

COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION

MEMORANDUM

TO: Marin County Planning Commission

DATE: June 12, 2026

FROM: Rachel Reid, Environmental Coordinator
Immanuel Bereket, Principal Planner
Tammy Taylor, Senior Planner

SUBJECT: **Souang Vesting Tentative Map and Housing Compliance Review**
1501 Lucas Valley Road, San Rafael
Assessor's Parcel: 164-280-35
Project ID P4134

The purpose of this memorandum is to provide all public comments received since the staff report was finalized on June 3, 2026. They are included as an attachment.

ATTACHMENTS:

1. Comment Letters received after June 3, 2026

Robin Fies

From: Immanuel Bereket
Sent: Thursday, June 4, 2026 7:17 AM
To: Robin Fies; Sindy Palencia
Subject: FW: 1501 Lucas Valley rd

Hi Sindy and Robin,

Please compile the correspondence for the PC hearing. If we receive more than 5 correspondence items before Tuesday of next week, we will issue a supplemental memorandum. Otherwise, we will print and provide them to the PC at the hearing.

Regards,
Manny

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

From: Margaret Kathrein <margaretkathrein@gmail.com>
Sent: Wednesday, June 3, 2026 5:07 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>
Subject: 1501 Lucas Valley rd

[You don't often get email from margaretkathrein@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I am concerned about the excessive grading and tree removal. I also am opposed to additional street lighting since we live in a dark neighborhood. Finally, I am concerned about safe emergency evacuation procedures.

Thank you for your consideration,

Sincerely,

Margaret Kathrein

Robin Fies

From: Immanuel Bereket
Sent: Monday, June 8, 2026 7:53 AM
To: Robin Fies
Subject: FW: Deny the prose

From: Sally Kornhauser <sfk234@gmail.com>
Sent: Sunday, June 7, 2026 6:26 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>
Subject: Deny the prose

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Lucas Valley for Responsible Growth is writing in response to the appeal filed by Andre Souang, ostensibly on behalf of SB 330 Land Company and Lucas Valley Road LLC and request that the planning commission deny the appeal, confirm the selection of LSA Associates, Inc., with a revised and more detailed/expanded scope of work.

Below is the summary of our concern opposing the 1501 Lucas Valley Project.

OPPOSITION TO 1501 LUCAS VALLEY ROAD DEVELOPMENT

Lucas Valley for Responsible Growth | June 7, 2026

The proposed 36-unit single-family subdivision at 1501 Lucas Valley Road has fundamentally changed from what was studied in Marin County's 2023 Housing Element EIR. We oppose this project on the following legal and public safety grounds:

1. Project No Longer Qualifies for CEQA Streamlining

-
- The Housing Element EIR studied a multifamily, form-based code project — not 36 single-family homes requiring 7 acres of
- clear-cutting and mass grading.
-
-
- CEQA streamlining applies only to projects consistent with what was previously studied. This redesign breaks that consistency
- — and the County has already confirmed mandatory full CEQA review is required.
-
-
- The developer's threat to sue over CEQA review costs is not a legal defense. The obligation to conduct review cannot be waived
- by the applicant.
-

2. Naturally Occurring Asbestos (NOA) Demands Full Environmental Analysis

-
- The site sits on serpentine rock, which commonly contains naturally occurring asbestos — a known carcinogen regulated under
- California Air Resources Board Title 17, §93105.
-
-
- The developer proposes removing up to 11,000 truckloads of soil. This level of grading on a serpentine site will aerosolize
- asbestos fibers.
-
-
- Lucas Valley Elementary School sits directly across the road — a primary daily receptor for airborne asbestos during a multi-year
- grading operation. This is a non-negotiable public health trigger for full CEQA review.
-

3. Density Bonus Waivers Cannot Override Documented Public Safety Hazards

-
- Under Gov. Code §65915, density bonus waivers may be denied when there is substantial evidence of a specific, adverse impact
- on public health and safety with no feasible mitigation.
-
-
- The County's own planners have documented that the proposed road configuration — narrowed widths, eliminated sidewalks —
- "would create hazardous conditions and compromise pedestrian safety."
-
-
- Mass grading on a serpentine/asbestos site, combined with inadequate road design, meets the statutory threshold for waiver
- denial.
-

4. WUI Evacuation Risk — Binding Appellate Precedent Requires Analysis

-
- In *People v. County of Lake* (Oct. 2024), the California Court of Appeal vacated a project EIR for failing to analyze the
- impact on community evacuation routes during wildfire. This precedent directly applies here.
-
-
- Our HOA conducted an evacuation drill: only 20% of residents participated and it took one hour to reach Highway 101. The
- County's claim of two viable exit routes ignores that the western route through dense woodland is not a realistic fire evacuation option.
-
-
- The proposed 300+ units at Mt. Lassen/Lucas Valley Road must be analyzed as a cumulative impact on the same single-corridor
- evacuation route — CEQA requires this.
-

*We urge the County to: (1) uphold the mandatory CEQA review already triggered; (2) commission an independent NOA/asbestos exposure study with the elementary school as a named receptor; (3) require a cumulative WUI evacuation analysis consistent with *People v. County of Lake*; and (4) deny density bonus waivers where public health and safety findings cannot be rebutted by the applicant.*

Sincerely,
Sally Kornhauser
2 Blue Oak Ct.
San Rafael, Lucas Valley, CA

Robin Fies

From: Immanuel Bereket
Sent: Monday, June 8, 2026 7:53 AM
To: Robin Fies
Subject: FW: Developer's Appeal to Marin County's Mandatory CEQA Review of the Proposed Development at 1501 Lucas Valley Road

From: Jean Schaffeld <berylom2@yahoo.com>
Sent: Sunday, June 7, 2026 5:17 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>; Sackett, Mary <Mary.Sackett@MarinCounty.gov>; Rachel Reid <Rachel.Reid@MarinCounty.gov>
Subject: Developer's Appeal to Marin County's Mandatory CEQA Review of the Proposed Development at 1501 Lucas Valley Road

You don't often get email from berylom2@yahoo.com. [Learn why this is important](#)

Dear Mr. Bereket and Members of the Planning Commission,

I am writing to state my concurrence with the following summary document prepared by *Lucas Valley for Responsible Growth*, dated June 7, 2026 that was submitted to you on June 7, 2026:

OPPOSITION TO 1501 LUCAS VALLEY ROAD DEVELOPMENT

Lucas Valley for Responsible Growth | June 7, 2026

I also endorse the letter addressed to the Marin County Planning Commission that was prepared by Michael Spalding, dated May 20, 2026, that outlines in exhaustive detail why the developer's appeal should be denied.

Very truly yours,

Jean Schaffeld
6 Mount Shasta Court
San Rafael, CA 94903

Robin Fies

From: Immanuel Bereket
Sent: Monday, June 8, 2026 7:56 AM
To: Robin Fies
Subject: FW: Deny appeal

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

From: Roberta Steiner <robertasteiner1@comcast.net>
Sent: Sunday, June 7, 2026 4:20 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>
Subject: Deny appeal

I am writing in response to the appeal filed by Andre Souang, ostensibly on behalf of SB 330 Land Company and Lucas Valley Road LLC and request that the planning commission deny the appeal, confirm the selection of LSA Associates, Inc., with a revised and more detailed/expanded scope of work. Thank you.

Roberta Steiner San Rafael resident
Sent from my iPad

Robin Fies

From: Immanuel Bereket
Sent: Monday, June 8, 2026 7:58 AM
To: Robin Fies
Subject: FW: OPPOSITION TO 1501 LUCAS VALLEY ROAD DEVELOPMENT

From: H. K. M. Krizek <krizkovi@yahoo.com>
Sent: Sunday, June 7, 2026 3:57 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>; Rachel Reid <Rachel.Reid@MarinCounty.gov>; Sackett, Mary <Mary.Sackett@MarinCounty.gov>
Subject: OPPOSITION TO 1501 LUCAS VALLEY ROAD DEVELOPMENT

You don't often get email from krizkovi@yahoo.com. [Learn why this is important](#)

OPPOSITION TO 1501 LUCAS VALLEY ROAD DEVELOPMENT

Dear Marin County Representatives,

Lucas Valley for Responsible Growth is writing in response to the appeal filed by Andre Souang, ostensibly on behalf of SB 330 Land Company and Lucas Valley Road LLC and request that the planning commission deny the appeal, confirm the selection of LSA Associates, Inc., with a revised and more detailed/expanded scope of work.

Below is the summary of our concern opposing the 1501 Lucas Valley Project.

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Lucas Valley for Responsible Growth | June 7, 2026

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- The developer's threat to sue over CEQA review costs is not a legal defense. The obligation to conduct review cannot be waived by the applicant.

2. Naturally Occurring Asbestos (NOA) Demands Full Environmental Analysis

- The site sits on serpentine rock, which commonly contains naturally occurring asbestos — a known carcinogen regulated under California Air Resources Board Title 17, §93105.
- The developer proposes removing up to 11,000 truckloads of soil. This level of grading on a serpentine site will aerosolize asbestos fibers.
- Lucas Valley Elementary School sits directly across the road — a primary daily receptor for airborne asbestos during a multi-year grading operation. This is a non-negotiable public health trigger for full CEQA review.

3. Density Bonus Waivers Cannot Override Documented Public Safety Hazards

- Under Gov. Code §65915, density bonus waivers may be denied when there is substantial evidence of a specific, adverse impact on public health and safety with no feasible mitigation.
- The County's own planners have documented that the proposed road configuration — narrowed widths, eliminated sidewalks — "would create hazardous conditions and compromise pedestrian safety."
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- In *People v. County of Lake* (Oct. 2024), the California Court of Appeal vacated a project EIR for failing to analyze the impact on community evacuation routes during wildfire. This precedent directly applies here.
- Our HOA conducted an evacuation drill: only 20% of residents participated and it took one hour to reach Highway 101. The County's claim of two viable exit routes ignores that the western route through dense woodland is not a realistic fire evacuation option.
- The proposed 300+ units at Mt. Lassen/Lucas Valley Road must be analyzed as a cumulative impact on the same single-corridor evacuation route — CEQA requires this.

*We urge the County to: (1) uphold the mandatory CEQA review already triggered; (2) commission an independent NOA/asbestos exposure study with the elementary school as a named receptor; (3) require a cumulative WUI evacuation analysis consistent with *People v. County of Lake*; and (4) deny density bonus waivers where public health and safety findings cannot be rebutted by the applicant.*

Katerina Krizkova, local resident

Robin Fies

From: Immanuel Bereket
Sent: Monday, June 8, 2026 7:57 AM
To: Robin Fies
Subject: FW: Opposition to 1501 Lucas Valley Rd Appeal
Attachments: 1501 lucas valley rd - 5 20 26 ltr & pix.pdf; Untitled attachment 00008.htm

From: Diane Tompkins <diane@couragecorps.com>
Sent: Sunday, June 7, 2026 4:02 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>; Rachel Reid <Rachel.Reid@MarinCounty.gov>; Sackett, Mary <Mary.Sackett@MarinCounty.gov>
Cc: lvforresponsiblegrowth@gmail.com
Subject: Opposition to 1501 Lucas Valley Rd Appeal

Dear Mr. Bereket, Ms Reid and Ms Sackett,

I am writing to express my support for the letter submitted by Michael Spalding dated May 20, 2026, and the opposition statement submitted by Lucas Valley for Responsible Growth dated June 7, 2026, regarding the proposed development at 1501 Lucas Valley Road.

Together, these letters make a compelling and well-documented case: that the developer's appeal of LSA's designation should be denied, that LSA's scope of work should be expanded — not contracted — to address the full range of environmental concerns this project presents, and that the Planning Commission should hold firm in requiring rigorous CEQA review consistent with the project as it now stands.

I urge the Commission to deny the appeal, confirm LSA Associates as the designated preparer with a revised and expanded scope of work, and ensure that the concerns raised in both letters — regarding grading, asbestos, wildfire evacuation, hydrology, traffic, and visual impact — are fully addressed before any further project approvals are considered.

Thank you for your attention to this matter and for your stewardship of this community.

Sincerely,

Diane Tompkins
1601 Lucas Valley Rd
San Rafael, CA 94903

Lucas Valley for Responsible Growth is writing in response to the appeal filed by Andre Souang, ostensibly on behalf of SB 330 Land Company and Lucas Valley Road LLC and request that the planning commission deny the

appeal, confirm the selection of LSA Associates, Inc., with a revised and more detailed/expanded scope of work.

Below is the summary of our concern opposing the 1501 Lucas Valley Project.

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Lucas Valley for Responsible Growth | June 7, 2026

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Here is a PDF of the 5/20/26 letter submitted by Michael Spalding, to which I refer.

38 Mt. Muir Ct.
San Rafael, CA 94903
May 20, 2026

Marin County Planning Commission
c/o Immanuel Bereket, Project Planner
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903
Immaneul.bereket@marincounty.gov

Re: 1501 Lucas Valley Road
Developer's Appeal of Designation of LSA to Prepare CEQA Checklist

Dear Mr. Bereket/Members of the Planning Commissions

I am writing in response to the appeal filed by Andre Souang, ostensibly on behalf of SB 330 Land Company and Lucas Valley Road LLC and request that the planning commission deny the appeal, confirm the selection of LSA Associates, Inc., with a revised and more detailed/expanded scope of work.

The Developer's Appeal Should Be Denied

As admitted by the applicant,¹ a Section 15183 checklist is required in order to determine if there are any environmental effects that **(1)** are peculiar to the project or parcel; **(2)** were not analyzed in the Housing Element EIR; **(3)** are potentially significant off-site impacts or cumulative impacts; or **(4)** there is new information that makes the previously studied impacts more severe. In other words, the appeal seems to be over the scope of work included in the LSA

¹ I question whether the applicant, Mr. Souang, a resident of the State of Washington, has **standing to appeal**. He does not own the subject property. According to the Recorder's Office, a deed was recorded on February 2, 2023 memorializing the sale of his ownership interest therein to the Lucas Valley Road LLC for \$5,000,000.00 (presumed sales price based on \$5,500.00 transfer tax) Filings with the California Secretary of State do not identify him as an organizer, manager or member of 330 Land Company LLC. The same is true as to the applicant, Lucas Valley Road LLC, a Michigan-based entity. In the absence of an affirmative showing that he should be required to make to establish that he is an interested person, the appeal should be denied for lack of standing.

proposal (which the applicant believes is too expansive and time consuming), and not whether a checklist is required.

The California Environmental Quality Act (CEQA) has four related purposes: (1) to inform the government and the public about the potential environmental impact of a proposed activity; (2) to identify ways to reduce or avoid environmental damage, (3) to prevent environmental damage by requiring project changes via alternatives or mitigation measures when feasible, and (4) to disclose to the public the rationale for governmental approval of a project that may significantly impact the public. As you are undoubtedly well aware, CEQA imposes an obligation on all agencies to regulate so that major consideration is given to preventing environmental damage. (see Hilltop Group, Inc. v. County of San Diego (2024) 99 Cal.App.5th 890, 907, cited by the developer in support of its Petition for Appeal).

First, LSA's proposal to allow a period of 20 days and a total of 96 hours of its staff's time to public comment on its work is reasonable, appropriate, consistent with CEQA's objectives, and necessary to meet its goals. The developer's claim that no time should be spent on public comment is, simply put, outrageous.

Second, the developer's objection to a tribal consultation is without merit – more fairly characterized as a “nuisance objection” because the amount of time it will take to consult is but a small part of LSA's proposed Cultural Resources and Tribal Cultural Resources analysis, and because LSA proposes completing that task at the same time as or shortly after finalizing the project description. (see page 21 of its proposal.)

Third, the Hilltop case cited by the developer does not support its position on appeal. It effectively stands for the proposition that while all conflicts in the evidence are resolved in support of the agency's action, and that courts will indulge all reasonable inferences in support of the agency's findings regarding a project's peculiar environmental impacts, those findings must be supported by substantial evidence. (Hilltop, at 910-911, 914) The opinion being quite lengthy, a summary follows.

The case involved a proposal for construction of a recycling facility. The project was projected to maintain visual separation from local landmarks.² An initial CEQA study was done,³ and it found potentially significant impacts in the areas of aesthetics, air quality, biological resources, greenhouse gas emissions, hydrology and water quality, hazards and hazardous materials, and noise.

² This would distinguish it from the subject project, which, as staff and the Planning Commission know, proposes excavation of the hillside that will result in a widely visible scar.

³ The study was apparently done without objection by Hilltop, which would again distinguish it from the subject project.

Hilltop then submitted a draft EIR to the County.⁴ It concluded that mitigation measures would reduce the project's potential environmental impacts below significant levels, and asked the County to process the project as a CEQA exemption under Guidelines Section 15183.

The County identified deficiencies in the analyses in the draft EIR, told Hilltop that if they revised technical studies to address those deficiencies to the satisfaction of County staff, the County would reconsider its request. After Hilltop complied,⁵ and after considering over 500 public comments, County staff concluded that Hilltop qualified and recommended approval of the exemption, subject to two conditions: (1) enclosure of the project's processing operations, and (2) limiting hours of operation to the period from 7:00 am to 7:00 pm. After receiving objections at a public hearing, the zoning administrator approved the exemption.

The County's planning and development services then approved the project's site plan, subject to 65 conditions of approval that were required to assure that its impact would remain less than significant.⁶ Interested parties, including the City of Escondido, community groups and homeowner's associations then appealed to the planning commission. A public hearing was held, and the planning commission voted unanimously to deny the appeals.

The planning commission's denial was appealed to the Board of Supervisors. Following a public hearing, the Board concluded, without identifying what specific aspects of the project would create the potential for significant environmental impacts, that an EIR was warranted, and voted to grant the appeal.

Hilltop filed a petition for writ of mandate. The superior court denied the petition, finding there was a "fair argument" to be made that the project would have significant non-mitigatable effects on the environment that would be peculiar to the project, not addressed as significant in the prior EIR, and for which new information showed would be more significant than described in the prior EIR.

The court of appeal rejected the "fair argument" test applied by the trial court, found a substantial evidence test governed its review of a CEQA exemption request, and after considering public comment, concluded that the record contained no substantial evidence that would support the Board of Supervisor's decision to grant the appeals and deny Hillside's exemption request, and as a result, reversed the trial court judgment.

⁴ Unless otherwise noted, all references to the "County" in this summary of the Hilltop opinion are intended to refer to the County of San Diego.

⁵ Hilltop's compliance again distinguished that case from the present case, where the developer seems loathe to work collaboratively with the County of Marin on any issue.

⁶ There is nothing in the opinion that would support a conclusion that Hilltop objected to any of the conditions of approval – which would once again distinguish it from the present case, wherein the developer objected to and filed suit over two conditions of Marin County's approval: (1) widening of roadways to comply with countywide standards, and (2) adding sidewalks on both sides of the streets within the development.

LSA'S Proposal Should be Further Expanded and Detailed to Assure that All Matters of Concern Are Appropriately Identified and Addressed

Consistent with CEQA's purposes, and for the following reasons, we believe the scope of work in the LSA proposal may need to be further expanded to adequately determine if the Guideline Section 15183 factors referenced above exist.

I. Initial Evaluation of the Project Did Not Consider the Alternative Grading Plan

The Alternative Grading Plan represents a substantial change in the proposed project. It was not considered as a part of the Preliminary Arborist Report, the Biological Resources Constraints Analysis, the Preliminary Geotechnical Exploration, Hydrology and Hydraulic Report, Stormwater Control Plan, or the Stormwater Treatment Facilities Operation and Maintenance Plan. Because each is inadequate and incomplete, the scope of CEQA inquiry and analysis must be expanded to assure that those issues are appropriately addressed.

II. The Project Will Require Excessive Grading

The original Grading Plan called for 70,165 cubic yards of material to be cut from the hillside and 27,590 yards (roughly 2,000 dump truck loads, by the County's estimate) to be removed from the jobsite. The Alternative Grading Plan turbocharges those numbers, more than doubling the cut to 165,970 cubic yards, and more than quadrupling amount of off haul, to 128,900 cubic yards of material (roughly 11,000 dump truck loads, per the County's estimate).⁷

The developer has provided no information regarding the amount of time it will take to remove the spoils from the jobsite. If one were to assume that removal would take place five days/week over the course of a year, no exceptions for holidays, that would **take 7.7 dump truck loads, every day for a year** to dispose of the 2000 dump truck loads of material called for by the original grading and drainage plan, and more than **42 dump truck loads, every day for a year**, to dispose of 11,000 the dump truck loads of material called for by the alternative grading and drainage plan. If it does nothing else, the developer should be required to tell LSA, the County, and through the County, members of the to be affected public, how much time it expects to take to remove and dispose of the spoils, so all concerned will know what to expect if the project is allowed to proceed.

⁷ A cubic yard of dirt and rock typically weighs between 2,400 and 3,200 lbs. As of October 2025, Waste Management was charging \$36.74/ton for clean dirt (and presumably more for dirt and rock, and/or dirt and rock containing asbestos, assuming they would accept it at all). Depending on what the developer ultimately decides to do, **dump fees alone** (i.e. excluding loading and transporting, and assuming Waste Management would agree to accept the material at all) can be expected to range from, at an absolute minimum of a least **\$1,216,387.92** (27,590 yards x 1.2 tons/yard x \$36.74/yard), to more than **\$5,682,943.20** (128,900 yards x 1.2 tons/yard x \$36.74/yard) Under the circumstances, the developer can hardly be heard to complain about the cost of the CEQA guidelines review.

Given the tremendous volume of material in issue (enough to create a cube 165 feet on each side, or to fill 80 houses of the size proposed by the developer to a depth of 20 feet), and the scar that it will leave (rising 234 feet above the Lucas Valley roadbed) the consequences the proposed grading must be very carefully considered in connection with several elements of the CEQA guidelines Section 15183 checklist.

III. The Excessive Grading Will Result in the Removal of More Than 100 Trees

The Preliminary Arborist's Report identified 113 trees that would have to be removed to develop the property as originally proposed (i.e. with 36 structures and 50+ vertical feet of retaining walls called for by the original grading and drainage plan.) It recommended the potential preservation of another 55 trees, 54 of which were "at edge of project area" and one of which (a 61" diameter Nicholas willow leaf peppermint), would require a grading plan revision in order to be preserved (as recommended by the arborist).

The developer's Alternative Grading Plan **ignored the arborist's recommendation** (at page 14 of her report) for preservation of the peppermint tree and would result in its removal and many other trees that could potentially have been preserved along with many others that (it appears) were not included in the arborist's original inventory. It also **ignored the biological resources constraints analyst's recommendation** (at page 12 of their report), to "adjust the grading envelope to minimize or eliminate any impacts to sensitive communities, including coast live oak woodland and California bay woodland, to the greatest extent possible." In other words, the developer ignored the recommendation that the grading and drainage footprint as originally proposed (that would result in 2000 dump truck loads of off fill) be reduced to something smaller and less disruptive.

IV. The Excessive Grading Will Result in the Substantial Degradation of the Existing Visual Character and Quality of the Site and Its Surroundings

The original grading plan called for a series of retaining walls around two sides of the proposed development, rising to as much as 55 feet in total height, with tops at an elevation of roughly 110 feet above the roadbed of Lucas Valley Road, and cuts another 60 feet up the hillside, to an elevation of about 160 feet above the roadway and 310 ft above sea level. (The functional equivalent, in height, of a 16 story apartment building.) The Alternative Grading Plan calls for a single retaining wall of up to 15 feet in height, topping out at an elevation about 70 feet above Lucas Valley Road, and cuts up the hillside to an elevation of approximately 234 feet above Lucas Valley Road and 394 feet above sea level. (Envision a 24 story apartment building) Under either scenario, the result will be a massive, un-mitigatable scar.⁸

⁸ The LSA proposal notes that no mitigation measures were identified in the HESE FEIR to reduce visual impacts. While the original submitted plans included a "Site Wide Planting Plan", those plans did not include the all of the area that will be subjected to proposed cut by the Alternative Grading Plan, and they are far too generic to be of any utility to make any informed determination as to whether the proposed mitigation measures would be sufficient.

This hideous scar will be widely visible – not only from Lucas Valley Road, but the Terra Linda Fire Road – a major trail through the public open space above the project – and the residential areas of Lucas Valley as well. (See photos attached as Exhibits to this letter)

The LSA proposal (at page 9), says the project will be portrayed using visual simulations from Lucas Valley Road.⁹ This is inadequate and it is a material change from the Sicular proposal that (at page 6) said it would include visual simulations from “*publicly accessible key observation points*”, including Lucas Valley Road, the Terra Linda fire road, and some residential areas in Lucas Valley. The LSA proposal should be revised or clarified to add additional views (e.g. from the Terra Linda Fire Road and from residential areas in Lucas Valley.

The proposed Street Light and Amenities Plan identifies 14 different street lights, including two at/near the connector with Lucas Valley Road. The Lucas Valley and Lucas Valley Estates subdivisions were both purposefully designed and built without streetlights, to minimize light pollution. (Artificial light at night is in many ways harmful to wildlife, as well as humans.) LSA’s proposal says it will address light spillover and glare issues. It does not say how it plans to address them. That should be spelled out to assure that those issues are addressed meaningfully, objectively and in a manner that will provide all interested persons with an opportunity to comment on the findings and on such mitigation measures, if any, as may be proposed.

V. **LSA Cannot Meaningfully Analyze Air Quality and Greenhouse Gas Emission Issues in the Time Allotted or With Presently Available Information**

LSA proposes the completion of nine different Air Quality and Greenhouse Gas Emissions tasks in just 53 hours. The Sicular proposal previously approved by the County of Marin allocated a more reasonable 84 hours (i.e. 50% more time) to complete the task, which raises concerns that shortcuts will be taken.¹⁰ The LSA proposal makes no reference to asbestos, which was identified in previously studies as a potential problem, due to the presence of serpentine rock. Concerns relating to asbestos must be meaningfully addressed in compliance with Bay Area Air Quality Management District rules (e.g. Rule 2.5).

In particular, the planting plans do not identify the number of Coast Live Oak, Valley Oak and California Bay to be planted to replace those that are to be removed. Nor do they offer any information regarding the proposed size or location of those trees, their irrigation, other forms of care, or any estimate or prediction regarding the likely survival on disturbed ground, with or without care. Without that information, there would be no foundation for any prediction and/o visual stimulation of what the scar would look like five years after the project is completed and the damage is done.

⁹ The simulations will include “as destroyed” and “as speculated” based on what they think the scar will look like after five years vegetative growth. It should be noted that the “plans” prepared by Integrated Design Studios are different from those submitted by Stuber Stroeh (i.e. represent a third version), as they contemplate preservation of the Fire Road, and B Street with double dead ends,

¹⁰ The bid submitted by EMC proposed 90 hours and the bid by Dudek 101 hours to address air quality, energy and greenhouse gas emissions.

Project construction emissions, including those associated with soil hauling, are among the tasks to be analyzed. LSA proposes using the latest version of the California Emissions Estimator Model to complete that task, but does not say whether it will engage in project specific customization (i.e. details regarding construction equipment types, schedules and other locally tailored data). For the project construction and other elements of the analysis to be meaningful, project specific data, including data collected by remote sensing devices (i.e. a fence line monitoring program) must be provided.

Insofar as we are aware, the developer has not determined (or communicated any determination as to) how long it will take to cut and remove the up to 165,970 cubic yards of material from the hillside, and it has not identified where the up to 128,900 cubic yards of earthwork off haul (11,000 dump truck loads, by the County's estimate) are to be taken. Without that information, it is impossible to know how many miles the dump trucks will be driven, and thus, what the resulting diesel exhaust, asbestos, particulate and other toxic emissions will be generated, and whether such emissions will be in compliance with State law regulating Toxic Air Contaminants (17 CCR § 9300), peculiar and specific.

Likewise, the developer does not appear to have identified any proposed building design features that would contribute to a reduction in greenhouse gas emissions. If anything, given the absence of driveways, limited number of "visitor" on site parking places (just nine), and absence of any provision for bicycle parking, it is impossible to envision this project doing anything but adding to greenhouse gas emissions.

VI. LSA Cannot Meaningfully Address Geology, Soils and Hazardous Materials Issues Because the Preliminary Geotechnical Report that it Intends to Review Did Not Consider the Alternative Grading and Drainage Plan

The preliminary geotechnical exploration report was prepared for the developer in December 2023. The report pre-dates the Alternative Grading Plan, did not consider the massive amount of grading it proposes and did not consider the fact that a large amount of serpentine rock will be disturbed and hauled off site. Until such time as a determination has been made regarding the location and volume of serpentine rock to be removed, no informed decision can be made regarding the significance of the hazards that would be created by its excavation, its use as fill material, or its ultimate disposition or the means by which they might be mitigated.

The LSA proposal for geology and soils appears to be limited to a "peer review". Since the Alternative Grading Plan was not reviewed by the developer's geotechnical experts there is nothing to peer review and the LSA proposal must include a full geotechnical analysis.

In that regard, the report notes, at Section 6.0 on page 13, that a design level geotechnical report should follow once development plans are finalized (which hasn't happened according to recent public statements made by the developer's representative), and that it should include additional borings, test pits, lab testing, design level earthwork, improvement design and construction recommendations, development of corrective grading plans and cross sections, and design recommendations for cross sections.

Further to the point, the report states, at Section 7.0 on page 14, that it is not subject to unauthorized use because of concerns regarding new circumstances (with the Alternative Grading Plan most certainly fitting the bill), not the least of which is the passage of time (the report is now nearly 2 ½ years old).

VII. **LSA Cannot Meaningfully Analyze Hydrology and Water Quality Issues in the Time Allotted or With Presently Available Information**

LSA proposes completion of the Hydrology and Water Quality in just 11 hours. The Sicular proposal previously approved by the County of Marin allocated 46 hours (i.e. four times as much time) to complete the task, which again raises concerns that shortcuts will be taken.¹¹

LSA says it intends to rely, at least in part, on the Hydrology and Hydraulic Report, the Stormwater Control Plan, and the Stormwater Treatment Facilities Operation and Maintenance Plan prepared by Stuber-Stroeh Engineering in July 2024, none of which considered the Alternative Grading and Drainage Plan as a part of their analyses.¹²

Given that the Alternative Grading and Drainage Plan proposes to materially expand the disturbed surface area (which will presumably mean less rainwater percolating into the soil and an increased rate of flow off the hillside¹³), extend one of the storm drains more than 70 feet in vertical elevation, and more than double the cut, from 70,165 cubic yards to 165,970 cubic yards, it does not take an expert to recognize that it completely invalidates the operative assumptions upon which Stuber-Stroeh's opinions, conclusions and recommendations are based. Stated a little differently, there is no foundation for a considered CEQA analysis of hydrology and drainage issues under the alternative plan.

Under such circumstances, how can questions of erosion, siltation, the adequacy of bioretention areas, as currently designed, the capacity of the existing culvert and earthen swale to handle the runoff that will be concentrated by the proposed development be meaningfully addressed? As designed (i.e. relying on the original grading and drainage plan, and operating on the assumption that the yet-to-be constituted homeowner's association would properly maintain them into perpetuity), the bioretention plans were, by Stuber-Stroeh's own analysis, barely adequate to meet a 10 year storm event. In their report, they noted that the Marin County code provides that the analysis should be based on **100 year storms**. Accordingly, and if LSA is able to do so, it should required to assess the adequacy/inadequacy of the proposed bioretention facilities to handle such storms.

¹¹ The bid submitted by Dudek proposed 54 hours. The other submissions did not include a breakdown.

¹² Stuber Stroeh was led to believe that the developer intended to preserve existing hillside topography "to the extent possible." (see Stormwater Control Program, page 3)

¹³ The stormwater plan, at page 2, notes that the soils are impermeable and that steep slopes on site will require mitigation measures to ensure runoff doesn't increase erosion.

Insofar as hydrology is concerned, there is one other issue that needs to be addressed - the impact of the proposed project, its scalping of the hillside, its extended drain lines, and its under-designed retention facilities on the percolation of water downhill and towards Miller Creek in its natural direction of flow. (i.e. where it went before it was diverted by the earthen swale.) Once again, it doesn't take an expert to recognize that the water table will rise and that homeowners and residents on Mt. Muir Court will be adversely affected. Stated a little differently, LSA should address the fact that the current under-designed drainage plan will, as to those persons, create a nuisance at the very least and may lead to flooding and property damage to homes on Mt. Muir Court.

VIII. LSA's Ability to Assess Short Terms Construction Noise and Vibration Impacts is Limited by the Lack of Available Information

LSA's proposal is based on assumptions as to the type of equipment that will be used, the power source for the equipment that will be used, and the amount of time it will be used. It apparently assumes that no blasting will be required to remove the up to 165,970 cubic yards of material contemplated by the Alternate Grading and Drainage Plan. Insofar as we are aware, the developer has not made this information available to the public or to LSA. There is also the matter of the time of day that such noise/vibrations will be generated, which should be constrained to the extent possible to avoid the creation of unnecessary nuisance. This is of particular note, given that there is an elementary schoolyard within approximately 750 feet of the project site.

The conclusions that LSA may reach will only be as good as the assumptions upon which they are based. The developer should be required to provide LSA (and the public) with additional information on its plans in this regard to assure that the CEQA analysis is a meaningful exercise.

IX. LSA's Proposed Transportation Study Needs to be Expanded in Scope

LSA's proposal states that it will limit its analysis to the four intersections previously analyzed (i.e. the intersections of Lucas Valley Road with Mt. Muir, Mt. Lassen, Hwy 101 south bound ramp and Hwy 101 northbound ramp). Since the Kaiser facility opened on Las Gamos the traffic in the area has materially worsened, sometimes backing up during morning commute hours as far west as the intersection with Miller Creek Road. To meaningfully assess the cumulative effect of the delay the analysis should, at an absolute minimum be extended to the Las Gallinas and Las Gamos intersections with Lucas Valley Road.

The prior study assumed traffic congestion peaked in the afternoon. It does not. It is at its worst in the morning, when Lucas Valley Road is being used to take children to school¹⁴ and

¹⁴ In recent years the Miller Creek School District eliminated its bus service. As a result many if not most parents now drive their children to school, resulting in a substantial increase in morning traffic.

to take adults to their places of employment. The proposed study should be conducted in a manner that evaluates the morning peak.

The prior study was flawed because it failed to consider the fact that the proposed development will include 15 JADU's, and that the residents of those units will use Lucas Valley Road. It was also flawed as a result of the assumptions that it used in preparing its sight distance analysis – that drivers would not exceed the posted speed limit by more than 5 mph. Not all do, and LSA should take that into consideration as a part of its analysis.

While the LSA proposal states that it will review and comment on the project's on site circulation as well as transit, bicycle and pedestrian access, it is not clear what they have in mind in that regard, and it would be helpful if they could provide clarification. For example, the likely daily impact of US mail, Amazon and UPS deliveries; the likely weekly impact of garbage trucks, and the as-needed impact on the delivery of police, fire, and emergency medical services on circulation within the proposed subdivision.

LSA's proposal does not address the impact that from **2000** (original grading and drainage plan) to **11,000 dump truck loads** (alternative grading and drainage plan) of off fill and other construction related traffic¹⁵ will have on transportation up and down Lucas Valley Road. The duration and extent of that disruption should definitely be evaluated, and if necessary, a plan proposed for mitigation of the deleterious effects of such traffic, which could include prohibition or limitation on the number of dump truck and other construction related traffic during morning commute hours.

LSA's proposal does not address the impact that the proposed widening of Lucas Valley Road at Mt. Muir Court (that favors the development and disfavors residents living on Mt. Muir Court) will have on traffic at that intersection and up and down Lucas Valley Road. It needs to be addressed.

LSA's proposal does not include a future conditions analysis that takes into consideration the impact that development of 130 or more units at the juvenile hall and Big Rock Market sites will have on traffic at the intersection of Mt. Lassen and Lucas Valley Road. Or the further delay that will result if the Miller Creek School, Marinwood Plaza, and St. Vincent's sites are developed. In that regard, we already have problems with southbound morning traffic on US 101 using Las Gallinas Road as a hoped-for time saver to get where they want to go. Nor does it propose to consider the probable consequences to traffic of adding 1422 units of townhomes and apartments at the Northgate Mall site and another 193 units at 555 Northgate Drive.

¹⁵ Such traffic could include, but not necessarily be limited to traffic related to street and lot grading, paving, construction of retaining walls, sewers, water, and stormwater retention facilities, as well as construction of the actual homes.

X. LSA Should Thoroughly Evaluate Risks Associated with Wildfire

As a preliminary matter, it defies logic to conclude that impacts related to wildfire in areas that have been identified as being in high fire hazard severity zones could possibly be less than significant.

Be that as it may, LSA should consider the fact that Lucas Valley is effectively surrounded on three sides by relatively steep vegetated hillsides,¹⁶ that those hillsides create a unique wind tunnel effect¹⁷ (aka peculiar risk), and that there is but one “safe route” out,¹⁸ with “safe” being defined as being able to reach Highway 101. As we know from a prior evacuation drill, it is debatable whether, in the event of a fire, Lucas Valley Road, which has been defined as the sole “safe route”, will prove to be safe. It becomes even more debatable when one considers the fact that a fire requiring evacuation of the “Berry’s”, Marinwood, the “Stones” and/or Monte Marin neighborhoods, would call for evacuation to Las Gallinas and then eastbound on Lucas Valley Road and out to US 101.

LSA should consider the fact that the subject proposal calls for development of the to-be “improved” portion of the property with narrow roadways that could limit fire department access to the property.¹⁹ It should consider the probable consequences, in the event of fire, of requested waivers from form base code requirements, including those related to setbacks.²⁰

LSA should consider the fact that the developer’s proposal calls for elimination of the Nunes Fire Road, which currently provides access to that part of the property (33.7 acres, more or less) that is not the subject of the proposed development, and at the same time calls for the project’s yet-to-be created homeowners’ association to be responsible for maintaining that portion of the property without means of vehicular access.

¹⁶ They are heavily vegetated on the south side of Lucas Valley Road, as shown in photographs 9, 10 and 11 attached hereto, which were taken at the intersections of Lucas Valley Road at Mt. Shasta, at Mt. McKinley, and Bridgegate.

¹⁷ As of 5:00 pm on May 15th, and again on May 16th, winds were gusting at more than 25 mph. That is not uncommon for the area.

¹⁸ Per the Urban Wildland Interface and Evacuation Routes Map, referenced at page 19 of LSA’s proposal.

¹⁹ Insofar as the request for a variance for roadways is concerned, no consideration has been given to the substantially certain presence of Amazon and UPS delivery trucks that will park in the middle of and clog the residential roadways.

²⁰ The code requires 20 feet minimum setbacks front and back, and 10 feet minimum on the sides. The developer proposes just 5 feet in the front, 10 feet in the back, and just 4 feet on each side. Not a whole lot of room for firefighters to operate in. As to parking areas, the code requires a minimum setback of 50 feet, and the developer proposes just 5 feet.

LSA should also consider the fact that the subject proposal calls for just one means of ingress and egress, and the chaos, confusion and increased risk of harm that will undoubtedly result from people trying evacuate the proposed development, and competing for space on the “safe route” with people living west of the proposed development and for people trying to reach it from Mt. Muir Court.

The proposed project presents a peculiar risk because it has limited access to water. On March 5, 2020 the former owner, Mr. Souang executed an agreement, binding on the present owner, limiting water supply from MMWD to 1.02 acre feet/year²¹ At Section 2.8, Mr. Souang agreed that “at no time in the future shall the District grant any additional water service connections to the Parcel or the Property regardless of the number of structures or residences on the Parcel or the Property and regardless of what the Marin County or any other local agency zoning ordinances allow.”

Finally as to wildfire, LSA should consider the fact that the proposed project site is not within the jurisdiction of the Marinwood Fire Department. It instead falls within the County’s jurisdiction, with the closest fire station located 14 miles and a 20-25 minute drive away in Woodacre. That is inadequate to meet the needs of the proposed development. Given the consistent state policy against having one group of taxpayers subsidize another, annexation to Marinwood Fire, located about 1.6 miles and a 4 minute drive away would appear to be a necessary condition precedent to reaching any favorable conclusions relating to the wildfire issue.²² Given the number of community members who have previously expressed their grave concerns regarding the risk of fire, LSA should conduct a very thorough analysis of this issue.

XI. Conclusion

For all the reasons stated, the Planning Commission should deny the developer’s appeal and direct LSA, as a part of its scope of work, to address all of the issues raised by this letter and all material issues that may be raised by members of the community.

This is particularly important where, as here, the County is dealing with an out-of-state developer with no ties to the community, who has represented that it will be proceeding on the thinnest of margins,²³ and who has elected to proceed in the form of a limited liability company

²¹ This is the amount determined by the parties to be necessary to supply one family unit with an attached junior ADU unit, agricultural worker housing for up to six employees, and a water trough for up to 20 animals. The 36 homes (and 15 JADU’s) that are being proposed would likely require 18-36 acre feet of water/year, and the MMUD agreement makes it clear that it has no obligation to provide more than the 1.02 acre feet/year.

²² Before the County can approve the development, it will have to make findings supported by substantial evidence in the record that “structural fire protection and suppressions services will be available to the subdivision.” (see Govt. Code § 66474.02)

²³ This is evidenced by, among other things: **(a)** the requests for multiple concessions and/or waivers, including a request for “relaxation” of the County’s 1.7 acre base lot coverage restriction on residential

in order to immunize its principals in the event of losses or other adverse consequences arising from the development. It would not be out of the realm of possibility for the developer to **gouge** a giant scar **out of** the hillside, discover that asbestos was present in quantifies sufficient to justify abandonment, leaving the County and this community holding the metaphorical “bag.”

Very truly yours,

Michael Spalding

development at the site, without which, the developer contends, the project would not be economically viable, and **(b)** the allegations of its complaint against the County, verified under penalty of perjury.

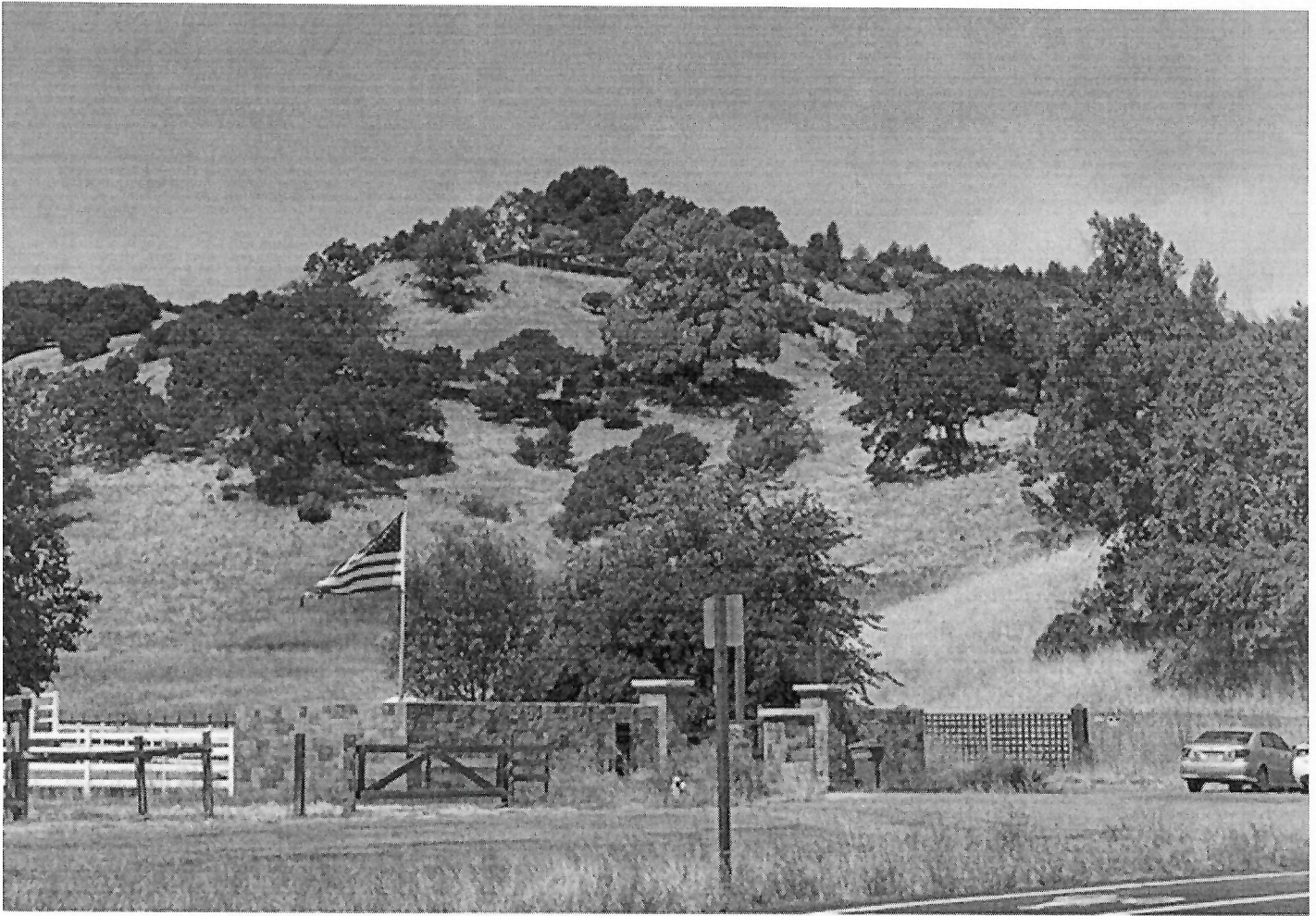


Photo 1 – taken from Lucas Valley Road just east of proposed project site, and the hillside subject to developers proposed grading and drainage plans, and the trees that will be removed if the project is approved

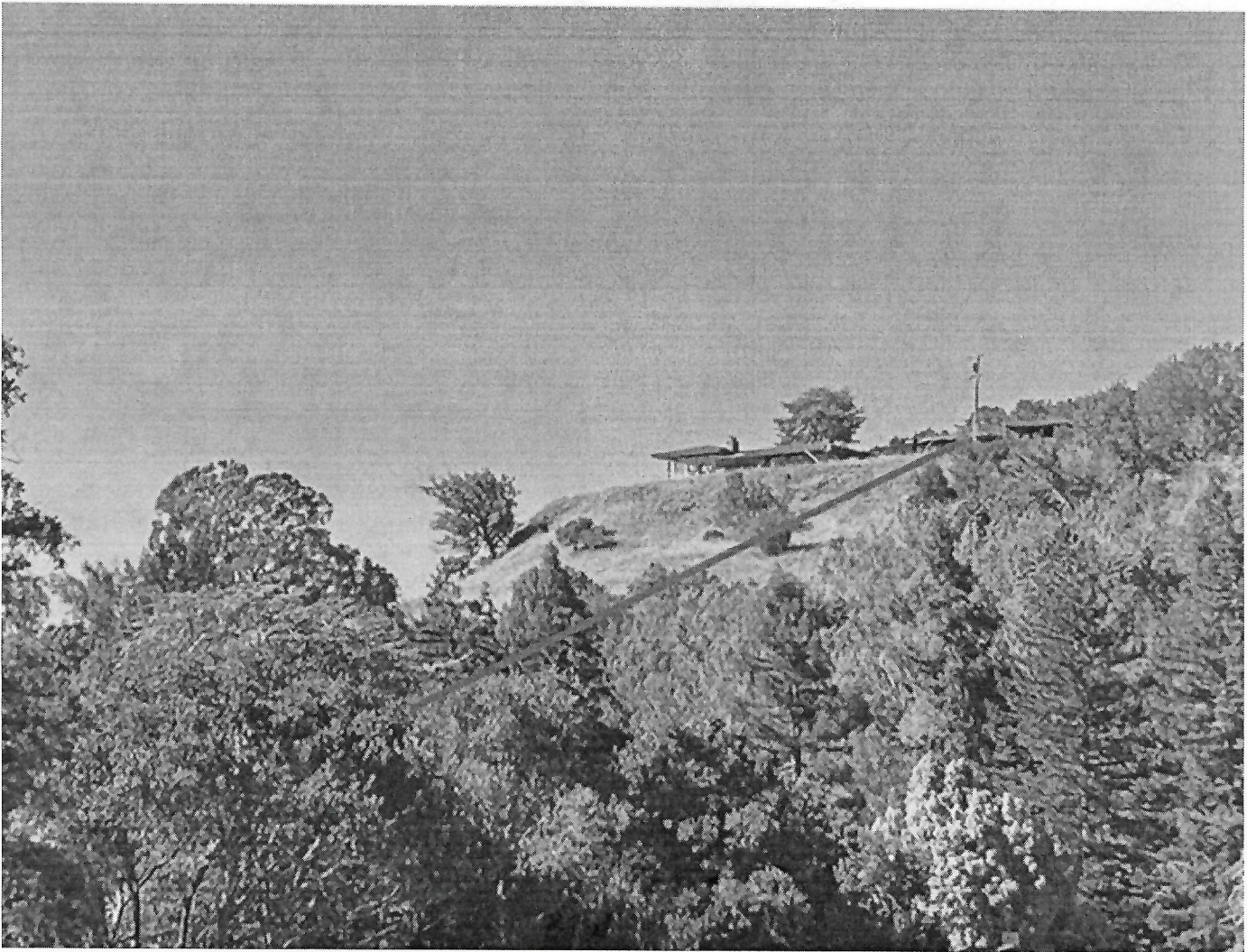


Photo 2 – taken from Lucas Valley Road just west of Mt. Muir Court, depicting the hillside subject to developers proposed grading and drainage plans, some of the trees that are to be removed, and the abandoned structure at the top of the cut proposed by the Alternative Grading and Drainage Plan that is to be taken down as a part of the project, if it is approved . Line roughly depicts 2:1 slope

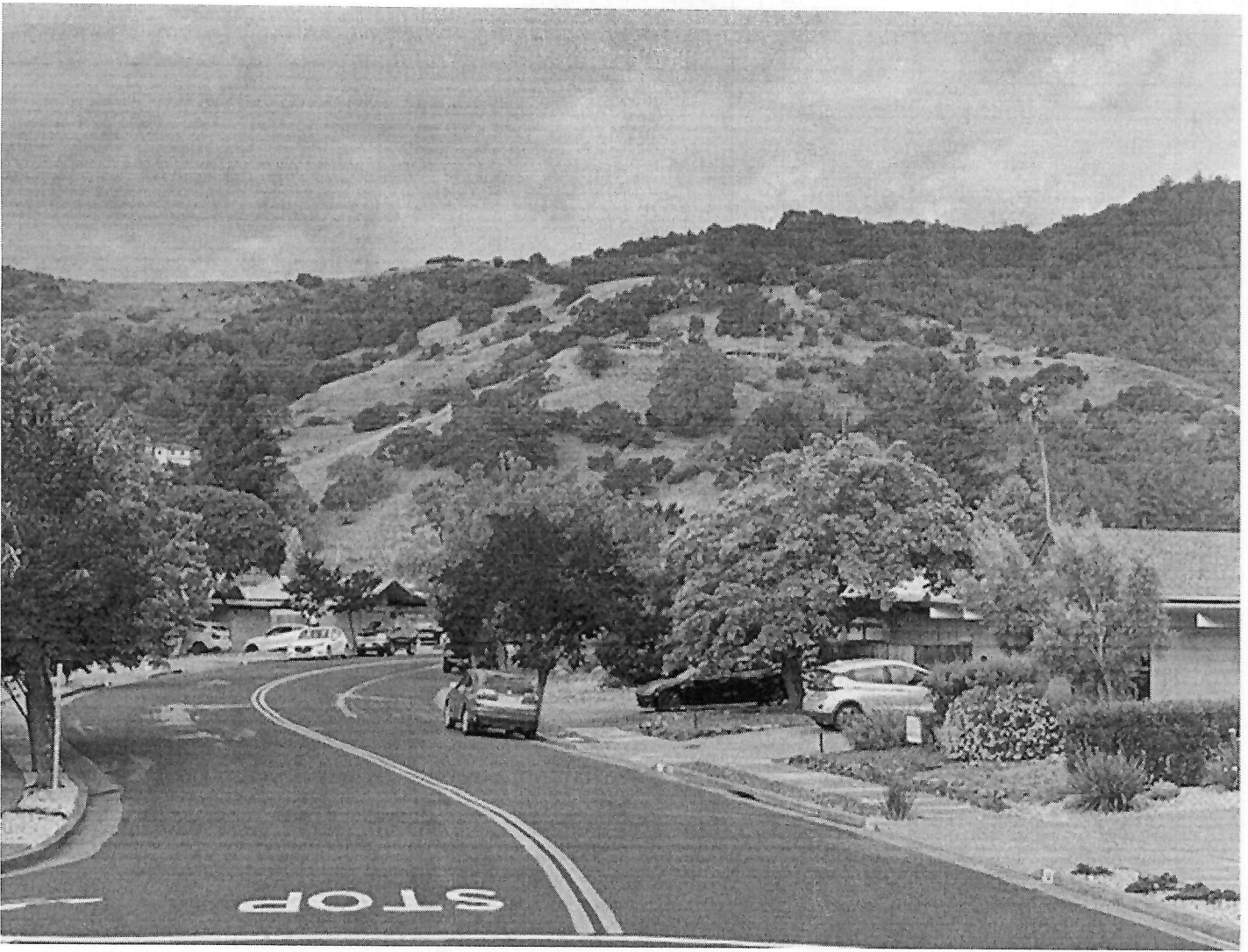


Photo 3 – taken from the intersection of Mt. Lassen and Idylberry and depicting the hillside subject to the developer’s grading and drainage plan, the trees and the residential structure that are to be removed.

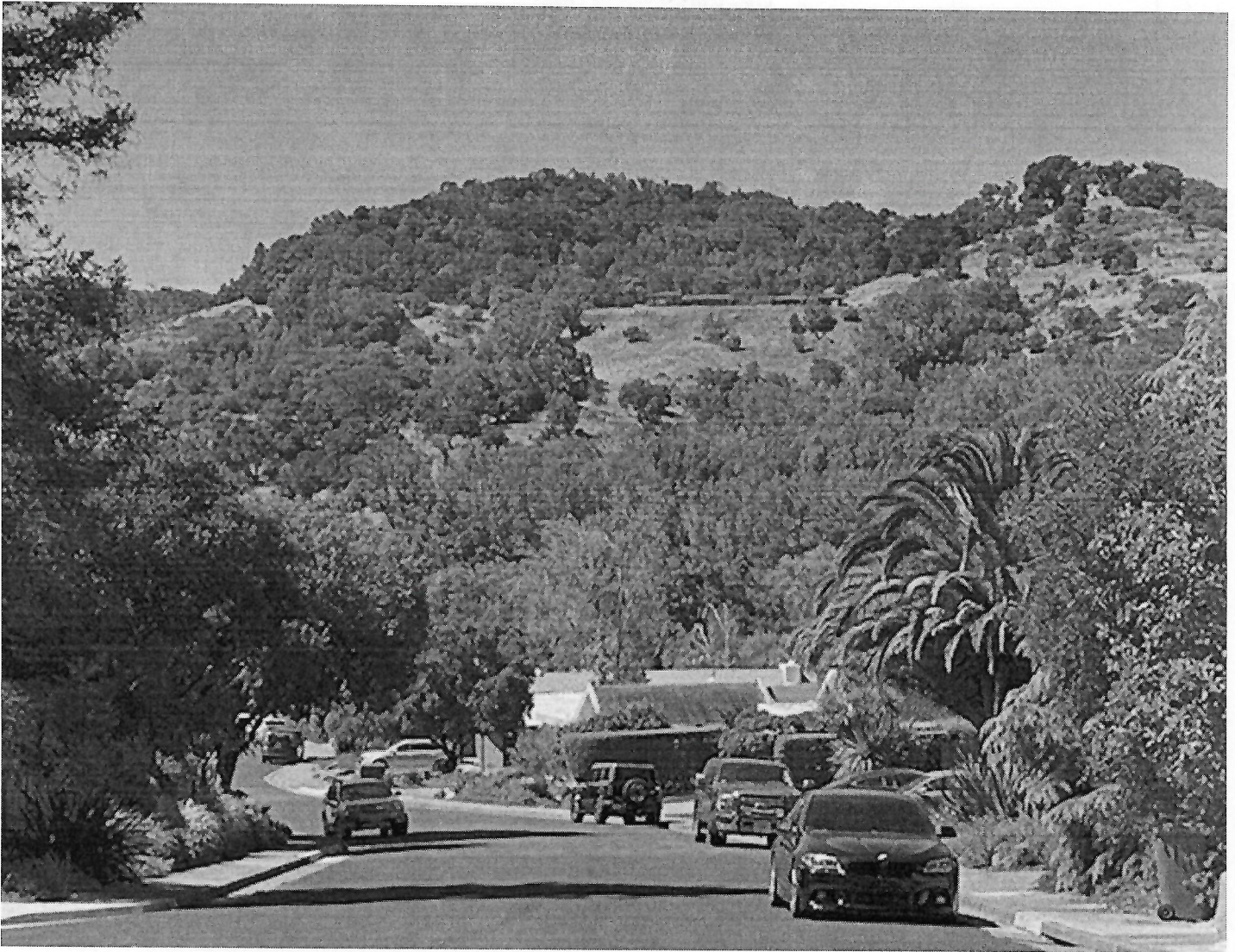


Photo 4 – taken from the north end of Pikes Peak Drive, depicting the structure and hillside trees to be removed as a part of the proposed development.

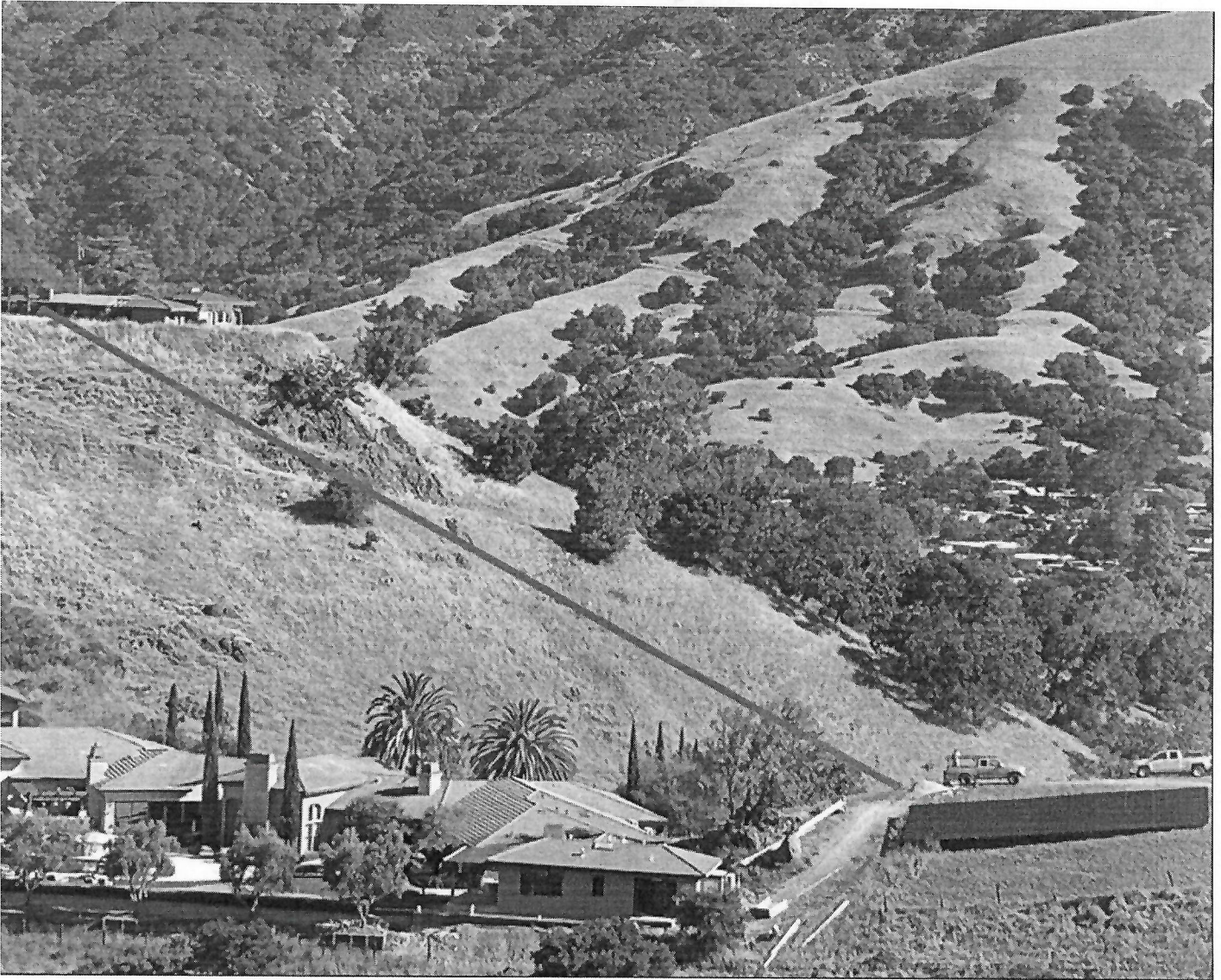


Photo 5 – taken from the Terra Linda fire road and depicting slope of hillside subject to developers proposed grading and drainage plans, and trees that will be removed, with Mike Stone’s residence in the foreground, and the existing home to be demolished in the left background. The line roughly depicts a 2:1 slope and the trees to be removed are depicted beyond the drawn line.

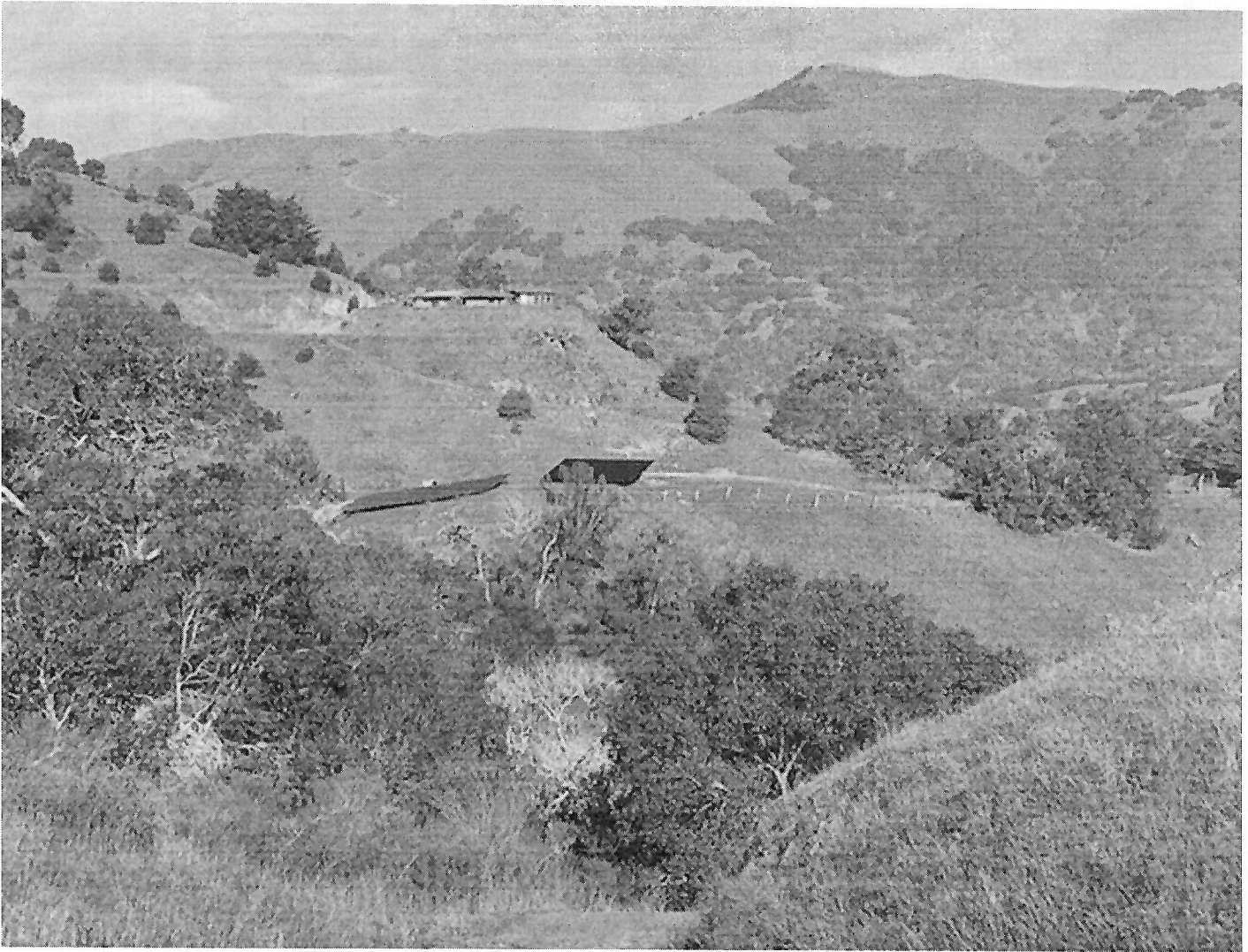


Photo 6 – taken from the Terra Linda fire road, depicting slope of hillside subject to developers proposed grading and drainage plans and trees that will be removed, with the existing home to be demolished in the left background

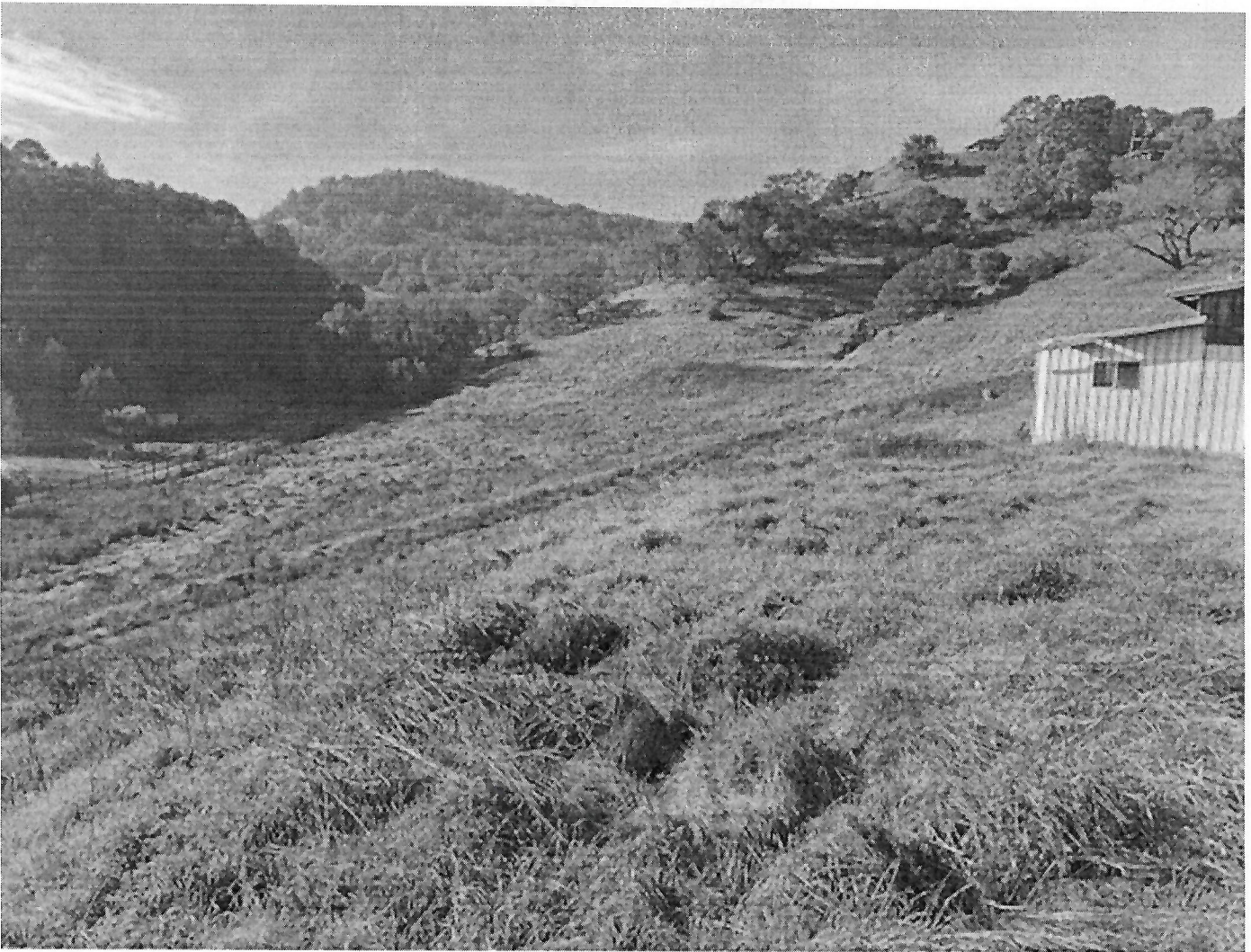


Photo 7 – taken from rock outcropping outside project boundary and depicting the hillside to be subject to grading and removal of trees.

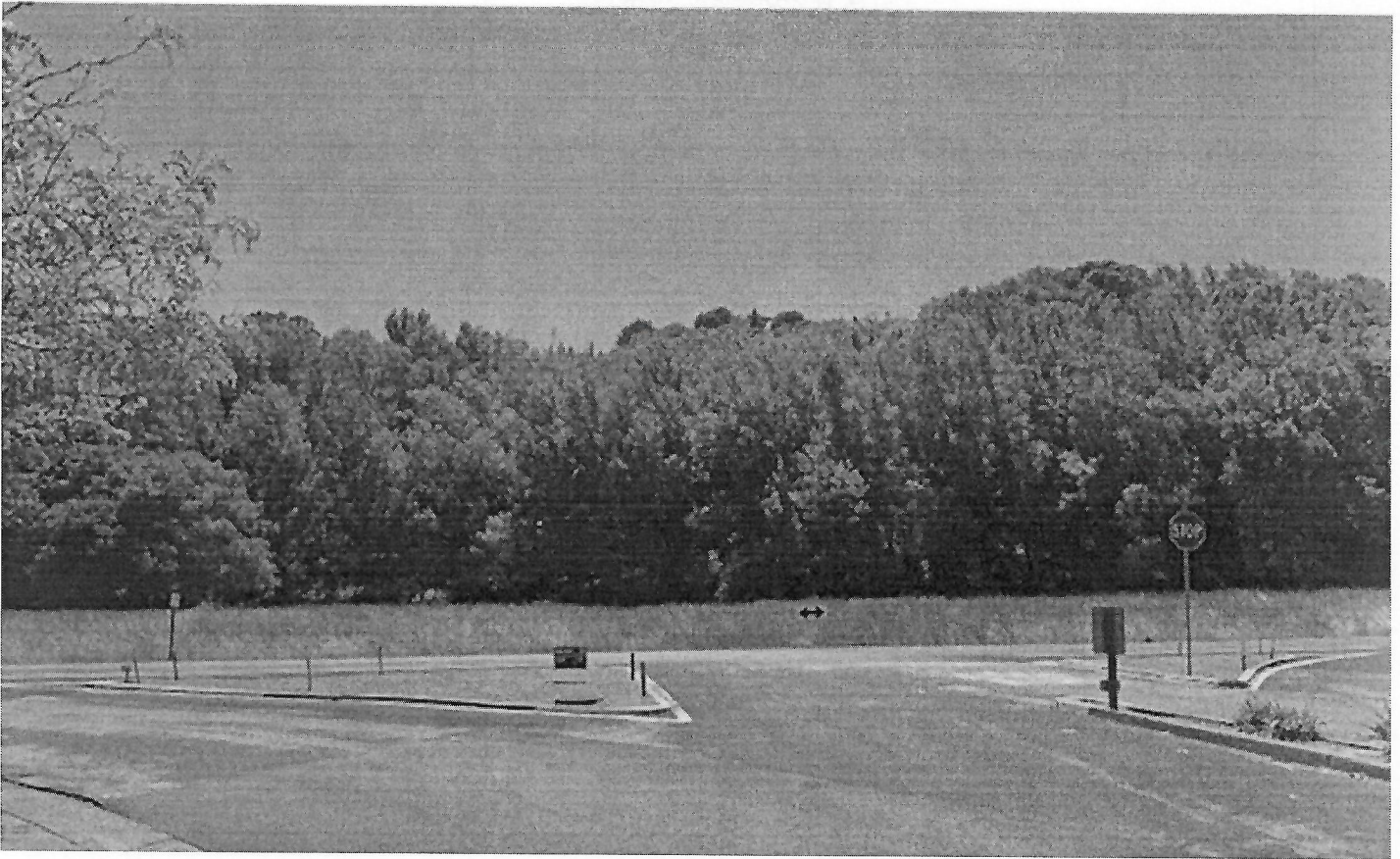


Photo 8 – taken from intersection of Mt. Shasta and Lucas Valley Road, depicting vegetation/fuel load just west of the proposed project

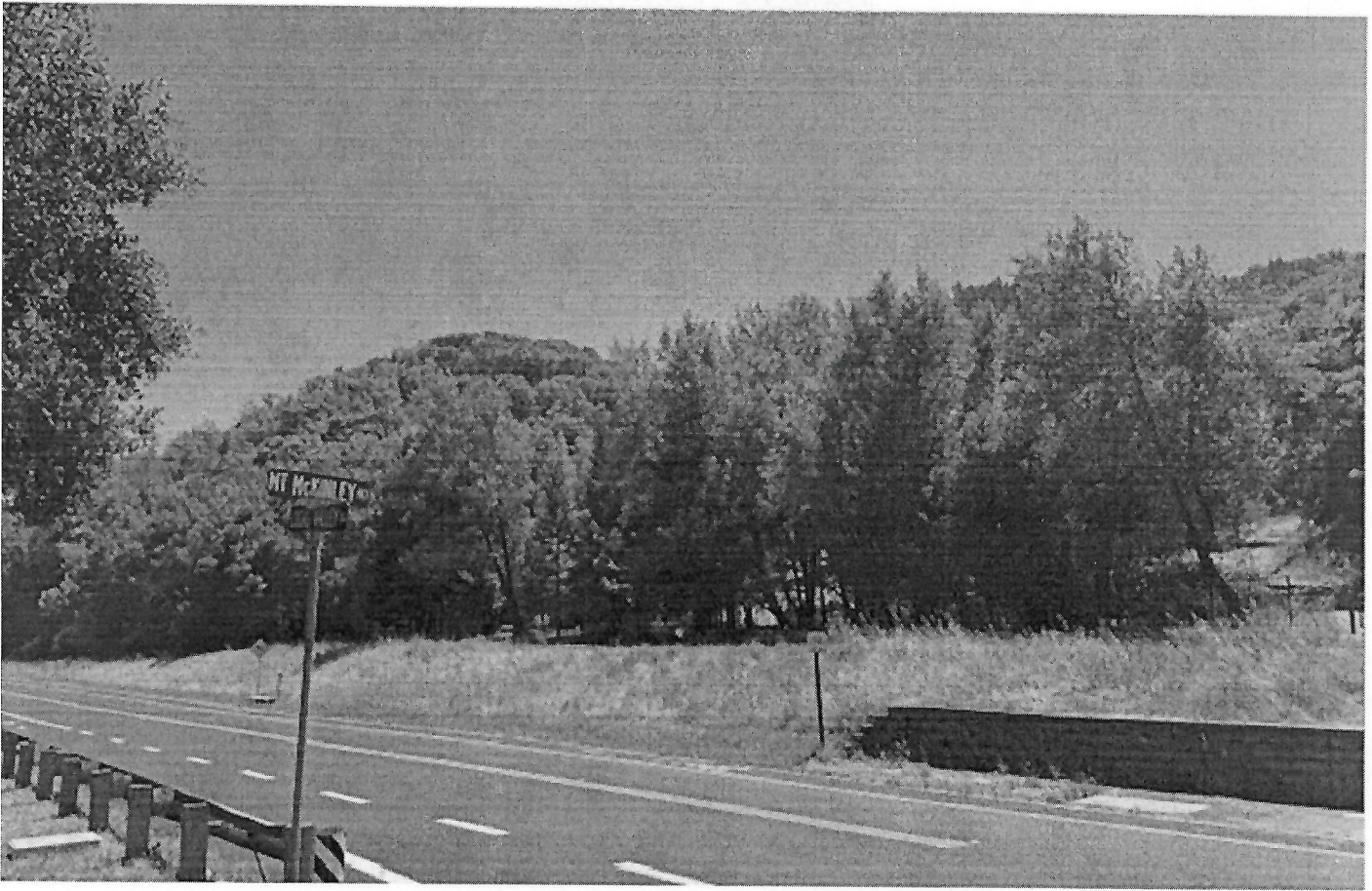


Photo 9 – taken from intersection of Mt. McKinley and Lucas Valley Road, depicting vegetation/fuel load, roughly 3/4 of a mile west of the proposed project

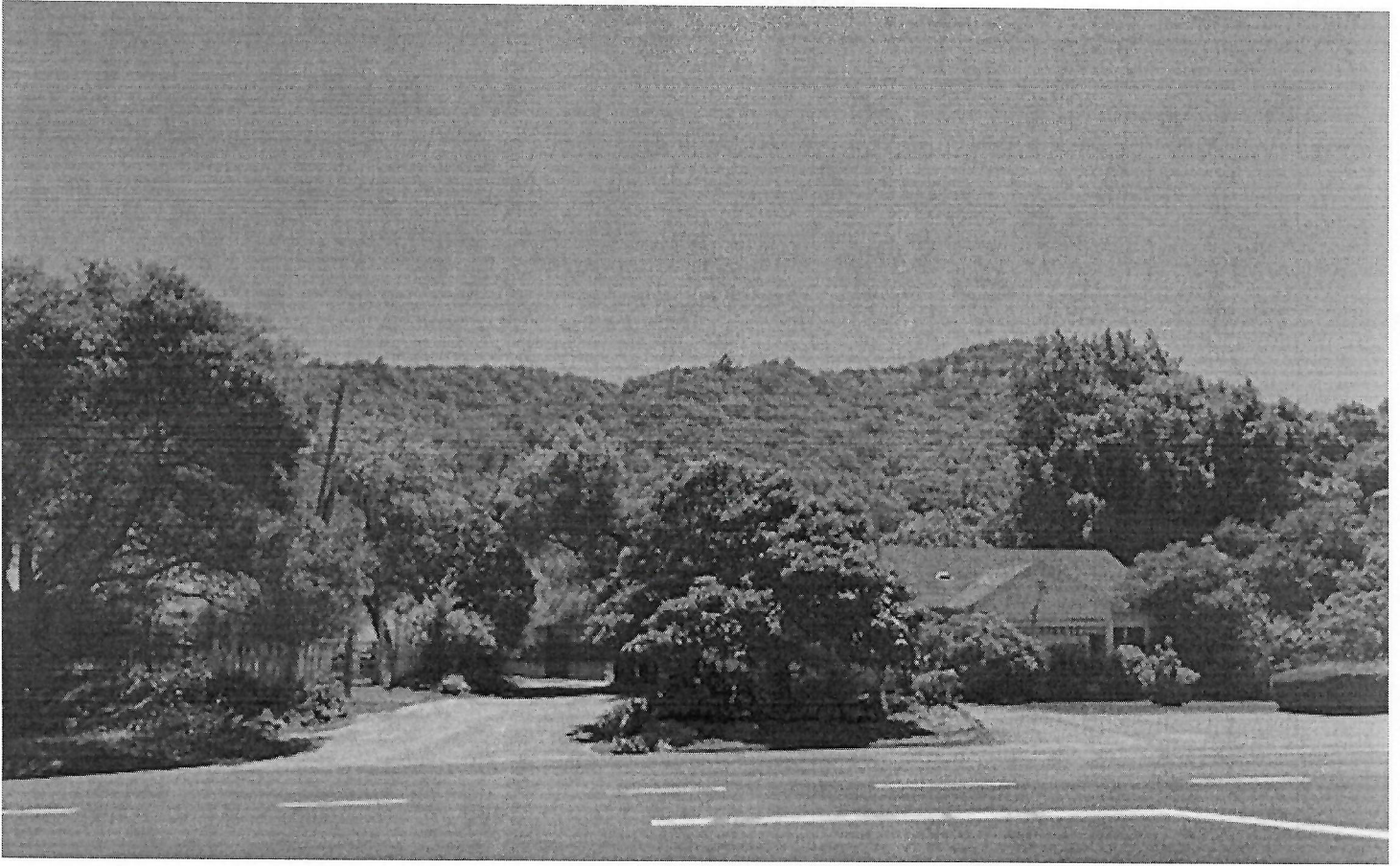


Photo 10 – taken from intersection of Bridgegate and Lucas Valley Road, depicting vegetation/fuel load approximately one mile west of the proposed project

Robin Fies

From: Immanuel Bereket
Sent: Monday, June 8, 2026 7:59 AM
To: Robin Fies
Subject: FW: Opposition of the 1501 Lucas Valley Road Development

From: Karsson Hevia <karsson1@gmail.com>
Sent: Sunday, June 7, 2026 3:33 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>; Rachel Reid <Rachel.Reid@MarinCounty.gov>; Sackett, Mary <Mary.Sackett@MarinCounty.gov>
Subject: Opposition of the 1501 Lucas Valley Road Development

You don't often get email from karsson1@gmail.com. [Learn why this is important](#)

To Whom It May Concern,

Lucas Valley for Responsible Growth is writing in response to the appeal filed by Andre Souang, ostensibly on behalf of SB 330 Land Company and Lucas Valley Road LLC and request that the planning commission deny the appeal, confirm the selection of LSA Associates, Inc., with a revised and more detailed/expanded scope of work.

Below is the summary of our concern opposing the 1501 Lucas Valley Project.

OPPOSITION TO 1501 LUCAS VALLEY ROAD DEVELOPMENT

Lucas Valley for Responsible Growth | June 7, 2026

The proposed 36-unit single-family subdivision at 1501 Lucas Valley Road has fundamentally changed from what was studied in Marin County's 2023 Housing Element EIR. We oppose this project on the following legal and public safety grounds:

1. Project No Longer Qualifies for CEQA Streamlining

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-
- The Housing Element EIR studied a multifamily, form-based
- code project — not 36 single-family homes requiring 7 acres of clear-cutting and mass grading.
-
-
-
- CEQA streamlining applies only to projects consistent
- with what was previously studied. This redesign breaks that consistency — and the County has already confirmed mandatory full CEQA review is required.
-
-
-
- The developer's threat to sue over CEQA review costs
- is not a legal defense. The obligation to conduct review cannot be waived by the applicant.

-

2. Naturally Occurring Asbestos (NOA) Demands Full Environmental Analysis

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-
- The site sits on serpentine rock, which commonly
- contains naturally occurring asbestos — a known carcinogen regulated under California Air Resources Board Title 17, §93105.
-
-
-
- The developer proposes removing up to 11,000 truckloads
- of soil. This level of grading on a serpentine site will
- aerosolize asbestos fibers.
-
-
-
- Lucas Valley Elementary School sits directly across
- the road — a primary daily receptor for airborne asbestos during a multi-year grading operation. This is a non-negotiable public health trigger for full CEQA review.
-

3. Density Bonus Waivers Cannot Override Documented Public Safety Hazards

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- Under Gov. Code §65915, density bonus waivers may
- be denied when there is substantial evidence of a specific, adverse impact on public health and safety with no feasible mitigation.
-
-
-
- The County's own planners have documented that the
- proposed road configuration — narrowed widths, eliminated sidewalks — "would create hazardous conditions and compromise pedestrian safety."
-
-
-
- Mass grading on a serpentine/asbestos site, combined
- with inadequate road design, meets the statutory threshold for waiver denial.
-

4. WUI Evacuation Risk — Binding Appellate Precedent Requires Analysis

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-
- In *People v. County of Lake* (Oct. 2024), the California
- Court of Appeal vacated a project EIR for failing to analyze the impact on community evacuation routes during wildfire. This precedent directly applies here.
-
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-
- Our HOA conducted an evacuation drill: only 20% of
- residents participated and it took one hour to reach Highway 101. The County's claim of two viable exit routes ignores that the western route through dense woodland is not a realistic fire evacuation option.
-

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-
- The proposed 300+ units at Mt. Lassen/Lucas Valley
- Road must be analyzed as a cumulative impact on the same single-corridor evacuation route — CEQA requires this.
-

We urge the County to: (1) uphold the mandatory CEQA review already triggered; (2) commission an independent NOA/asbestos exposure study with the elementary school as a named receptor; (3) require a cumulative WUI evacuation analysis consistent with People v. County of Lake; and (4) deny density bonus waivers where public health and safety findings cannot be rebutted by the applicant.

Karsson Hevia

Owner, [HeviaMedia](#)

415.444.6676



Robin Fies

From: Immanuel Bereket
Sent: Monday, June 8, 2026 8:00 AM
To: Robin Fies
Subject: FW: Deny 1501 Lucas Valley Road Developer's appeal

From: Meehyun Kurtzman <meehyun@me.com>
Sent: Sunday, June 7, 2026 1:34 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>; Sackett, Mary <Mary.Sackett@MarinCounty.gov>
Cc: Lucas Valley for Responsible Growth <lvforresponsiblegrowth@gmail.com>
Subject: Deny 1501 Lucas Valley Road Developer's appeal

To Marin County Planning Commission:

I am a licensed architect, real estate broker, and Lucas Valley resident writing in personal opposition to this project. While I support housing production, this project has crossed lines that the Commission cannot ignore.

The project is a bait-and-switch on the Housing Element:

- The County awarded this site housing element inclusion based on a multifamily, form-based code project. What is now proposed - 36 single-family homes requiring mass grading of a serpentine hillside — bears no resemblance to what was studied or approved.
- The developer then appealed the County's own CEQA review requirement while threatening litigation. That posture alone should disqualify them from good-faith consideration.

The water supply makes this project physically impossible:

- The prior owner signed a binding MMWD agreement capping water service at 1.02 acre-feet per year — enough for one household.
- The proposed 36 homes plus 15 JADUs require an estimated 18–36 acre-feet annually. No path to that supply exists. This project cannot be built as proposed.

The abandonment risk:

- The applicant is a Michigan-based LLC whose named representative already sold his ownership interest in the property.
- The project proceeds on the thinnest possible density bonus margins. The foreseeable risk: grading begins, asbestos costs escalate, the LLC walks — leaving Marin County with a permanently scarred hillside and no recourse.

The fire service gap is a statutory barrier to approval:

- Government Code §66474.02 requires an affirmative finding that fire suppression services will be available before subdivision approval.
- The closest fire station is in Woodacre — 14 miles and 20–25 minutes away. Marinwood Fire is 1.6 miles away but annexation would be required and has not been initiated.
- This finding cannot be made on the current record. Approval without resolving it would expose the County to liability.

I respectfully urge the Commission to deny the appeal, uphold the full CEQA review scope, and require the developer to resolve the water supply and fire service deficiencies before any further approvals proceed.

Additionally I endorse the letter sent from Lucas Valley for Responsible Growth dated June 7, 2026 requesting denial of the developer's appeal.

Meehyun Kurtzman
Lucas Valley Resident of 14 years

Robin Fies

From: Immanuel Bereket
Sent: Monday, June 8, 2026 8:00 AM
To: Robin Fies
Subject: FW: Deny 1501 Lucas Valley Road Developer's Appeal.

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

From: Susan Brixon-Hastings <brixonhastings@yahoo.com>
Sent: Sunday, June 7, 2026 12:57 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>
Subject: Deny 1501 Lucas Valley Road Developer's Appeal.

[You don't often get email from brixonhastings@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Mr. Bereket,

I own a home at 42 Mount Whitney Dr., San Rafael. Lucas Valley neighborhood.

I just saw the photographs of the areas that will be destroyed and where the beautiful hills will be carved into. Horrific.

Please deny the developers appeal at the June 15 meeting.

I am out of the state and unable to attend the meeting.

We love our beautiful Lucas Valley and do not want the hills destroyed and altered in any manner. That is unacceptable

Thank you for your attention to this concern.

Susan Brixon-Hastings
Sent from my iPhone

Robin Fies

From: Immanuel Bereket
Sent: Monday, June 8, 2026 8:00 AM
To: Robin Fies
Subject: FW: Opposition to Developer Appeal - 1501 Lucas Valley Road

From: j. c. <jenchalala@yahoo.com>
Sent: Sunday, June 7, 2026 12:46 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>
Subject: Opposition to Developer Appeal - 1501 Lucas Valley Road

You don't often get email from jenchalala@yahoo.com. [Learn why this is important](#)

I am writing to express my strong opposition to the developer's appeal regarding the proposed 36-unit subdivision at 1501 Lucas Valley Road. This project, as currently proposed, poses serious risks to our community's safety and health. I urge the County to stand by its previous decision to require a full environmental review.

The proposed development has changed significantly from what was originally studied. It is no longer the project that was included in the 2023 Housing Element, and it does not qualify for "streamlining." We must insist on a thorough review based on the following critical concerns:

Public Health and Asbestos: The site contains serpentine rock, which is known to carry naturally occurring asbestos. The massive amount of grading and soil removal proposed—11,000 truckloads—could release dangerous, cancer-causing fibers into the air. With Lucas Valley Elementary School located directly across the street, we cannot risk the health of our children. This alone demands a full, independent environmental study.

Public Safety and Evacuation Risks: Our community is in a high-risk wildfire zone. Recent court rulings (such as *People v. County of Lake*) require that new projects must prove they do not worsen evacuation times. Our local experience shows that existing roads are already overwhelmed. Adding more density without a realistic, analyzed evacuation plan is a danger to every resident in Lucas Valley.

Inadequate Infrastructure: County planners have already noted that the developer's plan to narrow roads and remove sidewalks creates significant safety hazards for pedestrians. Density bonus laws are not an excuse to ignore documented threats to public safety.

The developer's desire to bypass these requirements to save costs should not take precedence over the health and safety of the people who live and learn here.

I respectfully urge the Commission to deny the developer's appeal, uphold the requirement for a full CEQA review, and ensure that any future development at this site is safe, legal, and responsible.

Sincerely,

Jennifer Cha
06/07/2026

Robin Fies

From: Immanuel Bereket
Sent: Monday, June 8, 2026 8:01 AM
To: Robin Fies
Subject: FW: Please Deny 1501 Lucas Valley Developer's Appeal

From: Lucas Valley for Responsible Growth <lvforresponsiblegrowth@gmail.com>
Sent: Sunday, June 7, 2026 12:05 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>; Sackett, Mary <Mary.Sackett@MarinCounty.gov>; Rachel Reid <Rachel.Reid@MarinCounty.gov>
Subject: Please Deny 1501 Lucas Valley Developer's Appeal

You don't often get email from lvforresponsiblegrowth@gmail.com. [Learn why this is important](#)

Lucas Valley for Responsible Growth is writing in response to the appeal filed by Andre Souang, ostensibly on behalf of SB 330 Land Company and Lucas Valley Road LLC and request that the planning commission deny the appeal, confirm the selection of LSA Associates, Inc., with a revised and more detailed/expanded scope of work.

Below is the summary of our concern opposing the 1501 Lucas Valley Project.

OPPOSITION TO 1501 LUCAS VALLEY ROAD DEVELOPMENT

Lucas Valley for Responsible Growth | June 7, 2026

The proposed 36-unit single-family subdivision at 1501 Lucas Valley Road has fundamentally changed from what was studied in Marin County's 2023 Housing Element EIR. We oppose this project on the following legal and public safety grounds:

1. Project No Longer Qualifies for CEQA Streamlining

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- The Housing Element EIR studied a multifamily, form-based code project — not 36 single-family homes requiring 7 acres of clear-cutting and mass grading.
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-
- CEQA streamlining applies only to projects consistent with what was previously studied. This redesign breaks that consistency — and the County has already confirmed mandatory full CEQA review is required.
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- The developer's threat to sue over CEQA review costs is not a legal defense. The obligation to conduct review cannot be waived by the applicant.
-

2. Naturally Occurring Asbestos (NOA) Demands Full Environmental Analysis

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- The site sits on serpentine rock, which commonly contains naturally occurring asbestos — a known carcinogen regulated under California Air Resources Board Title 17, §93105.
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- The developer proposes removing up to 11,000 truckloads of soil.
- This level of grading on a serpentine site will aerosolize asbestos fibers.
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-
- Lucas Valley Elementary School sits directly across the road —
- a primary daily receptor for airborne asbestos during a multi-year grading operation. This is a non-negotiable public health trigger for full CEQA review.
-

3. Density Bonus Waivers Cannot Override Documented Public Safety Hazards

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-
- Under Gov. Code §65915, density bonus waivers may be denied when there is substantial evidence of a specific, adverse impact on public health and safety with no feasible mitigation.
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- The County's own planners have documented that the proposed road configuration — narrowed widths, eliminated sidewalks — "would create hazardous conditions and compromise pedestrian safety."
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- Mass grading on a serpentine/asbestos site, combined with inadequate road design, meets the statutory threshold for waiver denial.
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4. WUI Evacuation Risk — Binding Appellate Precedent Requires Analysis

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- In *People v. County of Lake* (Oct. 2024), the California Court of Appeal vacated a project EIR for failing to analyze the impact on community evacuation routes during wildfire. This precedent directly applies here.
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- Our HOA conducted an evacuation drill: only 20% of residents participated and it took one hour to reach Highway 101. The County's claim of two viable exit routes ignores that the western route through dense woodland is not a realistic fire evacuation option.
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-
- The proposed 300+ units at Mt. Lassen/Lucas Valley Road must be analyzed as a cumulative impact on the same single-corridor evacuation route — CEQA requires this.
-

We urge the County to: (1) uphold the mandatory CEQA review already triggered; (2) commission an independent NOA/asbestos exposure study with the elementary school as a named receptor; (3) require a cumulative WUI evacuation analysis consistent with People v. County of Lake; and (4) deny density bonus waivers where public health and safety findings cannot be rebutted by the applicant.

Lucas Valley For Responsible Growth



Robin Fies

From: Rachel Reid
Sent: Monday, June 8, 2026 1:02 PM
To: Robin Fies
Cc: Immanuel Bereket
Subject: Fw: Opposition to 1501 Lucas Valley Road Development

From: Judith Rogers <judithrogers94@gmail.com>
Sent: Monday, June 8, 2026 12:33 PM
To: Rachel Reid <Rachel.Reid@MarinCounty.gov>
Subject: Opposition to 1501 Lucas Valley Road Development

You don't often get email from judithrogers94@gmail.com. [Learn why this is important](#)

Dear Ms Reid,

Please deny the most recent appeal filed by Andre Souang regarding the proposed 36 unit single family subdivision at 1501 Lucas Valley Road. A comprehensive Environmental Impact Report is vital to address the severe fire evacuation hazards, excessive hillside grading and public safety risks that a streamlined review would ignore. I respectfully urge you to continue to require a rigorous environmental study of the project.

Thank you for your dedication to preserving the health and safety of our community,
Judy Rogers

Robin Fies

From: Immanuel Bereket
Sent: Monday, June 8, 2026 3:13 PM
To: Robin Fies
Subject: FW: Opposition to Developer's Appeal – 1501 Lucas Valley Road (June 15 Hearing)

From: Jason Sperling <jrsperling@gmail.com>
Sent: Monday, June 8, 2026 2:38 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>; Rachel Reid <Rachel.Reid@MarinCounty.gov>; Sackett, Mary <Mary.Sackett@MarinCounty.gov>
Subject: Opposition to Developer's Appeal – 1501 Lucas Valley Road (June 15 Hearing)

You don't often get email from jrsperling@gmail.com. [Learn why this is important](#)

Dear Mr. Bereket, Ms. Reid, and Ms. Sackett,

I am writing as a Marin County resident and Lucas Valley neighbor to express my strong opposition to the developer's appeal regarding the proposed 1501 Lucas Valley Road project, and to urge the Planning Commission to deny the appeal at the June 15th hearing.

I am writing in support of the letter submitted by Lucas Valley for Responsible Growth (LVFRG), which I have reviewed and endorse in full. The concerns raised are serious and well-documented - but I want to speak to one in particular from direct personal experience: wildfire evacuation.

I was present during both the August 2024 fire northwest of Marinwood and a subsequent community evacuation drill. In both cases, traffic on Lucas Valley Road became severely congested and backed up to the signal lights, making it impossible to exit the area in any reasonable amount of time. This was not a hypothetical stress test, this was real-world confirmation that our single evacuation corridor is already dangerously inadequate for the population it serves today. Adding hundreds of residents through this proposed development would make a bad situation potentially catastrophic.

Beyond evacuation, the other concerns raised by LVFRG are equally compelling: the project has fundamentally changed from what was studied in the 2023 Housing Element EIR and no longer qualifies for CEQA streamlining; the serpentine rock on site presents a documented naturally occurring asbestos hazard requiring full environmental review, especially given Lucas Valley Elementary School directly across the road; and the proposed road design has been flagged by County planners as creating hazardous pedestrian conditions.

I respectfully urge the Commission to:

1. Uphold the mandatory CEQA review already triggered by this project
2. Confirm the selection of LSA Associates with a revised, expanded scope of work
3. Deny the developer's appeal

This community deserves a thorough environmental review, not a rushed process driven by developer pressure. The stakes are too high.

Thank you for your time and your service to Marin County.

Sincerely,

Jason Sperling
690 Cedarberry Ln
San Rafael, CA 94903

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Jason Sperling
jrsperling@gmail.com
(424) 259-3574
<http://www.linkedin.com/in/jasonsperling>

Robin Fies

From: Immanuel Bereket
Sent: Wednesday, June 10, 2026 9:13 AM
To: Robin Fies
Subject: FW: 1501 Lucas Valley Road Development

From: Martin Cate <martincate@gmail.com>
Sent: Wednesday, June 10, 2026 8:50 AM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>; Rachel Reid <Rachel.Reid@MarinCounty.gov>; Sackett, Mary <Mary.Sackett@MarinCounty.gov>
Subject: RE: 1501 Lucas Valley Road Development

You don't often get email from martincate@gmail.com. [Learn why this is important](#)

Hello,

I am writing as a local resident of Lucas Valley to add my voice to the objections outlined by the Lucas Valley for Responsible Growth organization. While I am in favor of more housing for the county, many other sites, including some within Lucas Valley, make better logistical sense and don't involve the enormous health risks, damage to the environment, and evacuation risk that this one does. Please take a moment to read the following; I appreciate your time and consideration.

Thank you again,
Martin Cate

Lucas Valley for Responsible Growth is writing in response to the appeal filed by Andre Souang, ostensibly on behalf of SB 330 Land Company and Lucas Valley Road LLC and request that the planning commission deny the appeal, confirm the selection of LSA Associates, Inc., with a revised and more detailed/expanded scope of work.

Below is the summary of our concern opposing the 1501 Lucas Valley Project.

OPPOSITION TO 1501 LUCAS VALLEY ROAD DEVELOPMENT

Lucas Valley for Responsible Growth | June 7, 2026

The proposed 36-unit single-family subdivision at 1501 Lucas Valley Road has fundamentally changed from what was studied in Marin County's 2023 Housing Element EIR. We oppose this project on the following legal and public safety grounds:

1. Project No Longer Qualifies for CEQA Streamlining

- The Housing Element EIR studied a multifamily, form-based code project — not 36 single-family homes requiring 7 acres of clear-cutting and mass grading.

- CEQA streamlining applies only to projects consistent with what was previously studied. This redesign breaks that consistency — and the County has already confirmed mandatory full CEQA review is required.
- The developer's threat to sue over CEQA review costs is not a legal defense. The obligation to conduct review cannot be waived by the applicant.

2. Naturally Occurring Asbestos (NOA) Demands Full Environmental Analysis

- The site sits on serpentine rock, which commonly contains naturally occurring asbestos — a known carcinogen regulated under California Air Resources Board Title 17, §93105.
- The developer proposes removing up to 11,000 truckloads of soil. This level of grading on a serpentine site will aerosolize asbestos fibers.
- Lucas Valley Elementary School sits directly across the road — a primary daily receptor for airborne asbestos during a multi-year grading operation. This is a non-negotiable public health trigger for full CEQA review.

3. Density Bonus Waivers Cannot Override Documented Public Safety Hazards

- Under Gov. Code §65915, density bonus waivers may be denied when there is substantial evidence of a specific, adverse impact on public health and safety with no feasible mitigation.
- The County's own planners have documented that the proposed road configuration — narrowed widths, eliminated sidewalks — "would create hazardous conditions and compromise pedestrian safety."
- Mass grading on a serpentine/asbestos site, combined with inadequate road design, meets the statutory threshold for waiver denial.

4. WUI Evacuation Risk — Binding Appellate Precedent Requires Analysis

- In *People v. County of Lake* (Oct. 2024), the California Court of Appeal vacated a project EIR for failing to analyze the impact on community evacuation routes during wildfire. This precedent directly applies here.
- Our HOA conducted an evacuation drill: only 20% of residents participated and it took one hour to reach Highway 101. The County's claim of two viable exit routes ignores that the western route through dense woodland is not a realistic fire evacuation option.
- The proposed 300+ units at Mt. Lassen/Lucas Valley Road must be analyzed as a cumulative impact on the same single-corridor evacuation route — CEQA requires this.

*We urge the County to: (1) uphold the mandatory CEQA review already triggered; (2) commission an independent NOA/asbestos exposure study with the elementary school as a named receptor; (3) require a cumulative WUI evacuation analysis consistent with *People v. County of Lake*; and (4) deny density bonus waivers where public health and safety findings cannot be rebutted by the applicant.*



Martin Cate

OWNER • PARTNER • AUTHOR

SMUGGLER'S COVE

HALE PELE • FALSE IDOL

MAX'S SOUTH SEAS HIDEAWAY

CALIFORNIA GOLD

MARTINCATE.COM

Robin Fies

From: Immanuel Bereket
Sent: Wednesday, June 10, 2026 3:30 PM
To: Robin Fies
Subject: FW: Request to : Deny 1501 Lucas Valley Road Developer's appeal at the June 15th Meeting 1PM

From: LYNN TOMPKINS <ranchita@comcast.net>
Sent: Wednesday, June 10, 2026 3:11 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>; Rachel Reid <Rachel.Reid@MarinCounty.gov>; Sackett, Mary <Mary.Sackett@MarinCounty.gov>
Subject: Request to : Deny 1501 Lucas Valley Road Developer's appeal at the June 15th Meeting 1PM

You don't often get email from ranchita@comcast.net. [Learn why this is important](#)

I cannot attend the June 15th meeting but
I am in complete agreement with the letter below that asks that you deny the 1501 Lucas Valley Road Developer's appeal .

Thank you for your attention to & care for this matter!!!

Lynn Tompkins
1601 Lucas Valley Rd
San Rafael, CA 94903

The letter to the county: from the Lucas Valley for Responsible Growth group

Lucas Valley for Responsible Growth is writing in response to the appeal filed by Andre Souang, ostensibly on behalf of SB 330 Land Company and Lucas Valley Road LLC and request that the planning commission deny the appeal, confirm the selection of LSA Associates, Inc., with a revised and more detailed/expanded scope of work.

Below is the summary of our concern opposing the 1501 Lucas Valley Project.

OPPOSITION TO 1501 LUCAS VALLEY ROAD DEVELOPMENT

Lucas Valley for Responsible Growth | June 7, 2026

The proposed 36-unit single-family subdivision at 1501 Lucas Valley Road has fundamentally changed from what was studied in Marin County's 2023 Housing Element EIR. We oppose this project on the following legal and public safety grounds:

1. Project No Longer Qualifies for CEQA Streamlining

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We urge the County to: (1) uphold the mandatory CEQA review already triggered; (2) commission an independent NOA/asbestos exposure study with the elementary school as a named receptor; (3) require a cumulative WUI evacuation analysis consistent with People v. County of Lake; and (4) deny density bonus waivers where public health and safety findings cannot be rebutted by the applicant.

Robin Fies

From: Immanuel Bereket
Sent: Thursday, June 11, 2026 6:38 AM
To: Robin Fies
Subject: FW: Objection to Developer's Appeal - 1501 Lucas Valley Road / Souang Tentative Map Project

From: Rebecca Kacherginsky <rkacherginsky@gmail.com>
Sent: Wednesday, June 10, 2026 9:54 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>
Subject: Objection to Developer's Appeal - 1501 Lucas Valley Road / Souang Tentative Map Project

You don't often get email from rkacherginsky@gmail.com. [Learn why this is important](#)

Dear Mr. Bereket,

I am writing again to express my strong opposition to the proposed subdivision and development at **1501 Lucas Valley Road**, and to urge the Planning Commission to **reject the developer's appeal** at the June 15, 2026 hearing.

My family lives near the proposed project site. We remain deeply concerned that this project poses serious risks to:

- **Wildfire evacuation and emergency access**
- **Environmental health and air quality**
- **Children's safety**
- **Traffic and infrastructure**
- **Neighborhood character**
- **Wildlife habitat and dark-sky conditions**

My husband, Peter Kacherginsky, spoke at the last hearing about our family's concerns regarding fire risk, environmental pollution, and the safety and education of our children. I am writing to reiterate and expand on those concerns.

Public comments must be meaningfully considered

I understand that one of the developer's objections relates to the scope of LSA's CEQA review, including whether LSA should spend time considering public comments and objections to its draft report.

I find this deeply troubling.

The residents most directly affected by this project have a right to have their concerns meaningfully reviewed, not dismissed as inconvenient. Public participation is especially important here because the impacts are not abstract. They affect evacuation routes, truck traffic, air quality, hillside stability, wildlife

habitat, and the safety of families who live near the project area.

The grading and tree removal are excessive

The proposed grading remains one of the most concerning aspects of this project.

The developer's original grading plan reportedly called for the removal of **113 trees** from the hillside. The revised plan may require even more removal. This hillside is not an empty or isolated site. It is part of the visual, ecological, and fire-safety landscape of our neighborhood.

Removing trees and substantially altering the slope could permanently change the area and may increase:

- Erosion and runoff
- Dust and air-quality impacts
- Heat exposure
- Fire vulnerability
- Loss of habitat

The truck traffic is not compatible with this neighborhood

The scale of hauling required for this project is alarming.

The original plans reportedly involved approximately **2,000 dump truck loads**, which would amount to roughly **7.7 one-way dump truck trips per workday for a year**, not including holidays.

The revised figure of approximately 11,000 dump truck loads would be dramatically worse, resulting in more than **42 truck loads each way, every day for a year**.

That level of heavy truck traffic is not compatible with a residential neighborhood. It raises serious concerns about:

- Children walking, biking, and being driven to school
- Pedestrian and cyclist safety
- Noise and diesel emissions
- Road wear and infrastructure impacts
- Traffic congestion during school and commute hours
- Emergency vehicle access

Soil contamination and dust exposure must be fully evaluated

I am also concerned about potential soil contamination and dust exposure during grading and hauling.

Prior project materials have raised concerns about **asbestos and heavy metals in the soil**. These are not minor issues. Our children live, play, and travel through this area.

Any CEQA review must fully evaluate health risks from:

- Excavation

- Airborne dust
- Truck hauling
- Staging areas
- Long-term disturbance of potentially hazardous materials

Fire safety and evacuation remain unresolved

Fire safety remains one of our family's greatest concerns.

Lucas Valley and Marinwood are already vulnerable to wildfire and constrained evacuation conditions. Additional development on a hillside, combined with added traffic and limited access, could make evacuation more dangerous for existing residents.

The traffic and evacuation analysis must account not only for this project in isolation, but also for **cumulative impacts from Northgate and other planned developments.**

In a wildfire, minutes matter. Any project that increases congestion or complicates emergency access should be treated with the highest level of scrutiny.

The project is out of scale with the neighborhood

The project design remains out of scale with the surrounding neighborhood.

The proposed density of **36 homes on 2.3 acres** is far greater than nearby residential patterns, including Mt Muir Court. The plan also raises practical safety and quality-of-life concerns because of:

- Limited visitor parking
- No sidewalks
- No driveways
- Likely overflow parking impacts on nearby streets and trailhead areas
- Narrow access conditions
- Increased pressure on existing roads and infrastructure

Families, children, pedestrians, cyclists, and emergency vehicles all need safe and functional access.

The proposed lighting would harm the area's dark-sky character

I also object to the proposed installation of 14 overhead street lights.

One of the defining qualities of this area is its relatively dark-sky environment, shaped by the surrounding hills and open space. Excessive lighting would harm the rural and natural character of the neighborhood, affect nearby residents, and disrupt wildlife that depends on the existing nighttime environment.

Key questions remain unanswered

Before any further approval is considered, the County and Planning Commission should require clear answers to the following:

- Will wildfire evacuation be safe for existing and future residents?
- Will emergency vehicles have adequate access and turnaround capacity?

- Will water supply and pressure be sufficient in an emergency?
- How will contaminated soil, dust, and heavy truck traffic be managed?
- How will children, pedestrians, and cyclists be protected during years of construction?
- How will cumulative traffic impacts from Northgate and other nearby developments be addressed?
- Why should public comments on the CEQA review be limited or discouraged?

Request

I respectfully urge the Planning Commission and County staff to ensure that LSA's CEQA review fully considers public objections and all reasonably foreseeable impacts of this project.

The developer should not be permitted to narrow the review in a way that excludes or minimizes the concerns of the residents who will bear the consequences.

This project, as proposed, threatens the safety, health, and long-term well-being of our community. I urge the Planning Commission to **reject the developer's appeal** and require a thorough, transparent, and community-responsive environmental review before any further action is taken.

Sincerely,

Rebecca Kacherginsky

1154 Idylberry Rd, San Rafael, CA 94903

Rkacherginsky@gmail.com

415-355-4822

Robin Fies

From: Immanuel Bereket
Sent: Thursday, June 11, 2026 6:48 AM
To: Robin Fies
Subject: RE: Proposed Project at 1501 Lucas Valley Road (Souang Vesting Tentative Map)

From: John McDonough <monk74@sbcglobal.net>
Sent: Wednesday, June 10, 2026 6:27 PM
To: Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>
Subject: Proposed Project at 1501 Lucas Valley Road (Souang Vesting Tentative Map)

You don't often get email from monk74@sbcglobal.net. [Learn why this is important](#)

Dear Mr. Bereket, I have been a resident of Lucas Valley since May of 1959. During this period I can recall at least six grass fires on the hill adjoining Idylberry Road (one during the 1960s which came down to the fire lane behind the houses on Idylberry, and one on September 1, 2021 which caused a Mandatory Evacuation Order for residents of Lucas Valley and Marinwood). I have seen how quickly a grass fire can spread. The *Marin Independent Journal* on June 8th published a timely article "New Study highlights Bay Area wildfire escape perils". The article summarizes the findings of a study published June 1 in *Proceedings of the National Academy of Sciences* by the University of California at Santa Barbara analyzing wildfire deaths from 2008 - 2024. The study found that "wildfire deaths were concentrated in communities that had one to six roads leading to safety . . . making evacuees vulnerable to congestion, blocking, or simultaneous exposure to fire fronts". The study included **Lucas Valley - Marinwood** among those Marin County communities having relatively low number of exits. For Upper Lucas Valley (and the proposed project at 1501 Lucas Valley Road) there is only one exit that could be used for an evacuation - Lucas Valley Road. Some years ago an evacuation drill in which less than 50 percent of the households participated, it took from 30 minutes to an hour for residents from Upper Lucas Valley to reach Highway 101. But it would be catastrophic if residents had to evacuate to the **west** on Lucas Valley Road to Nicasio - most likely there would be gridlock on that winding road, and without police or firemen acting as traffic monitors, those cars approaching the road from Mt. Lassen, Mt. Muir, Mt. Shasta and Bridgegate Drive might not be able to even access the road with so many cars fleeing from Marinwood.

1501 Lucas Valley Road is a bad location for a residential development of the size proposed by the Souang Vesting Tentative Map. I urge you to stand firm against the developer's efforts to undermine the California Environmental Quality Act (CEQA) review of their proposal. Respectfully submitted, John Kirk McDonough, 827 Greenberry Lane, Lucas Valley (San Rafael 94903).

Robin Fies

From: Rachel Reid
Sent: Thursday, June 11, 2026 3:10 PM
To: Robin Fies
Cc: Immanuel Bereket
Subject: Fw: Memorandum on 1501 Lucas Valley Road Appeal
Attachments: Appeal of Environmental Determination (1510 Lucas Valley Road).docx

From: Greg Stepanicich <gregstepanicich@gmail.com>
Sent: Thursday, June 11, 2026 3:03 PM
To: Sindy Palencia <Sindy.Palencia@MarinCounty.gov>; Immanuel Bereket <Immanuel.Bereket@MarinCounty.gov>; Rachel Reid <Rachel.Reid@MarinCounty.gov>
Subject: Memorandum on 1501 Lucas Valley Road Appeal

Sindy, Manny and Rachel,

Attached is my memorandum on the appeal of the environmental determination for 1501 Lucas Valley Road. Please include it in the supplemental packet that will be posted online and provided to the Commissioners. Sindy, I would greatly appreciate it if you could confirm by email that you have received this memorandum.

Thanks very much,

Greg

Greg Stepanicich
Marin County Planning Commissioner

June 10, 2026

Marin County Planning Commission
Marin County Civic Center
3501 Civic Center Drive
San Rafael, CA 94903

Re: Appeal of Environmental Determination on Tentative Subdivision Map and Tree Removal Permit for 1501 Lucas Valley Road by the Applicant 330 Land Company and Lucas Valley Road LLC

Commissioners,

I am very sorry that I am unable to attend the Planning Commission meeting on June 15, 2026, as I will be on a family vacation. This is the first Planning Commission meeting I have missed since my appointment to the Commission in 2023, and I understand that legally the date of this hearing cannot be continued to the next Commission meeting when I will be back home. With this memorandum, I am submitting my comments on the above-referenced agenda item to the Commission and for the public record on this matter.

I strongly support the denial of the appeal by the applicant of the determination by the Environmental Coordinator that the applicant fund the proposal by LSA to prepare an environmental review pursuant to State CEQA Guidelines Section 15183 ("Section 15183").

In its appeal, the applicant repeatedly refers to Section 15183 as a CEQA streamlining exemption. This mischaracterizes the purpose and terms of Section 15183. No where in Section 15183 is the word "exemption" used. This section is set forth in Article 12 of the State CEQA Guidelines that addresses Special Situations, generally with the aim to simplify the CEQA review process in limited and defined circumstances. Statutory and categorical exemptions from CEQA review are addressed separately in Articles 18 and 19 of the State CEQA Guidelines. There is a big difference between an exemption and a streamlined process. I support the concept of simplifying CEQA review when a prior CEQA document adequately addresses the environmental effects of a subsequent project. This is not the case here.

The applicant relies on the argument that the Program EIR prepared for the Housing and Safety Element Update EIR adequately addresses the impacts of the proposed Tentative Subdivision Map and Tree Removal Permit (the “pending project”) and either that no additional environment review is warranted or any further environmental review should be very limited in scope and time. This argument misstates the nature of the Program EIR that was prepared for the Housing and Safety Element Update. The Program EIR could not be clearer that it was not intended to address the specific environmental effects of future housing projects whose details were not known at that time. Instead, additional environmental review would be required, and the extent of that review would depend upon the nature of the future project. The Program EIR explains that it was prepared with the intent to streamline but not eliminate future CEQA compliance. The Program EIR noted that the use of Section 15183 was contemplated but also noted that a Subsequent EIR may be required under State CEQA Guidelines Section 15162 when warranted by new or greater environmental effects created by a specific project that were not addressed by the Program EIR.

With respect to the designated housing site located at 1501 Lucas Valley Road, the Housing Element and related Program EIR noted the acreage of the property, its zoning and the permitted density of 26 above moderate-income residential units. No other details were called out. The Housing Element and related Program EIR presumed that the Form Based Code would be followed which contemplated clustered multi-family housing conforming to the existing topography on the subject property and they did not consider the widespread waivers sought by the applicant. Some of these waivers raise serious health and safety concerns that without question require additional environmental review in accordance with the requirements of state law.

The two letters submitted by the applicant’s attorney focus primarily on LSA’s proposal to provide a twenty-day public comment period on the CEQA documentation prepared by LSA. Although the attorney is correct that a public comment period is not legally mandated by Section 15183, the County is required by law to conduct a public hearing on the Tentative Subdivision Map before it can be approved. At that time, the public can raise objections to the adequacy of the environmental review that has been completed. It is in the mutual interests of the County and the applicant to know whether there are any flaws in the environmental review before the 15183 process is finalized and to have written responses prepared by LSA that confirm that the documentation it has prepared is legally adequate. Waiting for the Tentative Subdivision Map hearing to hear these objections will likely only further delay a final decision on the pending project. From the Planning Commission’s perspective, it is essential that we obtain LSA’s written

evaluation of public comments to ensure that we have a legally adequate record to base our decision on the pending project.

I have a number of concerns with the pending project as proposed which I hope will be addressed by LSA's 15183 Checklist and any other environmental documentation they may prepare. There are three areas that raise the most significant CEQA issues for me. These issues are not my exclusive concerns but by themselves dictate that the appeal be denied. These CEQA issues are (1) grading and related hydrology, (2) potential health issues arising from the presence of serpentine rock on the subject property creating natural asbestos hazards and (3) the waivers impacting internal traffic and pedestrian circulation and safety and access to Lucas Valley Road.

Michael Spalding's letter, dated May 20, 2026, is a thorough and thoughtful analysis of the many environmental concerns related to the project. In particular, he raises a concern that LSA will be conducting a review of grading that is limited to a peer review of the preliminary geotechnical report and other reports prepared on behalf of the applicant that are based on the initial grading plan only. Mr. Spalding asks that the LSA proposal be expanded to ensure that both grading options are adequately analyzed. I share the concern that the initial reports do not appear to be sufficient to address the alternative grading plan. However, I believe that the LSA proposal initially approaches the evaluation of grading appropriately by reviewing all the existing documentation and inspecting the site at which point it can determine whether additional environmental and geotechnical review is required to adequately address both grading proposals and if so, how such additional work should be scoped. The proposal is clear that both grading options will be reviewed and if LSA determines that the existing documentation fails to adequately consider the impacts of each grading plan, LSA will prepare a scope of work/cost proposal for additional geologic studies. I think it would be a mistake to define the necessary scope of work until the existing documentation can be independently and professionally analyzed by LSA. The grading concerns are closely related to the hydrology and storm drainage concerns and likewise it appears that the proposed approach under Section 15183 is for LSA to review the existing documentation and inspect the site and then if the existing reports and review are found inadequate, a proper scope of work can be prepared to adequately address hydrology and drainage on the subject property and how it may affect the existing homes on the north side of Lucas Valley Road.

A key factor for me is that the Section 15183 Checklist and any additional environmental documentation will be subject to the Commission's review at the latest when the Tentative Subdivision Map and Tree Removal Permit are submitted to the

Commission for final action. At that time, if the Commission believes that the environmental review that has been completed by LSA is not sufficient, the Commission can direct additional review to be conducted before we act on the map and permit.

With respect to the concerns about the potential hazards created by naturally occurring asbestos on the subject property from the existence of serpentine rock, in my discussion with staff, I understand that the hazards review will not be limited to the Phase I Environmental Site Assessment. LSA proposes conducting a Phase I Environmental Site Assessment because surprisingly, the applicant has failed to conduct this basic review that should be conducted for any development project. In addition, staff informed me that a full Health Risk Assessment (HRA) of the subject property will be conducted which I believe is important. In rereading the LSA proposal, it was not clear to me that the scope of work includes an HRA. I recommend that the Commission confirm with staff and LSA that a full HRA will be conducted as part of the Section 15183 Checklist review or prior to the issuance of any grading permits for the subject property.

The substandard street widths, lack of sidewalks on each side of the streets, lack of sufficient home driveways to park cars, absence of vehicle turnarounds, and single ingress/egress to the subdivision coupled with the sloping nature of this proposed subdivision raise serious public safety concerns. It is very important that LSA fully evaluate the environmental and public safety consequences of the waivers asserted by the applicant. I have serious concerns about there being sufficient and safe access for public safety vehicles (particularly fire trucks) but also large service vehicles such as refuse and delivery trucks. Further, the traffic safety hazards created by the large volume of trucks off-hauling soil from project grading must be carefully reviewed. The LSA proposal does not directly address these concerns. I recommend that the Commission confirm with staff and LSA that these concerns will be carefully evaluated.

I have one additional suggestion. LSA is proposing to conduct its visual simulation of the proposed development from Lucas Valley Road as part of its assessment of the aesthetics impact. I do not believe this is sufficient. There is a well-used public trail located to the east and south of the subject property that provide impressive scenic vistas for trail users. The proposed development with its extensive and unprecedented grading will severely impact public views from this trail. A visual simulation also should be conducted from a point or points selected by staff on this trail.

Finally, the applicant's attorney once again repeats the unfounded charges that staff has engaged in a pattern of bad faith, improper delays and significant unnecessary costs

designed to prevent development of housing. I have followed this project closely since its initial filing and the record is clear that any delays in the processing of the applicant's proposed development have been the fault of the applicant. Initially, the applicant proposed JADU's within the market rate homes to meet affordable housing requirements when such JADU's do not qualify as affordable housing. The applicant ultimately dropped this poorly conceived idea and then appropriately proposed five separate affordable units that qualified the project for a density bonus but the initial proposal by the applicant delayed consideration of the project. One year elapsed after the initial application for the applicant to submit a traffic/circulation plan that is essential for the processing of a housing development project and was a requirement insisted upon by staff from the beginning. Other items typically required as part of a housing development application were provided only after several requests. While staff met its statutory deadlines for responding to incomplete application submittals, the applicant finally had to ask for a six-month extension to prevent the expiration of its application which the staff granted. Further, the record shows that when the applicant finally completed all application requirements, staff timely issued its approval of the Housing Compliance Review. I also note that since the adoption of the 2023-2031 Housing Element Update, the Planning Commission has approved every proposed housing development that has come before it for consideration, including most recently the 337 residential unit project on the Seminary property near Mill Valley. Staff recommended the approval of each of these projects. One cannot make a good faith argument that staff and the Commission are attempting to discourage new housing.

With respect to the CEQA review of the Tentative Subdivision Map and Tree Removal Permit, the applicant could have significantly simplified CEQA review, if it had decided to propose a housing development that conformed to the Form Based Code and the existing topography of the site. Instead, the applicant has proposed unprecedented grading through either the construction of a series of retaining walls exceeding fifty feet in height or significantly more grading. It is also important to note, that if the applicant accepted and funded the Sicular Environmental Consulting proposal last summer, the Section 15183 review process likely would have been completed by now. Instead, the applicant incurred self-inflicted delays by appealing the staff's determination on the Sicular proposal to both the Commission and Board of Supervisors. It has caused additional delay in now appealing the LSA proposal even though this proposal involves less cost and time.

In conclusion, the appeal should be denied. The Program EIR for the Housing and Safety Element Update clearly contemplated the type of environmental review proposed by

staff here. The Tentative Subdivision Map and Tree Removal Permit cannot be considered by the Planning Commission until an adequate CEQA process is completed.

From: Joanne Abrams <jabrams42@gmail.com>
Sent: Thursday, June 11, 2026 4:07 PM
To: Immanuel Bereket; Rachel Reid; Sackett, Mary
Subject: Deny 1501 Lucas Valley Rd Developer's Appeal

You don't often get email from jabrams42@gmail.com. [Learn why this is important](#)

Lucas Valley for Responsible Growth is writing in response to the appeal filed by Andre Souang, ostensibly on behalf of SB 330 Land Company and Lucas Valley Road LLC and request that the planning commission deny the appeal, confirm the selection of LSA Associates, Inc., with a revised and more detailed/expanded scope of work.

Below is the summary of our concern opposing the 1501 Lucas Valley Project.

OPPOSITION TO 1501 LUCAS VALLEY ROAD DEVELOPMENT

Lucas Valley for Responsible Growth | June 7, 2026

The proposed 36-unit single-family subdivision at 1501 Lucas Valley Road has fundamentally changed from what was studied in Marin County's 2023 Housing Element EIR. We oppose this project on the following legal and public safety grounds:

1. Project No Longer Qualifies for CEQA Streamlining

- The Housing Element EIR studied a multifamily, form-based code project — not 36 single-family homes requiring 7 acres of clear-cutting and mass grading.
- CEQA streamlining applies only to projects consistent with what was previously studied. This redesign breaks that consistency — and the County has already confirmed mandatory full CEQA review is required.
- The developer's threat to sue over CEQA review costs is not a legal defense. The obligation to conduct review cannot be waived by the applicant.

2. Naturally Occurring Asbestos (NOA) Demands Full Environmental Analysis

- The site sits on serpentine rock, which commonly contains naturally occurring asbestos — a known carcinogen regulated under California Air Resources Board Title 17, §93105.
- The developer proposes removing up to 11,000 truckloads of soil. This level of grading on a serpentine site will aerosolize asbestos fibers.
- Lucas Valley Elementary School sits directly across the road — a primary daily receptor for airborne asbestos during a multi-year grading operation. This is a non-negotiable public health trigger for full CEQA review.

3. Density Bonus Waivers Cannot Override Documented Public Safety Hazards

- Under Gov. Code §65915, density bonus waivers may be denied when there is substantial evidence of a specific, adverse impact on public health and safety with no feasible mitigation.
- The County's own planners have documented that the proposed road configuration — narrowed widths, eliminated sidewalks — "would create hazardous conditions and compromise pedestrian safety."
- Mass grading on a serpentine/asbestos site, combined with inadequate road design, meets the statutory threshold for waiver denial.

4. WUI Evacuation Risk — Binding Appellate Precedent Requires Analysis

- In *People v. County of Lake* (Oct. 2024), the California Court of Appeal vacated a project EIR for failing to analyze the impact on community evacuation routes during wildfire. This precedent directly applies here.
- Our HOA conducted an evacuation drill: only 20% of residents participated and it took one hour to reach Highway 101. The County's claim of two viable exit routes ignores that the western route through dense woodland is not a realistic fire evacuation option.
- The proposed 300+ units at Mt. Lassen/Lucas Valley Road must be analyzed as a cumulative impact on the same single-corridor evacuation route — CEQA requires this.

I support Lucas Valley for Responsible Growth's request for denial of the developer's appeal.

Joanne Abrams
44 Mt Foraker Dr.

--

Best
Joanne
jabrams42@gmail.com,

Robin Fies

From: Danielle O'Neill <dconeill26@gmail.com>
Sent: Friday, June 12, 2026 7:25 AM
To: Immanuel Bereket
Subject: 1501 Lucas Valley Road: Public Review of Environmental Impact Report

You don't often get email from dconeill26@gmail.com. [Learn why this is important](#)

Dear Mr. Bereket and Members of the Planning Commission,

My name is Danielle O'Neill and I live at 91 Mt Muir Ct, San Rafael. I am writing regarding the developer's appeal related to the County's selection of LSA Associates to conduct the CEQA review for the proposed 1501 Lucas Valley Road project. I believe that the opportunity for comprehensive public review of the Environmental Impact Report is an essential element of the evaluation process. I am concerned about the developer's objection to public review and response.

As a resident with a young family, I believe that a project of this scale demands a high level of review-particularly regarding the acute risks of air quality and public health, wildfire evacuation safety, traffic gridlock, and the environmental impacts on stormwater management and wildlife.

The community will bear the consequences of these decisions. I respectfully urge the County and Planning Commission to reject the developer's appeal and maintain a transparent CEQA review process.

Thank you for your time,
Danielle O'Neill

Robin Fies

From: Fred Penczak <fredpenczakmd@gmail.com>
Sent: Thursday, June 11, 2026 7:48 PM
To: Immanuel Bereket
Subject: oppose 1501 Lucas Valley Road development
Attachments: 1501 lucas valley rd - 5 20 26 ltr & pix.pdf

You don't often get email from fredpenczakmd@gmail.com. [Learn why this is important](#)

6/11/2026

I am a long standing resident of Lucas Valley. I, along with my neighbors, are opposed to the proposed development at 1501 Lucas Valley Road, and have already voiced our concerns about endangering our lives as well as degrading and destroying this delicate valley and its harmonious balance with nature. I am writing in support of the letter dated May 20, 2026 by Michael Spalding opposing development. Attached is a copy of that letter. Please uphold the will of the citizens of Lucas Valley and deny the developers. Thank you, Fred Penczak, M.D.

38 Mt. Muir Ct.
San Rafael, CA 94903
May 20, 2026

Marin County Planning Commission
c/o Immanuel Bereket, Project Planner
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903
Immaneul.bereket@marincounty.gov

Re: 1501 Lucas Valley Road
Developer's Appeal of Designation of LSA to Prepare CEQA Checklist

Dear Mr. Bereket/Members of the Planning Commissions

I am writing in response to the appeal filed by Andre Souang, ostensibly on behalf of SB 330 Land Company and Lucas Valley Road LLC and request that the planning commission deny the appeal, confirm the selection of LSA Associates, Inc., with a revised and more detailed/expanded scope of work.

The Developer's Appeal Should Be Denied

As admitted by the applicant,¹ a Section 15183 checklist is required in order to determine if there are any environmental effects that **(1)** are peculiar to the project or parcel; **(2)** were not analyzed in the Housing Element EIR; **(3)** are potentially significant off-site impacts or cumulative impacts; or **(4)** there is new information that makes the previously studied impacts more severe. In other words, the appeal seems to be over the scope of work included in the LSA

¹ I question whether the applicant, Mr. Souang, a resident of the State of Washington, has **standing to appeal**. He does not own the subject property. According to the Recorder's Office, a deed was recorded on February 2, 2023 memorializing the sale of his ownership interest therein to the Lucas Valley Road LLC for \$5,000,000.00 (presumed sales price based on \$5,500.00 transfer tax) Filings with the California Secretary of State do not identify him as an organizer, manager or member of 330 Land Company LLC. The same is true as to the applicant, Lucas Valley Road LLC, a Michigan-based entity. In the absence of an affirmative showing that he should be required to make to establish that he is an interested person, the appeal should be denied for lack of standing.

proposal (which the applicant believes is too expansive and time consuming), and not whether a checklist is required.

The California Environmental Quality Act (CEQA) has four related purposes: (1) to inform the government and the public about the potential environmental impact of a proposed activity; (2) to identify ways to reduce or avoid environmental damage, (3) to prevent environmental damage by requiring project changes via alternatives or mitigation measures when feasible, and (4) to disclose to the public the rationale for governmental approval of a project that may significantly impact the public. As you are undoubtedly well aware, CEQA imposes an obligation on all agencies to regulate so that major consideration is given to preventing environmental damage. (see Hilltop Group, Inc. v. County of San Diego (2024) 99 Cal.App.5th 890, 907, cited by the developer in support of its Petition for Appeal).

First, LSA's proposal to allow a period of 20 days and a total of 96 hours of its staff's time to public comment on its work is reasonable, appropriate, consistent with CEQA's objectives, and necessary to meet its goals. The developer's claim that no time should be spent on public comment is, simply put, outrageous.

Second, the developer's objection to a tribal consultation is without merit – more fairly characterized as a “nuisance objection” because the amount of time it will take to consult is but a small part of LSA's proposed Cultural Resources and Tribal Cultural Resources analysis, and because LSA proposes completing that task at the same time as or shortly after finalizing the project description. (see page 21 of its proposal.)

Third, the Hilltop case cited by the developer does not support its position on appeal. It effectively stands for the proposition that while all conflicts in the evidence are resolved in support of the agency's action, and that courts will indulge all reasonable inferences in support of the agency's findings regarding a project's peculiar environmental impacts, those findings must be supported by substantial evidence. (Hilltop, at 910-911, 914) The opinion being quite lengthy, a summary follows.

The case involved a proposal for construction of a recycling facility. The project was projected to maintain visual separation from local landmarks.² An initial CEQA study was done,³ and it found potentially significant impacts in the areas of aesthetics, air quality, biological resources, greenhouse gas emissions, hydrology and water quality, hazards and hazardous materials, and noise.

² This would distinguish it from the subject project, which, as staff and the Planning Commission know, proposes excavation of the hillside that will result in a widely visible scar.

³ The study was apparently done without objection by Hilltop, which would again distinguish it from the subject project.

Hilltop then submitted a draft EIR to the County.⁴ It concluded that mitigation measures would reduce the project's potential environmental impacts below significant levels, and asked the County to process the project as a CEQA exemption under Guidelines Section 15183.

The County identified deficiencies in the analyses in the draft EIR, told Hilltop that if they revised technical studies to address those deficiencies to the satisfaction of County staff, the County would reconsider its request. After Hilltop complied,⁵ and after considering over 500 public comments, County staff concluded that Hilltop qualified and recommended approval of the exemption, subject to two conditions: (1) enclosure of the project's processing operations, and (2) limiting hours of operation to the period from 7:00 am to 7:00 pm. After receiving objections at a public hearing, the zoning administrator approved the exemption.

The County's planning and development services then approved the project's site plan, subject to 65 conditions of approval that were required to assure that its impact would remain less than significant.⁶ Interested parties, including the City of Escondido, community groups and homeowner's associations then appealed to the planning commission. A public hearing was held, and the planning commission voted unanimously to deny the appeals.

The planning commission's denial was appealed to the Board of Supervisors. Following a public hearing, the Board concluded, without identifying what specific aspects of the project would create the potential for significant environmental impacts, that an EIR was warranted, and voted to grant the appeal.

Hilltop filed a petition for writ of mandate. The superior court denied the petition, finding there was a "fair argument" to be made that the project would have significant non-mitigatable effects on the environment that would be peculiar to the project, not addressed as significant in the prior EIR, and for which new information showed would be more significant than described in the prior EIR.

The court of appeal rejected the "fair argument" test applied by the trial court, found a substantial evidence test governed its review of a CEQA exemption request, and after considering public comment, concluded that the record contained no substantial evidence that would support the Board of Supervisor's decision to grant the appeals and deny Hillside's exemption request, and as a result, reversed the trial court judgment.

⁴ Unless otherwise noted, all references to the "County" in this summary of the Hilltop opinion are intended to refer to the County of San Diego.

⁵ Hilltop's compliance again distinguished that case from the present case, where the developer seems loathe to work collaboratively with the County of Marin on any issue.

⁶ There is nothing in the opinion that would support a conclusion that Hilltop objected to any of the conditions of approval – which would once again distinguish it from the present case, wherein the developer objected to and filed suit over two conditions of Marin County's approval: (1) widening of roadways to comply with countywide standards, and (2) adding sidewalks on both sides of the streets within the development.

LSA'S Proposal Should be Further Expanded and Detailed to Assure that All Matters of Concern Are Appropriately Identified and Addressed

Consistent with CEQA's purposes, and for the following reasons, we believe the scope of work in the LSA proposal may need to be further expanded to adequately determine if the Guideline Section 15183 factors referenced above exist.

I. Initial Evaluation of the Project Did Not Consider the Alternative Grading Plan

The Alternative Grading Plan represents a substantial change in the proposed project. It was not considered as a part of the Preliminary Arborist Report, the Biological Resources Constraints Analysis, the Preliminary Geotechnical Exploration, Hydrology and Hydraulic Report, Stormwater Control Plan, or the Stormwater Treatment Facilities Operation and Maintenance Plan. Because each is inadequate and incomplete, the scope of CEQA inquiry and analysis must be expanded to assure that those issues are appropriately addressed.

II. The Project Will Require Excessive Grading

The original Grading Plan called for 70,165 cubic yards of material to be cut from the hillside and 27,590 yards (roughly 2,000 dump truck loads, by the County's estimate) to be removed from the jobsite. The Alternative Grading Plan turbocharges those numbers, more than doubling the cut to 165,970 cubic yards, and more than quadrupling amount of off haul, to 128,900 cubic yards of material (roughly 11,000 dump truck loads, per the County's estimate).⁷

The developer has provided no information regarding the amount of time it will take to remove the spoils from the jobsite. If one were to assume that removal would take place five days/week over the course of a year, no exceptions for holidays, that would **take 7.7 dump truck loads, every day for a year** to dispose of the 2000 dump truck loads of material called for by the original grading and drainage plan, and more than **42 dump truck loads, every day for a year**, to dispose of 11,000 the dump truck loads of material called for by the alternative grading and drainage plan. If it does nothing else, the developer should be required to tell LSA, the County, and through the County, members of the to be affected public, how much time it expects to take to remove and dispose of the spoils, so all concerned will know what to expect if the project is allowed to proceed.

⁷ A cubic yard of dirt and rock typically weighs between 2,400 and 3,200 lbs. As of October 2025, Waste Management was charging \$36.74/ton for clean dirt (and presumably more for dirt and rock, and/or dirt and rock containing asbestos, assuming they would accept it at all). Depending on what the developer ultimately decides to do, **dump fees alone** (i.e. excluding loading and transporting, and assuming Waste Management would agree to accept the material at all) can be expected to range from, at an absolute minimum of a least **\$1,216,387.92** (27,590 yards x 1.2 tons/yard x \$36.74/yard), to more than **\$5,682,943.20** (128,900 yards x 1.2 tons/yard x \$36.74/yard) Under the circumstances, the developer can hardly be heard to complain about the cost of the CEQA guidelines review.

Given the tremendous volume of material in issue (enough to create a cube 165 feet on each side, or to fill 80 houses of the size proposed by the developer to a depth of 20 feet), and the scar that it will leave (rising 234 feet above the Lucas Valley roadbed) the consequences the proposed grading must be very carefully considered in connection with several elements of the CEQA guidelines Section 15183 checklist.

III. The Excessive Grading Will Result in the Removal of More Than 100 Trees

The Preliminary Arborist's Report identified 113 trees that would have to be removed to develop the property as originally proposed (i.e. with 36 structures and 50+ vertical feet of retaining walls called for by the original grading and drainage plan.) It recommended the potential preservation of another 55 trees, 54 of which were "at edge of project area" and one of which (a 61" diameter Nicholas willow leaf peppermint), would require a grading plan revision in order to be preserved (as recommended by the arborist).

The developer's Alternative Grading Plan **ignored the arborist's recommendation** (at page 14 of her report) for preservation of the peppermint tree and would result in its removal and many other trees that could potentially have been preserved along with many others that (it appears) were not included in the arborist's original inventory. It also **ignored the biological resources constraints analyst's recommendation** (at page 12 of their report), to "adjust the grading envelope to minimize or eliminate any impacts to sensitive communities, including coast live oak woodland and California bay woodland, to the greatest extent possible." In other words, the developer ignored the recommendation that the grading and drainage footprint as originally proposed (that would result in 2000 dump truck loads of off fill) be reduced to something smaller and less disruptive.

IV. The Excessive Grading Will Result in the Substantial Degradation of the Existing Visual Character and Quality of the Site and Its Surroundings

The original grading plan called for a series of retaining walls around two sides of the proposed development, rising to as much as 55 feet in total height, with tops at an elevation of roughly 110 feet above the roadbed of Lucas Valley Road, and cuts another 60 feet up the hillside, to an elevation of about 160 feet above the roadway and 310 ft above sea level. (The functional equivalent, in height, of a 16 story apartment building.) The Alternative Grading Plan calls for a single retaining wall of up to 15 feet in height, topping out at an elevation about 70 feet above Lucas Valley Road, and cuts up the hillside to an elevation of approximately 234 feet above Lucas Valley Road and 394 feet above sea level. (Envision a 24 story apartment building) Under either scenario, the result will be a massive, un-mitigatable scar.⁸

⁸ The LSA proposal notes that no mitigation measures were identified in the HESE FEIR to reduce visual impacts. While the original submitted plans included a "Site Wide Planting Plan", those plans did not include the all of the area that will be subjected to proposed cut by the Alternative Grading Plan, and they are far too generic to be of any utility to make any informed determination as to whether the proposed mitigation measures would be sufficient.

This hideous scar will be widely visible – not only from Lucas Valley Road, but the Terra Linda Fire Road – a major trail through the public open space above the project – and the residential areas of Lucas Valley as well. (See photos attached as Exhibits to this letter)

The LSA proposal (at page 9), says the project will be portrayed using visual simulations from Lucas Valley Road.⁹ This is inadequate and it is a material change from the Sicular proposal that (at page 6) said it would include visual simulations from “*publicly accessible key observation points*”, including Lucas Valley Road, the Terra Linda fire road, and some residential areas in Lucas Valley. The LSA proposal should be revised or clarified to add additional views (e.g. from the Terra Linda Fire Road and from residential areas in Lucas Valley.

The proposed Street Light and Amenities Plan identifies 14 different street lights, including two at/near the connector with Lucas Valley Road. The Lucas Valley and Lucas Valley Estates subdivisions were both purposefully designed and built without streetlights, to minimize light pollution. (Artificial light at night is in many ways harmful to wildlife, as well as humans.) LSA’s proposal says it will address light spillover and glare issues. It does not say how it plans to address them. That should be spelled out to assure that those issues are addressed meaningfully, objectively and in a manner that will provide all interested persons with an opportunity to comment on the findings and on such mitigation measures, if any, as may be proposed.

V. **LSA Cannot Meaningfully Analyze Air Quality and Greenhouse Gas Emission Issues in the Time Allotted or With Presently Available Information**

LSA proposes the completion of nine different Air Quality and Greenhouse Gas Emissions tasks in just 53 hours. The Sicular proposal previously approved by the County of Marin allocated a more reasonable 84 hours (i.e. 50% more time) to complete the task, which raises concerns that shortcuts will be taken.¹⁰ The LSA proposal makes no reference to asbestos, which was identified in previously studies as a potential problem, due to the presence of serpentine rock. Concerns relating to asbestos must be meaningfully addressed in compliance with Bay Area Air Quality Management District rules (e.g. Rule 2.5).

In particular, the planting plans do not identify the number of Coast Live Oak, Valley Oak and California Bay to be planted to replace those that are to be removed. Nor do they offer any information regarding the proposed size or location of those trees, their irrigation, other forms of care, or any estimate or prediction regarding the likely survival on disturbed ground, with or without care. Without that information, there would be no foundation for any prediction and/o visual stimulation of what the scar would look like five years after the project is completed and the damage is done.

⁹ The simulations will include “as destroyed” and “as speculated” based on what they think the scar will look like after five years vegetative growth. It should be noted that the “plans” prepared by Integrated Design Studios are different from those submitted by Stuber Stroeh (i.e. represent a third version), as they contemplate preservation of the Fire Road, and B Street with double dead ends,

¹⁰ The bid submitted by EMC proposed 90 hours and the bid by Dudek 101 hours to address air quality, energy and greenhouse gas emissions.

Project construction emissions, including those associated with soil hauling, are among the tasks to be analyzed. LSA proposes using the latest version of the California Emissions Estimator Model to complete that task, but does not say whether it will engage in project specific customization (i.e. details regarding construction equipment types, schedules and other locally tailored data). For the project construction and other elements of the analysis to be meaningful, project specific data, including data collected by remote sensing devices (i.e. a fence line monitoring program) must be provided.

Insofar as we are aware, the developer has not determined (or communicated any determination as to) how long it will take to cut and remove the up to 165,970 cubic yards of material from the hillside, and it has not identified where the up to 128,900 cubic yards of earthwork off haul (11,000 dump truck loads, by the County's estimate) are to be taken. Without that information, it is impossible to know how many miles the dump trucks will be driven, and thus, what the resulting diesel exhaust, asbestos, particulate and other toxic emissions will be generated, and whether such emissions will be in compliance with State law regulating Toxic Air Contaminants (17 CCR § 9300), peculiar and specific.

Likewise, the developer does not appear to have identified any proposed building design features that would contribute to a reduction in greenhouse gas emissions. If anything, given the absence of driveways, limited number of "visitor" on site parking places (just nine), and absence of any provision for bicycle parking, it is impossible to envision this project doing anything but adding to greenhouse gas emissions.

VI. LSA Cannot Meaningfully Address Geology, Soils and Hazardous Materials Issues Because the Preliminary Geotechnical Report that it Intends to Review Did Not Consider the Alternative Grading and Drainage Plan

The preliminary geotechnical exploration report was prepared for the developer in December 2023. The report pre-dates the Alternative Grading Plan, did not consider the massive amount of grading it proposes and did not consider the fact that a large amount of serpentine rock will be disturbed and hauled off site. Until such time as a determination has been made regarding the location and volume of serpentine rock to be removed, no informed decision can be made regarding the significance of the hazards that would be created by its excavation, its use as fill material, or its ultimate disposition or the means by which they might be mitigated.

The LSA proposal for geology and soils appears to be limited to a "peer review". Since the Alternative Grading Plan was not reviewed by the developer's geotechnical experts there is nothing to peer review and the LSA proposal must include a full geotechnical analysis.

In that regard, the report notes, at Section 6.0 on page 13, that a design level geotechnical report should follow once development plans are finalized (which hasn't happened according to recent public statements made by the developer's representative), and that it should include additional borings, test pits, lab testing, design level earthwork, improvement design and construction recommendations, development of corrective grading plans and cross sections, and design recommendations for cross sections.

Further to the point, the report states, at Section 7.0 on page 14, that it is not subject to unauthorized use because of concerns regarding new circumstances (with the Alternative Grading Plan most certainly fitting the bill), not the least of which is the passage of time (the report is now nearly 2 ½ years old).

VII. **LSA Cannot Meaningfully Analyze Hydrology and Water Quality Issues in the Time Allotted or With Presently Available Information**

LSA proposes completion of the Hydrology and Water Quality in just 11 hours. The Sicular proposal previously approved by the County of Marin allocated 46 hours (i.e. four times as much time) to complete the task, which again raises concerns that shortcuts will be taken.¹¹

LSA says it intends to rely, at least in part, on the Hydrology and Hydraulic Report, the Stormwater Control Plan, and the Stormwater Treatment Facilities Operation and Maintenance Plan prepared by Stuber-Stroeh Engineering in July 2024, none of which considered the Alternative Grading and Drainage Plan as a part of their analyses.¹²

Given that the Alternative Grading and Drainage Plan proposes to materially expand the disturbed surface area (which will presumably mean less rainwater percolating into the soil and an increased rate of flow off the hillside¹³), extend one of the storm drains more than 70 feet in vertical elevation, and more than double the cut, from 70,165 cubic yards to 165,970 cubic yards, it does not take an expert to recognize that it completely invalidates the operative assumptions upon which Stuber-Stroeh's opinions, conclusions and recommendations are based. Stated a little differently, there is no foundation for a considered CEQA analysis of hydrology and drainage issues under the alternative plan.

Under such circumstances, how can questions of erosion, siltation, the adequacy of bioretention areas, as currently designed, the capacity of the existing culvert and earthen swale to handle the runoff that will be concentrated by the proposed development be meaningfully addressed? As designed (i.e. relying on the original grading and drainage plan, and operating on the assumption that the yet-to-be constituted homeowner's association would properly maintain them into perpetuity), the bioretention plans were, by Stuber-Stroeh's own analysis, barely adequate to meet a 10 year storm event. In their report, they noted that the Marin County code provides that the analysis should be based on **100 year storms**. Accordingly, and if LSA is able to do so, it should required to assess the adequacy/inadequacy of the proposed bioretention facilities to handle such storms.

¹¹ The bid submitted by Dudek proposed 54 hours. The other submissions did not include a breakdown.

¹² Stuber Stroeh was led to believe that the developer intended to preserve existing hillside topography "to the extent possible." (see Stormwater Control Program, page 3)

¹³ The stormwater plan, at page 2, notes that the soils are impermeable and that steep slopes on site will require mitigation measures to ensure runoff doesn't increase erosion.

Insofar as hydrology is concerned, there is one other issue that needs to be addressed - the impact of the proposed project, its scalping of the hillside, its extended drain lines, and its under-designed retention facilities on the percolation of water downhill and towards Miller Creek in its natural direction of flow. (i.e. where it went before it was diverted by the earthen swale.) Once again, it doesn't take an expert to recognize that the water table will rise and that homeowners and residents on Mt. Muir Court will be adversely affected. Stated a little differently, LSA should address the fact that the current under-designed drainage plan will, as to those persons, create a nuisance at the very least and may lead to flooding and property damage to homes on Mt. Muir Court.

VIII. LSA's Ability to Assess Short Terms Construction Noise and Vibration Impacts is Limited by the Lack of Available Information

LSA's proposal is based on assumptions as to the type of equipment that will be used, the power source for the equipment that will be used, and the amount of time it will be used. It apparently assumes that no blasting will be required to remove the up to 165,970 cubic yards of material contemplated by the Alternate Grading and Drainage Plan. Insofar as we are aware, the developer has not made this information available to the public or to LSA. There is also the matter of the time of day that such noise/vibrations will be generated, which should be constrained to the extent possible to avoid the creation of unnecessary nuisance. This is of particular note, given that there is an elementary schoolyard within approximately 750 feet of the project site.

The conclusions that LSA may reach will only be as good as the assumptions upon which they are based. The developer should be required to provide LSA (and the public) with additional information on its plans in this regard to assure that the CEQA analysis is a meaningful exercise.

IX. LSA's Proposed Transportation Study Needs to be Expanded in Scope

LSA's proposal states that it will limit its analysis to the four intersections previously analyzed (i.e. the intersections of Lucas Valley Road with Mt. Muir, Mt. Lassen, Hwy 101 south bound ramp and Hwy 101 northbound ramp). Since the Kaiser facility opened on Las Gamos the traffic in the area has materially worsened, sometimes backing up during morning commute hours as far west as the intersection with Miller Creek Road. To meaningfully assess the cumulative effect of the delay the analysis should, at an absolute minimum be extended to the Las Gallinas and Las Gamos intersections with Lucas Valley Road.

The prior study assumed traffic congestion peaked in the afternoon. It does not. It is at its worst in the morning, when Lucas Valley Road is being used to take children to school¹⁴ and

¹⁴ In recent years the Miller Creek School District eliminated its bus service. As a result many if not most parents now drive their children to school, resulting in a substantial increase in morning traffic.

to take adults to their places of employment. The proposed study should be conducted in a manner that evaluates the morning peak.

The prior study was flawed because it failed to consider the fact that the proposed development will include 15 JADU's, and that the residents of those units will use Lucas Valley Road. It was also flawed as a result of the assumptions that it used in preparing its sight distance analysis – that drivers would not exceed the posted speed limit by more than 5 mph. Not all do, and LSA should take that into consideration as a part of its analysis.

While the LSA proposal states that it will review and comment on the project's on site circulation as well as transit, bicycle and pedestrian access, it is not clear what they have in mind in that regard, and it would be helpful if they could provide clarification. For example, the likely daily impact of US mail, Amazon and UPS deliveries; the likely weekly impact of garbage trucks, and the as-needed impact on the delivery of police, fire, and emergency medical services on circulation within the proposed subdivision.

LSA's proposal does not address the impact that from **2000** (original grading and drainage plan) to **11,000 dump truck loads** (alternative grading and drainage plan) of off fill and other construction related traffic¹⁵ will have on transportation up and down Lucas Valley Road. The duration and extent of that disruption should definitely be evaluated, and if necessary, a plan proposed for mitigation of the deleterious effects of such traffic, which could include prohibition or limitation on the number of dump truck and other construction related traffic during morning commute hours.

LSA's proposal does not address the impact that the proposed widening of Lucas Valley Road at Mt. Muir Court (that favors the development and disfavors residents living on Mt. Muir Court) will have on traffic at that intersection and up and down Lucas Valley Road. It needs to be addressed.

LSA's proposal does not include a future conditions analysis that takes into consideration the impact that development of 130 or more units at the juvenile hall and Big Rock Market sites will have on traffic at the intersection of Mt. Lassen and Lucas Valley Road. Or the further delay that will result if the Miller Creek School, Marinwood Plaza, and St. Vincent's sites are developed. In that regard, we already have problems with southbound morning traffic on US 101 using Las Gallinas Road as a hoped-for time saver to get where they want to go. Nor does it propose to consider the probable consequences to traffic of adding 1422 units of townhomes and apartments at the Northgate Mall site and another 193 units at 555 Northgate Drive.

¹⁵ Such traffic could include, but not necessarily be limited to traffic related to street and lot grading, paving, construction of retaining walls, sewers, water, and stormwater retention facilities, as well as construction of the actual homes.

X. LSA Should Thoroughly Evaluate Risks Associated with Wildfire

As a preliminary matter, it defies logic to conclude that impacts related to wildfire in areas that have been identified as being in high fire hazard severity zones could possibly be less than significant.

Be that as it may, LSA should consider the fact that Lucas Valley is effectively surrounded on three sides by relatively steep vegetated hillsides,¹⁶ that those hillsides create a unique wind tunnel effect¹⁷ (aka peculiar risk), and that there is but one “safe route” out,¹⁸ with “safe” being defined as being able to reach Highway 101. As we know from a prior evacuation drill, it is debatable whether, in the event of a fire, Lucas Valley Road, which has been defined as the sole “safe route”, will prove to be safe. It becomes even more debatable when one considers the fact that a fire requiring evacuation of the “Berry’s”, Marinwood, the “Stones” and/or Monte Marin neighborhoods, would call for evacuation to Las Gallinas and then eastbound on Lucas Valley Road and out to US 101.

LSA should consider the fact that the subject proposal calls for development of the to-be “improved” portion of the property with narrow roadways that could limit fire department access to the property.¹⁹ It should consider the probable consequences, in the event of fire, of requested waivers from form base code requirements, including those related to setbacks.²⁰

LSA should consider the fact that the developer’s proposal calls for elimination of the Nunes Fire Road, which currently provides access to that part of the property (33.7 acres, more or less) that is not the subject of the proposed development, and at the same time calls for the project’s yet-to-be created homeowners’ association to be responsible for maintaining that portion of the property without means of vehicular access.

¹⁶ They are heavily vegetated on the south side of Lucas Valley Road, as shown in photographs 9, 10 and 11 attached hereto, which were taken at the intersections of Lucas Valley Road at Mt. Shasta, at Mt. McKinley, and Bridgegate.

¹⁷ As of 5:00 pm on May 15th, and again on May 16th, winds were gusting at more than 25 mph. That is not uncommon for the area.

¹⁸ Per the Urban Wildland Interface and Evacuation Routes Map, referenced at page 19 of LSA’s proposal.

¹⁹ Insofar as the request for a variance for roadways is concerned, no consideration has been given to the substantially certain presence of Amazon and UPS delivery trucks that will park in the middle of and clog the residential roadways.

²⁰ The code requires 20 feet minimum setbacks front and back, and 10 feet minimum on the sides. The developer proposes just 5 feet in the front, 10 feet in the back, and just 4 feet on each side. Not a whole lot of room for firefighters to operate in. As to parking areas, the code requires a minimum setback of 50 feet, and the developer proposes just 5 feet.

LSA should also consider the fact that the subject proposal calls for just one means of ingress and egress, and the chaos, confusion and increased risk of harm that will undoubtedly result from people trying evacuate the proposed development, and competing for space on the “safe route” with people living west of the proposed development and for people trying to reach it from Mt. Muir Court.

The proposed project presents a peculiar risk because it has limited access to water. On March 5, 2020 the former owner, Mr. Souang executed an agreement, binding on the present owner, limiting water supply from MMWD to 1.02 acre feet/year²¹ At Section 2.8, Mr. Souang agreed that “at no time in the future shall the District grant any additional water service connections to the Parcel or the Property regardless of the number of structures or residences on the Parcel or the Property and regardless of what the Marin County or any other local agency zoning ordinances allow.”

Finally as to wildfire, LSA should consider the fact that the proposed project site is not within the jurisdiction of the Marinwood Fire Department. It instead falls within the County’s jurisdiction, with the closest fire station located 14 miles and a 20-25 minute drive away in Woodacre. That is inadequate to meet the needs of the proposed development. Given the consistent state policy against having one group of taxpayers subsidize another, annexation to Marinwood Fire, located about 1.6 miles and a 4 minute drive away would appear to be a necessary condition precedent to reaching any favorable conclusions relating to the wildfire issue.²² Given the number of community members who have previously expressed their grave concerns regarding the risk of fire, LSA should conduct a very thorough analysis of this issue.

XI. Conclusion

For all the reasons stated, the Planning Commission should deny the developer’s appeal and direct LSA, as a part of its scope of work, to address all of the issues raised by this letter and all material issues that may be raised by members of the community.

This is particularly important where, as here, the County is dealing with an out-of-state developer with no ties to the community, who has represented that it will be proceeding on the thinnest of margins,²³ and who has elected to proceed in the form of a limited liability company

²¹ This is the amount determined by the parties to be necessary to supply one family unit with an attached junior ADU unit, agricultural worker housing for up to six employees, and a water trough for up to 20 animals. The 36 homes (and 15 JADU’s) that are being proposed would likely require 18-36 acre feet of water/year, and the MMUD agreement makes it clear that it has no obligation to provide more than the 1.02 acre feet/year.

²² Before the County can approve the development, it will have to make findings supported by substantial evidence in the record that “structural fire protection and suppressions services will be available to the subdivision.” (see Govt. Code § 66474.02)

²³ This is evidenced by, among other things: **(a)** the requests for multiple concessions and/or waivers, including a request for “relaxation” of the County’s 1.7 acre base lot coverage restriction on residential

in order to immunize its principals in the event of losses or other adverse consequences arising from the development. It would not be out of the realm of possibility for the developer to **gouge** a giant scar **out of** the hillside, discover that asbestos was present in quantifies sufficient to justify abandonment, leaving the County and this community holding the metaphorical “bag.”

Very truly yours,

Michael Spalding

development at the site, without which, the developer contends, the project would not be economically viable, and **(b)** the allegations of its complaint against the County, verified under penalty of perjury.

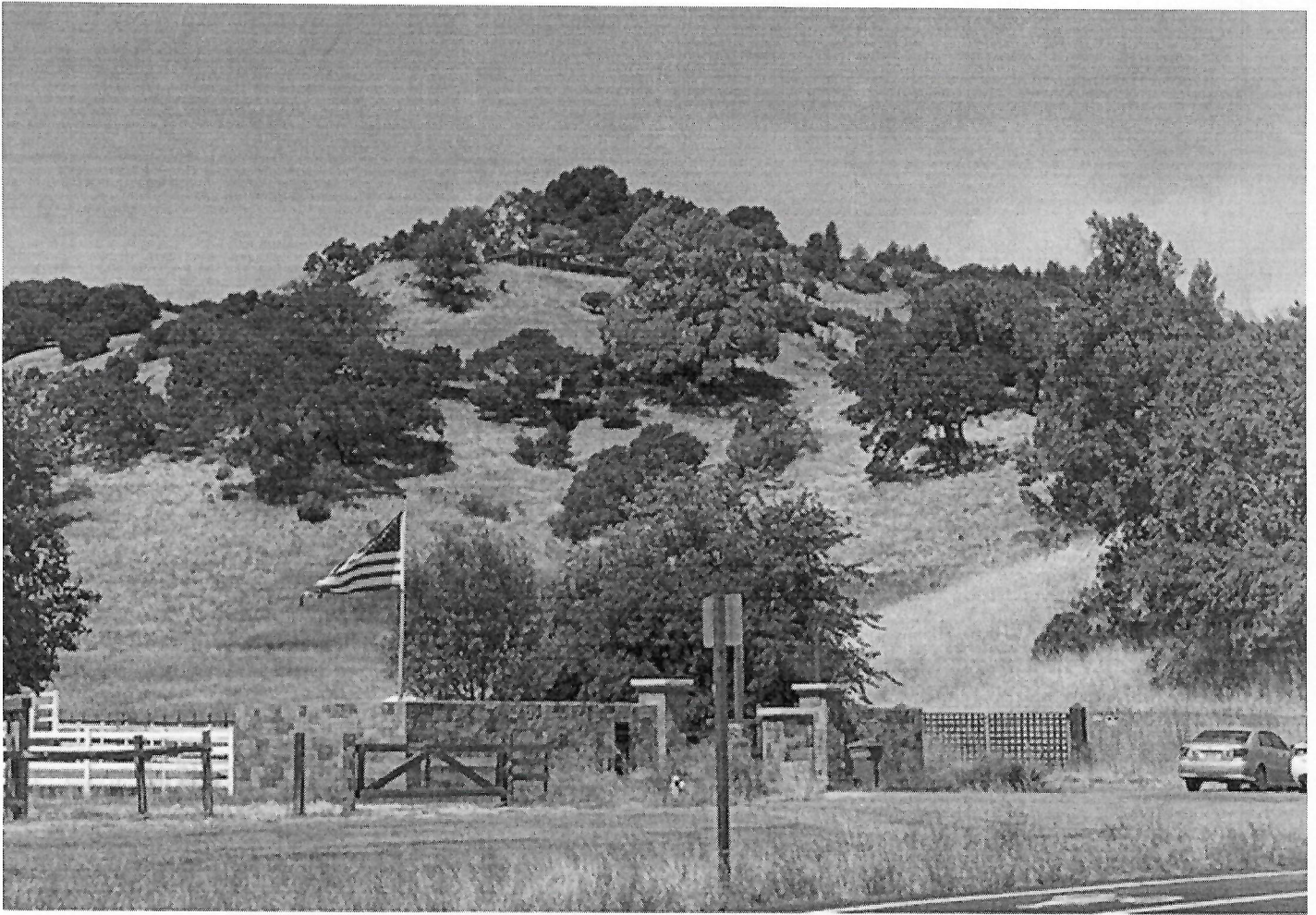


Photo 1 – taken from Lucas Valley Road just east of proposed project site, and the hillside subject to developers proposed grading and drainage plans, and the trees that will be removed if the project is approved

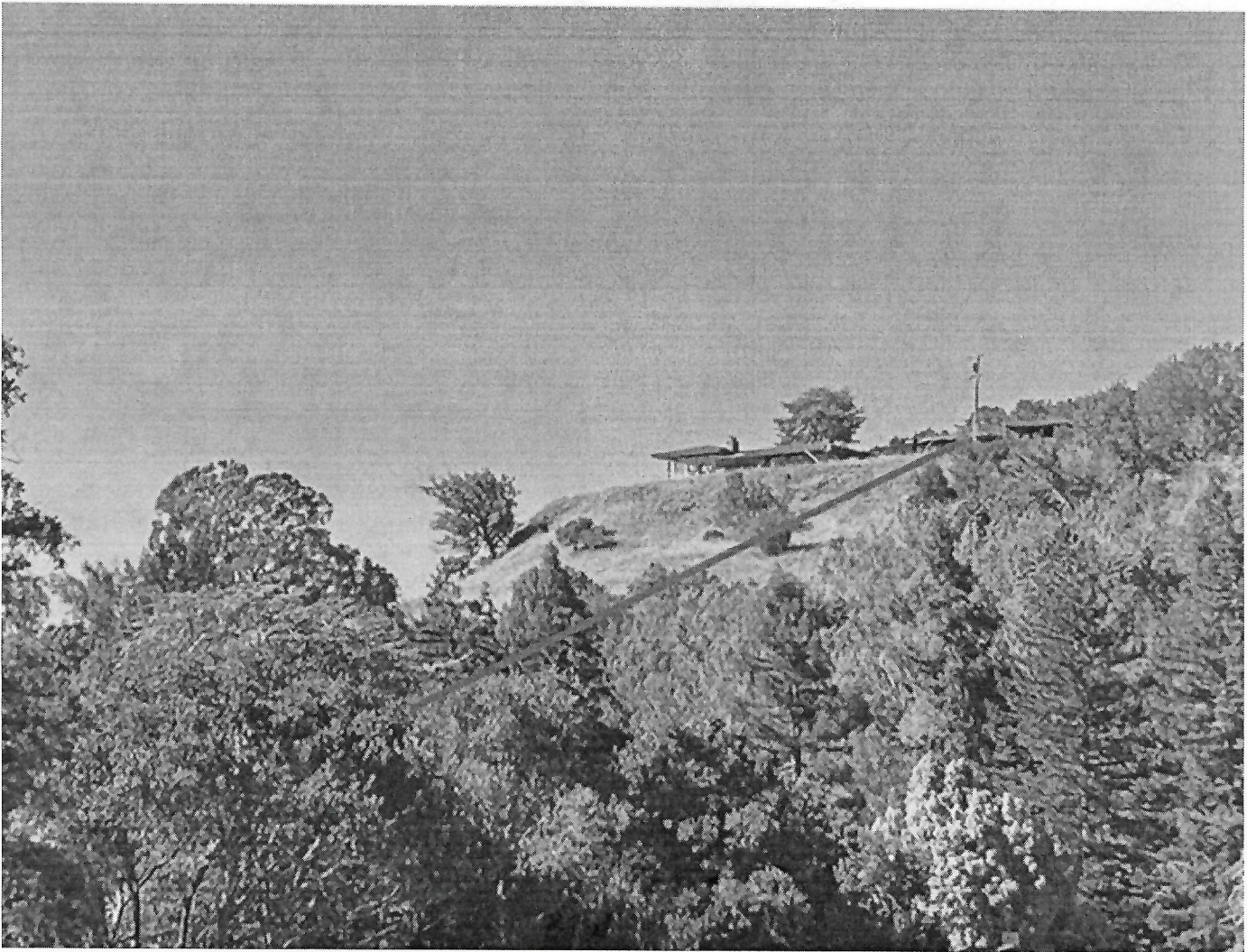


Photo 2 – taken from Lucas Valley Road just west of Mt. Muir Court, depicting the hillside subject to developers proposed grading and drainage plans, some of the trees that are to be removed, and the abandoned structure at the top of the cut proposed by the Alternative Grading and Drainage Plan that is to be taken down as a part of the project, if it is approved . Line roughly depicts 2:1 slope

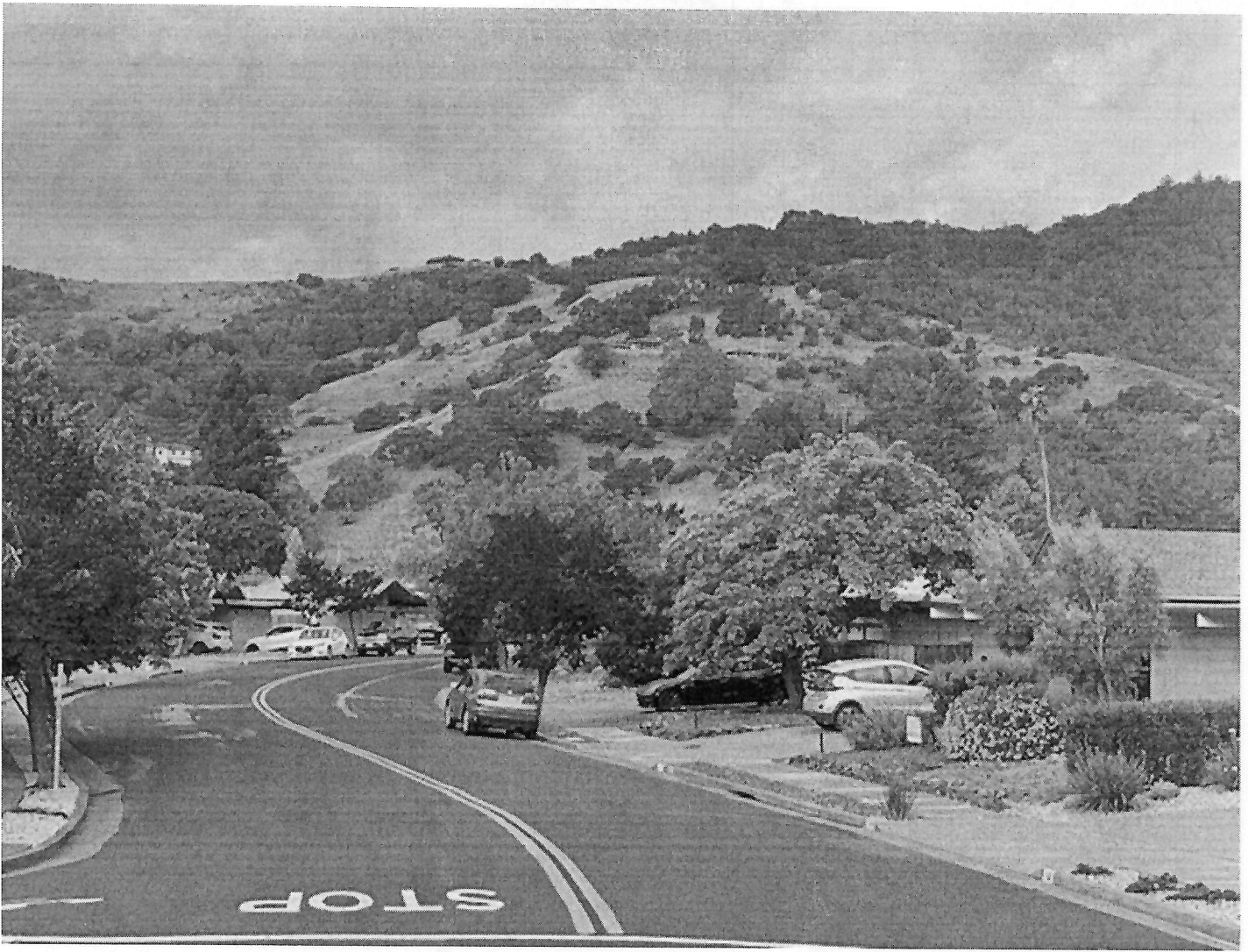


Photo 3 – taken from the intersection of Mt. Lassen and Idylberry and depicting the hillside subject to the developer’s grading and drainage plan, the trees and the residential structure that are to be removed.

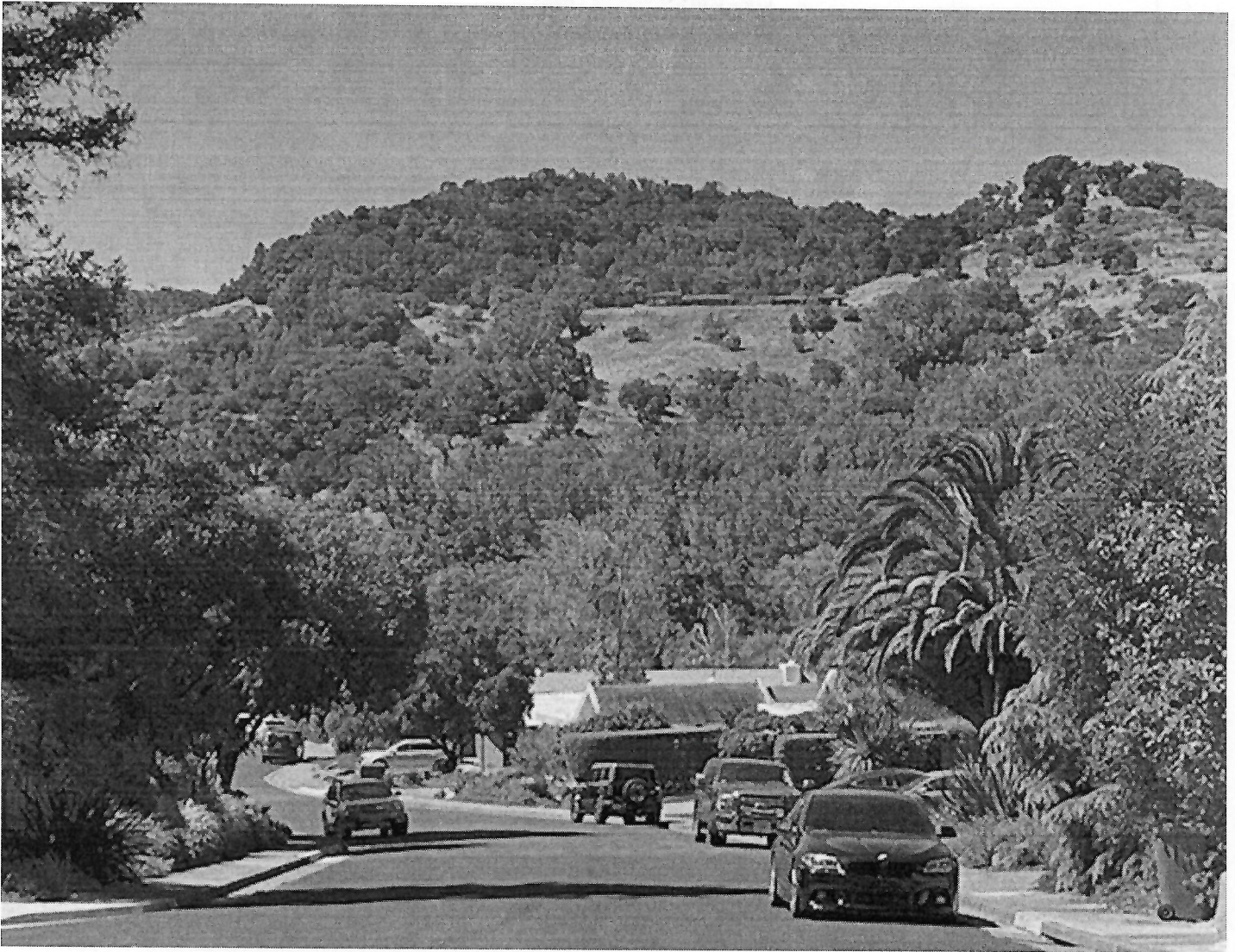


Photo 4 – taken from the north end of Pikes Peak Drive, depicting the structure and hillside trees to be removed as a part of the proposed development.

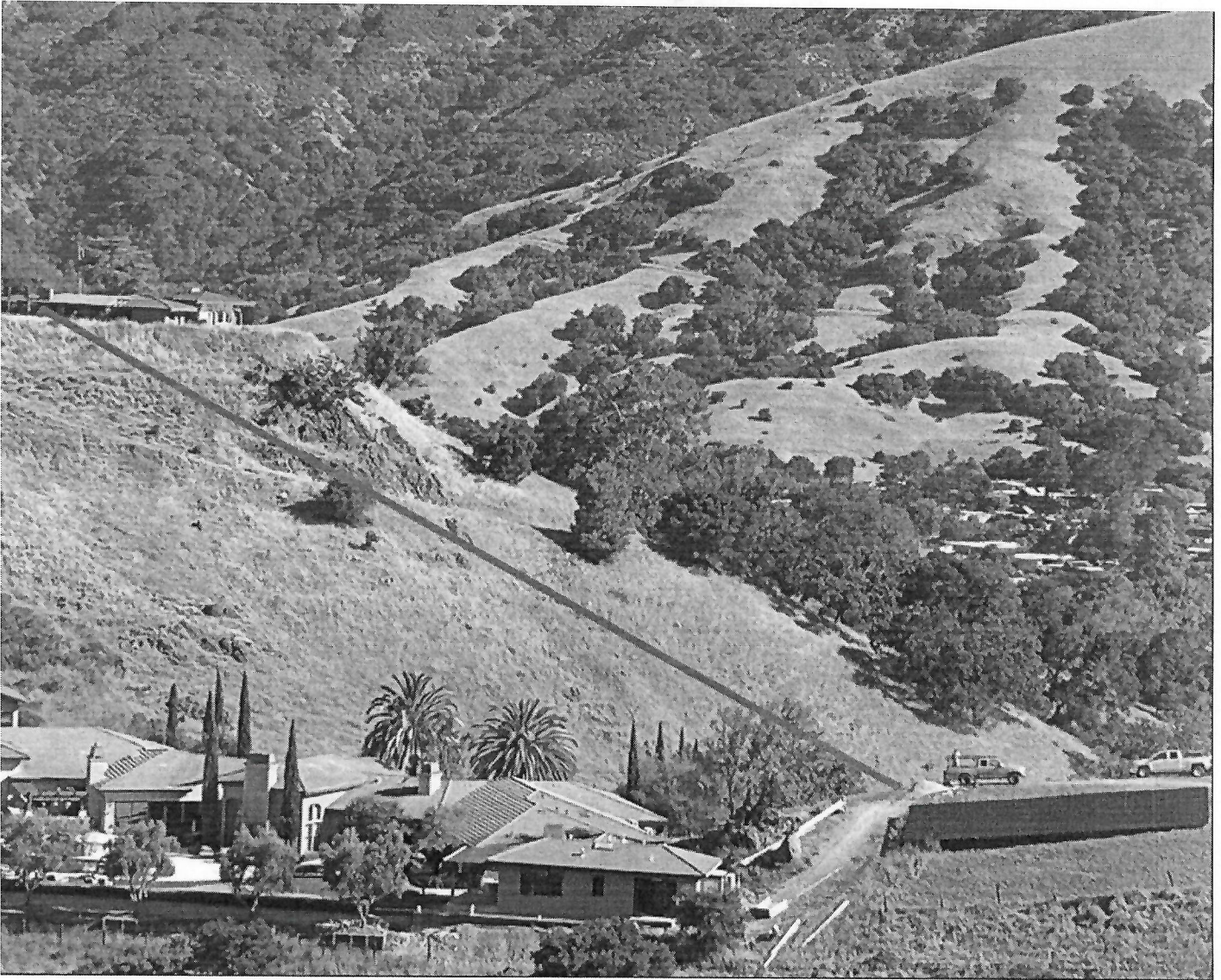


Photo 5 – taken from the Terra Linda fire road and depicting slope of hillside subject to developers proposed grading and drainage plans, and trees that will be removed, with Mike Stone’s residence in the foreground, and the existing home to be demolished in the left background. The line roughly depicts a 2:1 slope and the trees to be removed are depicted beyond the drawn line.

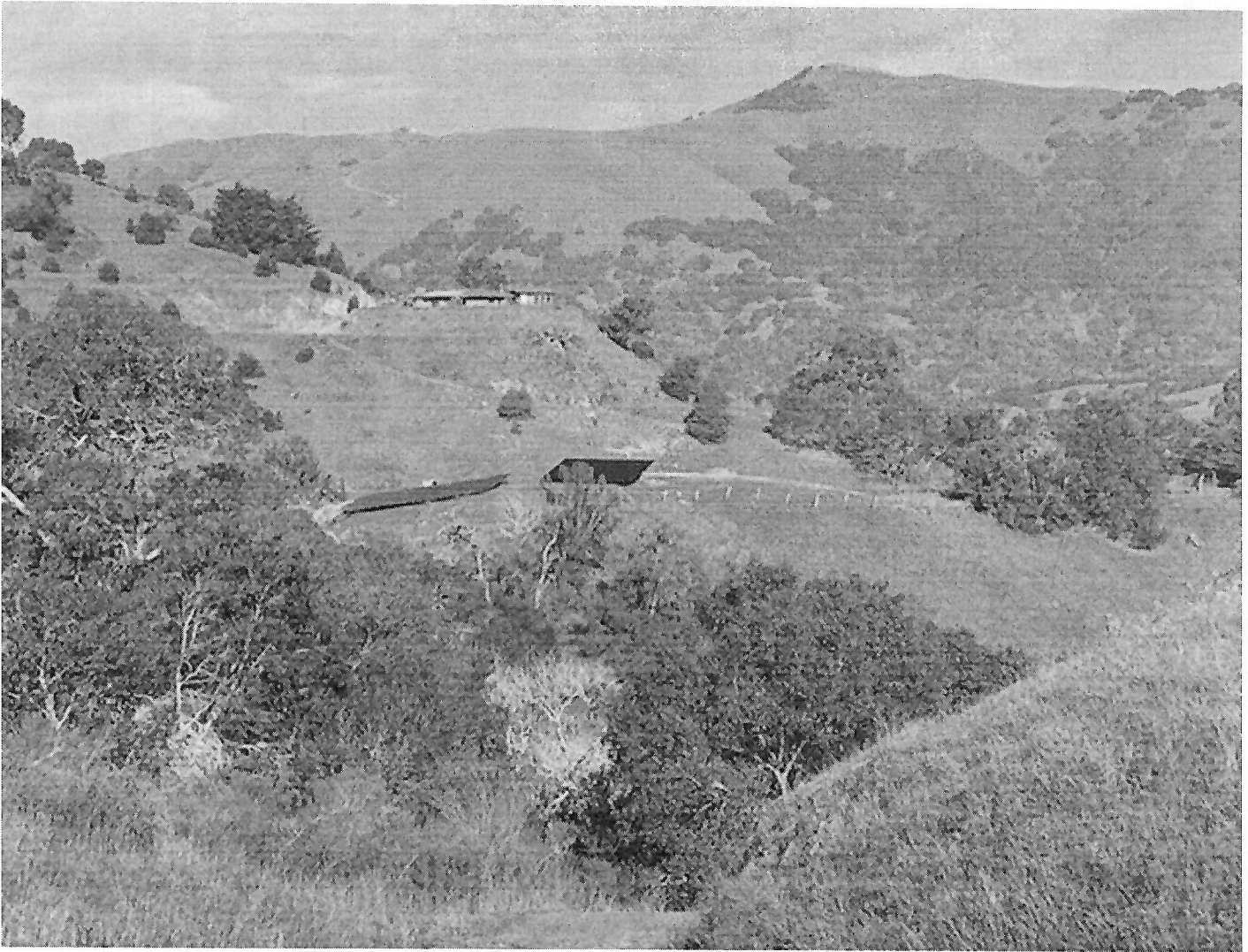


Photo 6 – taken from the Terra Linda fire road, depicting slope of hillside subject to developers proposed grading and drainage plans and trees that will be removed, with the existing home to be demolished in the left background

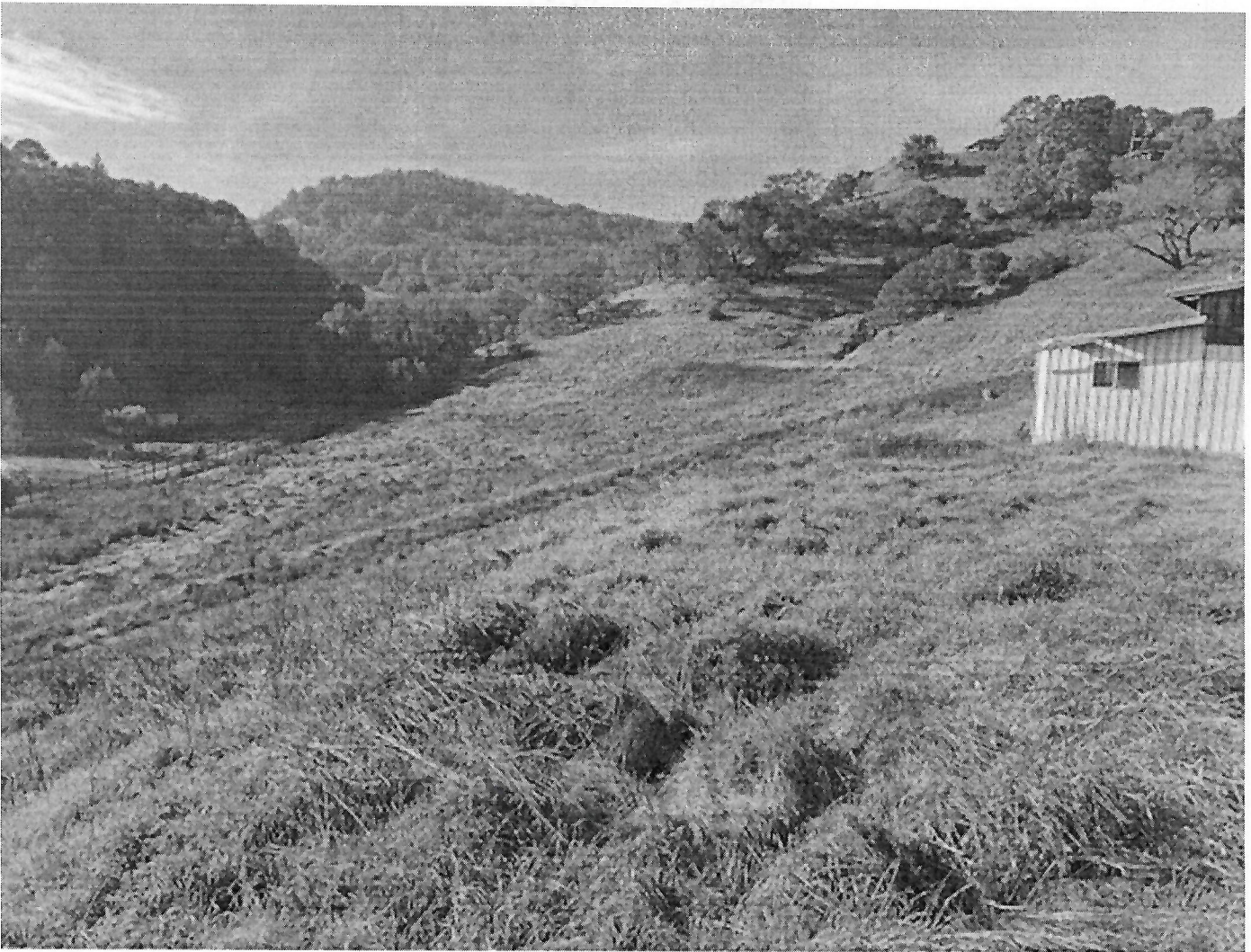


Photo 7 – taken from rock outcropping outside project boundary and depicting the hillside to be subject to grading and removal of trees.

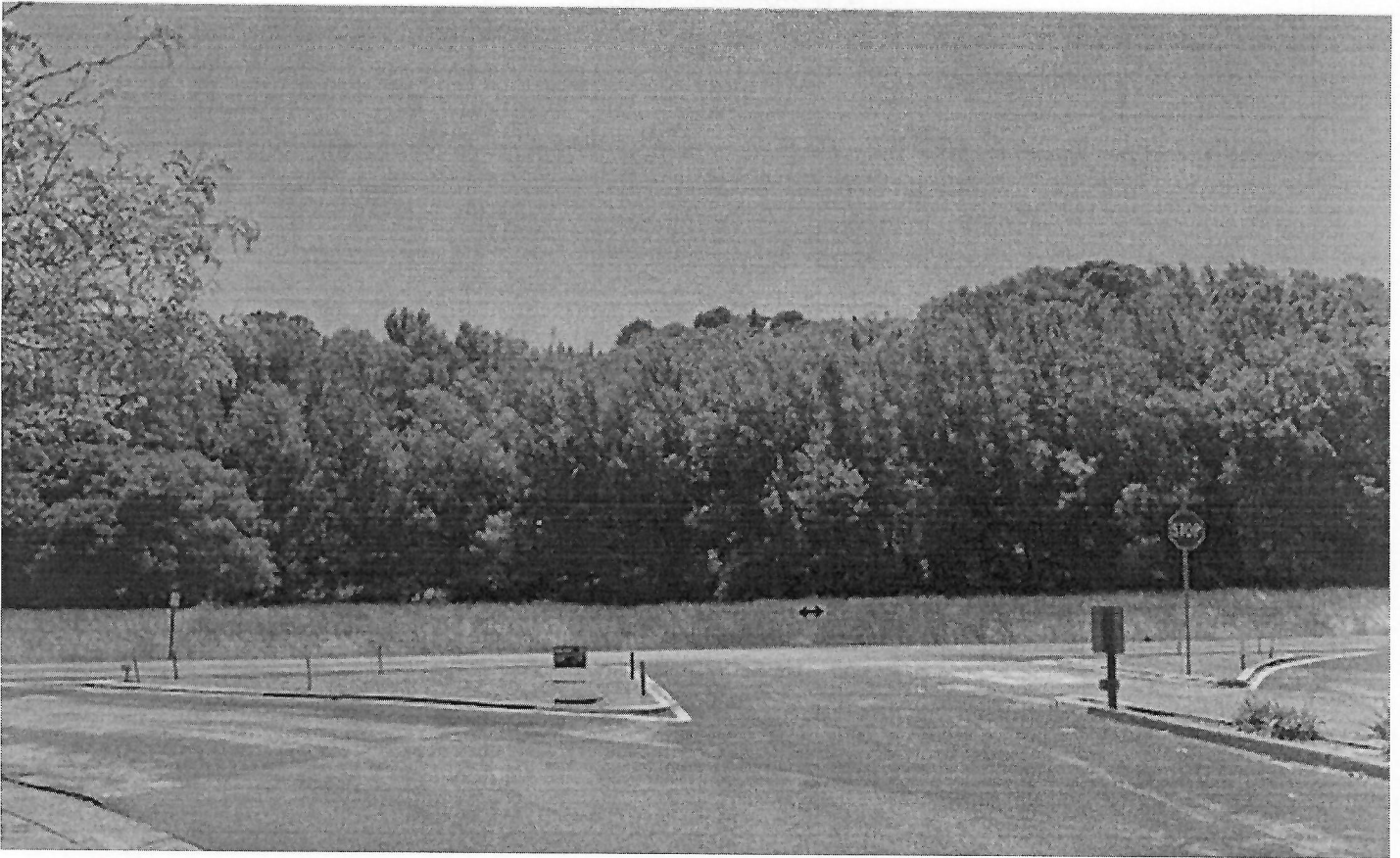


Photo 8 – taken from intersection of Mt. Shasta and Lucas Valley Road, depicting vegetation/fuel load just west of the proposed project

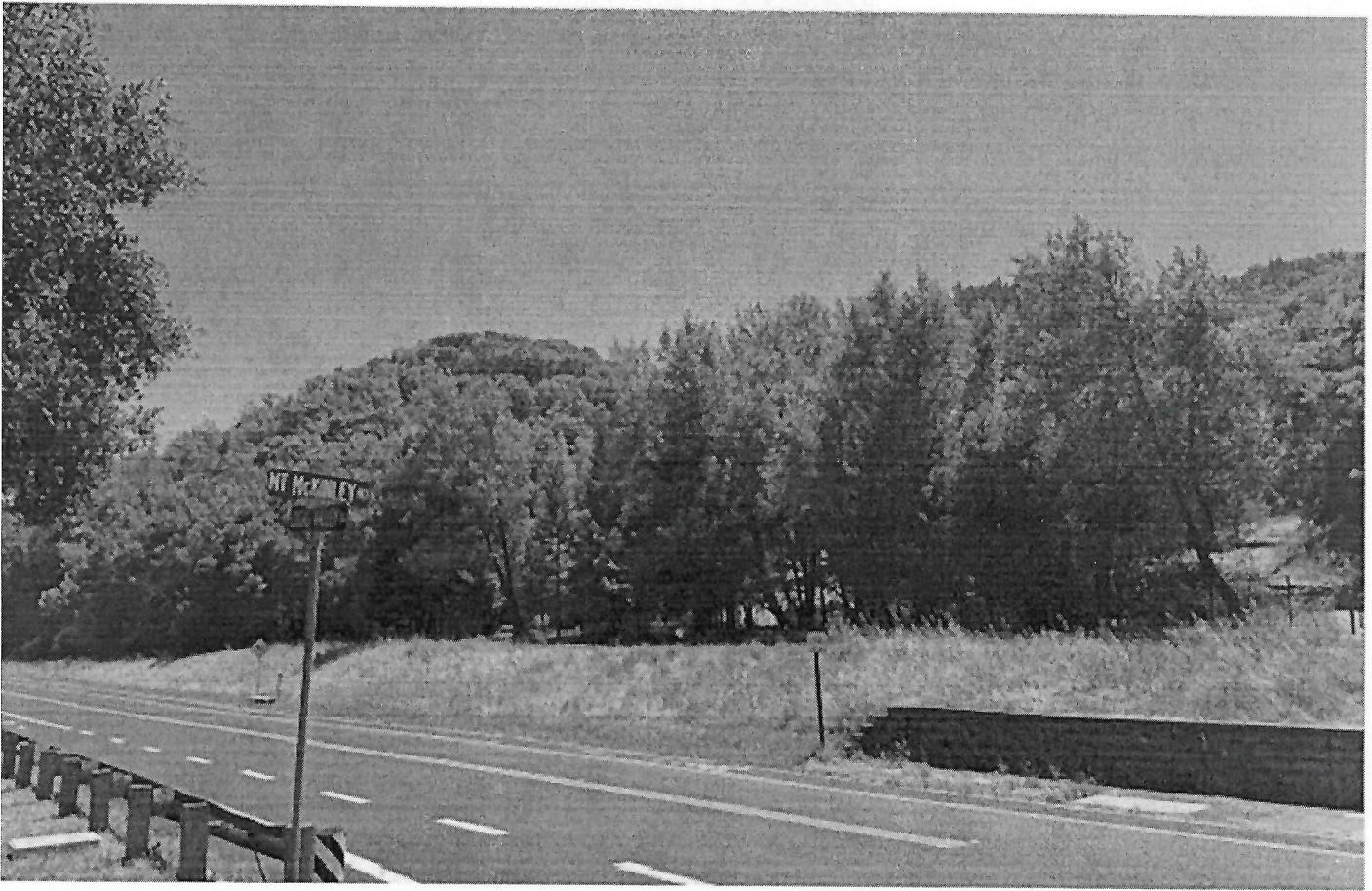


Photo 9 – taken from intersection of Mt. McKinley and Lucas Valley Road, depicting vegetation/fuel load, roughly 3/4 of a mile west of the proposed project

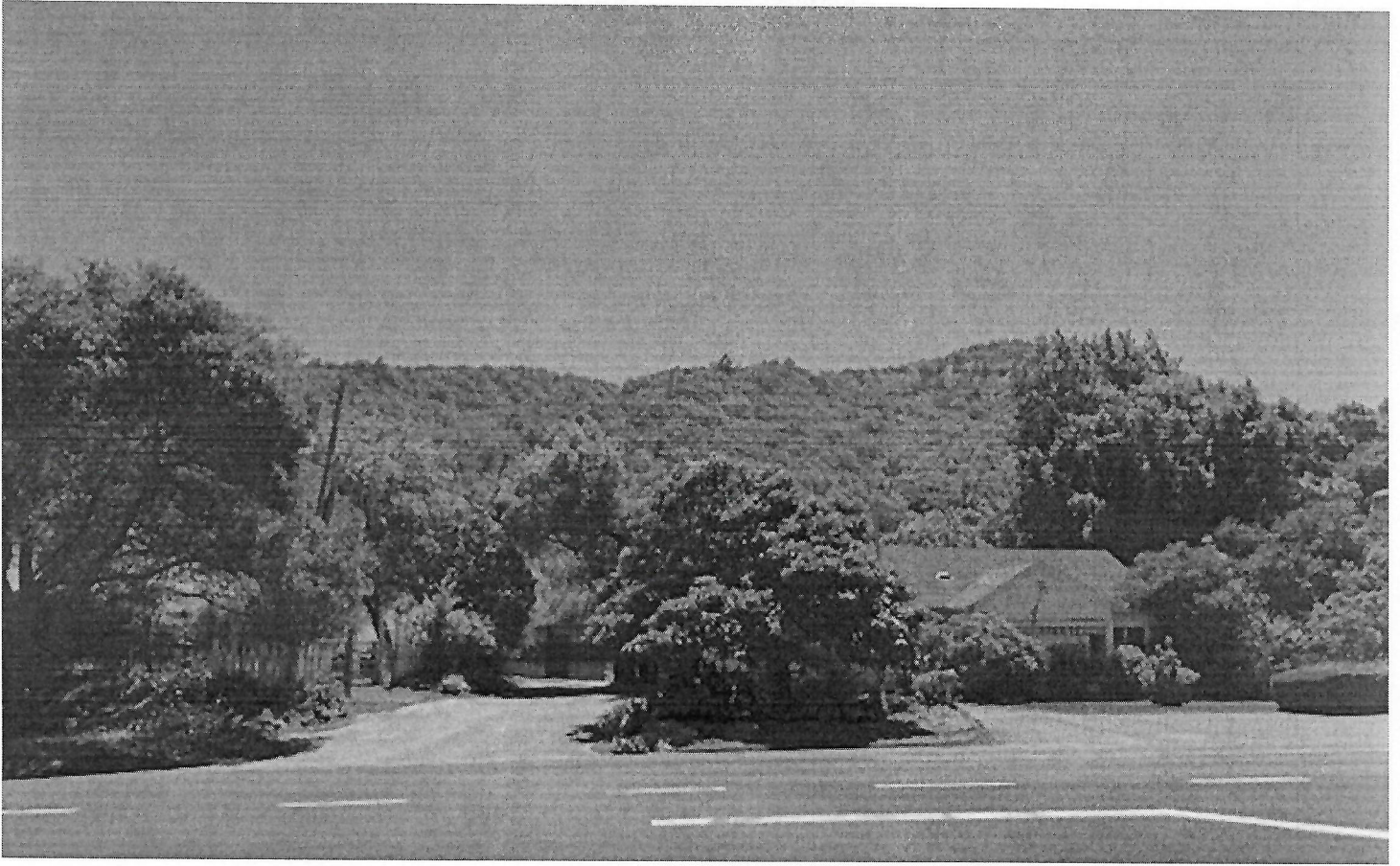


Photo 10 – taken from intersection of Bridgegate and Lucas Valley Road, depicting vegetation/fuel load approximately one mile west of the proposed project