent with applicable General Plan policies. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new,

substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B MUIRHEAD-5

Please refer to Response to B MUIRHEAD-4 for the previous discussion related to the scenic hillside. Regarding potential biological impacts, as evaluated in Draft EIR Section 3.4, Biological Resources, implementation of MM BIO-1b through MM BIO-1c would reduce potential biological impacts to a less than significant level. Specifically, implementation of mitigation measures to protect Crotch's bumble bee, burrowing owls, and nesting birds would ensure that the proposed project would not interfere substantially with the movement of any native resident or migratory wildlife species or with established native resident or migratory wildlife corridors. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B MUIRHEAD-6

Please refer to the Draft EIR, Section 3.1, Aesthetics, Impact AES-3. As discussed, the proposed project would be similar in visual character to the adjacent single-family residences, consistent with General Plan Policy 1.02. Regardless of the lot size, the development of a single-family residence would be in keeping with surrounding development, including the proposed residences on Lots 1 through 21. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B MUIRHEAD-7

Privacy is best understood as a social issue and is not identified by the Town as a potential physical impact on the environment. CEQA Guidelines Sections 15064(e) and 15382 state that economic and social changes may not be treated as significant effects on the environment. Additionally, Public Resources Code Section 21080(e) provides that evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment is not substantial evidence of a significant effect on the environment. See also Public Resources Code Section 21082.2(c). As determined in the Draft EIR Section 3.1, Aesthetics, Light, and Glare, physical impacts on the environment would be less than significant. In addition, as determined in the Draft EIR Section 3.12, Noise, impacts on the environment would be less than significant. Accordingly, there is no anticipated environmental impact that could be associated with privacy related to the proposed project.

Please also refer to Section 2, Master Responses, Master Response 1, Non-CEQA Issues Not Addressed in Final EIR, in this document, which provides additional information on the scope of CEQA. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B MUIRHEAD-8

Please refer to Section 2, Master Responses, Master Response 2, Project Site Drainage, in of this document. This response discusses existing infrastructure on Borica Drive, as well as proposed stormwater infrastructure improvements that would be developed on the project site as part of the proposed project. Additionally, refer to Master Response 3, Project Site Geology, in Section 2, Master Responses, of this document. This response details soil stability on the project site related to landslides and mudflows. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B MUIRHEAD-9

Please refer to Master Response 5, Emergency Response and Access, and Master Response 7, Lot 22, in Section 2, Master Responses, of this document. These responses include discussion of the development of Lot 22 adjacent to Borica Drive and related emergency vehicle access. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B MUIRHEAD-10

Please refer to the Draft EIR Section 3.17, Wildfire, Impact WILD-2. As further discussed in this section, the proposed project would not exacerbate wildfire risks. Development of the proposed project would be consistent with the County and Town plans and policies, as explained in the Draft EIR Section 3.17, Wildfire, established to reduce the risks associated with wildland fires. For example, development of the residential units would adhere to General Plan Policy 25.01, which implements a Fire Safe Roofing Ordinance, and would require maintenance of defensible space. Further, page 3.17-10 of the Draft EIR notes the proposed project would adhere to General Plan policies that would prohibit the proposed project from altering the topography in such a way that wildfire risks would be exacerbated compared to existing conditions. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B MUIRHEAD-11

Please refer to Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR, in Section 2, Master Responses, of this document. This response provides additional information and context on the scope of CEQA analysis. Specifically, CEQA analysis does not address general project opposition or economic effects or other similar perceived impacts related to property values. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B MUIRHEAD-12

The mitigation measures requested in this comment would change the scope of the proposed project. Therefore, these requests would be considered project alternatives. As noted in the Draft EIR Chapter 6, Alternatives to the Proposed Project, factors that may eliminate alternatives from detailed consideration include (i) failure to meet most of the basic project objectives, (ii) infeasibility taking into account economic, environmental, social, technological, and legal factors, and (iii) inability to substantially lessen or avoid significant environmental impacts of the proposed project. Alternatives that were considered in this section adhere to the scope of CEQA.

Please refer to Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR for a discussion on the scope of CEQA. Refer also to Master Response 7, Lot 22, in Section 2, Master Responses, of this document. This response provides a discussion of Lot 22 as part of the proposed project. Future development on Lot 22 would be required to comply with the applicable height, setback, and screening requirements established under the applicable zoning district. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B MUIRHEAD-13

Please refer to Section 2, Master Responses, Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR, of this document. This response provides additional information and context on the scope of CEQA analysis. Specifically, long-term management and social concerns such as privacy are not covered under the scope of CEQA. In addition, please refer to the Draft EIR Section 3.17, Wildfire, Impact WILD-2. As further discussed in this section, the proposed project would be required to provide safe and other fire prevention standards for development in high fire hazard areas by maintaining a Fire Safe Roofing Ordinance, in coordination with the San Ramon Valley Fire Protection Department. In addition, the proposed project would be required to maintain “defensible space” (e.g., areas free of highly flammable vegetation) around homes in fire-prone areas and require the clearing or thinning of fire-prone vegetation within 30 feet of access and evacuation routes, and routes to critical facilities. Thus, the proposed project would not exacerbate wildfire risks. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to B MUIRHEAD-14

Please refer to Section 2, Master Responses, Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR, of this document. This response provides additional information and context on the scope of CEQA analysis. Further, as detailed throughout the Draft EIR, there is currently no development planned for the additional Lot 22. Any future development on this lot is not considered or analyzed as part of the proposed project because it is not proposed and would be speculative. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

From: [Chris Duffek](#)
To: [David Crompton](#)
Subject: Martin Hills Ranch Project
Date: Thursday, April 23, 2026 11:57:41 AM

*****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: Thanks you for your ongoing work on the Martin Hills Ranch project. My wife Margie and I are long time owners of the property located at 385 Borica Drive. I'm writing you regarding the proposed site improvements and the potential for water runoff and drainage impacts associated with the proposed housing development.

1

Given the importance of responsible land stewardship and the granting of entitlements, I encourage the Town of Danville to carefully evaluate how site modifications may affect drainage patterns, specifically to our property and adjoining neighbors. As you are likely aware, our property is the recipient of the runoff from the Elworthy East property. During powerful storms in the past, our catch basin and drain have been close to capacity. Any runoff which may be redirected from Elworthy East could pose a threat of flooding to our home and downstream properties. When the project was announced, the developer was informed (and acknowledged) our concerns, so this should not be a surprise.

2

I respectfully urge the Town of Danville to apply a "do not harm" approach to this aspect of the project. It is critical that we don't face an increased chance of property damage due to an oversight in the planning process.

3

Sincerely,

Chris and Margie Duffek
385 Borica Drive
Danville, CA 94526
(925)487-6472

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Chris and Margie Duffek (CM DUFFEK)

Response to CM DUFFEK-1

This comment's general introductory statements do not raise any specific issues with respect to the proposed project or the Draft EIR. Specific issues summarized in the introduction are addressed in detail in the responses below. Please also refer to Section 2 of this document, Master Responses, Master Response 2, Project Site Drainage. This Master Response provides further discussion on concerns related to stormwater management. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to CM DUFFEK-2

Please refer to Section 2, Master Responses, Master Response 2, Project Site Drainage, in this document. This response discusses the drainage pattern, stormwater runoff flow, and flooding capacity associated with development of the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to CM DUFFEK-3

This comment's general conclusionary statements do not raise any specific issues with respect to the proposed project or the Draft EIR. Specific issues summarized in the introduction are addressed in detail in the responses above. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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From: [Dana Power](#)
To: [David Crompton](#)
Subject: Response regarding Martin Hills/Elworthy East
Date: Wednesday, May 20, 2026 6:02:28 PM

*****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,

My name is Dana Power and I'm a homeowner on Balceta Ct.
My husband and I wanted to provide some brief input regarding the proposed residential expansion on Como Way.

While I recognize the need for additional housing in the community I have a few concerns:

-As a proponent of agricultural/environmental open space I am not in favor of changing the designation of this property to a Planned Unit Development District. Changing the designation takes away part of what makes Danville so special and attractive, it's beautiful hills and open space.

-more housing will result in an increase in traffic, traffic congestion, and safety related issues on El Capitan. Ex: Existing cars routinely run or fail to fully stop at the intersection of Balceta Ct and Alicante already.

-Fire safety issues; my husband and I were informed that the width of Como Way does not meet current fire safety requirements. Extending that road and adding more housing may increase fire safety issues.

-Land instability and potential increase in landslides. In 12/2022 part of the hillside which is connected to the area identified for new development collapsed due to heavy rains. The mudslide severely impacted the back yards of several homes on Balceta Ct. Our house, located across the court, was hit by the mudslide, also, but we suffered more extensive damage to both front and back yards as well as damage to the garage, the area beneath the house, and interior portions of the first floor. We faced, and continue to face, thousands of dollars in damage and repair costs; we have not yet completed all of the repairs. My husband and I are concerned that residential development on this hillside may lead to additional landslides in the future.

Thank you for your consideration of these comments.

Regards,
Dana and Mike Power
255 Balceta Ct.

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Dana and Mike Power (DM POWER)

Response to DM POWER-1

Please refer to the Draft EIR Section 3.11, Land Use and Planning, Impact LAND-2. This impact analysis discusses that the project site's Williamson Act contract was terminated in 1997, therefore deeming the project site's underlying zoning district applicable. The applicable A-2 District permits one dwelling unit per five acres. Additionally, this section details that rezoning to P-1 would preserve the majority of the project site as permanent open space and would keep development as unintrusive as possible. Specifically, the P-1 district would allow for the clustering of the allowable lots into a mostly hidden area in a valley behind a ridgeline. Therefore, the proposed project is consistent with the project site's zoning and would protect both open space and ridgeline views. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to DM POWER-2

Please refer to Draft EIR Section 3.15, Transportation and Traffic. As further discussed in this section, the proposed project is expected to generate an average of 231 trips per day, including 17 AM peak-hour trips and 23 PM peak-hour trips.

Under CEQA, the threshold of significance is measured through VMT. VMT refers to the amount of automobile traffic attributable to a project, and the average distance traveled by the vehicles associated with project-generated traffic. It is measured as the accumulated change in miles traveled on a daily basis within a study area, such as within a city, county, or other defined region, which can be attributed to a proposed project. VMT does not measure the delay or degree of congestion experienced by drivers along roadways as a result of a proposed development. By its nature, VMT is a cumulative metric that considers the regional vehicle miles traveled for a given area from projected regional growth, not simply from an individual project. However, an informational traffic safety analysis is included in Appendix I of the Draft EIR. As discussed on page 1 in Appendix I of the Draft EIR, proposed project impacts related to traffic safety would be reduced to a less than significant level through development of a traffic circle on the project site. Further, as discussed in Draft EIR Section 3.15, Transportation and Traffic on page 3.15-21, the proposed project would implement a CBTP under MM TRANS-2, which would mitigate VMT impacts to a less than significant level.

This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to DM POWER-3

Please refer to Section 2 of this document, Master Responses, Master Response 4, Como Way Roadway Width and Design, and Master Response 5, Emergency Response and Access. These responses discuss emergency response and fire access adequacy related to fire services. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the

disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to DM POWER-4

Please refer to Section 2 of this document, Master Responses, Master Response 3, Project Site Geology. This response details the past history of landslides on the project site and the proposed implementation of MM GEO-1 to ensure impacts related to geology, soils, and seismicity would be mitigated to a less than significant level. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

April 14, 2026

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

Dear David:

I am providing Comments to the April 6, 2026 Draft EIR for the Martin Hills Ranch Project.

On Page 1-4 of Table 1-1:NOP Comment Letters, the April 6, 2016 Draft EIR, Appendix A needs to be corrected to show that my 1-31-25 comments only showed “general” support for the proposed project and that the support was Conditioned on mitigation of potential downstream drainage issues to adjacent properties, specifically, 393, 389 and 385 Borica Drive.

1

My initial comments on January 31st were directed towards the original 20 unit project that was off of Como Way. While we were “generally supportive” of the original 20 unit project, but it was **CONDITIONED** on the developers being required to extend and connect a planned Debris Berm and V-Ditch that they proposed to construct behind both the Valle and Kennedy/DalPorto properties (401 and 397 Borica Drive) at the northwest perimeter of the project to also extend directly behind the Abercrombie , Watson and Duffey properties (393, 389 and 385 Borica Drive) and terminate the extended Berms and V-Ditch into the existing catch basin behind 385 Borica Drive. If the proposed debris berms and V-ditch were not extended beyond the Kennedy/DalPorto property at 397 Borica Drive there is high likelihood that significant drainage and mud slides would occur downstream behind 393, 389 and 385 Borica Drive.

2

Table 1-1:NOP Comment Letter, Page 1-4, 5th column entitled “Location Comment is Discussed in the Draft EIR” incorrectly states that “Section 3.7, Geology, Soils and Seismicity; Section 3.10 Hydrology and Water Quality”.

This section does not propose any solution for anything outside of or adjacent to the proposed project area. On Page 3-7-16 (or page 204 of 504 of the entire pdf document) it states: “Additionally, the proposed project would also construct a debris berm and V-ditch in the western boundary adjacent to existing homes. The proposed debris berm would slow down and divert the flow of debris away from adjacent development and the V-ditch would

3

collect storm flows on the western portion of the project site.” **This should be amended to include the areas behind 393, 389 and 385 Borica Drive, which are adjacent to the western portion of the project site.**

3
CONT

We realize that the back of our properties (393, 389 and 385 Borica Drive are outside the scope of the Martin Hills Ranch Project and that the open space behind our properties is owned by Chow. However, it is important to ensure that any modifications and improvements to the uphill sections of the drainage system under the terms of this Martin Hills Ranch Project do not negatively impact our adjacent properties. Without a commitment or requirement to extend the Berm/V-Ditch behind the above mentioned properties, or mitigate any drainage issues exacerbated by the to be constructed berm.V-ditch system, we DO NOT SUPPORT this project.

4

Sincerely,

Jerry Abercrombie

393 Borica Drive

Danville, CA 94526

925.487.7639

Jerry Abercrombie (J ABERCROMBIE)

Response to J ABERCROMBIE-1

The request to correct Table 1-1: NOP Comment Letters in Chapter 1, Introduction, of the Draft EIR has been noted. Please refer to Section 5, Errata, of this document, which includes revisions to the summary of the public comment.

Response to J ABERCROMBIE-2

Please refer to Section 2 of this document, Master Responses, Master Response 2, Project Site Drainage. This response details the debris berm and V-ditch improvements that would be completed as part of the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J ABERCROMBIE-3

Please refer to the Response to J ABERCROMBIE-1 for the revisions to Table 1-1: NOP Comment Letters. Draft EIR Section 3.7, Geology, Soils, and Seismicity, and Section 3.10, Hydrology and Water Quality discuss improvements to the existing on-site drainage infrastructure on pages 3.7-16 and 3.10-16, respectively.

Moreover, please refer to Master Response 3, Project Site Geology, in Section 2, Master Responses, of this document. This response discusses how the proposed project would incorporate the recommendations contained in the Geotechnical Evaluation in Appendix E of the Draft EIR to have a less than significant impact. As such, no further improvements outside of the project site would be necessary to mitigate potential environmental impacts from proposed project development.

Response to J ABERCROMBIE-4

Please refer to Section 2 of this document, Master Responses, Master Response 2, Project Site Drainage. This response details the debris berm and V-ditch improvements that would be conducted as part of the proposed project. Please also refer to the Response to J ABERCROMBIE-3 above for a discussion of the scope of the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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Subject: RE: Formal Objection to Martin Hills Ranch (Elworthy East) Draft EIR – Drainage and Safety Liability at 432 Corte Dorado

From: Jessica Brown <jessica.frank@gmail.com>

Sent: Wednesday, May 20, 2026 12:09 PM

To: Prathna Maharaj <pmaharaj@fcs-intl.com>; DCrompton@danville.ca.gov <DCrompton@danville.ca.gov>

Cc: Hubby <pjbrown1@gmail.com>

Subject: Formal Objection to Martin Hills Ranch (Elworthy East) Draft EIR – Drainage and Safety Liability at 432 Corte Dorado

Caution: This is an external email and may contain suspicious subject or content. Please take care when clicking links or opening attachments. When in doubt, please contact your IT Department

Dear Members of the Planning Commission & EIR committee,

As the owner of 432 Corte Dorado, I am writing to formally express my concerns regarding the Martin Hills Ranch development and the deficiencies in the current Draft Environmental Impact Report (EIR) concerning our property's safety.

Our property sits directly downhill from the proposed development. On December 31, 2022, our family experienced a significant landslide originating from the Elworthy property that sent tons of mud and debris into our backyard, causing extensive flooding and damage. This was not an isolated incident, but part of a documented history of soil instability and drainage failure on that hillside.

The current project plans are woefully inadequate for the following reasons:

1. **Unlawful Drainage Infrastructure:** A concrete v-ditch originating from the Elworthy property illegally crosses our property line. There is no recorded easement or agreement permitting this discharge of water onto our land. The current Draft EIR fails to address the removal or relocation of this unlawful structure.
2. **Mitigation Deficiencies:** While the developer has proposed some slope stability measures, they omitted the critical reconstruction of the drainage system. To protect our homes from future mudflows, any project approval must be conditioned upon the reconstruction of a new, properly engineered drainage system located **entirely** within the project's boundaries of the Martin Hills proposal, rather than discharging onto private residential lots.
3. **Incomplete Public Record:** Previous correspondence outlining these technical and legal concerns was omitted from the Draft EIR. The Commission cannot accurately assess the project's environmental and safety impacts without incorporating these documented hazards.

We generally support the development of Martin Hills, provided it is done responsibly. However, we cannot accept a plan that leaves our home or our neighbors' homes vulnerable to known and preventable flooding and landslide risks. We urge the Planning Commission to require the developer to realign all drainage infrastructure off our private properties as a non-negotiable condition of approval.

Sincerely,

Jessica Brown, Owner of 432 Corte Dorado

--

Jessica Brown

jessica.frank@gmail.com

530-305-2948

Jessica Brown (J BROWN)

Response to J BROWN-1

Page 3.7-13 of the Draft EIR, in Section 3.7, Geology, Soils, and Seismicity, notes that a Preliminary Evaluation was conducted by BGG and included in Appendix E of the Draft EIR, which identified eight prior landslides, including mudflow events at the project site. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J BROWN-2

Please see the Responses to W REEVES-1 through W REEVES-3, below, as well as Master Response 2, Project Site Drainage, of this document, for responses concerning the drainage conditions for properties along Corte Dorado. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J BROWN-3

Please refer to Section 2 of this document, Master Responses, Master Response 2, Project Site Drainage. This response details the flood flow modeling and design adequacy for the proposed drainage infrastructure on the project site and the responses to comments from property owners on Corte Dorado. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J BROWN-4

Please refer to the Master Responses to W REEVES-1 through W REEVES-3, below, as well as Master Response 2, Project Site Drainage, of this document. These responses detail the history of project site drainage and geology legal concerns. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J BROWN-5

Please refer to Section 2, Master Responses, Master Response 3, Project Site Geology, of this document. This response discusses how, through the implementation of geotechnical recommendations in MM GEO-1, the proposed project would have a less than significant impact related to landslides. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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April 27, 2026

Town of Danville Planning Division

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

RE: Formal Opposition to Martins Hills Development Project – Proposed Lot at Borica Drive

Dear Mr. Crompton and Members of the Planning Division,

My name is Joshua Russell. My wife, Sarah, and I own the property at 392 Borica Drive, which is immediately adjacent to the proposed single-family lot recently added to the Martins Hills development. I am writing to formally express my strong opposition to the inclusion of this specific lot and request that this letter be included in the official administrative record.

1. Breach of Prior Assurances and Lack of Transparency

This lot appears to be an "11th-hour" addition. I was explicitly assured by the developer, Scott Stringer (first at the outset of the project – as all Borica homeowners were at an in-person meeting and later via email on 1/25/25), and by David Crompton, Chief of Planning (via email on 8/14/25), that no residential lot would be placed at the end of Borica Drive. Furthermore, the Town’s website listed this as a 19-lot project as recently as earlier this month. The sudden increase to 21 lots plus an additional 5 ADUS, as well as this "surprise" 22nd lot on Borica, lacks the transparency expected in the public planning process.

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2. Inconsistency with the Danville 2030 General Plan

The proposed lot contradicts several General Plan goals:

- **Density & Character:** Adding a single, nearly one-acre lot in an existing neighborhood does not align with Danville’s preference for new housing to be “clustered.” Nor does this plan serve to preserve small-town character, which is important to the Town of Danville.
- **Open Space Preservation (General Planning and Development 1.07):** The General Plan mandates a balance between development and the preservation of

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open space. This lot is a scenic hillside/ridgeline used by local wildlife (deer, fox, coyotes) and enjoyed by the community. Converting this A-4 zoned land to P-1 for a single residence unnecessarily destroys a vital scenic corridor.	3 CONT
• Grading and Topography: The hilly nature of this lot requires excessive grading which will destroy the scenic hillside, land where wildlife currently resides.	4
• Neighborhood Fit and Feel: Including one .95 acre lot that goes considerably up into the hillside with a brand new home is inconsistent with the surrounding neighborhood of noticeably smaller lots with homes built in the 1970s.	5
3. Direct Negative Impact on Residential Quality of Life As the most directly affected neighbor, I am extremely concerned about:	
• Privacy, view and noise: The elevation of this lot allows for a direct line of sight into my backyard, destroying the privacy of my primary residence, the very thing I love most about where I live and the main reason we purchased the property almost 13 years ago in the first place. The loss of privacy, loss of view of a scenic hillside and added noise that will occur were not present or anticipated when we purchased our home under the existing A-4 zoning framework. A significant portion of the oversized 0.95 acre lot is a hill which looks directly into my backyard, therefore there is no way to avoid the loss of privacy that will occur.	6
• Potential runoff from the hill onto my property. There is currently a storm drain at the end of Borica Drive. Has it been studied as to where this storm drain would be moved to and what the potential effects would be on my property and surrounding properties? There have also been past landslides extremely close and possibly on this new proposed lot.	7
• Safety and Infrastructure: The end of Borica will also serve as fire road access and is a necessary turnaround point for traffic. Placing a home here creates a logistical conflict for emergency and utility vehicles.	8
• Fire Mitigation: Currently, cattle grazing on this A-4 land provides essential fire reduction. Removing this grazing land increases fire risk for the entire street. Further, what is the plan regarding an annual firebreak around this large parcel? Building a lot in this location will only increase the possibility of wildfire in the neighborhood.	9

- **Decrease in property value:** As currently the last house on the street with open space on two sides, my property value will decrease due to this project. My home and backyard will go from being very private to having almost no privacy.

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4. Proposed Mitigations and Questions

I strongly urge the Town to remove this lot from Borica Drive and the project all together or relocate it off Como Way where the other homes are being built. It does not make any rational sense to include a single residential lot at the end of Borica Drive away from the subdivision. I am unaware of any other Danville housing developments that are all clustered together but also include one single residential lot created far away from the subdivision.

If the Town does not remove this lot or relocate it to the main development off Como Way, I formally request the following mitigations:

- **Relocation:** Move the lot and house over the ridge so it is not visible from Borica Drive and my property.
- **Height Restrictions:** Limit the structure to a single story with no ADU allowed.
- **Setbacks & Screening:** Require maximum setbacks from my property line and a mandatory, high-density privacy landscaping plan.
- **Require a separate EIR study for Lot "22" off Borica Drive:** In reading through the EIR, it is apparent that the lot on Borica Drive was not part of the original plan and as such it appears the site was not evaluated with the same care, consideration or viewpoint as the main sub-division site. The EIR and development plan appears to currently defer almost all specifics about this site/location to the future.

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Additionally, I request clarification on the long-term management of the remaining open space, specifically regarding grazing, fire break maintenance, and if the remaining open space will be open to public access and if so where those public access points are planned to be. For the record, I am not in favor of having hiking trails directly behind my home in the open space due to noise, privacy, trash and fire concerns.

As my family lives directly adjacent to this last-minute lot being added on Borica Drive, I would argue my family is now being negatively impacted the most by this

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project in its current state. The homeowners on Como Way (while clearly also being negatively impacted by this project) don't have to look directly at a new house from their backyard, completely lose all privacy, and share a fence line. My family, the neighborhood and the greater Danville community will be losing a view of the scenic hillside and open space as will the animals that currently reside there. I am not the only one who feels this way, I am aware of neighbors who live on Borica Drive who are also concerned and opposed to the creation of this residential lot as well.

12
CONT

I urge the Planning Division to reconsider the placement of this lot. It is an outlier to the main development that provides no benefit to the community while causing significant harm to the existing residents of Borica Drive.

13

Please keep me informed of all future notices, hearings and staff reports regarding this matter.

I look forward to your written response and would welcome the opportunity to discuss this matter further.

Sincerely,

Joshua Russell
392 Borica Drive, Danville
925-314-6618 | joshuawrussell@hotmail.com

Joshua Russell (J RUSSELL)

Response to J RUSSELL-1

Please refer to the Response to B MUIRHEAD-1 for a discussion of project description differences between the Notice of Preparation and circulation of the Draft EIR, as well as information related to Lot 22 which was included as part of the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J RUSSELL-2

Please refer to the Response to B MUIRHEAD-3 for a discussion of Lot 22 development related to development standards. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J RUSSELL-3

Please refer to B MUIRHEAD-4 for a discussion of proposed development and open space included in the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J RUSSELL-4

Please refer to the Response to B MUIRHEAD-5 for a discussion related to the scenic hillside and grading. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J RUSSELL-5

Please refer to the Response to B MUIRHEAD-6 for a discussion of proposed project visual character. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J RUSSELL-6

Please refer to the Response to B MUIRHEAD-7, above, for a discussion of privacy, views, and noise related to the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J RUSSELL-7

Please refer to the Master Response 2 and Response to B MUIRHEAD-8 for a discussion of stormwater infrastructure related to Borica Drive. As discussed in the Draft EIR Chapter 2, Project Description, page 2-21, the proposed project storm drainage system would be an on-site system and would not move the existing storm drain at the end of Borica Drive. The Hydrology Study, included as Appendix G of the Draft EIR, evaluated the proposed project's impacts and determined that the proposed project would not result in an increase in runoff that would affect properties located on Borica Drive as evaluated in the Draft EIR Section 3.10, Hydrology and Water Quality. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J RUSSELL-8

Please refer to the Response to B MUIRHEAD-9 for a discussion of emergency fire service access related to Borica Drive. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J RUSSELL-9

Please refer to the Response to B MUIRHEAD-10, above, for a discussion of impacts related to fires. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J RUSSELL-10

Please refer to Section 2 of this document, Master Responses, Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR. This response provides additional information and context on the scope of CEQA analysis. Specifically, CEQA analysis does not address general project opposition or economic effects or other similar perceived impacts related to property values. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J RUSSELL-11

The mitigation measures requested in this comment would change the scope of the proposed project. Therefore, these requests would be considered project alternatives. As noted in the Draft EIR Chapter 6, Alternatives to the Proposed Project, factors that may eliminate alternatives from detailed consideration include (i) failure to meet most of the basic project objectives, (ii) infeasibility taking into account economic, environmental, social, technological, and legal factors, and (iii) inability to substantially lessen or avoid significant environmental impacts of the proposed project. Alternatives that were considered in this section comply with CEQA's requirements to evaluate feasible alternatives that would lessen the significance of project-related significant impacts. Please

refer to Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR for a discussion on the scope of CEQA. Please also refer to Section 2 of this document, Master Responses, Master Response 7, regarding Lot 22. This response details information related to Lot 22 as part of the proposed project. Because there is no development proposed on this lot as part of the proposed project, it would be speculative to include the lot's potential development in the Draft EIR. Should development of the lot be proposed at a later time, environmental review would be completed at that time. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J RUSSELL-12

Privacy is best understood as a social issue and is not identified by the Town as a potential physical impact on the environment. CEQA Guidelines Sections 15064(e) and 15382 state that economic and social changes may not be treated as significant effects on the environment. Additionally, Public Resources Code Section 21080(e) provides that evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment is not substantial evidence of a significant effect on the environment. See also Public Resources Code Section 21082.2(c). As determined in the Draft EIR, Section 3.1, Aesthetics, Light, and Glare, physical impacts on the environment would be less than significant. Accordingly, there is no anticipated environmental impact that could be associated with privacy related to the proposed project. Please also refer to Section 2, Master Responses, Master Response 1, Non-CEQA Issues Not Addressed in Final EIR, which provides additional information on the scope of CEQA. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to J RUSSELL-13

This comment's general conclusionary statements do not raise any specific issues with respect to the proposed project or the Draft EIR. Specific issues summarized in the introduction are addressed in detail in the responses above. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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The Ryans
427 Como Way
Danville, CA 94526
22 May 2026

Mr. David Crompton
Chief of Planning
Town of Danville, CA
Email: dcrompton@danville.ca.gov

Subject: Residents' Comments on the Martin Hills Ranch Development Plan

Dear Mr. Crompton,

As residents of Como Way, we remain deeply concerned with the Martin Hills Ranch Development Plan.

During the public meeting on April 28, the consultant reported there were no significant impacts from the project. We feel that this conclusion is very faulty and fails to address the impacts to the residents immediately adjacent to the planned development. There are several significant impacts to include wildfire evacuation and emergency services ingress along Como Way, increased vehicular traffic along Como Way, both long term and short-term during construction, erosion and runoff. Additionally, the only alternative considered by the DEIR was no project. The report should consider several other alternatives to include a second paved road access from Borica Drive and a single access from Borica Drive.

As residents of Como Way, we submit the following technical comments on the Draft Environmental Impact Report (DEIR) for the Martin Hills Ranch project. These comments identify areas where the DEIR does not meet CEQA's requirement for a **good-faith, evidence-based analysis** of potentially significant environmental impacts, particularly related to emergency access, wildfire evacuation, slope stability, drainage, traffic, and compliance with mandatory development standards. These impacts must consider the adjacent residents and not be limited to just the property under development.

1. Emergency Access and Wildfire Evacuation Constraints

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The DEIR does not adequately evaluate the **life-safety implications** of relying on Como Way as the **sole access and evacuation route** for both existing residents and 26 new dwelling units. CEQA requires analysis of physical environmental impacts related to emergency response and evacuation; however, the DEIR omits:

- Quantitative evacuation time modeling
- Queuing and bottleneck analysis
- Conflict analysis between fire apparatus ingress and resident egress
- Evaluation of a feasible second access route **that does not require a waiver of the municipal code**

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CONT

The DEIR also treats the **Borica fire trail** as “emergency access,” yet the grading plans show it does **not** meet Fire Code requirements for width, grade, surfacing, or turning radii. Under the California Fire Code and CalFire standards, hillside developments in fire-risk areas may require **two independent access routes**.

Request: The Final EIR must include a full wildfire evacuation analysis and evaluate a dual-access alternative.

2. Traffic Conditions and Roadway Safety on Como Way

The DEIR does not adequately analyze the **traffic and roadway safety impacts** associated with adding 21 new homes and 5 ADUs to a narrow, hillside cul-de-sac originally constructed as a **local residential street**, not a collector street. The addition of over 230 daily vehicle trips up and down Como Way will be a significant traffic increase effectively turning the street in a collector and not a residential street. The report also does not consider the impact of construction vehicle traffic during the one to two year period of construction.

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Request: The Final EIR must include a full traffic and safety analysis for Como Way, including construction traffic impacts, roadway degradation, pedestrian safety, and emergency vehicle access.

3. CEQA Alternatives Analysis

The DEIR does not evaluate feasible alternatives that could reduce impacts, including a secondary paved access road via Borica Dr. or the sole access road via Borica Dr., a collector street. The CEQA requires a **meaningful** alternatives analysis that allows decision makers to compare environmental outcomes.

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Request: The Final EIR must expand the alternatives chapter to include feasible reduced-impact alternatives.

The developer intends to request waivers to State and municipal code to make this project feasible from the developer’s point of view. The project as proposed cannot be approved without

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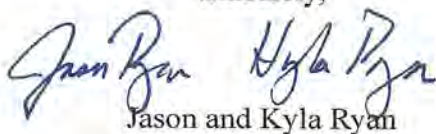
at least five separate waivers from State and local code — including Fire Code access requirements. Waiving established safety standards will be at the detriment of the residents adjacent to the development.

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CONT

For the reasons outlined above, the DEIR does not meet the Town of Danville’s policy in the 2030 General Plan to achieve a “high standard of residential design”. We respectfully request that the Final EIR address the deficiencies identified in this letter to ensure a complete and legally adequate environmental review. The Martin Hills Ranch development should be mutually beneficial to the developer and the current residents. This DEIR does not provide for a mutually beneficial outcome. We’ve included a list of signatures collected from the residents on Como Way who generally oppose this development. We know there have been several lists of residents opposing the development from the other adjacent neighborhoods.

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Sincerely,

Handwritten signatures of Jason and Kyla Ryan in blue ink. The signature on the left is 'Jason Ryan' and the signature on the right is 'Kyla Ryan'.

Jason and Kyla Ryan

Residents of Como Way, Danville, California

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CONT

APN	Name	Address	City/State	Zip	Signature	Phone #
218504001	Tommy and Susan Barcaly	400 Como Way	Danville, CA	94526	<i>Tommy & Susan</i>	925-837-5352
218520001	Ou Jiasheng	406 Como Way	Danville, CA	94526	<i>No Answer</i>	
218520011	Tom and Mary HansenBurg	407 Como Way	Danville, CA	94526	<i>M. Hansen</i>	573-310-3547
218520002	Anthony George and RobinWiznik	410 Como Way	Danville, CA	94526	<i>A. Wiznik</i>	925-998-0524
218520010	William Leyva	411 Como Way	Danville, CA	94526	<i>William Leyva</i>	
218520003	Leonard Giacoletto	414 Como Way	Danville, CA	94526	<i>Leonard Giacoletto</i>	925-200-7348
218520009	Enrique Balmaseda	415 Como Way	Danville, CA	94526	<i>No Answer</i>	
218520008	Jim and Michelle Bleasdel	419 Como Way	Danville, CA	94526	<i>Michelle Bleasdel</i>	925 399 1275
218520004	Greg and Karen Barnes	420 Como Way	Danville, CA	94526	<i>Greg Barnes</i>	925 858 6700
218520007	Bruce and Debbie Daseking	423 Como Way	Danville, CA	94526	<i>Debbie Daseking</i>	925-984-3619
218520005	Tom and Diane Walsh	426 Como Way	Danville, CA	94526	<i>Tom Walsh</i>	925, 413. 4782
	Jason and Kyla Ryan	427 Como Way	Danville, CA	94526	<i>J.R. Ryan</i>	757-589-6084

Jason and Kyla Ryan (JK RYAN)

Response to JK RYAN-1

Please refer to Section 2, Master Responses, Master Response 4, Como Way Roadway Width and Design, and Master Response 5, Emergency Response and Access, in this document. These responses provide further discussion related to emergency access, traffic, and safety concerns as they pertain to the proposed project's impacts to Como Way. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to JK RYAN-2

As noted in the Draft EIR Chapter 6, Alternatives to the Proposed Project, factors that may eliminate alternatives from detailed consideration include (i) failure to meet most of the basic project objectives, (ii) infeasibility taking into account economic, environmental, social, technological, and legal factors, and (iii) inability to substantially lessen or avoid significant environmental impacts of the proposed project. Please refer to the Response to B DASEKING-8, above, for a discussion of the feasibility of an alternative related to a Borica Drive access road. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to JK RYAN-3

As discussed in the Draft EIR, in Section 3.15, Transportation and Traffic, on pages 3.15-26 and 3.15-27 the proposed project meets fire access requirements and the Draft EIR adequately evaluated potential life safety impacts. Please refer to Master Response 5, Emergency Response and Access, and Master Response 6, Wildfire, in Section 2, Master Responses, of this document. These responses provide further information related to project site access and response in the event of a fire and wildfire emergency, as well as fire safety design features that would be included in proposed project development. Please also refer to Section 2 of this document, Master Responses, Master Response 3, Project Site Geology. This response discusses the slope stability related to proposed project development. Additionally, refer to Section 2, Master Responses, Master Response 2, Project Site Drainage of this document. This response details the design adequacy and maintenance of stormwater infrastructure for the proposed project. Refer to Response to B DASEKING-3 for an explanation of the appropriate CEQA transportation analysis metric as VMT in place of traffic delay. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to JK RYAN-4

Please refer to Section 2 of this document, Master Responses, Master Response 4, Como Way Road Width and Design. This response provides detail on the existing and anticipated roadway width for Como Way. Please also refer to the Response to B DASEKING-3 for an explanation of the appropriate CEQA transportation analysis metric as VMT in place of traffic delay. As discussed on page 3.15-21 in

Section 3.15, Transportation and Traffic, of the Draft EIR, the proposed project would implement a CBTP under MM TRANS-2, which would mitigate VMT impacts to a less than significant level.

Additionally, in Section 2 of this document, Master Responses, refer to Master Response 5, Emergency Response and Access. This response includes a discussion of the adequacy of the emergency vehicle access for the project site. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to JK RYAN-5

Please refer to the Response to B DASEKING-8, above, for a discussion of the feasibility of proposed project alternatives, including an alternative related to a Borica Drive access road. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to JK RYAN-6

As noted in the Draft EIR in Chapter 2, Project Description, on page 2-15, the proposed project would provide 5 ADUs (25 percent of total base units) as affordable for low-income households, qualifying the proposed project for a density bonus pursuant to Government Code Section 65915. Accordingly, the proposed project, with the inclusion of the listed waivers and concessions pursuant to Government Code Section 65915, would not conflict with the development standards designated by the Town. Under the State Density Bonus Law, the proposed project includes a waiver to reduce roadway widths from 24 feet to 22 feet. Please also refer to Section 2, Master Responses, Master Response 4, Como Way Road Width and Design. This response provides detail on the existing and anticipated roadway width for Como Way related to development standards.

As further described in the Draft EIR, Section 3.15, Transportation and Traffic, Impact TRANS-4, the proposed project would meet the adopted horizontal roadway requirements by providing 22- to 30-foot-wide roadways with turning radii greater than 25 feet for inside corners and 45 feet for outside corners. As previously determined, the proposed project would be designed to accommodate emergency response vehicles and would not impede emergency responders. Please also refer to Section 2 of this document, Master Responses, Master Response 5, Emergency Response and Access. This response provides further information related to the proposed project's emergency access points. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to JK RYAN-7

Please refer to Responses to JK RYAN-1 through JK RYAN-6 for the previous discussion based on emergency access and wildfire evacuation, traffic conditions and roadway safety, and CEQA alternatives in response to this comment letter. These responses provide discussion regarding the

Draft EIR project-level analysis as it pertains to CEQA Guidelines. Moreover, as noted in the Draft EIR in Section 3.1, Aesthetics, Light, and Glare, on page 3.1-5, the Town's General Plan Policy 2.01 directs the Town to achieve a high standard of residential design through project review. Page 3.1-12 of the Draft EIR states that the proposed project would be reviewed by the Town directly to ensure residential design standards for the Town are followed. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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May 13, 2026

To: Danville Town Council

Regarding: Martin Hills Development Draft EIR Meeting 4/28/2026 - Comments

Gentlemen:

We have lived on our property for 30 years and have always been concerned about the hill being developed. Not being developed but how it would be developed. Since our street was built undersized, we always believed development would entail 4-5 houses built at the top of Como Way and anything major would come in off Borica. Borica was designed and built to be a major thoroughfare, and logic would deem that would be the best accessway for a big project.

1

We are against this project due to Como Way being an undersized street for the 300% increase in traffic that will be incurred, especially during commute times when drivers will be flying up and down our hill. There are 22 houses and 5 ADU's included in the project and if each homeowner added an ADU we would have 22 houses and 22 ADU's for a total of 44 units x 2 cars per unit = 88 cars in the morning and evening commutes before mail trucks, UPS, FedEx, children to school, friends visiting, etc.... totaling potentially over 200 additional car trips per day. (And these figures align with your own draft numbers.) These 200 additional trips plus our current total of 14 homes x 2 cars = 28 cars in the morning and evening commutes for a potential of 60 car trips per day. That is a shocking and very significant traffic increase.

2

We are against this project due to the undersized width of Como Way being a hazard if this street is going to be the main access or egress. The traffic from the people fleeing down the hill could potentially trap people from leaving their homes on Como Way. And due to the narrow width of the road, a fire truck could be prevented going up the street to reach a fire. We had a small dumpster fire recently on Como Way and trying to pass by the small fire truck was tight. If there had been a truck (F150 or larger) parked nearby, traffic would have been trapped. It was stated in your report that Inadequate Emergency Access was a Less Than Significant Risk. (Section 3.17 Wildfire Impact WILD 1) and (Section 3.15 Transportation and Traffic Impact TRANS-4) I really question that risk assessment. I can't imagine in an emergency or fire situation that a fire truck would drive past Como Way and go up the long way to Borica. The Town of Danville has already conceded on the extended length of the Borica Fire Road and the impact on the fire department of the small, undersized traffic circle in the new project. This project poses a very significant fire/emergency hazard.

3

We are against this project due to the traffic hazard that will be created at the bottom of Como Way by the potential number of cars trying to turn left onto El Capitan. (Section 3.15 – Transportation and Traffic) There is a blind spot at the bottom of the hill causing drivers to pull out on to El Capitan to see the road to the left. Your survey said you have the visual distance BUT if you are in a car pulling out on to El Capitan, you have a blind spot in the curve. And per your own survey, cars drive faster than the speed limit at the Como Way intersection to the stop sign. Potential number of drivers = 14 homes, plus 22 additional homes, plus 22 potential ADU's = 58 x 2 drivers = 106 morning commutes. Plus, mail trucks, FedEx, UPS, children to school, friends visiting, etc.... = 120 potential cars turning left each day. This project is a lot of accidents waiting to happen and even more significantly a lawsuit against the city in the event of an accident for knowingly allowing a poor road design for this traffic load.

4

We are against this project for the following concerns regarding the construction phase.

The Length of the Project. Will the Town of Danville require the project to be built out at one time to avoid prolonged, nonstop construction noise, dirt, trade vehicles, etc. from obliterating our enjoyment of our yards and homes? This is a very significant issue for the residents.

5

What mitigation methods will be provided to control run-off from intense rain flowing down Como Way during and after construction? And who is responsible for mud slides, landslides and flooding in our neighborhood during and after construction? Currently when we have heavy rain, there will be a river of water going down our street. I can't imagine what this will become when the hills are torn up and the street becomes a river of mud. The Town of Danville installed a drainage system to help mitigate water run-off years ago and it still does not stop the heavy water flow during intense rain. USA Today just reported there is a 96% chance of an El Nino December 2026 – February 2027. We lived here in 1997 during the last El Nino and our street was a river on occasion, and the water was up to the top of the curbs. Is the developer required to deposit a bond to protect the homeowners from any hazards such as flooding, landslides, mudslides, road failures, etc., during construction? If there is a bond in place, is it backed by the Town of Danville in case the developer fails? What will be done to protect the current homeowners as this could be a very significant and expensive problem?

6

Como Way is already a failing street. Portions of the street are already sinking and the sidewalks are buckling. It's obvious that the work done previously did not hold and there is water movement under the street. What will the Town of Danville require during project construction to mitigate this issue? Is it the intention of the Town of Danville to correct this ongoing issue and repair the street and sidewalks? This is already an issue and construction vehicles/traffic will make this a very significant issue.

7

Leaving the Borica entrance as just a fire road access is not the best option for this project. Yes, making a Borica extension does come with a higher project cost but the overall impact on the project would be highly favorable. Developing off Borica would mitigate the impact of the 300% traffic increase, the potential hazard in the event of a fire trapping people in their homes and the increase in accidents/potential lawsuit waiting to happen by the number of cars trying to turn left on to El Capitan. The construction timeline, potential landslides/flooding and failing road issues still need to be addressed.

8

We do not believe that our concerns are “Less Than Significant Impacts” and feel your Draft EIR is not addressing them.

Sincerely,

Karen and Greg Barnes

420 Como Way

Danville, CA 94526

925-915-6700

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Karen and Greg Barnes (KG BARNES)

Response to KG BARNES-1

This comment's general introductory statements do not raise any specific issues with respect to the proposed project or the Draft EIR. Specific issues summarized in the introduction are addressed in detail in the responses below. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to KG BARNES-2

Please refer to Section 2 of this document, Master Responses, Master Response 4, Como Way Road Width and Design. This response provides further discussion related to the Como Way roadway width and capacity in relation to the proposed project.

Please also refer to the Draft EIR Section 3.15, Transportation and Traffic. As further discussed in this section, projected trip generation was determined by the Institute of Transportation Engineers Trip Generation Manual. The proposed project is expected to generate an average of 231 trips per day, including 17 AM peak-hour trips and 23 PM peak-hour trips. As demonstrated in the traffic report in Appendix I, this is not equivalent to a 300 percent increase in traffic.

Additionally, refer to the Response to B DASEKING-9 for a discussion related to ADU analysis. Please also refer to the Response to B DASEKING-3 for a discussion of VMT as the applicable transportation evaluation metric under CEQA. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to KG BARNES-3

Please refer to Section 2 of this document, Master Responses, Master Response 4, Como Way Roadway Width and Design. This response details the applicability of roadway width requirements for Como Way and roadway safety features that would be incorporated into the roadway design. Please also refer to Section 2, Master Responses, Master Response 5, Emergency Response and Access. This response provides a discussion related to project site emergency access. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to KG BARNES-4

A sight distance analysis was provided in the Draft EIR, in Appendix I, on pages 14 and 15, for vehicles turning in to and from Como Way and El Capitan Drive. This analysis was evaluated based on sight distance criteria contained in the *Highway Design Manual* published by Caltrans. The recommended sight distance at intersections of public streets is based on corner sight distances, with the approach travel speeds used as the basis for determining the recommended sight distance. As such, a speed survey was conducted to identify the observed speeds of cars traveling along these

roadways and not just utilizing the existing, posted speed limit. The 85th-percentile speed for the southbound direction was found to be 32 miles per hour (mph). For left turns from Como Way onto El Capitan Drive (into southbound traffic), 32 mph translates to a requirement for approximately 450 feet of sight distance. While only 350 feet of sight distance was observed, the all-way stop-controlled intersection of El Capitan Drive and Alicante Drive-Balceta Court is located 260 feet north of and visible from El Capitan Drive and Como Way. Because of the presence of stop controls at this intersection, the additional time required for traffic to stop then accelerate at the intersection presents sufficient reaction time for westbound drivers turning left from Como Way onto El Capitan Drive. It is noted that the corner sight distance required for the posted speed limit of 25 mph is 350 feet, matching the distance observed. Therefore, there is adequate sight distance at El Capitan Drive and Como Way for left-turn movements into or out of Como Way.

Moreover, as noted in the Draft EIR, Appendix I, page 1, the proposed project would generate approximately 17 AM peak-hour trips. The AM peak-hour occurs between 7:00 a.m. and 9:00 a.m. and reflects conditions during the home-to-work or school commute. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to KG BARNES-5

The construction duration identified in the Draft EIR reflects the CalEEMod default assumptions which are based on the number and type of residential units. Use of CalEEMod is recommended by the Bay Area Air District and is standard practice for CEQA air quality analyses. CalEEMod includes discrete construction phases, and the most intensive activities would occur during site preparation and grading, which involve substantial earthmoving and heavy equipment use, while the building construction phase would occur over a longer duration with comparatively lower equipment intensity and more intermittent activity. Although individual home construction could extend beyond the modeled schedule depending on developer phasing and market conditions, the CalEEMod-derived schedule conservatively assumes a continuous buildout scenario and captures peak emissions associated with construction activities representing reasonable worst-case assumptions.

As further discussed in the Draft EIR Section 3.12, Noise, construction of the proposed project would comply with the Town's restrictions on construction hours to ensure that impacts related to noise are less than significant during construction of the proposed project. In addition, as detailed in the Draft EIR Section 3.3, Air Quality, Impact AIR-1, fugitive dust control measures would be required to be implemented during the construction of the proposed project to reduce localized dust impacts. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to KG BARNES-6

Please refer to Master Response 2, Project Site Drainage, in Section 2, Master Responses, of this document. This response provides a discussion of the adequacy of the proposed project stormwater infrastructure on the project site in the event of a 100-year flood. During proposed project

construction, the proposed project would be required to implement a Storm Water Pollution Prevention Plan (SWPPP) as part of its Construction General Permit. As stated in the Draft EIR Section 3.10, Hydrology and Water Quality, on page 3.10-18, the SWPPP would be designed to ensure that soil erosion and siltation are prevented or minimized to the maximum extent feasible during construction through the implementation of standard best management practices (including implementing sediment and erosion control plans, slope stabilization [to minimize exposed soil] and managing construction material and waste on-site by keeping storm drain systems clear). Consistent with Chapter 20 of the Town's Municipal Code, the project applicant would implement the best management practices contained in the SWPPP, which would be verified by a Town inspector during the construction period.

Additionally, the proposed project would adhere to MM GEO-1 which requires the implementation of the recommendations in the Geotechnical Exploration, including measures for erosion control. Therefore, although construction activities have the potential to generate increased sedimentation at the project site, compliance with applicable policies and regulations would minimize the potential to increase sedimentation or siltation to the maximum extent practicable. With the implementation of these requirements and implementation of MM GEO-1, construction impacts related to alteration of drainage pattern resulting in erosion or siltation would be less than significant. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to KG BARNES-7

As noted in the Draft EIR in Section 3.4, Biological Resources on page 3.4-28, the proposed project would include an approximately 0.11-acre off-site improvement area at the terminus of Como Way. Extension of Como Way into the project site would be subject to the geotechnical recommendations incorporated under MM GEO-1.

The comment describes conditions that reflect the existing roadway and infrastructure setting, not impacts caused by the proposed project. CEQA requires analysis of a project's potential to cause a substantial adverse change in the physical environment (PRC § 21065), and therefore focuses on the project's impacts on the environment, not the environment's effects on the project. Accordingly, the Draft EIR evaluates whether project construction and operations, including the use of construction vehicles, would result in a significant impact, such as the creation of safety hazards. CEQA requires mitigation only where substantial evidence demonstrates that a project would cause or materially exacerbate an adverse physical condition. Here, the commenter does not provide evidence showing that project-related traffic or construction activities would result in or substantially worsen the existing conditions on Como Way beyond baseline conditions. The Draft EIR's analysis accounts for construction activity and does not identify a significant impact related to roadway degradation based on applicable thresholds of significance.

To the extent heavy construction vehicles could contribute to temporary wear and tear on roadway surfaces, such effects are typical of construction activities and are addressed through Town Standard conditions of approval which require that the condition of the roadway be documented pre-

construction and re-evaluated after completion of construction. The developer is responsible for repairing any damage done to the roadway network before the development is finalized.

Further, CEQA does not require a lead agency to require that a proposed project mitigate pre-existing infrastructure deficiencies absent a demonstrated project nexus, and mitigation measures must be roughly proportional to and directly related to a project's impacts. Where no such nexus exists, CEQA does not provide independent authority for a lead agency to require broader roadway reconstruction or for the project to repair pre-existing deficiencies.

Response to KG BARNES-8

Please refer to Section 2, Master Responses, Master Response 5, Emergency Response and Access, of this document. This response provides a discussion related to the adequacy of emergency vehicle access on the project site.

As detailed in Chapter 6, Alternatives to the Proposed Project, on page 6-29, developing an access road from the terminus of Borica Drive to the proposed development area in the south of the project site would result in a greater area of disturbance than the proposed project's design. Development of this access road would require additional ground-disturbing activities that would not reduce or avoid impacts related to air quality, biological resources, cultural resources and tribal cultural resources, hydrology and water quality, paleontological resources, and noise. Further, according to the Geotechnical Evaluation in Appendix E, soils that are conducive to liquefaction were found in samples north of the proposed development area on the project site. While outside of the currently proposed development area, these soils would have the potential to impact development on the northern portion of the project site, such as the extension of Borica Drive, and would have the potential to increase impacts related to liquefaction. Therefore, the Borica Drive Alternative was deemed infeasible and was found to result in greater environmental impacts than the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

May 4, 2026

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

David Crompton and the Planning Commission,

My husband and I have been residents of Como Way for nearly 28 years. It is a quiet street with only 13 homes. The proposed project concerns me in many ways. Specifically:

- The amount of increased traffic both during and after construction
 - We currently have 13 homes. The proposal will add 21 more on Como Way plus 5 ADUs. This is an additional 26 dwellings which triples the traffic on Como Way. It can easily more than triple since the remaining 15 dwellings could also add ADUs increasing the total from 13 to 55. This is a significant jump in traffic. 1
 - Research shows that higher end homes have more traffic than more modest homes due to house cleaners, gardeners, pool cleaners, dry cleaning pickup/delivery, pet walkers, etc. The proposed homes will be of the size with this increased traffic
 - Our street is not a wide street – it is very difficult to have 2 cars pass when two or even one car is parked on the road. We are not willing to give up street parking or our current sidewalks. 2
 - Currently cars and delivery vehicles often speed up and down the street. What will be done to keep this from happening? 3
 - Emergency vehicles will have difficulty accessing the top of the street due to the width of the street and only having one access point. 4
- The developer does not know if they plan to build the homes to sell or sell the lots
 - If they sell the lots the construction period could continue indefinitely causing traffic, disruption and damage to our road 5
 - We do not know what the homes will look like and they could impose on the ridgeline and our views 6
 - One lot has been added within view of our current residences which was not part of the original plan. We have no idea what we will be looking at when it's completed 7
- This may seem silly, but we really enjoy seeing the cows at the top of our street and do not want them to disappear. They also help mitigate the fire risk. 8
- An alternative proposal would be the add three houses at the top of Como Way to finish the street and put the rest of the lots at the top of Borica. Or the access could come from within the Crow Canyon Country Club. 9

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michelle Bleasdel', with a stylized, cursive script.

Michelle Bleasdel

419 Como Way, Danville CA

Michelle Bleasdel (M BLEASDELL)

Response to M BLEASDELL-1

Please refer to the Response to B DASEKING-3 for an explanation of the appropriate CEQA transportation analysis metric as VMT rather than traffic delay. As discussed in the Draft EIR Section 3.15, Transportation and Traffic, on page 3.15-21, the proposed project would implement a CBTP under MM TRANS-2, which would mitigate VMT impacts to a less than significant level.

Moreover, as stated in the Draft EIR Chapter 2, Project Description, Section 2.2, Project Characteristics, on page 2-8, the proposed project site plans would include the development of five ADUs. No other ADUs are proposed as part of the proposed project. While State law allows ADUs to be considered ministerially in certain circumstances, whether any individual property owner may seek to construct an ADU in the future is unknown, contingent on future owner decisions, and subject to future regulations in effect at the time of any application. The possibility that some homeowners may elect to pursue ADUs at an indeterminate time in the future does not constitute a reasonably foreseeable indirect effect of the proposed project. To the extent the commenter suggests that ADUs could affect traffic, that topic is addressed in the Draft EIR based on the proposed project's anticipated unit count and development envelope.

CEQA does not require an EIR to assume maximum theoretical buildout under all possible scenarios where such buildout is not proposed and not part of the project approvals. Doing so would be speculative and would improperly inflate the project description and conflict with CEQA's requirement that environmental review be tied to an accurate and stable project description. Accordingly, the Draft EIR appropriately limits its analysis to the impacts of the proposed project dwelling units. There is no requirement to account for ADUs in the Draft EIR as the inclusion of ADUs does not count toward density and does not result in adverse impacts on the environment that requires additional review. No further analysis is required. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to M BLEASDELL-2

Please refer to Section 2 of this document, Master Responses, Master Response 4, Como Way Roadway Width and Design. This response details the existing and proposed roadway width requirements for Como Way. The proposed project would not remove existing street parking and sidewalks along Como Way. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to M BLEASDELL-3

Please refer to Section 2 of this document, Master Responses, Master Response 4, Como Way Roadway Width and Design. This response provides a discussion of the proposed traffic circle along Como Way that would reduce speeds of vehicles traveling along the roadway. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the

disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to M BLEASDELL-4

Please refer to Master Response 5, Emergency Response and Access, in Section 2, Master Responses, of this document. This response describes the two fire access points that would be included as part of proposed project development, along with a discussion of roadway access and maneuverability. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to M BLEASDELL-5

As noted in Draft EIR Chapter 1, Introduction, on page 1-1, the proposed project would construct 21 single-family homes, in addition to five ADUs. Draft EIR Chapter 3, Environmental Impact Analysis, evaluated the impacts resulting from the construction of these homes. Please refer to Master Response 7, Lot 22, in Section 2, Master Responses, of this document. This response discusses the EIR's evaluation of the impacts of development of Lot 22 as part of the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to M BLEASDELL-6

As detailed in the Draft EIR Section 3.1, Aesthetics, Impact AES-3, the proposed project would be similar in visual character to adjacent residences, as the architectural design considerations for the proposed project are derived from the surrounding residential developments. As additionally detailed in Section 3.1, Aesthetics, impacts related to substantial adverse effects on a scenic vista were deemed less than significant. Specifically, the completed residential developments would not be within 100 feet of a major ridgeline and would comply with the hillside development standards listed in the Town Municipal Code in order to protect scenic vistas. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to M BLEASDELL-7

Please refer to Section 2, Master Responses, Master Response 7, Lot 22, of this document. This response provides a discussion of development of Lot 22 as part of the proposed project. Should development of this lot be proposed in the future, any applicable environmental review would take place at that time. Additionally, any future development would be required to adhere to the Town's Municipal Code standards regarding aesthetic resources, including design review to evaluate proposed materials, colors, and landscaping. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to M BLEASDELL-8

Please refer to Section 2 of this document, Master Responses, Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR. This Master Response provides additional information and context on the scope of CEQA analysis. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to M BLEASDELL-9

Please refer to the Draft EIR Chapter 6, Alternatives to the Proposed Project, or a discussion on alternatives to the proposed project that align with CEQA Guidelines Section 15126.6. As detailed in this section, alternatives must be feasible, meet most of the basic project objectives, or avoid significant environmental effects. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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April 23, 2026

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

Dear Mr. Crompton:

I would like to concur and incorporate all the comments authored by Jerry Abercrombie in his letter to you dated April 14,2026. I reside at 389 Borica Drive and believe the drainage ditch behind my home (and others at 393 and 385 Borica Drive) will be impaired if the ditch is NOT continued to the V-ditch located behind the properties located 389 Borica Drive and 385 Borica Drive.

I DO NOT SUPPORT THIS PROJECT.

Sincerely,

Nancy Watson
389 Borica Drive
Danville CA 94526
925-548-6848
wenancy@gmail.com

1

2

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Nancy Watson (N WATSON)

Response to N WATSON-1

Please refer to Response to J ABERCROMBIE-1 through J ABERCROMBIE-4. These responses address the letter from Jerry Abercrombie that was referenced in this comment letter. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to N WATSON-2

Please refer to Section 2 of this document, Master Responses, Master Response 2, Project Site Drainage. This response details the debris berm and V-ditch improvements that would be conducted as part of the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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From: [Ryan Nickelson](#)
To: [Archie Bowles](#); [Robert Combs](#); [Mark Graham](#); [Ian Halker](#); [Anthony Maddalon](#); [Lou Palandrani](#); [Paul Radich](#); [Chris Trujillo](#)
Cc: [Mark Belotz](#); [David Crompton](#); [Tai Williams](#); pjbrown1@gmail.com; wreeves@mfrlegal.com; diana.nickels99@gmail.com
Subject: Martin Hills (Elworthy East) significant flooding and liability concerns
Date: Saturday, April 25, 2026 10:37:36 AM
Attachments: [image001.png](#)
[Martin Hills \(Elworthy East\) project concerns.msg](#)

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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.

Dear Planning Commissioners,

I would like to inform you of a letter I sent to David Crompton on March 5, 2026, outlining my concerns over flooding created by an illegal discharge of water from the upslope Elworthy property onto my property and my neighbor's property at 432 Corte Dorado. My letter did not receive a response, nor does it appear to have been included in the EIR or public comment letters, thus my wanting to make you aware of the situation prior to the upcoming April 28th planning commission hearing.

1

Attached is my March 5th letter, along with a supporting ALTA survey and photos which provide greater detail. While the applicant's preliminary civil plans linked on the Town's website show some level of planned slope stability mitigation above 432 Corte Dorado, they appear woefully deficient in not addressing the existing concrete v-ditch the conveys water from the Elworthy property above onto my property and 432 Corte Dorado without an easement or similar agreement. The ditch is in extremely poor condition and needs to be reconstructed entirely on the Elworthy property.

2

In short, the Elworthy property is illegally discharging water onto my and my neighbor's properties, creating an ongoing flooding liability. While I generally support the Martin Hills project, any Town approvals must contain conditions requiring mitigation of this situation. Absent the preceding, I and my neighbors reserve all legal rights against the Elworthy property and its successors, as well as against the Town for failing to mitigate a known flooding and safety liability. I trust you will require the Martin Hills project to sufficiently mitigate these concerns by reconstructing a new drainage ditch entirely on the Elworthy property, the cost of which is relatively small for a project of this scope.

3

Sincerely,

Ryan Nickelson



925-216-9907

ryan@lrginvestors.com | www.lrginvestors.com

Lic. 01327106

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Subject: RE: Martin Hills - neighbor letters

From: Ryan Nickelson <ryan@lrginvestors.com>

Sent: Thursday, March 5, 2026 6:06 PM

To: DCrompton@danville.ca.gov

Cc: pjbrown1@gmail.com; William Reeves <wreeves@mfrlegal.com>; Scott Stringer <scott@thestringercompany.com>

Subject: Martin Hills (Elworthy East) project concerns

Dear David,

I live at 428 Corte Dorado in Danville, and my property backs up to the Elworthy land being considered in the subject development application. I am also writing on behalf of my neighbors Peter and Jessica Brown at 432 Corte Dorado, who share my concerns outlined below. While we generally support the Martin Hills development, there is a significant drainage issue affecting my and the Brown's properties that must be addressed in the project's plans and approvals.

The Elworthy property is upslope from our properties and there is an existing concrete v-ditch originating from the Elworthy property that unlawfully crosses onto my property and then the Brown's property, which terminates into a public storm drain within an easement on the north side of the Brown's property. Attached is a recent ALTA survey provided by The Stringer Company illustrating the v-ditch alignment. There is no record of easement or other agreement permitting the ditch or conveyance of storm water onto either my or the Brown's properties.

Not only is the location of the v-ditch within my and the Brown's properties unlawful, but it also poses a significant overflow and flooding risk to our properties. On December 31, 2022, we realized the full extent of this risk when the Elworthy's hillside slid into the Brown's and my properties, blocking the v-ditch and causing it to overflow into our yards—photos of the landslide and flooding are attached.

The probability of another flood remains likely, and this must be mitigated through any development plans and entitlements of the Elworthy property, in addition to realigning the unlawful location of portions of the v-ditch. The Stringer Company has met with us and shared their plans to address the hillside stability issue which we appreciate. However, we also believe that the relocation and reconstruction of the v-ditch off the Brown's and Nickelson's properties must be included in these

planned improvements to avoid future flooding and legal liabilities. Stringer has indicated that they agree with the need to remediate the drainage as the status quo is unacceptable.

4
CONT

We trust that the Town of Danville will consider and incorporate the above in the conditions of approval for the Martin Hills development and kindly request that we be included in any public notices related to the project, as well as being included in discussions with the parties related to the design of the subject site improvements.

Sincerely,

Ryan and Diana Nickelson

428 Corte Dorado, Danville

Peter and Jessica Brown

432 Corte Dorado, Danville

Ryan Nickelson



925-216-9907

ryan@lrginvestors.com | www.lrginvestors.com

Lic. 01327106

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Ryan Nickelson (R NICKELSON-1)

Response to R NICKELSON-1-1

Public comment letters incorporated as part of the Draft EIR pertain to the applicable public comment period, which occurred during the NOP scoping period from January 21, 2025, to February 20, 2025. A letter received outside of that window, such as on March 5, 2026, would not have been included as part of the Draft EIR. However, this letter is included as part of this Final EIR. Please refer to the Response to R NICKELSON-1-4, below. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to R NICKELSON-1-2

Please refer to Section 2, Master Responses, Master Response 3, Project Site Geology, of this document. This response provides a discussion of the project site's slope stability and details the debris berm and V-ditch improvements that would be conducted as part of the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to R NICKELSON-1-3

Please refer to Master Response 2, Project Site Drainage, in Section 2, Master Responses, of this document. This response details the design adequacy and maintenance of stormwater infrastructure for the proposed project. As explained in Master Response 2, the proposed project is not responsible for the existing drainage conditions on the commenter's property. The historic discharge of water affecting the Corte Dorado properties was subject to a prior 1987 Release Agreement. Moreover, as discussed in the Draft EIR Section 3.10, Hydrology and Water Quality, the proposed project does not propose to discharge any runoff on the commenter's property. Because the proposed project would not result in the discharge of stormwater runoff on Corte Dorado properties, the proposed project is not responsible for constructing a new drainage ditch for the properties on Corte Dorado. The proposed project would not cause any significant drainage impacts on the commenter's property, and thus, would not require mitigation. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to R NICKELSON-1-4

Please refer to Master Response 2, Project Site Drainage, in Section 2, Master Responses, of this document. Please see the Response to Comment R Nickelson-1-3, above. This response details the design adequacy and maintenance of stormwater infrastructure for the proposed project. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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From: [Ryan Nickelson](#)
To: [Archie Bowles](#); [Robert Combs](#); [Mark Graham](#); [Ian Halker](#); [Anthony Maddalon](#); [Lou Palandrani](#); [Paul Radich](#); [Chris Trujillo](#)
Cc: [Mark Belotz](#); [David Crompton](#); [Tai Williams](#); [pjbrown1@gmail.com](#); [wreeves@mfrlegal.com](#); [diana.nickels99@gmail.com](#)
Subject: RE: Martin Hills (Elworthy East) significant flooding and liability concerns
Date: Tuesday, April 28, 2026 10:35:44 AM
Attachments: [image001.png](#)
[FW Berm Exhibit.msg](#)

*****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 Planning Commissioners,

As a follow-up to my April 25th email, attached please find a plan provided by Scott Stringer in July 2024 showing a debris berm with drainage swale running behind the properties in my neighborhood.

1

Based on my review of the DEIR, CBG civil plans and ENGEO geotechnical mitigation plans, nothing from the attached 2024 conceptual plans have been incorporated into the current design.

2

My neighbors and I strongly urge the Planning Commission to consider in tonight's hearing the following:

1. The ongoing property, safety and legal liabilities related to the failure and flooding of the existing concrete v-ditch.
2. The fact that portions of the v-ditch are illegally located on my and the Brown's properties (428 and 432 Corte Dorado) without an easement or similar agreement.
3. That there is a relatively simple solution already identified by the applicant in their attached 2024 CBG plans. Please use this opportunity to include a condition of approval requiring these plans to be incorporated into the civil plans, thereby mitigating the above concerns.

3

Many thanks for your consideration of the above.

Ryan Nickelson



925-216-9907

ryan@lrginvestors.com | www.lrginvestors.com

Lic. 01327106

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From: Ryan Nickelson

Sent: Saturday, April 25, 2026 10:35 AM

To: 'abowles@danville.ca.gov' <abowles@danville.ca.gov>; 'rcombs@danville.ca.gov' <rcombs@danville.ca.gov>; 'mgraham@danville.ca.gov' <mgraham@danville.ca.gov>; 'ihalker@danville.ca.gov' <ihalker@danville.ca.gov>; 'amaddalon@danville.ca.gov' <amaddalon@danville.ca.gov>; 'lpalandrani@danville.ca.gov' <lpalandrani@danville.ca.gov>; 'pradich@danville.ca.gov' <pradich@danville.ca.gov>; 'ctrujillo@danville.ca.gov' <ctrujillo@danville.ca.gov>

Cc: 'mbelotz@danville.ca.gov' <mbelotz@danville.ca.gov>; 'dcrompton@danville.ca.gov' <dcrompton@danville.ca.gov>; 'twilliams@danville.ca.gov' <twilliams@danville.ca.gov>; pjbrown1@gmail.com; wreeves@mfrlegal.com; diana.nickels99@gmail.com

Subject: Martin Hills (Elworthy East) significant flooding and liability concerns

Dear Planning Commissioners,

I would like to inform you of a letter I sent to David Crompton on March 5, 2026, outlining my concerns over flooding created by an illegal discharge of water from the upslope Elworthy property onto my property and my neighbor's property at 432 Corte Dorado. My letter did not receive a response, nor does it appear to have been included in the EIR or public comment letters, thus my wanting to make you aware of the situation prior to the upcoming April 28th planning commission hearing.

Attached is my March 5th letter, along with a supporting ALTA survey and photos which provide greater detail. While the applicant's preliminary civil plans linked on the Town's website show some level of planned slope stability mitigation above 432 Corte Dorado, they appear woefully deficient in not addressing the existing concrete v-ditch the conveys water from the Elworthy property above onto my property and 432 Corte Dorado without an easement or similar agreement. The ditch is in extremely poor condition and

needs to be reconstructed entirely on the Elworthy property.

In short, the Elworthy property is illegally discharging water onto my and my neighbor's properties, creating an ongoing flooding liability. While I generally support the Martin Hills project, any Town approvals must contain conditions requiring mitigation of this situation. Absent the preceding, I and my neighbors reserve all legal rights against the Elworthy property and its successors, as well as against the Town for failing to mitigate a known flooding and safety liability. I trust you will require the Martin Hills project to sufficiently mitigate these concerns by reconstructing a new drainage ditch entirely on the Elworthy property, the cost of which is relatively small for a project of this scope.

Sincerely,

Ryan Nickelson

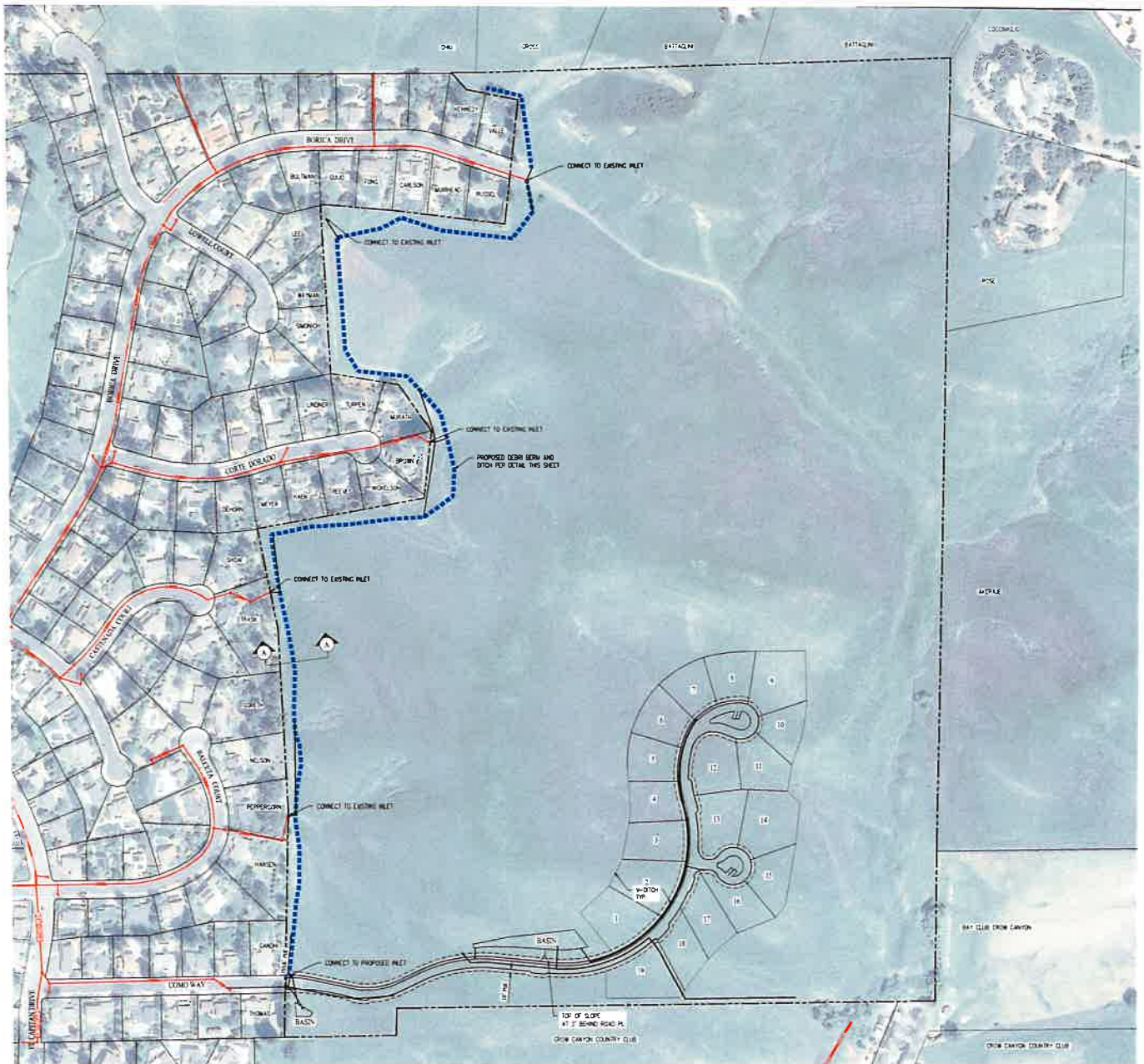


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SECTION A-A
DEBRIS BERMS AND DRAINAGE SWALES PER ENG'D
S.A.

DEBRIS BERM EXHIBIT

ELWORTHY PROPERTY

TOWN OF DANVILLE CONTRA COSTA COUNTY CALIFORNIA
SCALE: 1"=100' DATE: JULY 24, 2024

LEGEND
PROJECT BOUNDARY
PROPOSED DEBRIS BERM AND DITCH
PROPOSED STORM DRAIN PIPE
EXISTING STORM DRAIN PIPE



SAN RAMON • (925) 388-0277
ROSELILLE • (925) 788-8888
WWW.CBG-ENGINEERS.COM
CIVE ENGINEERS • SURVEYORS • PLANNING

Ryan Nickelson (R NICKELSON-2)

Response to R NICKELSON-2-1

The July 2024 project site plan is not the most updated project site plan. The most recent site plans are dated January 5, 2026, and are available upon request at the Town's Planning Division. Please refer to Section 2 of this document, Master Responses, Master Response 2, Project Site Drainage, which details the proposed project site stormwater infrastructure and drainage improvements. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to R NICKELSON-2-2

Please refer to the Response to R NICKELSON-2-1 above regarding the July 2024 project site plans. Refer to Section 2 of this document, Master Responses, Master Response 3, Project Site Geology. This response discusses the geotechnical studies that were previously prepared for the proposed project and project site and included in Appendix E of the Draft EIR. The recommendations included in the studies in Appendix E of the Draft EIR would be incorporated into the proposed project's design through MM GEO-1. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to R NICKELSON-2-3

Please refer to Section 2 of this document, Master Responses, Master Response 2, Project Site Drainage, which details the proposed project's site stormwater infrastructure and drainage improvements. Please also refer to the Response to R NICKELSON-1-3. Refer to Section 2, Master Responses, Master Response 3, Project Site Geology, of this document. This response discusses how the recommendations included in the studies in Appendix E of the Draft EIR would be incorporated into the proposed project's design through MM GEO-1. Additionally, refer to the Response to R NICKELSON-2-1 above regarding the July 2024 project site plans. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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Enclosed = 2 letters
6 pages of
resident
signatures
opposing
proposed
project.

To the Danville Planning Commission:

May 19, 2026

As residents and homeowners of the community who are directly impacted by this proposed project, we believe this proposed project on a hill with known erosion adds undue risks to the existing 200+ homeowners living down the hill and we have collected signatures from a sample of existing homeowners who oppose this proposed project. The existing Environmental Impact Report dismissed all risks raised as "No Impact" or "Less than significant impact" after mitigating measures, leaving many gaps and questions open. We would kindly ask the proposal declined with below questions to be addressed promptly and be made available to the public with enough time for further public comments and follow up. A copy of this has been provided to the Town Council.

1

1) Similar proposals to develop this lot have been made and rejected in the past. What were the reasons for past rejections and how have those past reasons for rejection been addressed in the current proposal?

2

2) A resident who spoke at the last planning commission meeting raised that there is a litigation related to this. Other homeowners also have raised similar comments. There has been no mention of such litigation at all by the developer nor the planning commission. Please explain the nature of all the litigations and how are they being addressed.

3

3) Please provide the analyses used to justify a proposal to build 22 high-end homes on a problematic hill known to have erosions at the risk of adding exposure to 200+ existing homes down the hill.

4

4) Provide rationale and evidence to support developer's reason and proposal to separately building one large single high-end home at end of Borica far away from the rest 20+ by Como.

5

5) What remedies do existing homeowners down the hill have in case of future damages from flood or erosion after construction of this proposal?

6

6) Provide the criteria used by the consultants for the Environmental Impact Report and their analyses methodology that led to the conclusion that all the risks and raised were deemed to be "No Impact" or "Less than significant impact" after mitigating measures?

7

Thank you.

From the local homeowners and residents affected by this proposal

1/9

To: Town of Danville Planning Division

Attn: David Crompton, Chief of Planning

500 La Gonda Way, Danville, CA 94526

Cc: Danville Planning Commission; Bates Stringer Martin Hills Ranch, LLC

RE: Collective Neighborhood Opposition to the Draft Environmental Impact Report (DEIR) – Martin Hills Ranch Residential Project (Tract 9679 / PUD 24-0002 / SD 9679)

Dear Mr. Crompton,

This letter is submitted on behalf of the residents of El Capitan Drive and Como Way. As the families most directly impacted by the proposed Martin Hills Ranch development, we are writing to formally oppose the findings of the Draft EIR and the Transportation Impact Study (TIS). The current assessments systematically downlevel significant public safety and geological risks by relying on data omissions and administrative exemptions rather than strict adherence to the Town's own safety codes.

8

Our collective opposition is based on the following fact-based assessment of the reports' failures:

1. Violations of Danville Municipal Code and Standard Plans

The proposed project intentionally bypasses established safety regulations designed to protect residents:

9

- **Substandard Roadway Widths:** Danville Municipal Code Section 31.22 requires minor streets to have a 32-foot pavement width and a 52-foot right-of-way. Furthermore, Danville Standard Plan 104b requires a 36-foot width for roadways with parking on both sides. The developer's plan to construct a 22-foot public roadway is a direct violation of these standards and poses a critical safety risk for two-way traffic and emergency vehicle access.
- **Excessive Block Length:** Municipal Code Section 31-22.1.g limits maximum block length to 1,000 feet. The proposed project features a block length of 1,400 feet, which the TIS admits is a "significant impact" and a conflict with fire codes.
- **Inadequate Lighting:** Municipal Code Section 31-16 requires streetlighting for all subdivisions in R-12 zones. The current site plan fails to demonstrate this required infrastructure, which is essential for the safety of the many families walking this corridor.

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2. Fatal Flaws in Transportation Risk Assessment

12

The TIS prepared by W-Trans utilizes an obsolete and restricted methodology:

- **Data Omission:** Traffic and pedestrian counts were only performed on a single weekday (Tuesday, August 20, 2024). This completely ignores the high-volume weekend pedestrian traffic from local families using Como Way and El Capitan to access recreational areas and schools.
- **Failure to Model Modern Traffic:** The assessment fails to quantify the high-frequency delivery trips (Amazon Prime, UPS) and on-demand transit (Uber, DoorDash) inherent to high-end residential projects. By relying solely on standard "detached housing" trip rates, the study significantly underestimates the actual vehicle burden on our narrow streets.

3. Systematic Downleveling of Environmental and Safety Hazards

The Executive Summary presents hazardous conditions as "less than significant" through a pattern of seeking exemptions rather than requiring safe design:

- **Geotechnical Instability:** The project site is underlain by the Orinda Formation, which is explicitly "known to be susceptible to landslides". Despite this, the assessment generator dismisses resident concerns about past mudslide events affecting adjacent homes.
- **Ineffective Traffic Calming:** To mitigate an extreme 11.82% downhill grade, the report suggests a traffic circle designed for a "fastest path" of 15 mph. This is a cursory measure that provides insufficient protection for pedestrians at the base of the grade, where vehicles will naturally accelerate.

Conclusion

The residents of El Capitan Drive and Como Way request that the Town of Danville reject the DEIR and require a comprehensive revision that includes:

1. **Strict Adherence** to Municipal Code Section 31.22 and Standard Plan 104b regarding street width—no exemptions should be granted for high-density clustering.
2. **New Traffic Counts** that include weekend data and specific pedestrian-vehicle conflict modeling for the El Capitan/Como and El Capitan/Alicante intersections.
3. **A Site-Wide Geotechnical Analysis** that addresses the risks of the Orinda Formation beyond the immediate building pads.

The Town's codes exist to ensure the safety of its citizens. Prioritizing a developer's request for "exemptions" over these safety standards is unacceptable to this community.

Sincerely,

The Undersigned Residents of El Capitan Drive and Como Way

12
CONT

13

14

15

16

17

I oppose The Martin Hills Project

A		B	C		D	E	F	G
APN	Name	Address			SIGNATURE	PHONE		
218573002	MANIFESTO GEORGE & JANN TRE	406 LA QUINTA CT DANVILLE CA 94526						
218520011	FORD GEORGE D & LINDA L TRE	407 LA QUINTA CT DANVILLE CA 94526						
218575002	ALOISE ROME A & DEBORAH A	501 ST GEORGE DANVILLE CA 94526			<i>Donna Shea</i>	510-915-6430		
218575003	SHEA DONNA A TRE	505 ST GEORGE DANVILLE CA 94526			<i>Donna Shea</i>	925-683-3642		
218575004	LOTZ THOMAS R & ABBIE L TRE	509 ST GEORGE DANVILLE CA 94526			<i>Donna Shea</i>	925-989-6539		
218575005	DENISON ROBERT C & JOANNE TRE	513 ST GEORGE DANVILLE CA 94526			<i>Donna Shea</i>			
218575006	SMITH PAUL B & SUSAN L TRE	517 ST GEORGE DANVILLE CA 94526			<i>Donna Shea</i>			
218575007	LOO JANICE M TRE	521 ST GEORGE DANVILLE CA 94526			<i>Donna Shea</i>			
218575008	LUDDEN GERALD FRANCIS TRE	525 ST GEORGE DANVILLE CA 94526			<i>Donna Shea</i>			
218575009	STUDT PERRY L & LOIS H TRE	529 ST GEORGE DANVILLE CA 94526			<i>Donna Shea</i>			
218575010	ANDERSON ELLEN B TRE	533 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>			
218573017	COLBOURN ROBERT & SHERIDAN TRE	534 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>			
218575011	SANTANA CHARLES & SUSIE G TRE	537 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>			
218573018	MAJUMDAR ANJAN	538 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>			
218573019	DOGGETT JOHN L & MARGARET C	542 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>			
218581001	CORDES KEVIN F & CARLY M TRE	546 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>	831-207		
218582030	WIDAS JAMES & CATHERINE TRE	549 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>	925-585		
218581002	DAMASCHINO DOUGLAS & ANN TRE	550 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>	925-915-6430		
218582029	LIU LIZHAO	553 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>			
218581003	NELSEN WALENE	554 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>			
218582028	COSTELLO ROBERT MICHAEL TRE	557 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>	925-323		
218581004	YIN ZUOWEN	558 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>	925-323		
218582027	GILBERT STACY MARIE TRE	561 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>	925-323		
218581005	RIVERA BENIGNO & THELMA TRE	562 ST GEORGE RD DANVILLE CA 94526			<i>Donna Shea</i>	925-323		
218581021	RILEY JOHN F III TRE	605 LOS ROBLES CT DANVILLE CA 94526			<i>Donna Shea</i>	925-323		
218573015	BROWN CAMPBELL	607 SERRAMONTE DANVILLE CA 94526			<i>Donna Shea</i>	925-323		
218573008	SHAUGER CURTIS A TRE	608 SERRAMONTE DANVILLE CA 94526			<i>Donna Shea</i>	925-323		
218581007	SINGH HARDEER JIJI Schu124	610 LOS ROBLES CT DANVILLE CA 94526			<i>Donna Shea</i>	925-323		
218581020	CHONG BERNIE & YOON JOO KIM	611 LOS ROBLES CT DANVILLE CA 94526			<i>Donna Shea</i>	925-323		
218573014	WATKINS NATALIE & CHRISTOPHER	613 SERRAMONTE DANVILLE CA 94526			<i>Donna Shea</i>	925-323		
218573009	CHEUNG HOFFMAN & KAREN L	614 SERRAMONTE DANVILLE CA 94526			<i>Donna Shea</i>	925-323		

see page 4

Donna Shea
Wanda R
Paula

Kelly Anderson
Rebecca Gibson
Doreen Barton

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925-585-9232
925-7293

925-323-7922
925-890-7300

925-786-6173
925-316-458
408-217-242

A	B	C	D	E	name	phone
33	218581008	616 LOS ROBLES CT	DANVILLE CA	94526		
34	218573013	BURR MARK LEWIS TRE	DANVILLE CA	94526		
35	218573010	DICKSON LISAA & WILLIAM K	DANVILLE CA	94526		925-786-3875
36	218581009	ROWAN KELLY J TRE	DANVILLE CA	94526		
37	218573012	ZWETSLOOT ANTHONY P	DANVILLE CA	94526		
38	218573011	BAJAJ RUCHIRA	DANVILLE CA	94526		
39	218581018	AHTYE BRUCEA & BERNITA M TRE	DANVILLE CA	94526		
40	218581011	KAMALZARE MAHMOUD	DANVILLE CA	94526		
41	218581017	JAMES JON C	DANVILLE CA	94526		
42	218581012	BISADI VAHID TRE	DANVILLE CA	94526		
43	218581013	TARVER DEWEY G & CARMELA TRE	DANVILLE CA	94526		
44	218581014	DAVID DAVID A & NADINE S TRE	DANVILLE CA	94526		
45	218581039	HARGRAVE JAMIE & JILL TRE	DANVILLE CA	94526		
46	218581047	SEGUR DANIEL L & ELLEN TRE	DANVILLE CA	94526		
47	218581040	HULL JEFFREY RUSSELL TRE	DANVILLE CA	94526		
48	218581046	KALIN ALICE SITRA TRE	DANVILLE CA	94526		
49	218581041	DJAVADI ERIC I & MALI TRE	DANVILLE CA	94526		
50	218581045	GEORGE THOMAS H TRE	DANVILLE CA	94526		
51	218581042	PRINZING MARLOWE M TRE	DANVILLE CA	94526		
52	218581044	MAJERUS ROBERT F & DIONE E TRE	DANVILLE CA	94526		

TED MENDELSON
FALANCAWE
621 LOS ROBLES 94526 Ted Mendelson 925-997-0538
628 LOS ROBLES 94526

See
Page 3

Craw Canyon CC page 2

I oppose Martin Hills

A	B	C	D	E	name	phone
33	218581008	616 LOS ROBLES CT	DANVILLE CA	94526		
34	218573013	619 SERRAMONTE	DANVILLE CA	94526		
35	218573010	620 SERRAMONTE	DANVILLE CA	94526		
36	218581009	622 LOS ROBLES CT	DANVILLE CA	94526		
37	218573012	625 SERRAMONTE	DANVILLE CA	94526		
38	218573011	626 SERRAMONTE	DANVILLE CA	94526		
39	218581018	631 LOS ROBLES CT	DANVILLE CA	94526		
40	218581011	634 LOS ROBLES CT	DANVILLE CA	94526		
41	218581017	637 LOS ROBLES CT	DANVILLE CA	94526		
42	218581012	640 LOS ROBLES CT	DANVILLE CA	94526		
43	218581013	646 LOS ROBLES CT	DANVILLE CA	94526		
44	218581014	652 LOS ROBLES CT	DANVILLE CA	94526		
45	218581039	714 OAKMONT CT	DANVILLE CA	94526		
46	218581047	719 OAKMONT CT	DANVILLE CA	94526		
47	218581040	720 OAKMONT CT	DANVILLE CA	94526		
48	218581046	725 OAKMONT CT	DANVILLE CA	94526		
49	218581041	726 OAKMONT CT	DANVILLE CA	94526		
50	218581045	731 OAKMONT CT	DANVILLE CA	94526		
51	218581042	732 OAKMONT CT	DANVILLE CA	94526		
52	218581044	737 OAKMONT CT	DANVILLE CA	94526		

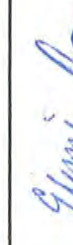
OK

6/9

I oppose The Martin Hills Project

A		B		C		D		E		F		G	
1	APN	Name		Address						SIGNATURE		PHONE	
2	218573002	MANIFESTO GEORGE & JANN TRE		406 LA QUINTA CT DANVILLE CA 94526						<i>Manfredo</i>		510-368-2311	
3	218520011	FORD GEORGE D & LINDA L TRE		407 LA QUINTA CT DANVILLE CA 94526						<i>Ford</i>		323-868-8153	
		Nicole Aguiar		418 La Quinta Ct Danville						<i>Aguiar</i>		680-742-8335	

I Oppose the Martin . Is Ranch Development

APN	NAME	ADDRESS	CITY-STATE	ZIP	Signature	Phone #
218506006	GARDINER HARRY K	1029 EL CAPITAN DR	DANVILLE CA	94526		725 548 6035
218506005	OHLER NICHOLAS & MAUD D	1033 EL CAPITAN DR	DANVILLE CA	94526		510-707-1237
218502020	PRITZKOW ROBERT JR <i>Gami</i>	1040 EL CAPITAN DR	DANVILLE CA	94526		925-457-3541
218506010	BRADLEY MICHAEL M	1041 EL CAPITAN DR	DANVILLE CA	94526		
218506009	HASIK BOYD & MELANIE C	1045 EL CAPITAN DR	DANVILLE CA	94526		
218503001	KHANNA VARN & <i>TIFFANY</i>	1048 EL CAPITAN DR	DANVILLE CA	94526		510-301-6282
218503002	BUCKLEY JOHN T & AIMEE	1052 EL CAPITAN DR	DANVILLE CA	94526		925-577-3306
218503003	EISENBERG SAMUEL & LINDA	1056 EL CAPITAN DR	DANVILLE CA	94526		415-370-2720
218505001	LEE CHOON-JING & ANNA B	1057 EL CAPITAN DR	DANVILLE CA	94526		925-999-7319
218503004	CASTRO CHRISTOPHER J & LESLIE	1060 EL CAPITAN DR	DANVILLE CA	94526		925-786-9477

Kathryn Campos.
William Mock

1032 EL CAPITAN DR DANVILLE CA

I Oppose the Martin Hills Ranch Development

	A	B	C	D	E
52	207071001	AMBROSIUS JAMES & MICHIO TRE	2491 TASSAJARA LN	DANVILLE CA	94526
53	218520017	PEPPERCORN LEANNA EDEN	252 BALCETA CT	DANVILLE CA	94526
54	218520021	POWER MICHAEL & DANA TRE	255 BALCETA CT	DANVILLE CA	94526
55	218520018	NELSON GLENN R JR & Nanci TRE	258 BALCETA CT	DANVILLE CA	94526
56	218563014	RIZKALLAH ELIE	2605 CAMINO TASSAJARA #1582	DANVILLE CA	94526
57	207071007	BATTAGLINI KELLY TRE	2605 CAMINO TASSAJARA UNIT2671	DANVILLE CA	94526
58	218520020	LEARY DARREN P & SUSAN M TRE	261 BALCETA CT	DANVILLE CA	94526
59	218520019	GORETH ROBERT F & NANCY TRE	264 BALCETA CT	DANVILLE CA	94526
60	218506008	CAMPBELL DONALD J TRE	304 BORICA DR	DANVILLE CA	94526
61	218511001	SCULLY RICHARD & LOLITA TRE	308 BORICA DR	DANVILLE CA	94526
62	218512008	CORDEIRO MICHAEL & JENNIFER	309 BORICA DR	DANVILLE CA	94526
63	218511002	STADELHOFFER MICHAEL & KARNA	312 BORICA DR	DANVILLE CA	94526
64	218512007	KOEPP STEPHEN J & CAROL B TRE	313 BORICA DR	DANVILLE CA	94526
65	218511003	GUNDERSON TIMOTHY M TRE	316 BORICA DR	DANVILLE CA	94526
66	218512006	PRESTON GENE C & JUNELLE M TRE	317 BORICA DR	DANVILLE CA	94526
67	218512005	FERRE THAD TRE	321 BORICA DR	DANVILLE CA	94526
68	218511004	MORRIS THOMAS WILLIAM TRE	322 BORICA DR	DANVILLE CA	94526
69	218520032	BOCK CHARLES W JR TRE	324 BORICA PL	DANVILLE CA	94526
70	218512004	CLARK BERNARD NICHOLAS JR TRE	325 BORICA DR	DANVILLE CA	94526
71	218520033	BARRETT-SMITH THOMAS & SANDRA	327 CASTENADA CT	DANVILLE CA	94526
72	218512003	SECREST GARRY & VICKIE J TRE	329 BORICA DR	DANVILLE CA	94526
73	218520031	SCHAEZLER MICHAEL & VIVIAN TRE	330 BORICA PL	DANVILLE CA	94526
74	218511021	ARENDS KURT A & JOAN Y TRE	332 BORICA DR	DANVILLE CA	94526
75	218520042	MEIER FAMILY TRE	332 CASTENADA CT	DANVILLE CA	94526
76	218512002	CHAMBERS BURCE R TR	333 BORICA DR	DANVILLE CA	94526
77	218520034	BROWN KENNETH R & MAURA D TRE	333 CASTENADA CT	DANVILLE CA	94526
78	218520030	SWISHER WILLIAM & MARILYN TRE	334 BORICA PL	DANVILLE CA	94526
79	218511022	TABER FRED L JR TRE	336 BORICA DR	DANVILLE CA	94526
80	218512001	CASTELLI THOMAS A TRE	337 BORICA DR	DANVILLE CA	94526
81	218520041	BACKES MICHAEL & MARY TRE	338 CASTENADA CT	DANVILLE CA	94526
82	218520043	LONG KIRBY J & THERESA F TRE	339 BORICA PL	DANVILLE CA	94526
83	218520035	HARKER JOH D & RENEE E	339 CASTENADA CT	DANVILLE CA	94526
84	218561001	LEONG ROBERT J & PATRICIA TRE	341 BORICA DR	DANVILLE CA	94526
85	218563018	ANTONIO ALEXANDER TRE	344 BORICA DR	DANVILLE CA	94526
86	218520040	KURTZ CHARLES FREDERICK TRE	344 CASTENADA CT	DANVILLE CA	94526
87	218561002	ADAMSON MARTHA A CLARKE TRE	345 BORICA DR	DANVILLE CA	94526
88	218520036	SILVERSTONE KERRY TRE	345 CASTENADA CT	DANVILLE CA	94526
89	218520044	TODOKI KEN I TRE	348 BORICA PL	DANVILLE CA	94526
90	218561003	MALONEY DANIEL P & JULIE	349 BORICA DR	DANVILLE CA	94526
91	218520039	TRASK DONALD WILLIAM TRE	350 CASTENADA CT	DANVILLE CA	94526
92	218520037	SCOTT JOAN & RICHARD TRE	351 CASTENADA CT	DANVILLE CA	94526
93	218520027	HAUGHY JEFFREY & ABIGAIL	354 BORICA PL	DANVILLE CA	94526
94	218520038	SHOAF STEVEN S & SHARYL A TRE	357 CASTENADA CT	DANVILLE CA	94526
95	218563008	HARRELSON DANIEL D & KERI TRE	364 BORICA DR	DANVILLE CA	94526
96	218562003	KANAZAWA MICHAEL & LISA TRE	365 BORICA DR	DANVILLE CA	94526
97	218563007	SHERWOOD DENNIS & CYNTHIA TRE	368 BORICA DR	DANVILLE CA	94526
98	218562004	CHEN RONG	369 BORICA DR	DANVILLE CA	94526
99	218563006	BUND WILLIAM C TRE	372 BORICA DR	DANVILLE CA	94526
100	218562005	TALLMAN DAVID & NICOLE TRE	373 BORICA DR	DANVILLE CA	94526
101	218562006	WANG ANGELA	377 BORICA DR	DANVILLE CA	94526
102	207071003	GROSS PHILIP B	379 LINWOOD AVE	NEWTONVILLE MA	02460

300 809
2648

marlene

Ni
Anthony

Mary
Dorothy

We oppose Ullae & Matt Hadley 300 Camaritas Danville CA 94526
480-406-0550 Ullae Hadley
Woppose J. Looney 300 Borica Dr 94526 925683878

We oppose

Chloe & Matt Hadley
480-406-0550

300 Camarillo
Chloe Hadley

RESIDENTS
Page 10 of 10

Danville CA 94526

W. Oppose J. Loonen 300 Borica Dr. 94526 925-83878

103	218563020	FONG STANLEY TUNG <i>opposed</i>	380 BORICA DR <i>ST Fong</i>	DANVILLE CA 925	94526	925-465
104	218562007	ALJIBURY ABDULLATIF K & ADIBA <i>opposed</i>	381 BORICA DR <i>adiba</i>	DANVILLE CA 925	94526	980-465
105	218563021	CARLSON DENTON L	384 BORICA DR	DANVILLE CA	94526	
106	218562008	DUFFEK CHRISTOPHER & MARGARET	385 BORICA DR	DANVILLE CA	94526	980-465
107	218563002	MUIRHEAD BRUCE	388 BORICA DR	DANVILLE CA	94526	980-465
108	218562009	WATSON NANCY E TRE <i>oppose</i>	389 BORICA DR <i>Nancy</i>	DANVILLE CA 925	94526	314-6618
109	218563001	RUSSELL JOSHUA W & SARAH T TRE <i>open</i>	392 BORICA DR <i>Joshua Russell</i>	DANVILLE CA 925	94526	

Residents (RESIDENTS)

Response to RESIDENTS-1

This comment's general introductory statements do not raise any specific issues with respect to the proposed project or the Draft EIR. Specific issues summarized in the introduction are addressed in detail in the responses below.

Please refer to Section 2 of this document, Master Responses, Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR. This response provides additional information and context on the scope of CEQA analysis. Specifically, CEQA analysis does not address general project opposition. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to RESIDENTS-2

Please refer to Section 2 of this document, Master Responses, Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR. This response provides additional information and context on the scope of CEQA analysis. Specifically, the Draft EIR is a document specific to the proposed project and under CEQA Guidelines is not required to address past project decisions. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to RESIDENTS-3

Refer to the Responses to R NICKELSON-1 and R NICKELSON-2 above for a discussion regarding prior litigation related to the project site.

Response to RESIDENTS-4

Please refer to Section 2 of this document, Master Responses, Master Response 3, Project Site Geology. This response provides a discussion of the implementation of the geotechnical recommendations included in the geotechnical studies included in Appendix E of the Draft EIR to mitigate impacts related to landslides to a less than significant level. As noted in the Draft EIR Section 3.7, Geology, Soils, and Seismicity, on page 3.7-14, the location of the prior landslide events occurred outside of the proposed development area of Lots 1 through 21 in the southern portion of the project site, and also outside of Lot 22 in the northern portion of the project site. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to RESIDENTS-5

As noted in the Draft EIR Chapter 2, Project Description, on page 2-15, Lot 22 off Borica Drive is included as part of the proposed project to meet contractual obligations for the project applicant and to provide a lot for one of the existing owners. Please refer to Section 2 of this document, Master Responses, Master Response 7, Lot 22. This response provides a discussion of Lot 22 as part of the proposed project. This comment is included in the administrative record and will be provided

to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to RESIDENTS-6

CEQA requires that a public agency provide information about the potential impacts and mitigation for a proposed project prior to decision-makers approving that action. Questions regarding homeowner remedies in the event of speculative conditions are not subject to CEQA review and would be governed by applicable state and federal laws.

As reflected in Appendix G to the Draft EIR, and further discussed in Master Response 2 of this document, the proposed project's potential hydrology and drainage impacts have been evaluated to determine whether it would substantially alter drainage patterns, increase runoff, or contribute to flooding or erosion, and mitigation measures have been identified where necessary to reduce impacts to less than significant levels. With mitigation, impacts associated with flooding or erosion were found to be less than significant.

Response to RESIDENTS-7

The criteria and information utilized for analyzing the proposed project are included primarily in the Draft EIR, Chapter 3, Environmental Impact Analysis. Supporting technical reports, modeling, and data are also included in Appendix A through Appendix I of the Draft EIR.

The comment raises a general question regarding the methodology used in the Draft EIR and does not identify any specific resource topic, section of the Draft EIR, or particular methodology for which additional detail is requested.

Determinations of less than significant impacts or no impacts in the Draft EIR reflect the application of the Town's established thresholds, technical analysis, and project design features, all of which are described in the Draft EIR and supporting appendices. As presented throughout the Draft EIR, each environmental topic section includes:

- A description of the existing environmental setting and baseline conditions;
- Identification of applicable plans, policies, regulations, and standards;
- Clearly defined thresholds of significance, generally based on CEQA Guidelines Appendix G and applicable agency standards;
- A description of the analytical approach and data sources, including technical studies; and
- A reasoned analysis explaining the basis for each conclusion.

Impact conclusions throughout the Draft EIR are made on a topic-specific basis using the Town's thresholds as well as criteria and methodologies discussed in the Draft EIR. Impact determinations are based on facts, reasonable assumptions based on facts, and expert opinion supported by facts (PRC § 21082.2, CEQA Guidelines § 15384). CEQA does not require certainty or exhaustive documentation of every intermediate analytical step. The technical studies prepared for the proposed project reflect the professional judgment of qualified experts using accepted

methodologies within their respective disciplines, and the Town has independently reviewed this information and exercised its discretion in evaluating the significance of impacts based on the whole of the administrative record.

Accordingly, the Draft EIR provides the information required under CEQA to disclose the criteria, methodologies, and evidentiary basis for its impact conclusions. The commenter does not identify a specific deficiency in the disclosed analysis, and no revisions to the Draft EIR are required.

Response to RESIDENTS-8

This comment's general introductory statements do not raise any specific issues with respect to the proposed project or the Draft EIR. Please refer to Section 2 of this document, Master Responses, Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR. This response provides additional information and context on the scope of CEQA analysis. Specifically, CEQA analysis does not address general project opposition. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to RESIDENTS-9

Please refer to Section 2 of this document, Master Responses, Master Response 4, Como Way Roadway Width and Design. This response details the existing and proposed roadway width requirements for Como Way. Please also refer to Section 2 of this document, Master Responses, Master Response 5, Emergency Response and Access. This response includes a discussion of emergency vehicle access to the project site. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to RESIDENTS-10

Please also refer to Section 2 of this document, Master Responses, Master Response 5, Emergency Response and Access. This response provides a discussion of the maximum block length requirement consistency. Moreover, page 18 in Appendix I of the Draft EIR specifically states that, with approval of the block length exemption, impacts related to emergency response would be less than significant. This response includes a discussion of emergency vehicle access to the project site. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to RESIDENTS-11

Please refer to Draft EIR Section 3.1, Aesthetics, Light, and Glare page 3.1-14, which notes: "the proposed project and cumulative development would include streetlights, exterior lighting, safety lighting, lighting from vehicles, and sources of glare from buildings and vehicles." Additionally, please refer to Draft EIR Section 3.15, Transportation and Traffic page 3.15-24, which states: "further, street lighting is anticipated to be included in the proposed project site design as required by Section 31-16 of the Town's Municipal Code. With adherence to the applicable Municipal Code requirements and

with approval of the requested State Density Bonus Law waiver, the proposed project would not substantially increase hazards related to roadways and impacts would be less than significant.” This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to RESIDENTS-12

Please refer to the Response to B DASEKING-3 for an explanation of the appropriate CEQA transportation analysis metric as VMT rather than traffic delay. As discussed in the Draft EIR in Section 3.15, Transportation and Traffic, on page 3.15-21, the proposed project would implement a CBTP under MM TRANS-2, which would mitigate VMT impacts to a less than significant level.

Additionally, as discussed on page 4 in Appendix I of the Draft EIR, operating conditions during the a.m. and p.m. peak periods were evaluated to capture the highest potential impacts for the proposed project as well as the highest volumes on the local transportation network. The morning peak-hour occurs between 7:00 and 9:00 a.m. and reflects conditions during the home-to-work or school commute, while the PM peak-hour occurs between 4:00 p.m. and 6:00 p.m. and typically reflects the highest level of congestion during the homeward-bound commute. Volume data were collected on August 20, 2024, while local schools were in session. School is not in session during the weekends.

This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to RESIDENTS-13

As detailed on page 6 in Appendix I of the Draft EIR, the anticipated trip generation for the proposed project was estimated using standard rates published by the Institute of Transportation Engineers (ITE) in Trip Generation Manual, 11th Edition, 2021, for “Single-Family Detached Housing” (ITE LU #210) since the proposed project would develop single-family residential units. For the affordable ADUs, rates for the “Affordable Housing – Income Limits” (ITE LU #223) use were selected, as this description most closely matches the proposed use. As such, trip generation estimates were prepared consistent with applicable ITE standards. Moreover, please refer to Master Response 4, Como Way Roadway Width and Design, of this document. This response details how the proposed project roadway would be adequate to serve the anticipated average daily traffic based on the estimated trip generation. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Please also refer to Master Response 4, Como Way Roadway Width and Design, in Section 2, Master Responses, of this document. This response details the applicability of roadway width requirements for Como Way. This comment is included in the administrative record and will be provided to

decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to RESIDENTS-14

Please refer to Section 2 of this document, Master Responses, Master Response 3, Project Site Geology. This response discusses the geotechnical studies that were previously prepared for the proposed project and project site and included in Appendix E of the Draft EIR. The recommendations included in the studies in Appendix E of the Draft EIR would be incorporated into the proposed project's design through MM GEO-1, which would address soil instability related to landslides and would reduce potential impacts to a less than significant level. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to RESIDENTS-15

Please refer to Section 2 of this document, Master Responses, Master Response 4, Como Way Roadway Width and Design. This response provides a discussion of the proposed traffic circle along Como Way that would reduce speeds of vehicles traveling along the roadway. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to RESIDENTS-16

Please refer to Section 2 of this document, Master Responses, Master Response 4, Como Way Roadway Width and Design. This response provides a discussion of the proposed traffic circle along Como Way that would reduce speeds of vehicles traveling along the roadway. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to RESIDENTS-17

Please refer to Section 2 of this document, Master Responses, Master Response 3, Project Site Geology. This response discusses the geotechnical studies that were previously prepared for the proposed project and project site and included in Appendix E of the Draft EIR. The recommendations included in the studies in Appendix E of the Draft EIR would be incorporated into the proposed project's design through MM GEO-1. These recommendations are not limited to the immediate building pads associated with the proposed dwelling units; they also include features such as a catchment basin on the project site. With implementation of MM GEO-1, the proposed project would have a less than significant impact related to landslides. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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Letter in Opposition to the Martin Hills Ranch (Elworthy East) Project

Tom and Diane Walsh

426 Como Way

Danville, CA 94526

Phone: (925) 785-0054

Email: Racerwalsh333@hotmail.com

May 21, 2026

David Crompton, Chief of Planning

Town of Danville Planning Division

500 La Gonda Way

Danville, CA 94526

Email: dcrompton@danville.ca.gov

Re: Strong Opposition to the Martin Hills Ranch Residential Project (SCH #2025010602) – Draft EIR Comments

Dear Mr. Crompton and Members of the Planning Commission:

We are writing as long-time residents of 426 Como Way in Danville to express our strong opposition to the proposed Martin Hills Ranch (formerly Elworthy East) Residential Project. This 22-lot subdivision on approximately 102 acres at the terminus of Borica Drive and Como Way would fundamentally alter the character of our neighborhood, conflict with local zoning protections, and present unmitigated or inadequately addressed safety risks in the Draft Environmental Impact Report (EIR), particularly regarding access via Como Way.

1

Incompatibility with A-4 Agricultural Preserve District and Local Ordinances

The project site is zoned A-4 (Agricultural Preserve District). This zoning is intended to protect agricultural lands, open space, and rural character while limiting urban encroachment. Rezoning the entire site to P-1 (Planned Unit Development) for residential subdivision would undermine these protections and set a dangerous precedent for further development in Danville's eastern hills.

2

Significant Safety Risks and Deficiencies in the EIR

3

The Draft EIR identifies potentially significant impacts in key areas including **transportation/traffic, wildfire**, hazards, and others. Many of these directly relate to public safety and cannot be adequately mitigated in this hillside location.

Particularly regarding Como Way and Safety Factors (Direct Impact on Our Property):

- **Traffic and Road Safety:** Extending Como Way as the primary access for 21 new homes plus ADUs will transform our quiet, low-volume residential cul-de-sac into a higher-traffic corridor. This will significantly increase congestion, accident risks (especially during construction and on narrow/curving sections), speeding, and daily wear on infrastructure not designed for such intensification. As residents at 426 Como Way, we will face heightened safety hazards from increased vehicle volumes and limited sight lines.
- **Emergency Access and Wildfire Evacuation:** The East Bay hills area faces **high to very high wildfire risk**. Reliance on a single extended access road via Como Way creates severe concerns for emergency vehicle ingress/egress during wildfires or other disasters. Narrow or single-point access can cause gridlock during evacuations, trapping residents (including our family) and delaying first responders. The EIR's wildfire and transportation analyses must be closely scrutinized to determine if proposed mitigations can truly ensure safe, timely evacuation under realistic worst-case scenarios (high winds, poor visibility, etc.).
- Additional safety factors include increased wildfire exposure for both new and existing residents, potential blocked routes due to terrain, and added strain on already burdened regional emergency services in the wildland-urban interface.

4

5

6

These safety deficiencies, combined with visual, biological, agricultural resource loss, and cumulative impacts, make the project incompatible with Danville's Hillside Development Guidelines, safety policies, and CEQA requirements.

7

Broader Community Impacts

Approving this project would erode the rural character and open space that define Danville's eastern hills while introducing unacceptable safety risks to current residents like us and future homeowners.

8

We urge the Planning Commission and Town Council to:

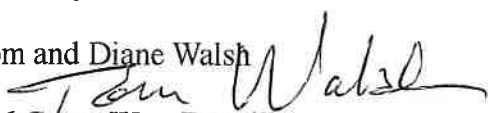
1. Declare the Draft EIR inadequate due to insufficient analysis and mitigation of safety, traffic, wildfire, and emergency access impacts.
2. Deny the rezoning from A-4 to P-1 as inconsistent with local ordinances and the General Plan.
3. Deny the subdivision and development applications due to unmitigated significant safety and environmental impacts, particularly those affecting Como Way.

9

Thank you for considering these comments. We request a written response as required under CEQA and notification of all future hearings.

Sincerely,

Tom and Diane Walsh



426 Como Way, Danville, CA 94526

CC: Danville Town Council (via Planning Division)

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Tom and Diane Walsh (TD WALSH)

Response to TD WALSH-1

Please refer to Section 2 of this document, Master Responses, Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR. This response provides additional information and context on the scope of CEQA analysis. Specifically, CEQA analysis does not address general project opposition. Please refer to the Draft EIR Section 3.1, Aesthetics, Light, and Glare, Impact AES-3, which determined that impacts related to scenic quality and conflict with applicable zoning would be less than significant. Please also refer to Section 2 of this document, Master Responses, Master Response 5, Emergency Response and Access, which provides a discussion related to safety. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to TD WALSH-2

As detailed in the Draft EIR Section 3.11, Land Use and Planning, Impact LAND-2, the project site's Williamson Act contract terminated, therefore deeming the project site's underlying zoning district applicable. The applicable A-2 District permits one dwelling unit per 5 acres. Further, because the proposed project would include 25 percent of the total base units available for lower-income households, it is eligible for a density bonus to increase the number of single-family homes from 20 to 22. Therefore, the proposed project would be consistent with the project site's zoning. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to TD WALSH-3

An analysis of impacts related to hazards and hazardous materials was included in the Draft EIR Section 3.9, Hazards and Hazardous Materials, on pages 3.9-1 through 3.9-26. The Draft EIR did not determine that there would be a potentially significant impact related to hazards and hazardous materials. The Draft EIR did identify potentially significant impacts related to transportation due to VMT generation and post-wildfire soil instability. However, as noted in Table ES-1, Executive Summary Matrix, the proposed project would incorporate MM TRANS-2 and MM GEO-1 to mitigate these impacts to a less than significant level. All potentially significant environmental impacts identified in the Draft EIR would be required to implement the applicable MMs to achieve a less than significant impact level. The proposed project would not result in any significant and unavoidable impacts. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to TD WALSH-4

Please refer to Section 2 of this document, Master Responses, Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR. This response provides additional information and context on the scope of CEQA analysis as it relates to community culture. In the Draft EIR, Section 3.12, Noise, pages

3.12-15 and 3.12-16 stated that the increase in project-related mobile noise sources (vehicles) would not result in an increase of more than 3dBA over existing conditions and, as such, would result in a less than significant impact for traffic noise.

Please also refer to the Response to B DASEKING-3 for an explanation of the appropriate CEQA transportation analysis metric as VMT in place of traffic delay. As discussed on page 3.15-21 in Section 3.15, Transportation and Traffic, of the Draft EIR, the proposed project would implement a CBTP under MM TRANS-2, which would mitigate VMT impacts to a less than significant level. Additionally, the Caltrans memorandum Traffic Safety Bulletin 20-02-R1: Interim Local Development Intergovernmental Review Safety Review Practitioner's Guidance provides guidance on how jurisdictions and practitioners may assess transportation safety topics associated with local development projects. While the memorandum does not establish thresholds of significance for determining safety impacts, it states that "automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment" (PRC § 21099(b)(2)), and traffic safety should not be used as a proxy for road capacity.

Nonetheless, the proposed project still included an informational sight line and traffic safety analysis in the Draft EIR, Appendix I. Page 15 in Appendix I of the Draft EIR found that there is adequate sight distance at all studied intersections within the proposed project area. Further, as noted in Section 3.15, Transportation and Traffic, page 3.15-26, with implementation of the proposed traffic circle as a traffic-calming measure to reduce the speeds of westbound (downhill) drivers to be substantially similar to existing traffic on Como Way, the proposed project would not create any new hazards or introduce incompatible uses to the roadway system. Thus, impacts would be less than significant. Refer to Section 2 of this document, Master Responses, Master Response 4, Como Way Roadway Width and Design. This response provides a discussion of the proposed traffic circle along Como Way that would reduce speeds of vehicles traveling along the roadway. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to TD WALSH-5

Please refer to Section 2 of this document, Master Responses, Master Response 5, Emergency Response and Access, and Master Response 6, Wildfire. These responses provide a discussion on the emergency access for the project site and analyze impacts related to wildfires. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to TD WALSH-6

Please refer to Section 2 of this document, Master Responses, Master Response 5, Emergency Response and Access, and Master Response 6, Wildfire. This response details features of the proposed project that would be required to minimize risk related to wildfires. Further, please refer to Master Response 3, Project Site Geology. This response discusses the implementation of MM GEO-1,

which would require the proposed project to incorporate the geotechnical recommendations included in the geotechnical studies included in Appendix E of the Draft EIR. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to TD WALSH-7

Please refer to Responses to TD WALSH-1 through TD WALSH-6 for the previous discussion on safety, aesthetic, biological, and agricultural impacts. In addition, please refer to the Draft EIR, Section 3.11, Land Use and Planning, Table 3.11-1: General Plan Consistency Analysis. As determined, the proposed project would remain consistent with General Plan Policy 1.07, which is intended to protect the Town's hillsides and other important scenic or natural resources. The project site would cluster development in the southeastern portion of the project site in order to protect the site's hillsides and ridgelines by maintaining it as open space. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to TD WALSH-8

Please refer to Responses to TD WALSH-1 through TD WALSH-7 for the previous discussion on safety, aesthetic, and hillside impacts. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to TD WALSH-9

Please refer to Section 2 of this document, Master Responses, Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR. This response provides additional information and context on the scope of CEQA analysis. Specifically, CEQA review does not include the act of approving or changing projects. Additionally, this comment did not raise significant environmental issues or provide input about the environmental analysis or conclusions in the Draft EIR. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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From: [William Reeves](#)
To: [Prathna Maharaj](#)
Cc: [Miller, Robert](#); [David Crompton](#)
Subject: Martin Hills Ranch/Elworthy East
Date: Saturday, May 2, 2026 1:00:33 PM
Attachments: [image001.png](#)

*****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.

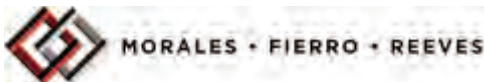
Ms. Maharaj:

I am following up on the email below.

Please respond as requested.

Thank you.

William C. Reeves



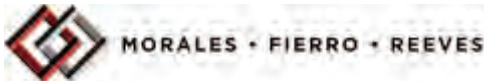
CALIFORNIA • NEVADA • ARIZONA
Phone: 925/288-1776

From: William Reeves
Sent: April 29, 2026 11:06 AM
To: pmaharaj@fcs-intl.com
Cc: Miller, Robert <rmiller@lubinolson.com>
Subject: RE: Martin Hills Ranch Residential Project

Please also add the attached to the report.

Thank you.

William C. Reeves



CALIFORNIA • NEVADA • ARIZONA
Phone: 925/288-1776

From: William Reeves
Sent: April 29, 2026 10:17 AM
To: pmaharaj@fcs-intl.com
Cc: Miller, Robert <rmiller@lubinolson.com>
Subject: Martin Hills Ranch Residential Project

I am counsel for the Nickelsons. As you may recall, I appeared last night at the Planning Commission meeting.

1

2

As I mentioned to the members of the Commission yesterday, the EIR report omits several key pieces of information, including the attached. 2
CONT

Meanwhile, and as I mentioned yesterday, confusion exists regarding the scope of work the applicant is proposing to perform to the hillside and drainage adjacent to 428/432 Corte Dorado. 3

Please confirm that the draft EIR will be updated to address the concerns I raised yesterday. 4

Thank you. All rights remain reserved.

William C. Reeves



CALIFORNIA • NEVADA • ARIZONA

Phone: 925/288-1776

*****PLEASE NOTE *****

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William C. Reeves (W REEVES)

Response to W Reeves-1

The commenter's general comment does not raise any specific issues with respect to the proposed project or the Draft EIR. Please refer to Master Response 2, Project Site Drainage, of this document, which details the proposed project's site stormwater infrastructure and drainage improvements. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to W Reeves-2

Please refer to the Response to B REEVES in Section 4, Responses to Public Meeting Verbal Comments, of this document for a discussion of comments received during the Town's Planning Commission meeting on April 28, 2026, for the proposed project. The commenter's general comment does not raise any specific issues with respect to the proposed project or the Draft EIR. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to W Reeves-3

Please refer to Section 2 of this document, Master Responses, Master Response 2, Project Site Drainage, which details the proposed project's site stormwater infrastructure and drainage improvements. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Response to W Reeves-4

Please refer to the Response to R Nickelson-1-3 and Master Response 2, Project Site Drainage, for a discussion of stormwater discharge associated with the project site. This comment is included in the administrative record and will be provided to decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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SECTION 4: RESPONSES TO PUBLIC MEETING VERBAL COMMENTS

4.1 - List of Speakers

A list of public individuals who provided verbal comments on the Martin Hills Ranch Residential Project Draft Environmental Impact Report (Draft EIR) at the Planning Commission public meeting on April 28, 2026, is presented below. Each verbal commenter has been assigned a code, and a single response has been provided to each speaker. Following this list, a transcript of the video recording of each comment made at the Town’s Planning Commission public meeting has been included and is followed by the corresponding response. The full recorded public meeting is also available to watch at the following website link: https://danville-ca.granicus.com/player/clip/3957?view_id=9&redirect=true.

Author	Author Code
Individuals	
Jason Ryan	J RYAN
Bruce Daseking	B DASEKING
Karen Barnes	K BARNES
Greg Barnes	G BARNES
Diane Walsh	D WALSH
James Bleasdel	J BLEASDELL
Michelle Bleasdel	M BLEASDELL
Bill Reeves	B REEVES
Chunjing Li	C LI
Jerry Abercrombie	J ABERCROMBIE
Chris Duffek	C DUFFEK
Angela Wong	A WONG

4.2 - Responses to Comments

4.2.1 - Introduction

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the Town of Danville, as the Lead Agency, evaluated the comments received on the Draft EIR (State Clearinghouse [SCH] No. 2025010602) for the Martin Hills Ranch Residential Project and prepared the following responses to the comments received. This Response to Comments document becomes part of the Final EIR for the project in accordance with CEQA Guidelines Section 15132.

4.2.2 - Verbal Comments and Responses

The verbal comment transcriptions and corresponding responses are provided on the following pages and are organized consistent with the List of Speakers. The transcriptions were generated from the video recording of the Town’s Planning Commission meeting held on April 28, 2026, and were not prepared by the Town. Accordingly, the transcriptions are included for reference purposes only

and may contain minor errors, omissions, or other inaccuracies. If any portion of the transcription is disputed or determined to be inaccurate, the official video recording of the meeting shall be considered the authoritative record.

Where verbal comments raise issues that are the same as or substantially similar to issues addressed in written comments, the corresponding responses to the written comments are incorporated herein by reference and apply equally to the verbal comments, unless a verbal comment presents additional issue areas requiring separate response.

Individuals

Jason Ryan (J RYAN)

Good evening, and thank you for the opportunity to comment. My name is Jason Ryan, and I'm a resident of Como Way. And tonight, I also speak on behalf of my neighbors, Tom and Diane Walsh. I am deeply concerned about the adequacy of this Draft EIR provided by the developer. This draft report fails to meet the requirements of CEQA, primarily by not identifying and analyzing alternatives where the development proposal falls short of complying with State municipal code.

I'm concerned with the inadequate street size along Como Way and the impacts of adding 21 homes and five ADUs to a street originally designed to meet the needs of 14 homes. If the development proceeds as proposed, the inadequate size of Como Way will impede safe ingress of emergency service vehicles simultaneously with the safe and timely evacuation of residents in the event of a wildfire. We all know the fire trucks are not going to take the long way around. They're going to go immediately up the fastest route.

The EIR should evaluate a secondary paved road from the terminus of Borica Drive as the single access design violates the California Fire Code for hillside fire risk areas. The proposed fire trail access does not meet the standards for a single access neighborhood, and the resident safety should not be compromised by this development.

The increase in traffic along Como Way has another concerning impact to the residents. Based on Como Way's original design to meet the houses there, we have reasonable expectations that Como Way would not be converted into the only access road for new development. The CEQA requires meaningful evaluation of alternatives that could reduce or avoid significant impacts, including alternative access routes.

For a quiet residential street, a net increase of nearly 200 vehicle trips a day represents a material change in the character of the street, which again requires alternatives to the proposal to be analyzed and considered. The proposed development should be mutually beneficial to the developers and the existing residents living in the immediate vicinity, who will be impacted by construction and additional residents added to inadequate infrastructure.

I ask that you send this draft report back for more analysis, identification of viable alternatives required by the CEQA, and future public comment. Thank you again for the opportunity to raise my serious concerns with this proposal.

Response to J RYAN

Please refer to Responses JK RYAN-1 through JK RYAN-7 in Section 3, Responses to Written Comments, of this document.

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Bruce Daseking (B DASEKING)

All right, so Bruce Daseking. I'm a 30-year homeowner on Como Way. I spent a lot of time reviewing this EIR, and I have a lot of concerns, especially when it comes down to the rezoning from agriculture to P1. Part of the general plan special concern area. It also is stated as preserving the unique qualities of the area. Yes, the lots may be hidden, but the massive road that's going to be installed or built to the lots is not going to be hidden. There's no site-distance study given in the EIR or the Draft EIR, and we don't know what the height of the homes are. I can't evaluate whether that's going to be hidden or not. And then especially Lot 21 that was added recently, that's absolutely not hidden.

The sole access for the new development is Como Way. Como Way width is 32 feet. It was not designed for 39 homes plus another 230 plus more trips per day. The 32-foot-width wasn't evaluated in the EIR as an emergency access for 39 lots. This is a material change for the 13 lots that are on Como Way now. It's obviously an impact to them. The road damage from the additional traffic and then the years of construction is also not addressed. Traffic mitigation is not considered for the 230 added trips per day for the existing section, the existing section of Como Way right now. And why is that not addressed? It talked about it earlier. Nothing, why is it, why are there no mitigation measures? Because it's nothing that's feasible.

Alternative access, no meaningful evaluation of that alternative was done. Yeah, they talked about a greater area of disturbance. I feel that that's a material issue. Materially false statement, the red line that's shown on that plan right there does not incorporate the fire access road nor the slide repairs that have to be done nor the drainage improvements along the boundary. The evaluation also doesn't address that Como Way isn't wide enough for the improvements. Other alternatives, all available, the end of Como Way, putting homes there, and at the end of Borica. That was not addressed. New fire access road, what level of service is going to be required to handle the additional emergency access and evacuation? Right now, it shows a 10-foot wide, and there's mention of a 24-foot wide, but that's not detailed. And then who maintains that road? Maintenance of the open space. Talk about this GHAD. There's no details. How can I evaluate whether the GHAD works or not?

On-site and off-site drainage, the flows from the impervious parts that's going to be roads, buildings, I don't believe is fully addressed. There happens to be quite a bit of flow that comes off that hill. And it needs to be addressed further, especially the properties that adjoin the 102 acres. Those drainage details are not adequate, and who maintains them? The GHAD is not, doesn't say what, who does that. And I'll wrap it up quickly. I appreciate it. And I know that you, and I trust that this commission will consider all the concessions that are made for this project. But I'm also hoping that you look at it as a collective, not just one at a time. Look at it as a whole in totality, please. Thank you.

Response to B DASEKING

Please refer to Responses B DASEKING-1 through B DASEKING-11 in Section 3, Responses to Written Comments, of this document.

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Karen Barnes (K BARNES)

Hi, my name's Karen Barnes, and I'm also a 30-year resident of Como Way. And I just wanted to start with taking issue with your comment. I don't like being considered less than significant. And I think that's a poor choice of words you're using when you're talking about our livelihoods. So now that I've aired my bit.

OK, there are currently 22 houses and five ADUs included in this plan. But conceivably, there's going to be 22 ADUs on that plan. Who's going to get a house and their neighbor has an ADU and they don't put one in too? So, we're considering 22 ADUs. So that's 44 homes. So figure 44 homes, two adults per family, two cars. That's 88 cars in the morning and evening commutes. Before FedEx, mail, UPS, friends, neighbors, ice cream trucks, whatever. So we're getting over 200 cars coming up and down our street every day, which normally maybe on a high number would be 60 trips per day currently. That is a significant impact. I'm sorry, that is considered significant.

I don't understand. You say using Borica as an alternative site is not feasible. It is feasible. It's quite a bit feasible. Trying to get that many cars in and out in the event of an emergency would be a fiasco, especially if someone had mentioned a fire truck isn't going to take a long way to get up there if something happens on that hill. They're going to go up Como Way. The width, the road is too small. So again, I think it's a significant impact. Thank you.

Response to K BARNES

Please refer to Responses KG BARNES-1 through KG BARNES-8 in Section 3, Responses to Written Comments, of this document.

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Greg Barnes (G BARNES)

Hi, I'm Greg Barnes. My wife covered most of the bases there. Our issue is the width of the street is not adequate. At this time today, if you park two trucks across the street, it's hard to get by. That there's issues at the bottom of the street. When you make a left-hand turn, there's a vision issue. When we add all these extra vehicles, it's going to be a bigger issue.

Today, when you exit Como Way and turn left, you have to pull into the intersection to see past the blind spot. One of the reports I saw said there's a 200-foot vision. That's not true. There's a 200-foot vision, but there's also a curve in that road that creates a blind spot. With all the people that are going to be backed up at different times, that's going to be an issue. The other issue is the water coming down the street in the heavy rains is phenomenal. Ten years ago, they dug up both sides of our street and put in subterranean drains to improve that. It did improve some, but it did not mitigate the entire issue.

When we carve out all that earth that has to be moved, what's going to happen when the big rain comes during the process of the construction? What's going to happen then? And if something happens then, how are we going to be compensated for that if we have mudslides coming down the street and into our yards? Thank you.

Response to G BARNES

Please refer to Responses KG BARNES-1 through KG BARNES-8 in Section 3, Responses to Written Comments, of this document.

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Diane Walsh (D WALSH)

Hi, my name is Diane Walsh, and I've been a 50-year resident this October of Como Way. I'm very unhappy about this project going in. We were told first it was 20 homes. Now we understand it's 22, and one is going to be one lot next to our house down at the bottom of the project at the top of the hill. That was a surprise to all of us when we saw that.

I am very concerned about the safety, especially coming down the hill, up the hill. Like my neighbors have said, if cars are parked, which we all have cars every day, two vehicles passing cannot pass. You have to pull over to let one pass. I don't understand how all these cars coming up and down the hill are going to be safe, especially entering El Capitan. That is a very, very hard road to enter from Como Way. The other day I sat at the corner and counted how many cars don't stop at the stop sign there, one block, half block over on El Capitan. Seventeen cars came. Thirteen did not stop at the stop sign. And that happens regularly.

It's very dangerous at El Capitan and Como Way, and I am concerned about all of that, plus the water that the springs that are in the hill in 82, we had a slippage on our house. We have piers all around our house, 20 feet down in the ground because of that. The springs and the earth movement on those ridges up there, the hills above us, and that was in the geology report at that time. So I'm concerned about that, too, and what it's going to do to our property and our safety. Thank you.

Response to D WALSH

Please refer to Responses TD WALSH-1 through TD WALSH-9 in Section 3, Responses to Written Comments, of this document.

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James Bleasdel (J BLEASDELL)

James Bleasdel. I live on Como Way. And I'm not necessarily against the development, but I'm just not I'm sure that all the alternatives have been thoroughly evaluated. I heard that the access through Borica was kind of quickly dismissed, even though there's going to be a fire road from there to the property. So I don't understand how there's significant additional impact if there's already going to be a fire road there.

Looking at Como Way, as my other neighbors have said, it's a smaller road. Adding the houses is going to triple the number of houses on that street in the traffic, whereas on Borica, it's designed to handle a number of roads. And looking at the number of houses handled by Borica, the percentage increase is much smaller as far as impact for traffic. So the fact that it was just dismissed, I haven't seen any details other than like we're doing this. It wasn't feasible. We're not even going to talk about it. I'm very concerned about that.

I want to make sure that if we are extending roads into a new development, are they going to include sidewalks, curbs, storm drains to be consistent with the existing developments so it ties together? And that should be on both sides of the street. And then another thing is, would the city or an independent group be inspecting the drainage system so that we can avoid mudslides that we had in the past with the property? Because I just don't want us to forget about it, and then 10 years from now, a mudslide occurs. So it'd be good to know, how's that going to be maintained? Because it wasn't in the past.

And then finally, the development of all the lots should be done at the same time. There was talk about potentially selling them individually and then building over time. And we don't really want it to drag out. I know it said like 12 to 15 months. But individually, it could become years. Get the development done, and then all of the damage to the road, is that going to be restored with all of the trucks and stuff going up and down with concrete, lumber, and heavy equipment? Because the road already has slippage issues, and so I'm just kind of concerned when it's all done, is it going to be restored back to its original state? Thank you.

Response to J BLEASDELL

As noted in Draft EIR Chapter 6, Alternatives to the Proposed Project, factors that may eliminate alternatives from detailed consideration include (i) failure to meet most of the basic project objectives, (ii) infeasibility taking into account economic, environmental, social, technological, and legal factors, and (iii) inability to substantially lessen or avoid significant environmental impacts of the proposed project. As further detailed in Chapter 6, the Borica Drive Connection Alternative was rejected from further consideration as development of an additional road would require further ground-disturbing activities that would not reduce or avoid environmental impacts. Further, as detailed in Chapter 6, soils were found north of the project site that would be conducive to liquefaction, therefore posing a potential increase to impacts related to liquefaction.

Please refer to Master Response 4, Como Way Roadway Width and Design, in Section 2, Master Responses, of this document. This response provides further discussion on concerns related to Como Way, including street design elements. Please also refer to Master Response 3, Project Site Drainage, and Master Response 4, Project Site Geology, in Section 2, Master Responses, of this document.

These responses provide information regarding drainage system concerns, and geology concerns including landslide and mudflows.

Per CEQA Guidelines, the Draft EIR conservatively analyzed the impacts associated with the project's development within 12–15 months. It was assumed that a higher intensity of construction activities would occur concurrently, so if construction were extended over a longer period, the analysis in the Draft EIR would still be conservative. Additionally, grading and ground disturbance would take place in a single phase, meaning the most intense construction activities would finish within approximately two months. Afterward, the construction of individual units would mainly involve vertical work, which produces less noise and other impacts. Therefore, even if the construction timeline is extended due to market conditions, impacts would remain less than significant.

This comment is included in the administrative record and will be provided to the decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Michelle Bleasdell (M BLEASDELL)

Hi, I'm Michelle Bleasdell. I'm a resident of Como Way for 28 years. And I keep hearing it said this evening that there will be no significant impacts. I agree with my neighbors. If you live on Como Way, this is a significant impact. I have many concerns about the project. I'll address my top ones tonight.

One is the increased traffic on a very narrow street that's currently pretty quiet. We only have 13 driveways on our street at the moment. This will triple it, if not more. It could easily, you know, with the 21 houses plus five ADUs plus the other 15 houses potentially putting ADUs on there, we go from 13 to 55. That is a significant impact. The developer was unsure the last time that we heard whether he would build or sell the lots. If he chooses to build it will be quite a while, but if he chooses to sell the lots we could be looking at many, many, many years of delayed overtime development, which will be also be a significant impact.

And then finally, a lot was added. The Lot 21 tore very close to the bottom of our street, to the top of our street, where we will be seeing it. We don't know where that came from, but clearly we will be seeing that one, and we were told that we would not be seeing any before that. So thank you for listening.

Response to M BLEASDELL

Please refer to Responses M BLEASDELL-1 through M BLEASDELL-9 in Section 3, Responses to Written Comments, of this document.

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Bill Reeves (B Reeves)

Good afternoon or late evening. My name's Bill Reeves. I am a resident on Corte Dorado 424. I'm also an attorney. And I share the concerns that the folks have said to you relative to the environmental impact report. I have separate concerns.

And in that regard, I wanted to ask this group if you have any questions. There's been some email traffic. There was a mention made of kind of the dynamic going on Corte Dorado. And so I don't know whether you received it. I didn't send emails. But they were intended to convey that situation there. There's been prior litigation. There's been landslides. Meetings with the applicant relative to how to deal with that. There's been representations made relative to the scope of work that would be done.

And then I looked at the environmental impact report, and it doesn't include all that data. So certainly out of this, we're going to make sure that that data is included so that everybody here is informed. And what it comes down to is that there's a known problem relative to the property. That problem has been dealt with in a Band-Aid fashion. The applicant came forward, courted the group, said, I know we've got a problem here. Let's deal with it. Let's deal with the drainage. It's inadequate. It's antiquated. And provided details relative to that. I have some plans here that were shared with me. And then I go to the environmental impact report, and I don't see that data. And I don't see a copy of the lawsuit that I filed. I don't see a copy of the plans that were provided.

And so my concern is simply that we have a known problem, which it's really unclear to me how it's being dealt with. And I've reached out to the applicant. I've reached out to the applicant's attorney. I've asked for clarification. I saw some grading plans were added to the Town website on Friday. They're different than what I saw before. And so there's just a level of confusion here relative to what is going on, and candidly, a lack of candor relative to that. And it's unfortunate because my client, myself, we support the project. We support growth. But we also support candor. And we support that if you're going to make representations to known problems that will be dealt with.

And I'll just leave you with this. The report that was submitted shows there's a lot of grading work that's going to be done adjacent to Corte Dorado and other properties. And that reflects an acknowledgment that we have a problem there and that the problem needs to be dealt with. And so it's just a matter of how we deal with that problem. And we simply want to bind or at least have the applicant keep to his word relative to how to deal with a known problem. Thank you.

Response to B Reeves

Please refer to Responses W REEVES-1 through W REEVES-4 in Section 3, Responses to Written Comments, of this document.

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Chunjing Li (C LI)

All right, cool. My name is Chunjing Li, CJ Li. I live at 1057 El Capitan Drive, although my lot is actually at the corner. So I'm Como and El Capitan. And that's the stop sign that I have the blind spot, OK?

The Draft EIR acknowledges potentially significant impact, regardless of what was said here, related to traffic, emergency access, wildlife risk, wildfire risk, that is, and evacuation. However, the report relies on assumptions, not actual real fact about real-life situations. And it doesn't demonstrate the mitigation steps necessary in order to address those risks. So some points.

Emergency access and street width are admittedly a problem. Everybody has said that already. A DEIR has identified transportation and traffic impacts as potentially significant, requiring mitigation. What that mitigation is? There's nothing. Applicant is requesting waiver, ironically, for that narrowed and standard public street. That's a red flag for me. The 22 or 21 whatever the number is out of 22 homes would have access would be accessing Como Way that's a major bottleneck you think of a heart right when you have that many traffic that block you have blockage that's what I see the yard does not demonstrate real world conditions. Uh, parked cars, trash pickup days things like that nature.

Another key point wildfire risk as is acknowledged yet access is still constrained as I mentioned earlier they are identified fire risk but relies on the same constraint process evaluation or evacuation of 21, 22 homes plus the potential ADUs funnels resident through one primary access route. Guess what? That's Como Way that increases life-safety risk. The EIR assumes evacuation timing standards can be met without accounting for on-street parking, slope, or congestion, which is inconsistent with the recent wildfire evacuation failures Statewide. That's why our insurance has gone up so high.

Point number three, traffic impacts are understated for luxury homes plus ADUs. Why? This is not actually a 21 or 22 typical single homes. Five homes will be added, aka ADUs, yet traffic generation is treated largely as single household use. Luxury homes typically generate, one, more service vehicles, two, more construction traffic, and three, larger delivery. Amazon, UPS, things of that nature.

Point number four, permanent open space does not eliminate construction phase impact, regardless of what was said here. With 73 acres labeled as permanent open space, all grading construction traffic and access impacts are concentrated near existing homes. CEQA requires evaluating where impacts occur, not just how much land is set aside. Right now, it says 73 acres. That's not the point here.

And I mentioned earlier, waiver signals, to me, a project that does not fit the site. The applicants are requesting narrow public streets, development standard waivers, and these indicators, this indicates to me that the project is being forced into a site that lacks adequate infrastructure. In closing, the EIR itself acknowledges significant impact to traffic wildfire risk and emergency access. What it does not do is prove using real neighborhood conditions that those impacts can truly be mitigated. I respectfully request the Commission to require a revised or recirculate a new EIR to take into consideration what I've said here. Thank you.

Response to C LI

Please refer to Master Response 5, Emergency Response and Access, in Section 2, Master Responses, of this document. This response provides further context on emergency response and access to the project site, including substantial information on the ability to utilize Como Way for emergency access, as well as information on the site-specific emergency access points. Additionally, this response includes information on impacts related to wildfire susceptibility on the project site.

Under the State Density Bonus Law, the proposed project would also submit a waiver to reduce roadway widths from 24 feet to 22 feet. As further described in Draft EIR Section 3.15, Transportation and Traffic, Impact TRANS-4, the proposed project would still meet the adopted horizontal roadway requirements by providing 22-to 30-foot-wide roadways with turning radii greater than 25 feet for inside corners and 45 feet for outside corners. As previously determined, the proposed project would be designed to accommodate emergency response vehicles and would not impede emergency responders.

Please also refer to Draft EIR Section 3.17, Wildfire, Impact WILD-2. As further discussed in this section, the proposed project would not exacerbate wildfire risks. Development under the proposed project would be consistent with the County and Town plans and policies in place to reduce the risks associated with wildland fires. For example, development of the residential units would adhere to the Fire Safe Roofing ordinance and would require maintenance of defensible space. Further, it was determined that the proposed project would not alter the topography in such a way that wildfire risks are exacerbated compared to existing conditions. Please also see Master Response 6, Wildfire, in Section 2, Master Responses, of this document. This Master Response provides further discussion related to concerns regarding access to the project site and evacuation in the event of a wildfire emergency.

As discussed in Draft EIR Section 3.15, Transportation and Traffic, the proposed project is expected to generate an average of 231 trips per day, including 17 AM peak-hour trips and 23 PM peak-hour trips. Under CEQA Guidelines, the threshold of significance is measured through Vehicle Miles Traveled (VMT). VMT refers to the amount of automobile traffic attributable to a project, and the average distance traveled by the vehicles associated with project-generated traffic. It is measured as the accumulated change in miles traveled on a daily basis within a study area, such as within a city, county, or other defined region, that can be attributed to a proposed project. VMT does not measure the delay or degree of congestion experienced by drivers along roadways as a result of a proposed development. By its nature, VMT is a cumulative metric that considers the regional vehicle miles traveled for a given area from projected regional growth, not simply from an individual project.

Finally, please refer to Master Response 1, Non-CEQA Issues Not Addressed in the Final EIR, in Section 2, Master Responses, of this document. This response provides context on the scope of CEQA. Comments that do not raise significant environmental issues are covered under this response.

The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

Jerry Abercrombie (J ABERCROMBIE)

Hello, I'm Jerry Abercrombie. I live at 393 Borica Drive, and I've been a Danville resident since 1982. I provided comments on January 31st, 2025, to David Compton on the Draft EIR, as well as comments on April 14th to this draft. I had initially expressed general support for the original 20-home project, but this was conditioned on developers being required to extend or connect a planned debris berm and V-ditch on the western portion of the project site down further to adjacent properties.

Specifically, the scope of the project appears to plan to build a berm and V-ditch behind 401 and 397 Borica Drive. This was verbally expressed by the developer in early 2025. It does not extend the drainage berm and V-ditch behind the adjacent downstream properties of 393, 389, and 385 to the existing storm drain that sits behind 385.

The current EIR incorrectly states that my concern expressed in my January 31st comments were dealt with in Section 3.7, the Geology, Soils, and Seismicity, Section 3.10, Hydrology and Water Quality. The section does not propose any solution for anything outside or adjacent to the proposed project areas. It only deals with that within the project. This section is on 3-7-16, the page, and it needs to be amended to include the areas behind 393, 389, and 385, which are adjacent to the western portion outside of the project.

I realize the backed by property as well as the two additional properties are outside the scope of the Martin Hills project in that the open space is owned by a third party. However, it's important to ensure that any modifications, improvements to the uphill sections of the drainage system under the terms of this project do not negatively impact those downstream adjacent properties. The Town needs to expressly require the developer to either extend the planned berm V-ditch behind our properties or warrant to mitigate any drainage issues that could be exacerbated by that proposed construction improvement. Without the requirements, I would not support the project as I have in the past.

Additionally, the addition of Lot 22 at the end of Borica Drive was not in the original plans that we conditionally supported. I understand the developer sued to go ahead and get that, and they prevailed. I'm not happy about it, but there's not much we can do. But I want to say it's important that the improvement of the new Lot 22 undergoes stringent review in the future and ensure that any concerns that the neighbors have are dealt with. Thank you.

Response to J ABERCROMBIE

Please refer to Responses J ABERCROMBIE-1 through J ABERCROMBIE-4 in Section 3, Responses to Written Comments, of this document.

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Chris Duffek (C DUFFEK)

All righty. Thank you. Chris Duffick, 385 Borica Drive. I want to thank Jerry for the great introduction. My wife and I are 27-year residents of Borica Drive. We're down a couple from Jerry, and just a little bit of color on the V-ditch and the catch basin and the drain that's on our property.

Our property is the recipient from the chow property and the upper end of the Elworthy property. And it comes down to our property into a two-foot drain that runs underneath our property to the street. Over the past, you know, we've been there 27 years, had lots of big storms. We had a very bad storm on New Year's Day, I think it was three years ago. You know, the drain, especially from the top of the street, it accumulates a lot of mud from the cows and what have you, or just erosion coming into the drain. And it was almost a problem during, you know, the morning of that huge storm.

I guess I need confirmation or some assurance that whatever grading or redirection of water, that we're not going to see any more water coming down that side of the hill, the back side. And so that's essentially that part of it. I guess once Elworthy is out of the picture, who is responsible for the weed maintenance and the grazing? Is that going to run into continuity? Is he still going to use it? The weeds are really bad this year. I don't know. For some reason, they've just grown like crazy. Is that going to be our responsibility as homeowners to go 30 feet up the hill, or is it going to be the new owners? Just a clarification of that would be nice. Thank you.

Response to C DUFFEK

Please refer to Responses CM DUFFEK-1 through CM DUFFEK-3 in Section 3, Responses to Written Comments, of this document.

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Angela Wong (A WONG)

Good afternoon. My name is Angela Wong. I live on Borica, a homeowner, and I'm also a commission on the Bicycle Advisory Committee. Good afternoon. And having witnessed the consequence of the flood that took place, the last speaker had spoke of, the project sits on a problematic hill to begin with. And it seems that we are putting in significant, much more money to correct the inherent slope and the inherent deficiency of this piece of land.

And it's suboptimal as a site to build 22 luxury homes. At the expense of affecting 200 residents who are currently homeowners downstream. And what this is going to do, and I have witnessed the mudslide. There's even traces and remnants of the mudslide that took place three years ago on this hill. And the mudslide came into the neighbors' homes, and the neighbor had to pay all the consequences of the cleanup because that's not part of anybody's responsibility, as it turned out.

So creating this project seems to throw money at, you know, whether you want to create how many drains or storm drains or catch basins, you know, to do these foundation or these, what do you call these, walls, to beef up the hills. The starting point is just a very problematic area to be selected as a site. And it is not a matter of whether the entrance is from Borica or from Como Way. We're all going to be affected. And I think it will be helpful to remind us what's the objective of this project. Because if creating more affordable housing is one of the objectives, this is not going to do it. This is creating 22 high end. And don't expect the high end homeowners are going to lend out their ADUs to low income housing people. I mean, I just don't see that happening, right? It's reality.

So I think it'll be helpful to take a really hard look at, you know, what are we looking at? And I don't know if this is already water under the bridge, but this is a problematic hillside where there could be tons of other places where you're not dealing with a problematic hillside that has a history of mudslide. And throwing tons of money to make it seem risk-free or risk less or reduce risk, because I agree with previous speakers. The impact to all of us living downstream, once you take away all the greens, which is currently absorbing part of the water, and it's already collapsed in heavy storms, it's not going to get better. Once you put more roofs, more driveways, no matter how many catch water basins you create, and that's a real risk that we all face. For 200 residents, for 20 new homes, I just don't see that cost benefit. Thank you.

Response to A WONG

Please refer to Master Responses 2, Project Site Drainage, and Master Response 3, Project Site Geology, in Section 2, Master Responses, of this document. These responses provide information on concerns related to drainage issues and geology risks, including mudflows and landslides. Specifically, Master Response 3 details in depth the proposed project's adherence to local requirements that would ensure impacts related to hydrology remain less than significant. Additionally, Master Response 4 provides further context on the Preliminary Evaluation and Geotechnical Exploration of the project site, which address geological concerns. This comment is included in the administrative record and will be provided to the decision-makers for review and consideration. The comment did not provide new, substantial evidence with respect to the disposition of significant environmental impacts evaluated in the Draft EIR. Therefore, no further response is required.

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SECTION 5: ERRATA

The following are revisions to the Draft EIR for the Martin Hills Ranch Residential Project. These revisions are minor modifications and clarifications to the document, and do not change the significance of any of the environmental issue conclusions within the Draft EIR. The revisions are listed by page number. All additions to the text are underlined (underlined) and all deletions from the text are stricken (~~stricken~~).

5.1 - Changes in Response to Specific Comments

Executive Summary

ES-12

Table ES-1: Executive Summary Matrix

Impact BIO-5: The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Implement MM BIO-1a, MM BIO-1b, ~~and~~ MM BIO-1c, <u>MM BIO-3a, MM BIO-3b, and MM BIO-3c.</u>	Less than significant impact.
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Executive Summary

ES-19

Table ES-1: Executive Summary Matrix

Cumulative Impact	~~None~~ <u>Implement MM GEO-1.</u>	Less than significant impact.
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Chapter 1: Introduction

1-4

Table 1-1: NOP Comment Letters

N/A	Jerry Abercrombie	01-31-25	- Support for the proposed project <u>contingent on improvements to existing drainage infrastructure</u> - Request to extend the debris berm and V-ditch in the western boundary to tie into the existing V-ditch or newly constructed V ditch and debris berms directly behind the Abercrombie, Watson, and Duffec properties, terminated at the existing catch basin behind 385 Borica Drive, to mitigate negative drainage/slide behind these properties.	N/A Section 3.7, Geology, Soils, and Seismicity; Section 3.10, Hydrology and Water Quality
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3.4 - Biological Resources

Page 3.4-31

In response to comment CDFW-6, Mitigation Measure BIO-1b is revised as follows:

To determine whether burrowing owl have occupied the project site prior to its development, a qualified Biologist shall perform a pre-construction burrowing owl survey to determine burrow locations within 30 days prior to construction activities using California Department of Fish and Wildlife (CDFW) Guidelines. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed. Surveys for occupied burrows shall be completed within all construction areas and within 500 feet of the proposed project impact area (where possible). At least 15 days prior to the expected start of any project-related ground disturbance activities, or the restart of activities, the project applicant shall provide a burrowing owl survey report with mapping exhibits to the Town. If no burrowing owl are detected during the pre-construction survey, no further action is necessary.

If burrowing owl are detected during the pre-construction survey, the following actions shall be taken to offset impacts during construction (as outlined in the CDFW 2012 Guidelines):

- During the nonbreeding season (September 1 through January 31), no disturbance shall occur within an approximately 160-foot radius of an occupied burrow. During the nesting season (February 1 through August 31), occupied burrows shall not be disturbed within a 300-foot radius unless a qualified Biologist approved by the CDFW verifies through non-invasive methods that either (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.
- If owls must be moved away from the disturbance area, passive relocation techniques (as outlined by the CDFW [i.e., use of one-way doors]) should be used rather than trapping. At least one or more weeks will be necessary to accomplish this and to allow the owls to acclimate to alternate burrows.
- If unpaired owls or paired owls are present in or within 300 feet of areas scheduled for disturbance or degradation (e.g., grading) and nesting is not occurring, owls are to be removed per CDFW-approved passive relocation protocols. Passive relocation requires the use of one-way exclusion doors, which must remain in place at least 48 hours prior to site disturbance to ensure owls have left the burrow prior to construction. A CDFW-approved exclusion plan would be required to implement this measure.
- If paired owls are nesting in areas scheduled for disturbance or degradation, nest(s) shall be avoided from February 1 through August 31 by a minimum 300-foot buffer or until fledging has occurred. Following fledging, owls may be passively relocated.

A qualified Biologist(s) shall conduct two breeding season surveys of the project site and a 500-foot buffer (where accessible) for burrowing owls, occupied burrows, suitable burrows, and signs of occupancy, with particular focus on the southeastern portion and on previously identified suitable burrows. Surveys shall be conducted using pedestrian transects throughout suitable habitat to determine the presence or absence of burrowing owls and occupiable burrows. Any burrowing owls, occupied burrows, or evidence of owl use (e.g., pellets, whitewash, feathers, or prey remains) shall be documented using sub-meter GPS technology and photography.

Following completion of the two breeding surveys, a Burrowing Owl Survey Memorandum shall be prepared documenting survey methods, conditions, results, habitat and burrow mapping, and an impact assessment. The report shall also provide recommendations for avoidance, minimization, and mitigation measures, including appropriate protective buffers consistent with California Department of Fish and Wildlife (CDFW) guidance, if burrowing owls or occupied burrows are identified. In the event burrowing owls are detected, the Applicant shall coordinate with CDFW to determine appropriate avoidance measures and evaluate the need for additional consultation and permitting, including compliance with the California Endangered Species Act (CESA), as applicable.

No more than 14 days prior to the commencement of construction related activities, a qualified Biologist(s) shall conduct a pre-construction survey for burrowing owls. The survey shall include the project site and a 500-foot buffer (where accessible) with a focus on suitable burrows, piles of concrete or rubble, and other non-natural features. If a lapse in project related work of 14 days or longer occurs, an additional survey shall be required. After the survey, if no burrowing owl or signs of burrowing owl are observed then project construction may proceed. If burrowing owls are found to occupy the project site then the qualified Biologist(s), in coordination with the CDFW, shall provide recommendations for avoidance and minimization measures, including appropriate protective buffers consistent with CDFW guidance.

Page 3.4-31

In response to comment CDFW-11, Mitigation Measure BIO-1c is revised as follows:

MM BIO-1c ~~If the proposed project requires vegetation to be removed during the nesting season (February 1 to August 31), a pre-construction surveys shall be conducted no more than 7 days prior to the start of ground or vegetation disturbance to determine whether or not active nests are present.~~

~~If an active nest is located during pre-construction surveys, a qualified Biologist shall determine an appropriately sized avoidance buffer based on the species and anticipated disturbance level. (The California Department of Fish and Wildlife [CDFW] recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors.) A qualified Biologist will delineate the avoidance buffer~~

~~using Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. The buffer zone will be maintained around the active nest site(s) until the young have fledged and are foraging independently. No construction activities or construction foot traffic is allowed to occur within the avoidance buffer(s).~~

~~The qualified Biologist shall monitor the active nest during construction activities and modify the protection zone accordingly to prevent project-related nest disturbance until the young have fledged.~~

If the proposed project requires vegetation to be removed during nesting bird season (February 1 to September 15), a qualified Biologist shall conduct a focused survey for active nests within 5 days prior to the initiation of project-related activities. If a lapse in project-related activities of 7 days or longer occurs, another focused survey shall be required before project activities can be reinitiated. Surveys shall be conducted in all potential habitat located at project work sites and in staging and storage areas. The minimum survey radii surrounding the work area shall be the following: (1) 250 feet for non-raptors; and (2) 1,000 feet for raptors.

A qualified Biologist shall determine an appropriately-sized avoidance buffer to protect the bird's normal bird behavior to prevent nesting failure or abandonment. The buffer distance recommendation should be developed after field investigations that evaluate the bird(s) apparent distress in the presence of people or equipment at various distances. Typical minimum protective buffers between each identified nest site and the construction site are as follows: (i) 250 feet for passerines and (ii) 1,000 feet for raptors.

A qualified Biologist shall delineate the avoidance buffer using Environmentally Sensitive Area (ESA) fencing, pin flags, and/or yellow caution tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently. No construction activities or construction foot traffic is allowed to occur within the avoidance buffer(s). The qualified Biologist shall monitor the active nest during construction activities and modify the protection zone accordingly to prevent project-related nest disturbance until the young have fledged. If signs of disturbance and behavioral changes are observed, work shall cease and the protective buffer shall be increased.