

MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS
FROM: CAROLYNN PETRU, AICP, DEPUTY CITY MANAGER 
DATE: OCTOBER 2, 2012
SUBJECT: BORDER ISSUES STATUS REPORT
REVIEWED: CAROLYN LEHR, CITY MANAGER  for CL
Project Manager: Kit Fox, AICP, Senior Administrative Analyst 

RECOMMENDATION

Receive and file the current report on the status of Border Issues.

EXECUTIVE SUMMARY

This month's report includes:

- A brief update on the scheduled release of the Draft Environmental Impact Report (DEIR) for the *Ponte Vista* project in Los Angeles (San Pedro);
- A follow-up report on the release of the Draft Environmental Impact Report (DEIR) for the Brickwalk, LLC mixed-use condominium project in Rolling Hills Estates;
- A report on the release of the Draft Environmental Impact Report (DEIR) for the San Pedro Community Plan Update in Los Angeles (San Pedro);
- A brief update on recent issues and events related to the Rancho LPG butane storage facility in Los Angeles (San Pedro); and,
- A report on the release of the Mitigated Negative Declaration (MND) for the Marymount College San Pedro campus on Palos Verdes Drive North in Los Angeles (San Pedro).

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BACKGROUND

The following is the regular bi-monthly report to the City Council on various "Border Issues" potentially affecting the residents of Rancho Palos Verdes. The complete text of the current status report is available for review on the City's website at:

http://palosverdes.com/rpv/planning/border_issues/2012/20121002_BorderIssues_StatusRpt.cfm

DISCUSSION

Current Border Issues

Ponte Vista Project at Former Navy Housing Site, Los Angeles (San Pedro)

On August 25, 2012, the *Daily Breeze* reported that the release of the Draft Environmental Impact Report (DEIR) for the 1,135-unit *Ponte Vista* project is anticipated by October 2012 (see attached article and e-mail from Mark Wells). If so, Staff expects to provide a more detailed report on the DEIR as a part of the December 2012 Border Issues report.

Brickwalk, LLC Mixed-Use Condominiums, Rolling Hills Estates

On August 2, 2012, Staff forwarded the attached comments on the Draft Environmental Impact Report (DEIR) for the Brickwalk, LLC mixed-use condominium project to the City of Rolling Hills Estates. The major issues raised in our comments include:

- Potential aesthetic and view impacts of portions of the new townhomes exceeding the curb elevation along Indian Peak Road and Crenshaw Boulevard;
- Consistency of the project with "best management practices" (BMPs) for the adjacent Crestridge Reserve in the City's Palos Verdes Nature Preserve;
- Geotechnical and hydrology/water quality issues regarding proposed site grading/landslide remediation and the City's abutting public rights-of-way (i.e., Indian Peak Road and Crenshaw Boulevard);
- Justification for the requested variance for 26-foot/1-story building-height increase;
- Noise impacts upon residents of the City's *Mirandela* senior apartment community;
- Provision of affordable housing units as a part of the project;
- Clarifications and corrections to the traffic impact analysis and proposed mitigation for the project related to the City's public rights-of-way; and,
- Support for the "Reduced Project Alternative," which reduces the number of residential units and the amount of new commercial development by twenty percent (20%).

On September 4, 2012, Staff attended the Rolling Hills Estates Planning Commission public hearing for the DEIR (see attached agenda and Staff report). After receiving a presentation

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from the project proponent, six (6) public speakers expressed their concerns about the project to the Planning Commission. Staff noted that we had not yet had adequate time to evaluate the responses to our technical comments on the DEIR, particularly those related to biological resources, geology and transportation/traffic. Several of the Planning Commissioners also expressed reservations about some aspects of the proposed project.

At the conclusion of the evening's discussion, the public hearing was left open and the matter continued to October 15, 2012. Staff will continue to monitor this project in future Border Issues reports.

San Pedro Community Plan Update, Los Angeles (San Pedro)

On August 9, 2012, the City of Los Angeles released the Draft Environmental Impact Report (DEIR) for the San Pedro Community Plan Update, along with the Draft Community Plan itself. This began a 45-day public comment period that was set to end on September 24, 2012.

On September 5, 2012, Staff of the City of Los Angeles Planning Department met again jointly with the Planning and Land Use committees of the Northwest, Central and Coastal San Pedro neighborhood councils to present the Draft Community Plan and DEIR. We expressed our concerns about proposed increases in the density/intensity of development that could occur surrounding the intersection of Western Avenue and 25th Street under the updated plan, as well as how the updated plan would affect the continued operation of the Rancho LPG butane storage facility on Gaffey Street. We noted that the City's traffic engineer was still reviewing the proposed Mobility Element of the plan and Transportation Improvement Mitigation Program (TIMP), particularly as they relate to roadways and bikeways that link and/or intersect with those in Rancho Palos Verdes.

Following this meeting, we formally asked for a 15-day extension of the public comment period for the DEIR (see attached letter dated September 6, 2012). As of the date that this report was completed, we had not yet received a response to this request. If an extension is not granted, Staff intends to at least submit comments on the DEIR by the September 24, 2012, deadline.

Staff will continue to monitor this project in future Border Issues reports.

Rancho LPG Butane Storage Facility, Los Angeles (San Pedro)

At the August 21, 2012, City Council meeting Councilwoman Susan Brooks presented an item regarding the Rancho LPG butane storage facility during the "Study Session" portion of the agenda (see attachments). Two (2) members of the public addressed the City Council, urging it to consider taking a more proactive role in addressing community concern about the facility. The City Council unanimously agreed to direct Staff to agendize this matter for discussion at a future meeting, which is scheduled for October 16, 2012.

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Marymount College San Pedro Campus Master Plan, Los Angeles (San Pedro)

At the City Council meeting on September 5, 2012, public speakers mentioned that notice of a proposed Mitigated Negative Declaration (MND) for the Marymount College San Pedro Campus project had been published by the City of Los Angeles on or about August 30, 2012. That action began a 20-day public review and comment period for the MND, which was scheduled to end on September 19, 2012. Until the September 5, 2012 City Council meeting, Staff had heard nothing more about the status of the review the development entitlements or environmental analysis of this project since February 2012.

Staff has reviewed the MND that was posted on the City of Los Angeles' website, and finds it to be deficient in that it does not include correspondence between the Los Angeles Department of Transportation (DOT) and the Planning Department that purports to detail the specific implementing (i.e., mitigation) measures necessary to reduce the project's traffic impacts to less-than-significant levels. In the absence of this critical information, Staff finds that the MND is inadequate and incomplete. Staff is also concerned that the environmental impacts of the proposed San Pedro Campus and its interrelation with other College facilities in the area (i.e., the main Campus, Waterfront Campus, Pacific View West residential community, etc.) have not been adequately analyzed, particularly as they relate to impacts upon the City's roadways and intersections. As such, on September 17, 2012, Staff asked the City of Los Angeles to suspend the public review period for the proposed MND, and to correct and recirculate it for a new 20-day review period (see attachments). As of today's date, the City of Los Angeles had not responded to Staff's request.

It is important to note that there are other, related development entitlements for this project that will also require public review by the City of Los Angeles. A parcel map application will require review by the City's Advisory Agency, and a conditional use application will require review before the City Planning Commission. To Staff's knowledge, no hearing dates have yet been set for either of these entitlement requests. Staff will continue to monitor this project in future Border Issues reports.

New Border Issues

There are no new Border Issues on which to report at this time.

Attachments:

- *Daily Breeze* article regarding DEIR for *Ponte Vista* Project (published 8/25/12)
- E-mail from Mark Wells regarding DEIR for *Ponte Vista* Project (dated 8/25/12)
- Staff comments on DEIR for Brickwalk, LLC Project (dated 8/2/12)
- *PV News* article regarding hearing for Brickwalk, LLC Project (published 8/30/12)
- RHE PC Agenda and Staff report for Brickwalk, LLC Project (dated 9/4/12)
- *PV News* article regarding hearing for Brickwalk, LLC Project (published 9/13/12)

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Attachments (cont'd):

- Notice of Completion/Availability of DEIR for San Pedro Community Plan Update (dated 8/9/12)
- Executive Summary from DEIR for San Pedro Community Plan Update (dated 8/9/12)
- NWSPNC Planning & Land Use Committee meeting agenda (dated 9/5/12)
- Staff request for a 15-day extension to comment on the DEIR for San Pedro Community Plan Update (dated 9/6/12)
- Councilwoman Brooks' Study Session report regarding Rancho LPG butane storage facility (dated 8/21/12)
- MND for Marymount College San Pedro Campus (released 8/30/12)
- Staff comments on MND for Marymount College San Pedro Campus (dated 9/17/12)

Daily Breeze article regarding DEIR for *Ponte Vista* Project

San Pedro's Ponte Vista project is back, albeit smaller

By Donna Littlejohn, Staff Writer Daily Breeze

Posted:

DailyBreeze.com

After a two-year break, one of San Pedro's most controversial housing development proposals is slated to re-emerge this fall.

Los Angeles city planners are expected to release a draft report of the most recent version of the Ponte Vista development this fall, triggering a new round of community meetings and debates.

"It's been a beautiful couple of years in San Pedro," said Dan Dixon of the Northwest San Pedro Neighborhood Council.

Few proposals caused as much debate in the port town as Ponte Vista, which, in its initial 2005 rendering called for 2,300 homes to be built on a 62-acre former Navy housing site on Western Avenue.

Now in the hands of a new developer, iStar Financial Inc., the project has been rolled back by half, with the new proposal calling for 1,135 homes on the land at 26900 S. Western Ave., just south of Palos Verdes Drive North.

"We want to see something there as long as it's reasonable and respectful of the community," said Los Angeles City Councilman Joe Buscaino.

He said the new numbers "are a big improvement on the thousands initially proposed, but I want to hear what the community is going to say."

Developers will schedule a series of meetings when the draft environmental impact report is released, expected in about six weeks.

"What you'll see is a project with 1,135 units, which is less than half the density originally proposed under the previous developer," said Eric Shabsis, a project spokesman. "That's in line with the density of the adjacent Gardens (townhome) development, which we'd heard was important to the local community.

"It's a project much more in keeping with the surrounding San Pedro community than what was originally proposed and the number of residential units falls within the number recommended by the Planning Commission in 2009 for the property."

There remains, however, strong sentiment for bringing the numbers even lower - to between 800 and 900, conforming with the property's current R1 zoning.

And concern about impacts on Western Avenue traffic will no doubt dominate much of the renewed discussion this time around as it did seven years ago.

"I don't see that the basic issues have changed that much: traffic, traffic, traffic," Dixon said.

The new developer started from scratch on traffic studies after earlier studies were widely criticized as unrealistic.

Chuck Hart, a nearby resident who also has followed the development through the years, said residents are waiting to see the analysis released by the city.

"We understand (that any development) has to be feasible and profitable, but we're not responsible for that," Hart said, adding that more open space on the property remains a high priority.

About 6 acres of open space is included in the current plan that encompasses a park and walking trails that would be open to the public.

Among the more popular features of the earlier plan, however, also was removed from the latest version - a segment of the housing dedicated for those 55 and older.

"It takes away a lot of what we were interested in," said Louis Dominguez of San Pedro, who was among early supporters of the larger Ponte Vista plan.

The latest proposal also calls for a new element - 392 rental apartment units lining the southern boundary.

The rest of the homes offer a mix of two- and three-story townhomes, flats and duplexes scattered throughout the property. A 2.8-acre public park would be included along with walking trails throughout the site.

No retail uses are included in the latest plans.

After the draft environmental impact report is released, the public will be given time to review and comment on it.

Buscaino said the new developers are working with Mary Star of the Sea High School on providing a permanent access road from Western Avenue to the campus.

Despite the disagreement over the project, most agree it's time to build something on the property that offers motorists a view of weeds and abandoned homes.

"I'm so tired of looking at that ugly piece of land," Dominguez said.

donna.littlejohn@dailybreeze.com

E-mail from Mark Wells regarding DEIR for *Ponte Vista* Project

From: Mark R Wells [mailto:mtwells@pacbell.net]
Sent: Saturday, August 25, 2012 12:50 AM
To: CC; Jim Gordon; Lucie Thorsen; Peter Lacombe
Subject: Ponte Vista is coming back in the Fall

Hello All!

Ms. Donna Littlejohn wrote an article about Ponte Vista coming back into the picture this Fall.

Here article's URL is:

http://www.dailybreeze.com/news/ci_21396596/san-pedros-ponte-vista-project-is-back-albeit

While the project is in San Pedro, I hope our city council and concerned residents of Rancho Palos Verdes get reinvolved with the issues and provide comments they feel are useful when the new Draft Environmental Impact Report comes out, apparently, FINALLY, this fall.

A short Notice of Preparation was posted back in October, 2010 and the comment period for that ended years ago.

The bottom line right now, I feel, is the total number of units-1,135 and the fact that 392 of those units are designated to be 'rental' units.

Furthermore, of the remaining units, we all should be prepared to find quite a few of them also becoming rental or leased units. This sways the traffic and trip generation statistics used in the study, out of whack, I believe.

We have already seen that the expansion of the number of Marymount College students living at the Palos Verdes North off-campus housing facility has not been fully studied with respect to The Marymount College Facilities Expansion Project, approved in 2010.

With an extension of Phase One of the Marymount Project, without further traffic and parking studies, neighbors and residents living along or near Western Avenue might become more impacted than any study has suggested.

As many of you know, I'm not shy about my opinions concerning Ponte Vista at San Pedro.

The construction of 1,135 units of any kind is far too many. The allowance of 392 'rental' units being constructed is also of great concern to me.

Years ago I calculated a dwelling density rate at Ponte Vista as it would compare to what is found at The Gardens, a nearby condominium complex that has been in San Pedro for decades.

The Gardens consists of about 80 acres and has approximately 1,100 dwelling units.

Ponte Vista at San Pedro sits on 61.53 acres, not all of which are buildable.

For Ponte Vista at San Pedro to have an dwelling density equal to The Gardens, then no more than 831 dwelling units should be built at Ponte Vista at San Pedro, in my opinion.

It is not the responsibility of local residents to accept higher density housing if it means greater hardships on them.

I urge everyone to read the D.E.I.R., provide comments and work together to create the best outcome for ALL of us, including welcoming new residents at Ponte Vista, however many there will be.

I guess it's time to get back writing on my blogs. Ugh!

Thank you and be well.

Mark Wells

Staff comments on DEIR for Brickwalk, LLC Project



CITY OF RANCHO PALOS VERDES
CITY MANAGER'S OFFICE
ADMINISTRATION

2 August 2012

VIA ELECTRONIC AND U.S. MAIL

Niki Cutler, AICP, Principal Planner
City of Rolling Hills Estates
4045 Palos Verdes Dr. N.
Rolling Hills Estates, CA 90274

SUBJECT: Comments in Response to the Notice of Completion/Availability of a Draft Environmental Impact Report for the Proposed Brickwalk, LLC Mixed-Use Residential Project (PA 01-07)

Dear Ms. ^{NIKI} ~~Cutler~~:

The City of Rancho Palos Verdes appreciates the opportunity to comment upon the Draft Environmental Impact Report (DEIR) for the above-mentioned project. As you may recall, the City previously commented upon the scope of the DEIR for this project on 28 February 2007. We have reviewed the Notice of Completion/Availability and the DEIR, and offer the following comments:

1. The discussion of Aesthetics (Section 4.1, p. 4.1-9) describes the visual impacts of the proposed project as viewed from a location within the City of Rancho Palos Verdes at Indian Peak Road and Crenshaw Boulevard (View 4). The DEIR concludes that aesthetic impacts upon the view from this location are less-than-significant. However, we note that the view simulations (Figure 4.1-5) clearly show that the height of the new townhomes proposed in this portion of the project site would exceed the curb elevation of Indian Peak Road near its intersection with Crenshaw Boulevard. Accordingly, we are concerned that the aesthetic impacts of the proposed project upon views from homes in the 5400-block of Middlecrest Road in the *Ridgecrest* neighborhood may not have been adequately addressed in the DEIR.
2. The discussion of Biological Resources (Section 4.3, pp. 4.3-3 to 4.3-5) describes the consistency of the proposed project with the Rancho Palos Verdes NCCP Preserve (NCCP) and concludes that project impacts would be less-than-significant and require no mitigation. Earlier in this same section (p. 4.3-2), the DEIR acknowledges the NCCP as a part of the "regulatory setting" within which the biological resource impacts of this project are to be analyzed. We would draw to your attention Section 6.2.2 of the NCCP Subarea Plan "Development

Adjacent to the Preserve” and the specific project design criteria and best management practices (BMPs) enumerated in Subsection 6.2.2.2 (see enclosures). These guidelines should be discussed in greater detail in the DEIR. Furthermore, we strongly suggest that the DEIR consider the inclusion of the guidelines from NCCP Subarea Plan Subsection 6.2.2.2 as project mitigation to address potential impacts upon the adjacent NCCP Crestridge Reserve in Rancho Palos Verdes.

3. The discussion of Geology and Soils (Section 4.5) assesses the geologic and geotechnical impacts of the proposed project, and suggests mitigation measures to reduce these impacts to less-than-significant levels. The City of Rancho Palos Verdes' geotechnical consultant has reviewed Section 4.5 and the related appendices from the DEIR, and offers the enclosed comments that should be addressed in the Final EIR.
4. The discussion of Hydrology and Water Quality (Section 4.7) assesses the impacts and handling of site runoff and drainage for the proposed project, and suggests mitigation measures to reduce these impacts to less-than-significant levels. The City of Rancho Palos Verdes' City Engineer has reviewed Section 4.7 and the related appendices from the DEIR, and offers the enclosed comments that should be addressed in the Final EIR.
5. The discussion of Land Use and Planning (Section 4.8) notes at several locations that two (2) variances are requested in conjunction with the proposed project, whereas the Project Description (Section 3.0, p. 3-10) lists three (3) requested variances. This discrepancy should be resolved in the Final EIR. For the record, the City of Rancho Palos Verdes is skeptical that the requested variance for a 26-foot/1-story increase in the height of the proposed, mixed-use podium building is warranted. Also, as mentioned in our comments above regarding biological resources impacts, the discussion of the consistency of the proposed project with the NCCP (p. 4.8-17) should take into account the provisions of Subsection 6.2.2.2 of the NCCP Subarea Plan.
6. The discussion of Noise (Section 4.9, p. 4.9-16) identifies the Rancho Palos Verdes Preschool at 28451 Indian Peak Road (southwest corner at Crenshaw Boulevard) as a sensitive noise receptor that would be exposed to short-term construction noise impacts from the proposed project. Mitigation Measure 4.9-2 (p. 4.9-20) proposes the installation of 6-foot-tall construction noise barriers along Indian Peak Road and Crenshaw Boulevard to reduce these impacts to less-than-significant levels. We would like to point out that, since the original circulation of the NOP for this project in 2007, the City completed construction of

the *Mirandela* senior apartments at 5555 Crestridge Road (northwest corner at Crenshaw Boulevard), which directly abut the Rancho Palos Verdes Preschool to the south. The City believes that these age- and income-restricted apartments also constitute a sensitive noise receptor located in the immediate vicinity of the project site. Will the implementation of Mitigation Measure 4.9-2 adequately address potential construction-related noise impacts upon the residents of *Mirandela* as well?

7. The discussion of Population and Housing (Section 4.10, p. 4.10-10) notes that the proposed project is consistent with the City of Rolling Hills Estates' current Regional Housing Needs Assessment (RHNA), presumably because the total number of units proposed (i.e., one hundred forty-eight (148)) substantially exceeds the total of twenty-six (26) units required by the current RHNA. However, the DEIR does not discuss how the proposed project fulfills the RHNA requirement for units to be provided that are affordable to households at a variety of income levels.
8. The discussion of Transportation and Circulation (Section 4.13) discusses the construction-related and post-construction impacts of the proposed project, and suggests a number of mitigation measures (pp. 4.13-25 to 4.13-30) to reduce these impacts to less-than-significant levels. Several of these mitigation measures involve modifications to traffic controls at surrounding intersections. We would like to point out that, since the original circulation of the NOP for this project in 2007, the jurisdictional responsibility for several of the surrounding roadway segments and intersections has shifted from Rolling Hills Estates to Rancho Palos Verdes, and these shifts may affect the feasibility of some of the proposed mitigation measures. The City of Rancho Palos Verdes' traffic engineer has reviewed Section 4.13 and the related appendices from the DEIR, and offers the enclosed comments that should be addressed in the Final EIR.
9. The discussion of Alternatives (Section 5.0, pp. 5-14 to 5-15) identifies the "Reduced Project Alternative" (Alternative 3) as the environmentally-superior alternative to the proposed project. Since Alternative 3 reduces the total number of dwelling units and commercial square footage by twenty percent (20%), it reduces the project's traffic impacts and eliminates the need for a building height variance while still fulfilling the basic objectives of the project. Therefore, the City of Rancho Palos Verdes supports the selection of Alternative 3 for the proposed project.

Niki Cutler
2 August 2012
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Again, thank you for the opportunity to comment upon this important project. If you have any questions or need additional information, please feel free to contact me at (310) 544-5226 or via e-mail at kittf@rpv.com.

Sincerely,



Kit Fox, AICP
Senior Administrative Analyst

enclosures

cc: Mayor Misetich and City Council
Carolyn Lehr, City Manager
Carolynn Petru, Deputy City Manager
Joel Rojas, Community Development Director
Jim Hendrickson, Interim Public Works Director

SECTION 6 RESERVE MANAGEMENT

As an urban Reserve plan for wildlife and plants, the Rancho Palos Verdes Subarea Plan will enhance the city's quality of life and provide the city with recreational and educational opportunities while conserving the city's unique biodiversity and maintaining populations of sensitive resources. To succeed in these goals, this Subarea Plan will require management practices and some land-use restrictions on conserved lands that give special consideration to the interface between developed lands and open space. Adaptive management measures and compatible adjacent land uses will minimize impacts to individuals or populations of covered species from development abutting the Reserve. A process for monitoring habitats and species in the Reserve will help to improve the effectiveness of resource management. The following sections establish general guidelines for compatible land uses and development within and adjacent to the Reserve and provide a framework for consistent and coordinated management and monitoring of the Reserve.

Existing legal land uses adjacent to the Reserve may continue, and existing ownerships will be maintained until lands are obtained by public entities through purchase, dedication, or donation. On private lands that become part of the Reserve, public access will be allowed only on properties where access has been granted by the owner through an appropriate easement or on property that has been voluntarily dedicated in fee title to a public agency or nonprofit organization. All new public facilities will be reviewed for consistency with this Subarea Plan regarding public safety and to minimize management concerns and biological impacts.

6.1 HABITAT MANAGER

The City has selected the Palos Verdes Peninsula Land Conservancy (PVPLC) as the designated Habitat Manager for the Reserve. Some conserved habitat areas addressed by this Subarea Plan are currently managed by other organizations contracted by the private landowners (e.g., Ocean Trails and Oceanfront Estates mitigation lands). Management of these private lands would be transferred to the PVPLC once the monitoring requirements of the Wildlife Agencies have been met. The PVPLC will work with the City to ensure that habitat on these lands is adequately maintained.

6.2 FRAMEWORK MANAGEMENT GUIDELINES**6.2.1 Development of Public Use Master Plan**

Within two years of the signing of the Implementing Agreement, a Public Use Master Plan (PUMP) shall be developed jointly by the City and the PVPLC to address issues such as public access, trailhead locations, parking, trail use, fencing, signage, lighting (if any), fire and brush management, minimizing impacts to adjacent neighborhoods, public involvement in advisory capacities, and other issues that may arise. This section provides management guidelines and measures for the development of the PUMP, to reduce habitat impacts of land uses within and adjacent to the Reserve. The PUMP for the site would be created based on extensive public input and would have to be approved by City Council and the Wildlife Agencies. Prior to the final approval of the PUMP by the Wildlife Agencies, all lawful uses and activities that are occurring in the Reserve at the time of approval of this Subarea Plan by the City Council shall be

deemed acceptable and allowed to continue unless otherwise restricted or prohibited by the Final approved PUMP.

6.2.2 Development Adjacent to the Reserve

6.2.2.1 Management Issues

No new development activities will be allowed in the Reserve, except for the public and private infrastructure projects identified in this Subarea Plan, geological testing in support of compatible land uses, landslide monitoring, and any emergency actions associated with landslide abatement and remediation activities. Development adjacent to the Reserve, however, may indirectly affect the Reserve. These indirect impacts will be addressed through the existing project review process and CEQA documentation, as required. In reviewing a proposed development project adjacent to the Reserve, site design issues that need to be addressed are avoidance or minimization of impacts to biological resources and retention of native habitats. Potential impacts to biological resources from existing and new development adjacent to the Reserve will be considered in the design process. These include the locations of access and staging areas, fire and brush management zones, potential for introduction of nonnative species, increased night-lighting, increased stormwater and urban runoff, increased noise level and public access to habitats supporting covered species.

6.2.2.2 Project Design Review and Best Management Practices

The following guidelines are designed to protect biological resources in the Reserve during construction of new development directly abutting the Reserve:

1. Review grading plans of development directly adjacent to the Reserve boundary (including access routes, staging areas, etc.) to ensure the plans are consistent with this Subarea Plan, educate contractors about the biological sensitivities associated with the area, and monitor construction to ensure compliance with project-specific mitigation measures.
2. All construction site vegetation clearing will be conducted during the non-breeding season (September 1 to February 15) to avoid destruction of active bird nests. If vegetation clearing must be conducted during the bird breeding season, a nest survey must be conducted and a 15 meter (50 feet) exclusion zone is placed around all active nests (i.e., active nests with eggs or chicks) until the nest becomes inactive
3. Use existing access roads outside the Reserve wherever practicable. Clearly mark all access routes outside existing roads or construction areas. Develop an emergency access plan for the utility companies with facilities within the Reserve.
4. When stockpiling topsoil, it should be placed in areas to be affected by project development.
5. Locate construction staging areas at least 15 meters (50 feet) away from the Reserve boundary and natural drainages. Designate no-fueling zones a minimum distance of 15 meters (50 feet) from all drainages and away from the Reserve boundary.
6. Schedule construction directly adjacent to the Reserve to minimize potential indirect impacts to biological resources in the Reserve. Construction adjacent to drainages should occur during periods of

minimum flow (i.e., summer through the first significant rain of fall) to avoid excessive sedimentation and erosion and to avoid impacts to drainage-dependent species. Construction adjacent to habitats occupied by breeding sensitive wildlife species should be scheduled to avoid the breeding season (February 15-August 31) if practicable.

7. Minimize construction noise impacts during the bird breeding season (February 15-August 31) by precluding noise levels greater than 65 dB hourly L_{eq} at the edge of habitat occupied by noise-sensitive covered bird species where existing noise conditions are less than this noise threshold. Conduct pre-construction surveys of potentially affected conserved habitat between mid-January and mid-March. If no noise-sensitive breeding bird species are detected within 15 meters (50 feet) of the construction activity by this date, construction can proceed.
8. Locate new roads, trails, and utility corridors in areas that minimize habitat fragmentation and edge effects.
9. Place temporary construction fencing at the planned limits of disturbance adjacent to the Reserve. Add silt fencing to these fences to minimize excessive sedimentation into drainages.
10. Encourage undergrounding of utilities and use of trenchless technology, where feasible. Minimize the width of construction corridors and easements, and where possible, use less impactful construction practices such as jacking pipelines under drainages.
11. Revegetate cut/fill slopes not subject to fuel modification and adjacent to conserved habitat with appropriate native species.
12. Require approved restoration plans and construction monitoring for all construction projects within and adjacent to the Reserve.
13. Evaluate the practicality of noise barriers for short sections of road that may chronically affect breeding wildlife.
14. Avoid sidestepping of materials during road and utility construction and maintenance.

6.2.3 Fire and Brush Management

Fire management can focus on two potentially different objectives: achievement of biological resources goals and hazard reduction for humans and their property. Biological resource goals recognize that fire is a natural process in ecosystems. Coastal sage scrub depends on a regular cycle of burning to maintain a balance of species, create vegetation mosaics that favor increased animal species diversity, provide habitat for species characteristic of early post-fire landscapes, and control exotic plant species invasion. Fire and brush management can also affect restoration of disturbed habitats and site hydrology, which will directly affect habitat value for wildlife. Fire management for hazard reduction for humans and their property focuses on reducing fuel loads in areas where fire may threaten human safety or property, suppressing fires once they have started, and providing access for fire suppression equipment and personnel.

6.2.3.1 Management Recommendations

Fire and brush management will be prioritized for human safety, but will also consider biological resources, where appropriate. Therefore, fire and brush management practices in the Reserve need to



July 27, 2012

PN 00146-14A

Kit Fox
Senior Administrative Analyst
CITY OF RANCHO PALOS VERDES
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90275-5391

Subject: Review of DEIR Geology and Soils Documents for the Proposed Deep Valley and Indian Peak Mixed-Use Project in Rolling Hills Estates

Dear Mr. Fox:

Our firm has reviewed the Geology and Soils, Section 4.5 of the DEIR dated June 20, 2012 by LSA Associates for the Deep Valley and Indian Peak Mixed-Use Project in Rolling Hills Estates. Our evaluation incorporated a review of past geology and soils documents for the subject site. The following comments in regards to the Geology and Soils portion of the DEIR are presented below.

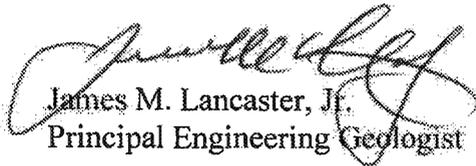
- A review of the reference list indicates that the authors have reviewed all previous documents for the project including past reviews by the City of Rancho Palos Verdes and the corresponding responses by the project geotechnical consultant.
- The seismic design standard presented on page 4.5.6 is outdated. The design standards presented and used for the project should be updated to use the latest CBC or indicate in the DEIR what version of the CBC or UBC will be used for the project if different.
- The last round of review and response completed in 2010 and 2011 indicated that additional readings of the inclinometers would continue every 4 to 6 months from the date of consultant's response in December 2010. Based on this schedule, a minimum of 5 additional readings should have taken place. It is recommended that these be obtained and reviewed by the geotechnical consultant in an updated report and if necessary be incorporated into the DEIR. This report should be forwarded to the City of Rancho Palos Verdes for review.
- The DEIR's section on Faults and Seismic History states that the Cabrillo Fault is active, page 4.5-5. Later in the report on page 4.5.12 it states that it is inactive. The DEIR should be corrected to remove inconsistency.
- Mitigation Measure 4.5-1 states that the construction and design of the proposed project shall comply with the recommendation measures listed in Section 6.0 through 9.0 in the April 27, 2007 Pacific Soils. As other addendum reports and evaluations have been authored beyond the April 2007 report, they should be added to this section of the DEIR.

- The DEIR does not address import or export of soil during grading, nor does it address import of construction materials associated with grading or construction of buildings and what impact to RPV roadways this might have. This may be addressed elsewhere in the DEIR document.
- Section 4.5.2 states that the section addresses the potential for structural damage to occur due to local geology underlying the project. There does not appear to be a discussion in regards to this issue.
- DEIR does not appear to address tie backs, temporary excavations or shoring in detail or where they would potentially encroach into Rancho Palos Verdes.

We appreciate this opportunity to be of continued service to the City of Rancho Palos Verdes. Please call if you have any questions regarding the content of this letter.

Sincerely,

KLING CONSULTING GROUP



James M. Lancaster, Jr.
Principal Engineering Geologist

JML:dm

Dist.: (2) Addressee

SECTION 1.0 - EXECUTIVE SUMMARY

Add the following statement to Table 1.A item 4.5-3 and to Section 4.5 Geology and Soils

Any components of the design that are required to be placed outside of the City of Rolling Hills Estates will require additional review/approval by the affected jurisdiction.

Add the following statement to Table 1.A item 4.5-X

Prior to the issuance of the Certificate of Occupancy for buildings associated with the project, the project applicant shall submit a maintenance plan to the City's Director of Public Works for review and approval. The maintenance agreement shall address slope drainage facilities and require the owner to maintain any such facilities in a state of good repair. The maintenance agreement shall "run with the land". The approved maintenance agreement shall be recorded with the Los Angeles County Recorders Office. Such recordation shall be completed prior to the issuance of a certificate of occupancy by the City of Rolling Hills Estates Building Official.

SECTION 4.7 - HYDROLOGY AND WATER QUALITY

The project is located in an area of known unstable land. Land movement such as slope failures and landslides are adversely affected by ground water. To minimize runoff infiltration of ground water, all existing or planned drainage facilities located on slopes within the project must be properly maintained or caused to be maintained by the property owner and future owners.

To that end, the following comment and condition should be added to the Mitigation Measures 4.7-X. They are needed to ensure that storm runoff management facilities are properly maintained and that runoff on slopes adjacent to Indian Peak retain the integrity intended by the design engineer:

Prior to the issuance of the Certificate of Occupancy for buildings associated with the project, the project applicant shall submit a maintenance plan to the City's Director of Public Works for review and approval. The maintenance agreement shall address slope drainage facilities and require the owner to maintain any such facilities in a state of good repair. The maintenance agreement shall "run with the land". The approved maintenance agreement shall be recorded with the Los Angeles County Recorders Office. Such recordation shall be completed prior to the issuance of a certificate of occupancy by the City of Rolling Hills Estates Building Official.

Section 4.7-4 modify the sentence as follows (change to sentence shown in bold):

The drainage plan shall include any on-site structures and/or modifications of existing drainage facilities necessary to accommodate **existing and/or** increased runoff resulting from the proposed project and shall indicate project contributions to the regional storm water drainage system.

From: Nicole Jules
To: Kit Fox;
cc: Ron Dragoo;
Subject: RHE Mixed Use Project
Date: Wednesday, August 01, 2012 2:54:40 PM

Hi Kit,

Below are my comments:

General Traffic Study

Since the commencement of the Traffic Study in 2010, jurisdictional responsibilities at certain intersections and along certain roadway segments have shifted from Rolling Hills Estates to Rancho Palos Verdes. As such, report, analysis, assumptions and conclusion should be modified per the direction and concurrence of the City of Rancho Palos Verdes for the following locations:

- a) Hawthorne Blvd at Indian Peak Road
- b) Silver Spur Road at Silver Arrow Drive
- c) Indian Peak Road at Crenshaw Blvd
- d) Silver Spur Road from Hawthorne Blvd to Drybank Drive
- e) Indian Peak Road from Crenshaw Blvd to RPV City Limits
- f) Crenshaw Blvd from Indian Peak Road to RPV City Limits

The report should clearly identify which intersections and/or roadway segments are in each respective City. For the intersections that have joint responsibilities the proportionate share should be clearly identified.

Executive Summary

Table 1.A, mitigation # 4.13-5, 4.13-6, 4.13-10 – Mitigation Measure needs to be modified to incorporate review, concurrence and approval by the City of Rancho Palos Verdes, Department of Public Works.

Table 1.A, mitigation # 4.13-10 – Please modify the language of this mitigation measure and any other applicable mitigation measure to state: “Prior to the issuance of an occupancy permit, the applicant shall, for the two intersections with the jurisdictional boundaries of the City of Rancho Palos Verdes (Hawthorne Blvd at Indian Peak Road and Crenshaw Blvd at Indian Peak Road, pay it’s fair share of the estimated construction costs for the necessary mitigation measures to offset its cumulative impact. All estimated costs shall be approved by the City of Rancho Palos Verdes Director of Public Works or his/her designee.

Section 4.13 Transportation and Circulation

Based on comments to Appendix J below, the traffic analysis results as presented in this section may change. Please see comments to Appendix J for details.

Appendix J

Study Area – Please modify the study area to identify those study intersections and roadway segments that fall under the jurisdictional responsibility of each City (RHE and/or RPV)

Existing Conditions – Please modify the descriptions of the existing street system to identify roadway segments and appropriate classifications and speed limits within the City of RPV. Also, please include a copy of the traffic counts conducted in 2008 in the appendix to the 2010 study.

Analysis – Is there any reason why a Peak Hour Factor adjustment was not applied to the intersection analysis? The traffic counts provide a calculated PHF for each movement and for the intersection. The City of RHE’s traffic impact analysis methodology guidelines state in Section VIII that “peak hour factor specific to subject intersection shall be used”. Please utilize an appropriate PHF for accurate intersection analysis and results.

Trip Distribution – with 23% of the project traffic traveling to and from Palos Verdes Drive North, why was Palos Verdes Drive North omitted from the roadway segment analysis.

Year 2013 Conditions – Does the Year 2013 analysis include any assumed roadway, intersection or geometric improvements that are either assumed or planned by RHE or RPV at any of the study intersections or roadway segments? Also, the Year 2013 traffic analysis sheets are not included in the report.

Traffic Signal Warrant Analysis – Appendix C is missing from the report.

Year 2013 Cumulative Plus Project – Include traffic analysis sheets for review.

Area-Wide Improvements – Include the traffic analysis sheets for proposed mitigation measures for verification that mitigations are addressing impacts appropriately.

Project Fair Share Contribution – The calculated fair share contribution needs to be modified to incorporate the projects contribution to the City of Rancho Palos Verdes.

PV News article regarding hearing for Brickwalk, LLC Project



Print Page

Commission to look at plan for 148 residential units

Thursday, August 30, 2012 11:40 AM PDT

RHE — The Rolling Hills Estates Planning Commission will open a public hearing for the proposed mixed-use residential project along Deep Valley Drive and Indian Peak Road on Tuesday, Sept. 4. The meeting begins at 7 p.m.

The draft environmental impact report for the project is available for the public to review on the city's website at www.ci.rolling-hills-estates.ca.us/index.aspx?page=347. Copies are also available at RHE City Hall and the Peninsula Center Library.

As part of the project's proposal, the office buildings at 655 Deep Valley Drive, and 924 and 950 Indian Peak Road, as well as the surface parking lots and landscaping in the vicinity, would be demolished to make way for 148 residential units, approximately 14,200 square feet of commercial space and 63 additional off-street parking spaces. The project also includes exterior facade improvements, which include new paint and awnings, along the commercial front on the Brick Walk.

Construction would stabilize the existing landslide between Indian Peak and Deep Valley, which destroyed offices in the area in the 1990s, according to city staff.

RHE City Hall is located at 4045 Palos Verdes Drive North. The library is located at 701 Silver Spur Road in RHE.

— Mary Scott

RHE PC Agenda and Staff report for Brickwalk, LLC Project



PLANNING COMMISSION AGENDA

TUESDAY September 4, 7:00 pm

Regular Meeting

Reports and documents relating to each agenda item are on file available for public inspection on our website.

1. CALL MEETING TO ORDER
2. SALUTE TO THE FLAG
3. ROLL CALL
4. APPROVAL OF MINUTES (7/16/12)
5. AUDIENCE ITEMS
6. CONSENT CALENDAR - None
7. BUSINESS ITEMS
 - A. Quarterly Code Enforcement Report. (JM)
8. PUBLIC HEARINGS.
 - A. PLANNING APPLICATION NO. 01-07; APPLICANT: George Daneshgar; LOCATION: 655-683 Deep Valley Drive and 924-950 Indian Peak Road; A mixed-use residential project requiring approval of the following: 1) Vesting Tentative Tract Map No. 67553; 2) A Conditional Use Permit for a mixed-use development; 3) a Precise Plan of Design for buildings and structures; 4) a Variance to exceed the maximum permitted building height; 5) a Variance to permit a smaller setback than required by Code; 6) a Variance to permit fewer parking spaces than required by Code; 7) a Grading permit; and 8) Environmental Impact Report. (NC)
9. COMMISSION ITEMS
10. DIRECTOR'S ITEMS
11. MATTERS OF INFORMATION
 - A. Park and Activities Commission Draft Minutes (7/17/12)
 - B. Park and Activities Commission Draft Minutes (8/7/12)
 - C. Park and Activities Commission Draft Minutes (8/21/12)
 - D. City Council Actions (8/14/12)
12. ADJOURNMENT

In compliance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's Office at (310) 377-1577 at least 48 hours prior to the meeting.



Staff Report

City of Rolling Hills Estates

AGENDA

SEP - 4 2012

ITEM NO. 8A

DATE: SEPTEMBER 4, 2012

TO: PLANNING COMMISSION

FROM: NIKI CUTLER, AICP, PRINCIPAL PLANNER

SUBJECT: PLANNING APPLICATION NO. 01-07
APPLICANT: MR. STEPHEN JORDAN, THE AURIC GROUP, LLC
PROPERTY OWNER: BRICKWALK, LLC (MR. GEORGE DANESHGAR)
LOCATION: 655-683 DEEP VALLEY DRIVE/924-950 INDIAN PEAK ROAD

OVERVIEW

The following is a request to approve:

1. Vesting Tentative Tract Map No. 67553;
2. A Conditional Use Permit (CUP) for a mixed-use development including 148 condominium/townhome units and 14,200 square feet of commercial space in the Commercial General (C-G)/Mixed-Use Overlay Zone;
3. A Precise Plan of Design (PPD) for buildings and structures;
4. A Variance to exceed the maximum permitted building height;
5. A Variance to permit a smaller setback than required by Code;
6. A Variance to permit fewer parking spaces than required by Code/shared parking agreement;
7. A Grading application is required to permit stabilization of the landslide and building pads for buildings and structures; and
8. An Environmental Impact Report, Findings and Statement of Overriding Considerations under the California Environmental Quality Act (CEQA)

BACKGROUND

Application Filed:	7/2/2009 *
Public Notices Mailed:	6/19/2012
Public Notices Posted:	6/21/2012
Public Notices Published:	6/21/2012

*Original application was submitted in 2007 by Laing Urban. Current application was resubmitted by The Auric Group, LLC for Brickwalk, LLC on 7/2/2009.

Approval of a Vesting Tentative Tract Map is required under Section 66426 of the California Government Code and Chapter 16.12 of the Municipal Code for subdivision of the property and the sale of condominiums/townhomes.

Approval of a Conditional Use Permit (CUP) is required under Sections 17.28.020(D)(4) and 17.37.020(C) of the Municipal Code for a Mixed-Use project to be located within the Commercial-General (C-G) Zone. The purpose of the Conditional Use Permit is to ensure that a proposed use is not detrimental to existing uses or to those permitted in the zoning district. Conditional Use Permit procedures are set forth in Chapter 17.68 of the Municipal Code.

Approval of a Precise Plan of Design (PPD) is required under Section 17.37.020(C) of the Municipal Code for any Mixed-Use project as well as prior to the issuance of a building permit for any structure. The purpose of the Precise Plan of Design is to ensure that the proposed site improvements on commercially-zoned properties do not result in any detrimental impacts to the surrounding community and to protect the public peace, health, safety, and welfare. Precise Plan of Design procedures are set forth in Chapter 17.58 of the Municipal Code.

Approval of three Variance applications are required under Chapter 17.66 of the Municipal Code to exceed the maximum permitted building height as set forth in Section 17.30.050(F) of the Municipal Code, to permit a lesser setback area than required by Code as set forth in Section 17.30.050(D) of the Municipal Code, and to permit fewer parking spaces than required by Code as set forth in Section 17.30.050(G) and a shared parking agreement.

Approval of a grading application is required under Section 15.04.040 of the Municipal Code for any importation onto or exportation from any site in the City which exceeds 20 cubic yards of earth or any vertical change in the grade of any site which is 3' or more.

Approval of an Environmental Impact Report, Findings and Statement of Overriding Considerations is required under the California Environmental Quality Act (CEQA).

The subject property is 10.42 acres in size and located at 655-683 Deep Valley Drive and 924-950 Indian Peak Road. The Brickwalk property, located at 701-815 Deep Valley Drive, is included in the project in that it will be subdivided from the remainder of the project site. The project site is developed with a 42,531 square foot office building at 655-683 Deep Valley Drive, 12,500 square feet of office space in two buildings accessible from Indian Peak Road, and the 25,207 square foot Brickwalk shopping center and associated parking.

The site encompasses a steep slope rising approximately 100 feet from Deep Valley Drive to Indian Peak Road which encountered a landslide in 1997. The landslide resulted in the demolition of two buildings accessible from Indian Peak Road and a portion of the parking lots for the Indian Peak office buildings and the Brickwalk development, and the vacancy of a former restaurant building on Indian Peak Road. A portion of the site has been covered in black plastic and sandbags for erosion control since the landslide.

The General Plan Land Use designation for the site is Commercial General (Mixed-Use), and the site is located in Planning Area Number 6. The Mixed-Use designation in the Land Use Element was adopted by the City on August 18, 1992. The development standards for the Mixed-Use Overlay Zone (Chapter 17.37 of the Municipal Code) were adopted on February 11, 1997 (Ordinance No. 591).

The subject property is surrounded by properties located in the Commercial General (C-G) Zone/Mixed-Use Overlay District to the north, west and east, and properties in the City of Rancho Palos Verdes to the south. To the north, across Deep Valley Drive, is the Peninsula Center library and various commercial/office uses along Deep Valley Drive. To the west is a

vacant site of an approved 58-unit condominium building, and to the east is a medical office building. To the south, across Indian Peak Road and is vacant property, single family homes, and a preschool.

The following is a list of previous discretionary permits for the subject site:

924-950 Indian Peak Road and 701-815 Deep Valley Drive (Brickwalk):

- P-160-78: Certifying an Environmental Impact Report for development of retail, commercial and office facilities;
- LS-100-78: To divide the parcel into four lots;
- V-100-78: To permit a Variance for on-site parking requirements;
- V-105-78: To permit a Variance for fewer parking spaces than required and a reciprocal parking agreement for future restaurant site;
- PPD-101-78: To permit development of a commercial/office theme building;
- PPD-102-79: To permit construction of four office buildings and a restaurant building.

924-950 Indian Peak Road:

- PPD-100-88: To permit a master sign plan at Great Western Bank;
- PPD-106-88: To permit a monument sign;
- G-102-97: To permit emergency grading control measures and demolition;
- PA-47-99: To permit grading to restore and stabilize a slope.

701-815 Deep Valley Drive (Brickwalk):

- PA-44-00: To permit a commercial façade improvement program;
- PA-08-02: To permit a new color scheme for exterior buildings;
- CUP-105-79: To permit Senior Sushi restaurant;
- CUP-101-89: To permit Healthsea restaurant;
- CUP-100-81: To permit operation of a restaurant in conjunction with a bakery (Shenkarow);
- CUP-108-81: To permit operation of a restaurant in conjunction with a bakery (Patisserie Maxwell);
- CUP-106-84: To permit on-site consumption of wine and beer;
- CUP-103-89: To permit three restaurants providing 88 interior seats and 13 exterior seats;

- CUP-103-89 (Amendment): To permit an 11-space parking reduction for Chang's restaurant for a total seating capacity in their interior of 64 seats and exterior patio seating for 20 people;
- PA-27-02: To permit a façade improvement program;
- CUP-105-81: To permit on-site consumption of wine and beer for an existing deli.

655-683 Deep Valley Drive:

- V-107-73: To permit a Variance for fewer parking spaces than required;
- CUP-103-79: To permit a restaurant use;
- V115-91: To permit a Variance Amendment from provisions of Resolution No. V-107-73 to permit a dental office;
- PPD-103-95: To permit a satellite dish and parapet work.

DISCUSSION

Project Overview

The applicant proposes to demolish buildings at 944 and 950 Indian Peak Road and at 655-683 Deep Valley Drive, stabilize the landslide, and subdivide the 10.42-acre site into two lots. Lot 1 would be 8.05-acres in size and contain 148 residential units in two development "pad" areas. Pad 1, located in the current location of the 655-683 Deep Valley Drive office building, would consist of a five-story, 102-unit, condominium "podium" building with 14,200 square feet of ground-floor commercial space. The one and two-bedroom condominium units would range in size from approximately 1,200 to 1,900 square feet. The building would also feature a gym, courtyard, and swimming pool. The building would be accessed from Deep Valley Drive by a shared driveway located between the building and the Brickwalk development.

Pad 2, located on the slope to the rear of the existing Brickwalk commercial development, would consist of 46 three-bedroom townhomes ranging in size from approximately 1,875 to 1,920 square feet. The homes would be accessed from a u-shaped road descending from Indian Peak Road to Deep Valley Drive. From Deep Valley Drive, the townhomes would be accessed from the driveway shared with the condominium building and the Brickwalk development.

The architectural style of the residential buildings features primarily Mediterranean and Spanish colonial styles. The podium building features arches, pitched roofs, architectural towers, and decorative railings. The townhomes feature arches, trellis-covered balconies, decorative railings, stone accents on building columns, and barrel-tile roofs. For the purposes of the view simulations, the buildings are shown in earth-toned colors with red roofs. The applicant has requested a condition of approval requiring a Precise Plan of Design for final colors and materials to be approved by the Planning Commission at a later date. Staff will include an associated condition in any resolution approving the project.

Lot 2 of the project site would encompass the Brickwalk development on a 2.37-acre site. The project would demolish 2,013 square feet of existing commercial space from the 23,187 square foot development and add 63 parking spaces. The area of demolition would be in the upper portion of the Brickwalk site and would not affect the continuous retail frontage along Deep Valley Drive. In conjunction with this application, the applicant has proposed façade improvements including first-floor awnings, paint and signage for the Brickwalk buildings.

Façade improvements would consist of painting the buildings a darker earth-toned color at the base with a lighter color at the top of the two-story buildings to break up the massing. Within recessed first floor retail areas, a darker color would also be used to provide additional distinction for those tenants. Stairway openings to the second floor would be accentuated with signage, lighting and a decorative entry canopy. Conditions of approval for this project would require a Precise Plan of design for a master sign plan as well as a Precise Plan of Design for building colors and awnings.

Section 17.37.050(F) of the Municipal Code limits buildings to 44' in height or three stories. Plans indicate that the maximum general building height would be 56' for the podium building and 70' for the podium building architectural towers which requires a Variance for building height. Further discussion is provided in the Variance section below.

Section 17.30.050(E) of the Municipal Code requires that lot coverage by buildings not exceed 45%. Coverage for Lot 1 would be 41.85% in conformance with Code requirements, and coverage for Lot 2 (the Brickwalk parcel) would be 12.4%.

For residential uses, according to Section 17.37.040(C) of the Code, a total of 30,600 square feet of usable open space (300 square feet per unit) is required for the podium building and 13,800 square feet for the townhomes. For the podium building, 23,310 square feet of open space would be provided in side yards and 7,290 square feet in balconies/decks for a total of 30,600 square feet. Patios, sideyards, and decks for the townhomes total 13,800 square feet in conformance with Code requirements.

Section 17.30.050(L) of the Municipal Code requires that at least 20% of the total site be landscaped (including easements and excluding landscaping on rooftops), with at least 10% provided in the parking lot area, and a substantial portion in the setback area. For Lot 1, 70,132 square feet of landscaping is required, and 152,000 square feet is proposed inclusive of the project hillside. For Lot 2, plans indicate that approximately 49,395 square feet (48%) would be provided in excess of the 20,647 square feet required. Specific landscaping material information has not been submitted at this time; however, a condition of approval for the project shall require that the applicant submit a detailed landscape plan for review and approval of the Park and Activities Commission.

Regarding setbacks, Section 17.30.050(D) of the Municipal Code requires a minimum of 5' and average of 15' between a building and the street. The applicant requests a Variance for setbacks for the podium building as discussed further in the Variance section below.

For residential uses, one parking space is required for one-bedroom units and two parking spaces are required for two and three-bedroom units. In the podium building, given that seven of the proposed 102 units are one-bedroom units and 95 are two-bedroom units, 197 parking spaces are required for the residential uses. The applicant proposes to provide 197 residential parking spaces in 193 subterranean parking spaces and four ground-level spaces. One guest parking space is required per three units resulting in 34 required guest spaces. The applicant proposes to provide 34 guest spaces in ground-level spaces. Finally, 71 spaces are required for the 14,200 square feet of commercial space. The applicant proposes 83 ground-level spaces in excess of this requirement. All proposed parking spaces are 9' x 20' in size in conformance with Code requirements.

Table 1 provides a summary of the required and proposed parking spaces for the podium building:

Proposed Use	Required Parking Spaces	Proposed Parking Spaces
102 condominiums (7 1bd-units/95 2bd-units)	197 (1bd units= 1space; 2bd = 2 spaces)	197
Condominium guests	34 (1 space/3 units)	34
Commercial Space	71 (1 space/200 sf gross leasable area)	83
Total	302	314

For the 46 three-bedroom townhomes, 92 residential and 15 guest spaces are required. The applicant proposes two-car garages for each of the townhomes and 19 guest spaces throughout the development resulting in a surplus of four guest spaces.

The Brickwalk development currently provides 78 parking spaces for the 25,200 square feet of lease space. With project development, including demolition of 2,013 square feet of lease space and the addition of 63 parking spaces, the development would have a 49 space parking deficit with direct application of the City's Code. Table 2 below provides a summary of required parking for the Brickwalk project:

Proposed Use	Square feet of floor area	Required Parking Spaces	Required Parking Spaces
Retail	11,478	1 sp/200 sf	57
Office	5,960	1 sp/200 sf	30
Restaurant			
• Fixed Seats	59 (seats)	1 sp/3 fixed seats	20
• No. Employees	24 (emp.)	1 sp/2employees	12
• Main/auxiliary seating area	2,353 sf	1 sp/35 sf	67
		Total Required Parking	186
		Total Proposed Parking	137
		Parking Deficit	-49

Linscott, Law and Greenspan (LLG) prepared a Traffic Impact and Parking Demand Analysis (including a Shared Parking Analysis) for the proposed project. An analysis of the Brickwalk development's peak parking demand reveals that 140 spaces are required during the weekday peak hour (12:00pm to 1:00pm) and 150 spaces during the weekend peak hour (12:00pm to 1:00pm). With 137 spaces provided, the parking deficit would be three spaces during the weekday peak hour and 13 during the weekend peak hour. However, the shared parking analysis (which provides for the sharing of parking spaces between the Brickwalk development and the commercial spaces in the podium building) indicates that adequate parking will be provided during all hours except for the 12:00pm to 1:00pm and 1:00pm to 2:00pm weekday hours when a deficit of seven and six spaces will occur respectively. Because of this deficiency, the applicant requests a Variance to permit fewer parking spaces than required by Code as described further below.

Zoning Applicability

Grading Plan

The project has undergone extensive geotechnical review. In addition to the City Engineer, several geotechnical firms have been involved in the design and review of geotechnical features.

In late 2009, the previous project applicant, Laing Urban, submitted the proposal to build a tall retaining wall with tie back supports that ran back under Indian Peak Road and Crenshaw Boulevard in the City of Rancho Palos Verdes (RPV) to create a stable back cut for the property. The City of Rolling Hills Estates (RHE) required that the developer submit documentation to the RPV to consider installation of these tie backs. The developer contracted with Pacific Soils to prepare a report to be presented to RPV. The Pacific Soils report dated March 25, 2010 was delivered to the RPV in early April of 2010. The geotechnical firm of Zeiser Kling Consultants reviewed the report by Pacific Soils, and, on May 7, 2010, issued a letter requesting that certain concerns be addressed prior to RPV granting preliminary approval of the tie back installation. Meanwhile, Pacific Soils and Laing Urban went out of business.

The new project applicant hired the geotechnical firm Petra to replace Pacific Soils. Petra prepared a report dated December 29, 2010, containing the required analysis and answering the questions that Zieser Kling had about the Pacific Soils original report. Petra formally notified the cities that they had reviewed Pacific Soils previous work and agreed with the decisions made. The Petra report was resubmitted to RPV for review by Zieser Kling. On February 22, 2011, Zieser Kling prepared a report stating that they were satisfied that their concerns had been suitably addressed in the Petra report and recommended that RPV approve the installation of the tie back elements under Indian Peak Road.

A wall exhibit is provided on sheet 4 of the civil drawings provided separately to this report and in Figure 3.13 of the Draft Environmental Impact Report showing the proposed retaining walls for the project. Townhomes would be located along 10'-high retaining walls which would be exposed between buildings. The walls would be concrete with painted stucco. Between the guest parking stalls and the exposed retaining walls, there will be opportunities for landscaping to be installed to screen the walls which will be reviewed with landscape plans subsequent to project approval.

The podium building would be partially built into the hillside with two 15'-high retaining walls located to the rear of the building. A maximum 22'-high retaining wall would also be located to the rear of the Brickwalk development parking area. Opportunities for landscape treatment of these walls will also be addressed with landscape plan approval.

The project grading application is included herein as Attachment 1. The application indicates that the 103,600 cubic yards (c.y.) of earth material would be removed from the site during project construction. The maximum cut length would be 446' feet, and the maximum cut depth would be 53'. Cut would consist of 201,500 c.y., and 508,000 c.y. would be over-excavated and recompacted for site remediation. The maximum fill length would be 48', and the maximum fill depth would be 8'. Fill would consist of 8,253 c.y., and 597,647 c.y. would be recompacted.

Mixed-Use Overlay Zone

The Mixed-Use Overlay Zone (Chapter 17.37 of the Municipal Code) was adopted on 2/11/97 (Ordinance No. 591). The zone permits the construction of residential uses at a density of 22 dwelling units per acre. For the 148 units on 8.05 acres, the proposed density is 18.38 units per acre. The Mixed-Use Overlay Zone sets forth development standards applicable to residential units, such as the requirement for 300 square feet of usable outdoor open space as discussed in this report, and also indicates that properties are subject to the underlying commercial property development standards.

Conditional Use Permit (CUP)

For all Mixed-Use projects, a CUP is required to ensure that the proposed development addresses the following guidelines (17.37.030) (A-D):

- A. The compatibility with existing site conditions and neighboring uses;
- B. The functional and aesthetic relationship of buildings to each other (particularly height) and to surrounding open spaces;
- C. The functional and aesthetic design of open space as related to both residential and commercial uses; and
- D. The distribution, layout, and character of parking.

Staff believes that the project improves existing site conditions related to the landslide and is consistent with existing conditions in that the Brickwalk development will remain. The proposed development is functionally and aesthetically compatible with neighboring uses. The scale of the project podium building in the westerly portion of the project site is similar to type and scale of the proposed podium condominium building to the west, and the smaller townhomes buildings are consistent in scale with the office building to the east and residential condominium building beyond. Further, the ground-floor commercial space proposed in the podium building is functionally consistent with the Brickwalk development and the proposed ground-floor commercial uses proposed for the podium condominium building to the west. Together, these projects provide a continuous commercial component along Deep Valley Drive. Open space for residential and commercial uses are functionally and aesthetically appropriate with common side yard areas, common residential courtyards, and individual patios and balconies. The distribution, layout, and character of parking are also appropriate for the various uses given that spaces are located in the vicinity of the uses they will serve and, with the approval of the parking Variance and Shared Parking agreement, parking is adequate for the uses with only slightly fewer than the projected number of required spaces during the weekday peak periods.

Precise Plan of Design (PPD)

The Mixed-Use Overlay Zone requires a PPD for Mixed-Use developments. Chapter 17.58 of the Municipal Code indicates that the purpose of a PPD is to ensure that the following are designed and/or arranged so that traffic congestion is avoided, pedestrian and vehicular safety and welfare are provided, and no adverse effect on surrounding property will result:

- 1. Buildings, structures, and improvements;
- 2. Vehicular ingress, egress and internal circulation;
- 3. Setbacks;
- 4. Height of buildings;
- 5. Location of services;
- 6. Walls and fences;
- 7. Landscaping;
- 8. Lighting; and
- 9. Signing.

Staff believes that Items 1 through 6 above have been adequately designed and/or arranged in accordance with Code requirements. Items 7 through 9 (Landscaping, Lighting, and Signing) will be addressed through project conditions of a approval requiring review and approval of the project landscape plan by the Park & Activities Commission, and review and approval of the project lighting plan and master sign plan/awning program by the Planning Commission at a future date.

Tentative Tract Map

The applicant has submitted Vesting Tentative Tract Map No. 67553 for the project. The map indicates a two-lot subdivision for the Brickwalk development and the podium building/townhome lot. Regarding Vesting Tentative Tract Maps, Chapter 16.12 of the Municipal Code requires that the plan must be prepared by a registered civil engineer for all public works improvements to be constructed as a condition of the subdivision and for all site development including (but not limited) to grading, drainage facilities, and structures in accordance with the City standards. Furthermore, plans for all irrigation and landscaping subject to the approval of the Planning Director and a plot plan showing details of the entire development and all improvements to be constructed are required. In addition, the project must be consistent with the General Plan Mixed-Use land use designation and corresponding Municipal Code. Pursuant to Chapter 16.04 of the Municipal Code, the Planning Commission's actions shall be as an advisory agency only, and all actions of the Planning Commission with reference to tract maps shall be reported to the City Council who shall act approve, deny or conditionally approve the map. Given that all proposed entitlements are bundled for review by the Planning Commission and that the Vesting Tentative Tract Map requires approval of the City Council, the Planning Commission Resolution for the project shall provide a recommendation only to the City Council regarding the subject request.

Ordinance No. 646

In 2008, the City Council approved Ordinance No. 646 regarding required findings for development of residential and mixed-use development projects. Staff has consulted with the applicant and provides responses to each of the findings as indicated below.

The findings require that a project:

1. Provides for a general public benefit (above and beyond the payment of any City adopted development fees) including, but not limited to, public art, or semi-public plazas or open space integrated into private development projects.

The applicant indicates that the project incorporates an approximately 70' x 25' public plaza in the center of the podium building along Deep Valley Drive which will provide a potential place for public art. A trellis structure is currently reflected in the area.

2. Provides for a specific benefit to a segment of the community including, but not limited to, facilities for teens or children, a community recreational or meeting room, or a senior center.

The applicant is considering the viability of utilizing a portion of the commercial space on Deep Valley Drive in the podium building for community purposes. This issue will be further addressed by the applicant at the public hearing.

3. Maintains or enhances the economic viability of the underlying commercial property and/or Commercial-General or Commercial-Limited designation in general.

The applicant has maintained the Brickwalk development and proposes to add new commercial space in the areas immediately adjacent to Deep Valley Drive in the podium building. These areas will help activate and encourage pedestrian movement on Deep Valley Drive and increase the consumer base with new residents to support local businesses.

4. Maintains the ability of the City to provide adequate land area and lease space for the provision of goods and services for the community.

As stated above, the project maintains the Brickwalk development and proposes lease space for the provision of goods and services for the community on the ground floor of the podium building.

5. Assists the City in meeting requirements of its Regional Housing Needs Assessment (RHNA) especially with regard to affordable housing.

The applicant indicates that the project will provide long term stabilization of a landslide area. To achieve this, the project is designed to include Type I structured parking to help with this mitigation. Additionally, a parking structure provides parking for residential units. Due to the high capital cost associated with the grading and the parking structure, and the length of time before any revenue return is achieved, the project is heavily burdened economically. Any further revenue burdens would likely make the project unfeasible economically. Additionally, with the current capital markets, the builder would likely not be able to secure any debt providers for the grading and structured parking.

While staff understands the economic investment inherent to this project due to the landslide condition, it appears from the response that the applicant is not prepared to assist the City in meeting requirements of the RHNA especially with regard to affordable housing. Therefore, it does not appear that this finding can be made. Given the inherent policy issue, staff suggests that the Planning Commission recommend discussion of this issue before the City Council in any resolution recommending approval of the project.

6. Demonstrates a commitment to environmental sustainability including, but not limited to, an expressed written intent to attain certification pursuant to the Leadership in Energy and Environmental Design (LEED) Green Building Rating System™.

The applicant indicates that the project will apply sustainability techniques to include LEED and Cal Green related requirements.

Variances

Three Variances are requested for the project to exceed the maximum permitted building height, to permit a lesser setback area than required by Code, and to permit fewer parking spaces than required by Code and a shared parking agreement. Each is discussed further below.

Section 17.37.050(F) of the Municipal Code limits buildings to three stories and 44' in height. The proposed project would exceed the maximum permitted building height by an additional 16 vertical feet (or 60') for general building height and 26 vertical feet (or 70') for architectural towers for the podium building. It can be noted that the building steps up in mass from approximately 56' at the Deep Valley Drive street edge to greater heights in the center of the project away from Deep Valley Drive where visual height is diminished by the hillside to the rear of the project site.

Adjacent to the project site is the approved condominium development at 627 Deep Valley Drive. The project as most recently revised indicates a building height of approximately 50' (A Variance for building height was approved as part of that project). Further west of the project site, along Deep Valley is the "twin towers" office complex and The Promenade on the Peninsula Shopping mall. These structures are also higher than the 44' maximum permitted height for the district at approximately 72' 4" and 72' in height from the sidewalk respectively. In addition, the Peninsula Library (across Deep Valley Drive in the vicinity of the project site) is approximately 74' 6" along Silver Spur Road.

The subject lot is irregular in shape and contains a steep slope. Thus, buildable lot area for the project is limited. Even with the added height for the podium building, the proposed project density is still less than the 22 dwelling units per acre permitted for the property. Further, staff believes that the distinguishing tower elements are architecturally suitable to the podium building design, and that their height is diminished with the steep hillside to the rear of the property. For these reasons, staff supports the proposed Variance for building height.

With regard to front setback, the Code requires a distance of 15' between a building and the street and a minimum of 5' from the property line. The applicant proposes no setback along Deep Valley Drive. The placement of the building at the front of the property reduces grading required into the hillside to the rear of the site and enhances the pedestrian experience by connecting buildings with street activity. For these reasons, staff supports the Variance to permit a lesser front setback than required by Code.

As discussed above in the Project Overview, a deficit of 49 parking spaces exists in for the project site strict application of the Code. The shared parking analysis, however, indicates that adequate parking will be provided during all hours except for two weekday peak hours when a deficit of seven and six spaces will occur. Because of this deficiency, the applicant requests a Variance to permit fewer parking spaces than required by Code as described further below. It can be noted that a condition of approval requiring a Shared Parking Agreement prepared to the satisfaction of the City Attorney will be included in any resolution approving this project.

Locations for parking facilities onsite are limited given the steep slope condition. Approval of a Variance for lesser parking spaces than required by Code would avoid the need to further grade into the hillside for parking facilities. For this reason, with approval of a shared parking agreement as indicated in this report, staff supports the Variance to permit lesser parking than required by Code.

In order to approve the Variances, the following findings must be made. Below each finding are staff's related comments. Also, please note that the applicant's responses to the Supplemental Application for Variance form are included as Attachment 2.

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to its intended use which do not apply generally to other property in the same zoning district and neighborhood;

Unlike other properties in the district, the lot is irregular in shape and has a steep slope which was subject to a former landslide along Crenshaw Boulevard/Indian Peak Road. The height of the proposed building is consistent with the height of other buildings in the area in similar conditions, such as the Promenade on the Peninsula mall and the "twin tower" office buildings which also have steep slopes onsite. Furthermore, the diminished front setback and reduction in required project parking avoid further grading in the hillside to the rear of the project site.

2. That such Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the same zoning district and neighborhood;

Other properties on the south side of Deep Valley Drive are greater than the maximum 44' height limit such as the podium condominium building at 627 Deep Valley Drive, the "twin tower" office building, and the Promenade on the Peninsula mall. These properties share the common feature of a steep hillside at the rear of their respective properties. In addition, the steep hillside condition limits the buildable area and opportunities for parking facilities not experienced on other properties. Also, the zero front setback proposed can be supported due to the slope to condition to minimize the need for grading.

3. That the granting of the Variance will not be materially detrimental to the public welfare or injurious to property and improvements in the zoning district and neighborhood in which the property is located;

Granting of said Variances would not be detrimental to the public welfare or injurious to property and improvements in the zoning district and neighborhood. The proposed building height would not block views of any surrounding properties, and the architectural tower element would visually enhance project architecture. The proposed zero front setback would enhance the interaction between the building and the street, and the minimal parking deficiency (six to seven spaces) in the shared parking scenario is not likely to be materially detrimental to the public welfare or injurious to the property and improvements in the zoning district.

4. That the granting of the Variance will not be contrary to the objectives of the master plan;

Both the Zoning Code and General Plan provide for Mixed-Use developments for the property. Granting of the Variances in support of a Mixed-Use project would be in conformance with the objectives of applicable plans.

5. That the granting of the Variance will not authorize a use or activity which is not otherwise expressly authorized by the zone regulations governing the parcel of property.

The use and activities of the proposed building as well as the parking of vehicles are provided for in the governing zone regulations. The granting of the Variances would not authorize a use or activity which is not expressly authorized.

General Plan Applicability

The purpose of the General Plan is to provide a comprehensive, long-range plan designed to serve as a guide for the physical development of the City. The General Plan consists of an integrated and internally consistent set of goals, policies, and implementation measures. The Municipal Code is a tool to implement the General Plan's goals, policies, and implementation measures. The City's present General Plan was adopted on August 18, 1992 (Housing Element on June 23, 2009) in accordance with Title 7, Chapter 3, Article 5 of the Government Code.

The City's General Plan provides for a Mixed-Use Overlay for the Commercial General (C-G) Zone. The purpose of the Mixed-Use Overlay, as stated on page 2-24 of the Land Use Element, is as follows:

"...The designation permits residential development to be constructed in areas with this land use designation. The residential units may either share the structure or parcel. The development density cannot exceed 22 units per acre and all applicable parking standards must be met. This designation is designed to promote Mixed-Use development in and around the Peninsula Center commercial district and at the corner of Hawthorne and Crest, adjacent to Cresta Verdes (the old Gelson site)."

Pursuant to provisions of the General Plan, the project proposes a Mixed-Use development at a density less than the permitted 22 dwelling units per acre in the Commercial-General/Mixed-Use Overlay zone.

Parameters for Mixed-Use development are further discussed in the State-required Housing Element of the General Plan. Sections 65302(C) of the Government Code requires that the Housing Element include "standards and plans for the improvement of housing and for the provision of adequate sites for housing."

The City's Housing Element (page IV-3) states that:

"Opportunities for higher densities, up to 22 units per acres excluding density bonus, are provided within the City's Mixed-Use Overlay District. The Mixed-Use Overlay District is intended to provide a broad range of housing opportunities to meet the range of needs of the age distribution and household incomes of the community."

The Housing Element (Policy 2.1 and Implementation Measure 2.1.1, page V-4) further states that the City will encourage sound and logical residential growth while providing for the City's fair share of the region's need for affordable housing indicating. Further, the Housing Element states that, as discussed above, Ordinance No. 646 requires a finding that a proposed project assists the City in meeting its Regional Housing Needs Assessment allocation, specifically its lower-income housing requirements.

Environmental Review Pursuant to the California Environmental Quality Act

The proposed development was defined as a project under the California Environmental Quality Act (CEQA); which requires completion of an Initial Study to determine if the project would have significant impacts on the environment. The City contracted with LSA Associates, Inc. to perform the Initial Study and, subsequently, the Draft Environmental Impact Report (DEIR) to analyze project environmental impacts. The DEIR was circulated for public review from June 21, 2012 through August 6, 2012. The DEIR was provided to the Planning Commission under separate cover on June 27, 2012.

As required by CEQA, all affected properties within 500' of the project, the City's environmental notification list including adjacent/affected cities, and the State Clearinghouse were noticed of the availability of the DEIR. The notice provided a brief description of the project and how to obtain detailed information. The DEIR was posted on the City's website, provided at the public counter for review, posted at the Los Angeles County Clerk/Recorder's Office, and delivered to the Peninsula Library for accessibility at the Reference Desk.

Staff received ten comment letters regarding the project during and just after the public comment period. A Final Environmental Impact Report (Response to Comments and Errata) was prepared as is included herein as Attachment 3.

The DEIR, indicates that, with proper mitigation as specified, the proposed project would not have a significant impact on the environment, except that short-term construction noise would not be reduced to levels below the City's noise criteria if approved multifamily residences at 827 Deep Valley Drive adjacent to the project site to the east are occupied during construction of the project.

Given that significant impacts would result from construction, the City is required to adopt a Statement of Overriding Considerations. Required findings, the Statement of Overriding Considerations, and a final Mitigation Monitoring and Reporting Program will be accompany any staff report/resolution recommending approval of the project by the Planning Commission.

Ms. Deborah Pracilio of LSA Associates, Inc., who prepared environmental documentation, will be at the public hearing to answer any related questions.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Open the Public Hearing;

2. Take Public Testimony
3. Discuss the issues; and
4. Direct staff to prepare a Resolution recommending to the City Council approval of Planning Application No. 01-07, as well as certification of the Final Environmental Impact Report and adopting the associated Findings, Statement of Overriding Considerations, and Mitigation Monitoring Program.

EXHIBITS

Attached

1. Grading Application
2. Applicant's Supplemental Application for Variance Forms
2. Final Environmental Impact Report (Response to Comments and Errata)

Separate

1. Project Plans

Pa01-07 pm

ATTACHMENT 1



GRADING APPLICATION

THIS GRADING PERMIT REVIEW SHALL AUTHORIZE ONLY THE GRADING WORK REQUESTED AND SHALL NOT CONSTITUTE APPROVAL OF OTHER STRUCTURES SHOWN ON THE GRADING PLAN.

OWNER BRICKWALK, LLC. DATE MAY 17, 2012

ENGINEER BOLTON ENGINEERING CORP. LICENSE # _____

CONTRACTOR _____ LICENSE # _____

LOCATION 655-683, 701 DEEP VALLEY DRIVE & 924-950 INDIAN PEAK ROAD

PROJECT DESCRIPTION

The subject site is approximately 10.42 acres in size and is bounded on the north by Deep Valley Drive, on the south by Crenshaw Boulevard, easterly by existing buildings, and westerly by Indian Peak Road and existing buildings. The proposed development consists of the construction of, (1) 46 new three-story residential town houses; (2) A new private street, Street A, through the 46 residential town houses; (3) A five-story residential/commercial condominium with two levels of parking.



EXTENT OF GRADING

A. WILL THIS APPLICATION INVOLVE THE IMPORTATION OF ACCEPTABLE FILL MATERIAL? NO X

1. IF YES, HOW MANY CUBIC YARDS? _____ CUBIC YARDS

B. WILL THIS APPLICATION INVOLVE THE EXPORTATION OF EARTH MATERIAL? X _____

2. IF YES, HOW MANY CUBIC YARDS? 103,600 CUBIC YARDS

C. WILL THE AMOUNT OF FILL EQUAL THE AMOUNT OF CUT? _____ X

EXPLANATION _____

	<u>YES</u>	<u>NO</u>
D. WILL THIS PROPOSAL CUT INTO AN EXISTING SLOPE?	<u>X</u>	<u> </u>
1. IF YES, WHAT IS THE MAXIMUM LENGTH AND DEPTH OF CUT SLOPE?		
LENGTH <u>446'</u> DEPTH <u>53'</u>		
2. IF YES, WHAT IS THE RESULTANT RATIO? <u> </u>		
3. IF YES, WHAT IS THE TOTAL NUMBER OF CUBIC YARDS BEING REMOVED?		
CUT = 201,500 C.Y. ; OVER-EX = 508,000 C.Y.		

E. WILL THIS PROPOSAL FILL AN EXISTING SLOPE?	<u>X</u>	<u> </u>
1. IF YES, WHAT IS THE MAXIMUM LENGTH AND DEPTH OF THE FILL SLOPE?		
LENGTH <u>48'</u> DEPTH <u>8'</u>		
2. IF YES, WHAT IS THE RESULTANT SLOPE RATIO? <u> </u>		
3. IF YES, WHAT IS THE TOTAL NUMBER OF CUBIC YARDS BEING FILLED?		
FILL = 8,253 C.Y. ; RECOMP. = 597,647 C.Y.		

HYDROLOGY

A. WILL THIS PROPOSAL ALTER NATURAL DRAINAGE PATTERNS?	<u>X</u>	<u> </u>
B. WILL THIS PROPOSAL RESULT IN CONCENTRATION OF STORM WATER RUN-OFF?	<u>X</u>	<u> </u>
C. WILL STORM WATER BE DISCHARGED INTO AN ACCEPTABLE DRAINAGE FACILITY?	<u>X</u>	<u> </u>
D. WILL THIS PROPOSAL RESULT IN FLOW PATTERNS WHICH CAUSE WATER TO BE DIRECTED ONTO ADJACENT PROPERTIES?	<u> </u>	<u>X</u>
1. IF YES, HAS THE WRITTEN APPROVAL OF THESE PROPERTY OWNERS BEEN OBTAINED?	<u> </u>	<u> </u>
E. WILL THIS PROPOSAL INSURE POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES AND IMPROVEMENTS?	<u>X</u>	<u> </u>
F. WILL THIS PROPOSAL ADVERSELY AFFECT THE HYDROLOGY OF OTHER PROPERTIES?	<u> </u>	<u>X</u>

- G. WILL THIS PROPOSAL RESULT IN ANY EROSION? ___ X
- 1. IF YES, WHAT MEASURES HAVE BEEN TAKEN TO ENSURE EROSION PROTECTION?

EXPLANATION _____

GRADING METHODS

- A. WILL THIS PROPOSAL REQUIRE THE USE OF HEAVY EQUIPMENT? X ___
- 1. IF YES, WHAT MACHINERY WILL BE USED?

EXPLANATION NORMAL EXCAVATION EQUIPMENTS FOR HILL-SIDE
CONSTRUCTION

- B. WILL THIS PROPOSAL INVOLVE THE USE OF TRUCK TRANSPORT? X ___
- 1. IF YES, WHAT CAPACITY OF VEHICLE AND WHAT HAUL ROUTE IS REQUESTED?

CAPACITY: _____ CUBIC YARDS
 HAUL ROUTE DEEP VALLEY DR -> SILVER SPUR RD -> HAWTHORNE BLVD
-> PACIFIC COAST HWY -> NARBONNE AVE -> CHANDLER'S LANDFILL

- C. DESCRIBE METHODS OF DUST CONTROL TO BE EMPLOYED DURING GRADING.

EXPLANATION DAILY WATERING AND STREET SWEEPING & VACUUMING

GRADING COMPATIBILITY

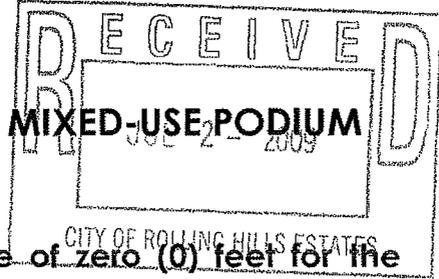
- A. WILL THIS PROPOSAL RESPECT AND PRESERVE NATURAL AMENITIES, INCLUDING TOPOGRAPHY, LANDSCAPING AND NATURAL FEATURES? ___ X

		<u>YES</u>	<u>NO</u>
B.	WILL THIS PROPOSAL PRESERVE OPEN SPACE AND RESPECT RESPECT THE PRIVACY OF SURROUNDING PROPERTIES?	<u>X</u>	___
	EXPLANATION <u>IN LIEU OF CREATING & PRESERVING OPEN SPACE,</u> <u>THE PRIVACY OF SURROUNDING PROPERTIES IS REMAINED BY MEANS</u> <u>OF RETAINING WALL AND OPEN AREAS</u>		
C.	WILL THIS PROPOSAL INCORPORATE EXISTING AND/OR ADDITIONAL LANDSCAPING TO ENSURE COMPATIBILITY WITH SURROUNDING PROPERTIES?	<u>X</u>	___
	EXPLANATION <u>ADDITIONAL LANDSCAPING UTILIZING NATIVE PLANTS WILL BE</u> <u>PROVIDED AFTER THE LAND SLIDE IS FIXED</u>		
D.	WILL THIS PROPOSAL RESPECT AND MAINTAIN EXISTING PUBLIC AND PRIVATE VIEWS?	<u>X</u>	___
E.	WILL THIS PROPOSAL COMPLY WITH THE OBJECTIVES OF THE NEIGHBORHOOD COMPATIBILITY ORDINANCE?	<u>X</u>	___
	EXPLANATION <u>THE PROJECT STORE FRONT ON DEEP VALLEY DR SIDE WILL REMAIN</u> <u>SIMILAR TO THE EXISTING COMMERCIAL ATMOSPHERE; WHILE THE</u> <u>TOWN HOUSES WILL BLEND INTO THE HILLSIDE NEIGHBORHOOD</u>		
F.	WILL THIS PROPOSAL COMPLY WITH ALL CCX DITIONS AND REQUIREMENTS OF THE CITY OF ROLLING HILLS ESTATES GRADING ORDINANCE (MUNICIPAL CODE 17.07.010)?	<u>X</u>	___

ATTACHMENT 2

Exhibit 3

FRONT SETBACK VARIANCE FINDINGS FOR MIXED-USE PODIUM BUILDING



Applicant is requesting a Front Setback Variance of zero (0) feet for the mixed-use podium building on the north end of the site along Deep Valley Drive.

- 1. Explain why the variance is necessary because of exceptional or extraordinary circumstances or conditions which are applicable to the property or to the intended use of the property, but which do not apply generally to other property in the same zoning district and neighborhood.***

The purpose of the Mixed-Use Overlay zone is to provide a greater diversity in the City's housing needs by allowing a combination of commercial and residential development within the C-G and C-L zones. Mixed-use encourages a combination of land uses to create self-sustaining areas within the community that become traditional neighborhoods where residents may walk to work and shop. Therefore, streetscapes should include pedestrian-friendly features which means build-to front lot lines, i.e. zero front setback, to maximize pedestrian interaction with the commercial ground floor.

- 2. Explain why the variance is necessary for the preservation and enjoyment of a substantial property right which is enjoyed by other property owners under similar conditions in this zoning district. Be specific.***

Both the subject property and the subject property's neighbor immediately to the West, located at 627 Deep Valley Drive (aka "The Carwash,") fall within the Mixed-use Overlay Zone. The existing commercial space at Lot 2, the "Brickwalk", to the East has an existing build-to front lot lines. In an effort to maintain aesthetic consistency along Deep Valley Drive and to preserve the feasibility of this development, the proposed variance is necessary.

- 3. Granting this variance will not be materially detrimental to the public welfare or injurious to property and improvements in the area because:***

Granting this variance will not be harmful to nearby property and improvements, and the project only serves to greatly enhance the public welfare in the area by continuing the existing commercial frontage along Deep Valley Drive and eliminating the existing "eyesore" due to the landslide.

The project exhibits outstanding design qualities and features that will make it highly desirable and beneficial to the neighborhood. The building fits in with the surrounding building massing and exhibits sensitivity to the surrounding uses.

4. Granting this variance will not be contrary to the objectives of the Master Plan:

The proposed project is entirely in line with the stated objective in the City's Master Plan. The site is currently zoned Commercial-General with a Mixed Use Overlay (allowing for residential up to 22 units per acre). This project falls completely within the boundaries set forth in the zoning code, and serves to provide safe and attractive new housing as well as desirable retail to the Downtown district. Page 4-20, in section 4.3 of the Housing Element of the General Plan specifically addresses the Mixed-Use Overlay Zone in which the project lies and identifies this as an approach to deliver additional new-construction residential units to the City. The project will set a new standard for mixed-use projects in the area, thereby, adding value to surrounding properties and improvements to the vicinity. These elements are consistent with the intent of the City's planning policies as well as the goals of the existing (and proposed revised) Master Plan.

5. Granting this variance will not authorize a use or activity which is not otherwise expressly authorized by the zone regulations governing the parcel of property:

Granting this variance will not authorize a use or activity which is not authorized by the existing zone regulations. The site is currently zoned Commercial-General with a Mixed Use Overlay (allowing for residential up to 22 units per acre). Our proposed uses are for the 14,200 square feet of commercial space to be utilized as restaurant, retail or some mix thereof, and 148 residential units. Our proposed commercial uses fall within the allowable uses set forth in Section 17.30.020 of the City of Rolling Hills Estates' Municipal Code. Additionally, Section 17.30.050 of the Municipal Code allows for Residential densities up to 22 units per acre, and the proposed project on Lot 1, at 8.05 acres, allows for the proposed 148 residential units.

Exhibit 3

HEIGHT VARIANCE FINDINGS FOR MIXED-USE PODIUM BUILDING

Applicant is requesting a General Building Height Variance of approximately sixteen (16) additional vertical feet and two (2) additional stories for the mixed-use podium building on the north end of the site and twenty-six (26) additional vertical feet at the east garage entrance.

1. ***Explain why the variance is necessary because of exceptional or extraordinary circumstances or conditions which are applicable to the property or to the intended use of the property, but which do not apply generally to other property in the same zoning district and neighborhood.***

There are special circumstances unique to the subject property when compared to surrounding properties in the same zoning district and neighborhood. First, no properties in the area suffered from a landslide in the recent past. Having experienced a slide in 1997, the subject property in its current state poses a risk to the general safety and welfare of the public and needs to be mitigated to prevent future movement, which, if left unaddressed, could have significant, adverse effects on the general operation of the City's key downtown district. Secondly, the topography of the property is unique in that the elevation differential from South to North exceeds 150 feet in places. The optimal development pattern for this extreme hillside, therefore, is vertical. The most efficient use of lot area to provide sufficient parking for the proposed project is to establish parking at-grade for the central and eastern portions of the site and subterranean parking for the commercial and residential uses on the western portion. The provided parking necessarily increases the building height of Pad A to accommodate the units. The only other way to provide necessary parking and reduce building height would be to add another level of subterranean parking which would increase the cost of the project which would make the project economically infeasible.

The 16' general building height variance is being requested for the mixed-use building to accommodate the varying architectural mansard roof heights which breaks down the building massing along Deep Valley Drive. Architectural tower features will extend beyond the mansard roof heights at selective locations. At the garage entrance to the east, a 26' building height variance is being requested in order to accommodate the elevation grade constraint due to the existing driveway entry into the "Brickwalk" parking lot.

2. ***Explain why the variance is necessary for the preservation and enjoyment of a substantial property right which is enjoyed by other property owners under similar conditions in this zoning district. Be specific.***

Unlike topographic conditions found on adjacent properties along Deep Valley Drive, the requested variance is critical to the preservation of the applicant's right to construct a development over extreme slopes created by unusual circumstances due to a landslide in 1997. Furthermore, the City of Rolling Hills Estates recently granted the subject property's neighbor immediately to the West,

located at 627 Deep Valley Drive (aka "The Carwash,") the same height variance we are currently seeking on this property. Both the subject property and The Carwash fall within the Mixed-use Overlay Zone. In an effort to maintain aesthetic consistency along Deep Valley Drive and to preserve the feasibility of this development, the proposed variance is necessary.

3. Granting this variance will not be materially detrimental to the public welfare or injurious to property and improvements in the area because:

Granting this variance will not be harmful to nearby property and improvements, and the project only serves to greatly enhance the public welfare in the area by stabilizing a historic landslide and mitigating future landslide potential. Additionally, developing this site will allow the City of RHE to eliminate an "eyesore" and contribute to the much-needed housing demand in the area. This project has been designed to mimic the existing hillside topography and maintain natural contours as much as possible. Through creative grading techniques, the project replicates existing topographical conditions as the site descends northward and will preserve views across the downtown area and Silver Spur Road. The site geology and soils have been thoroughly evaluated and certified to conservative standards to ensure that the proposed construction is structurally sufficient for the geologic conditions present at the site.

The project exhibits outstanding design qualities and features that will make it highly desirable and beneficial to the neighborhood. In terms of height, the buildings fit in with the surrounding building massing and are sensitive to the surrounding uses. The configuration of the site is such that the tallest building not only utilizes a stepped-back design from floor to floor to mitigate the City's concern of a large, vertical mass along Deep Valley Drive, but is also designed such that the highest building is the one whose ground floor is at the lowest elevation on our site.

4. Granting this variance will not be contrary to the objectives of the Master Plan:

The proposed project is entirely in line with the stated objective in the City's Master Plan. The site is currently zoned Commercial-General with a Mixed Use Overlay (allowing for residential up to 22 units per acre). This project falls completely within the boundaries set forth in the zoning code, and serves to provide safe and attractive new housing as well as desirable retail to the Downtown district. Page 4-20, in section 4.3 of the Housing Element of the General Plan specifically addresses the Mixed-Use Overlay Zone in which the project lies and identifies this as an approach to deliver additional new-construction residential units to the City. The project will set a new standard for mixed-use projects in the area, thereby, adding value to surrounding properties and improvements to the vicinity. These elements are consistent with the intent of the City's planning policies as well as the goals of the existing (and proposed revised) Master Plan.

5. Granting this variance will not authorize a use or activity which is not otherwise expressly authorized by the zone regulations governing the parcel of property:

Granting this variance will not authorize a use or activity which is not authorized by the existing zone regulations. The site is currently zoned Commercial-General with a Mixed Use Overlay (allowing for residential up to 22 units per acre). Our proposed uses are for the 14,200 square feet of commercial space to be utilized as restaurant,

retail or some mix thereof, and 148 residential units. Our proposed commercial uses fall within the allowable uses set forth in Section 17.30.020 of the City of Rolling Hills Estates' Municipal Code. Additionally, Section 17.30.050 of the Municipal Code allows for Residential densities up to 22 units per acre, and the proposed project, at 8.05 acres, allows for the proposed 148 residential units.

Exhibit 3

PARKING VARIANCE FINDINGS FOR LOT 2

Applicant is requesting a Parking Variance of Fifty-Six Space for Lot 2 along Deep Valley Drive.

- 1. Explain why the variance is necessary because of exceptional or extraordinary circumstances or conditions which are applicable to the property or to the intended use of the property, but which do not apply generally to other property in the same zoning district and neighborhood.**

Lot 2 (701-815 Deep Valley Drive) consists of two buildings with a total commercial space of 25,200 square feet. The buildings were constructed in 1974 based on a site plan approved by the City of Rolling Hills Estates on May 9, 1974. The approved site plan provided 127 off-street parking spaces in lieu of the required 231 off-street parking spaces for a total parking variance of 104 spaces. Due to the land slide experienced in 1997, one of the commercial buildings with 2,013 square feet was "red-tagged" and the total off-street parking spaces provided was reduced to 78 parking spaces. The optimal development to reinstate the lot to nearly the original approved site plan is to remove the "red-tagged" building and add 63 parking spaces. This will provide a total parking supply of 141 parking spaces.

- 2. Explain why the variance is necessary for the preservation and enjoyment of a substantial property right which is enjoyed by other property owners under similar conditions in this zoning district. Be specific.**

Both the subject property and various neighboring properties have been granted parking variances from past city approvals. In an effort to preserve the feasibility of this development, the proposed variance is necessary. The current restricted usage as prescribed in the Conditional Use Permit will be maintained.

- 3. Granting this variance will not be materially detrimental to the public welfare or injurious to property and improvements in the area because:**

Granting this variance will not be harmful to nearby property and improvements but will enhance and improve the area with the addition of 14 parking additional spaces above the original city approved site plan, the removal of the "red-tagged" building and the elimination of the "eyesore" landslide area.

4. Granting this variance will not be contrary to the objectives of the Master Plan:

The proposed project is not in contrary to the stated objective in the City's Master Plan. The site is currently zoned Commercial-General with a Mixed Use Overlay. The overall project will set a new standard for mixed-use projects in the area, thereby, adding value to surrounding properties and improvements to the vicinity. These elements are consistent with the intent of the City's planning policies as well as the goals of the existing Master Plan.

5. Granting this variance will not authorize a use or activity which is not otherwise expressly authorized by the zone regulations governing the parcel of property:

Granting this variance will not authorize a use or activity which is not authorized by the existing zone regulations. The proposed plans would increase the off-street parking spaces and remove a "red-tagged" building from the site.

ATTACHMENT 3

FINAL

ENVIRONMENTAL IMPACT REPORT

655-683 DEEP VALLEY DRIVE AND 924-950

INDIAN PEAK ROAD

MIXED-USE RESIDENTIAL PROJECT

VOLUME III: RESPONSE TO COMMENTS AND ERRATA

ROLLING HILLS ESTATES, CALIFORNIA

SCH NO. 2007011141

LSA

August 2012

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INTRODUCTION

This document comprises the Comments and Responses volume of the Draft Environmental Impact Report (DEIR) for the proposed 655-683 Deep Valley Drive and 924-950 Indian Peak Road Mixed-Use Residential Project. The purpose of this document is to respond to all comments received by the City of Rolling Hills Estates (City) regarding the environmental information and analyses contained in the DEIR.

As required by the California Environmental Quality Act (CEQA) Guidelines Section 15087, a Notice of Completion (NOC) of the DEIR for the 655-683 Deep Valley Drive and 924-950 Indian Peak Road Mixed-Use Residential project was filed with the State Clearinghouse on June 20, 2012, and the Notice of Availability (NOA) of the DEIR was filed with the County Clerk on June 21, 2012.

The DEIR was circulated for public review for a period of 47 days, from June 21 to August 6, 2012. Copies of the DEIR were distributed to all Responsible Agencies and to the State Clearinghouse in addition to various public agencies, citizen groups, and interested individuals. Copies of the DEIR were also made available for public review at the City of Rolling Hills Estates Planning Department, the Peninsula Center Library and on the internet.

A total of nine comment letters were received during the public review period, and one letter was received after the close of the review period. All ten letters are responded to in this Response to Comments document. Comments were received from four State agencies, four local agencies, and two private individuals/interested parties. Comments that address environmental issues are thoroughly treated. Comments that (1) do not address the adequacy or completeness of the DEIR, (2) do not raise environmental issues, or (3) do request the incorporation of additional information not relevant to environmental issues do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines.

Section 15088 of the State CEQA Guidelines, Evaluation of and Response to Comments, states:

- a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the DEIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.
- b) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail, giving the reasons that specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

- c) The response to comments may take the form of a revision to the DEIR or may be a separate section in the Final EIR. Where the response to comments makes important changes in the information contained in the text of the DEIR, the lead agency should either:
1. Revise the text in the body of the DEIR; or
 2. Include marginal notes showing that the information is revised in the responses to comments.

Information provided in this Response to Comments document clarifies, amplifies, or makes minor modifications to the DEIR. No significant changes have been made to the information contained in the DEIR as a result of the responses to comments, and no significant new information has been added that would require recirculation of the document.

An Errata to the DEIR has been prepared to make minor corrections and clarifications to the DEIR as a result of City review and comments received during the public review period. Therefore, this Response to Comments document, along with the Errata, is included as part of the Final Environmental Impact Report (EIR) for consideration by the Rolling Hills Estates City Council prior to taking any action on certification of the Final EIR.

INDEX OF COMMENTS RECEIVED

The following is an index list of the agencies, organizations, and individuals that commented on the DEIR prior to the close of the public comment period or thereafter. The comments received have been organized by date received and in a manner that facilitates finding a particular comment or set of comments. Each comment letter received is indexed with a number below.

Comment Code	Commenter	Date
State		
S-1	California Department of Transportation	7-3-12
S-2	Native American Heritage Commission	7-3-12
S-3	Department of Conservation	7-31-12
S-4	Governor's Office of Planning and Research	8-7-12
Local		
L-1	County of Los Angeles Fire Department	7-16-12
L-2	County of Los Angeles Sheriff's Department Headquarters	7-19-12
L-3	City of Rancho Palos Verdes, City Manager's Office Administration	8-2-12
L-4	County of Los Angeles Public Works	8-13-12
Public/Interested Parties		
P-1	Craig Knickerbocker	7-26-12
P-2	Marilyn Forsythe	8-6-12

FORMAT OF RESPONSES TO COMMENTS

Responses to each of the comment letters are provided on the following pages. The comment index numbers are provided in the upper right corner of each comment letter, and individual points within each letter are numbered along the right-hand margin of each letter. The City's responses to each comment letter immediately follow each letter and are referenced by the index numbers in the margins. As noted in one of the responses, an Errata, with text revisions, has been prepared and is included in this document to provide corrections and clarifications to the DEIR.

STATE AGENCIES

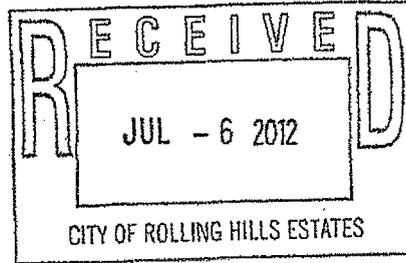
DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-9140
FAX: (213) 897-1337



*Flex your power!
Be energy efficient!*

S-1

July 3, 2012



Ms. Niki Cutler
Principal Planner
City of Rolling Hills Estates
4045 Palos Verdes Drive North

IGR/CEQA No. 120627AL-DEIR
655-683 Deep Valley Drive and 924-950 Indian Peak
Road Mixed Use Residential Project
Vic. LA-01 / PM, LA-14.63
SCH #: 2007011141

Dear Ms. Cutler:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project would demolish the existing office buildings and construct 148 residential units, approximately 14,200 square feet of commercial area and associated parking.

S-1-1

From Table 5-2 Project Traffic Generation Forecast, the Draft Environmental Impact Report (DEIR), the project will generate a net increase of 1,219 net daily vehicle trips with 11 and 66 vehicle trips during AM and PM peak hours. The project is more than 2 miles away from the State facilities. Therefore, Caltrans concluded that this project does not have project significant impact to the State facilities.

S-1-2

Please be reminded that although the lead agency is required to comply with Los Angeles County Congestion Management Program (CMP) standards and thresholds of significance, Caltrans does not consider the Los Angeles County's CMP criteria alone to be adequate for the analysis of transportation impacts pursuant to a CEQA review. CMP requirements were developed by Los Angeles County in the context of CMP goals and objectives; it does not supersede the criteria from the responsible agency under CEQA. Caltrans' Guide directs preparers of traffic impact analysis to consult with the local District as early as possible to determine the appropriate requirements and criteria of significance to be used in the traffic impact analysis. The CMP analysis may not include site-specific safety considerations, or may not be based on an appropriate measure of effectiveness for site-specific considerations. A discussion of the flaws in the percentage theory is in the attached Caltrans LD-IGR Technical Bulletin, June 2008-Issue 2. Please contact this office early for any future project.

S-1-3



Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects should be designed to discharge clean run-off water.

S-1-4

Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from the Department. It is recommended that large size truck trips be limited to off-peak commute periods.

S-1-5

If you have any questions, please feel free to contact Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 120627AL.

Sincerely,



DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse




Use of a Percentage Masks Cumulative Impacts

Marc Birnbaum, Division of Traffic Operations

Something peculiar happens when a percentage is used to express significance for project impacts on the state highway system. The greater the existing problem, the greater number of cars a project can put on the system before being deemed a significant impact. This flies in the face of all conventional logic.

For example, let us consider a project with a background traffic volume of 15,000. An elected official or inexperienced professional may view 5% as a negligibly small percentage. However, given existing volumes, this "negligible" 5% is equal to 750 vehicles per hour (vph), or approximately 1/3 the capacity of a new lane. Using this example, a single project must exceed 750 vph before mitigation would be forthcoming, even though only three such sized projects would warrant a new lane.

The use of a percentage criterion for determining the significance of traffic impacts does not appear to be consistent with the following case law:

Kings County Farm Bureau v. City of Hanford (5th Dist. 1990); Los Angeles Unified School District v. City of Los Angeles (2nd Dist. 1997); and Communities For A Better Environment v. California Resources Agency (3rd Dist. 2002).

These court rulings invalidated the use of a "ratio theory" or "comparative approach" such as a jurisdiction's "5% increase in trips" criterion, because they improperly measure a proposed project's incremental impact relative to the existing cumulative effect rather than focus on the combined effects of *both* the project and other relevant past, present, and future projects. Furthermore, the opinion in *Communities For A Better Environment* stated that "the greater the existing environmental problems are, the lower the threshold should be for treating a project's contribution to cumulative impacts as significant."

This is one of the reasons why we use a set number such as 50 trips at a level of service (LOS) of C or D.

Produced by the Division of Traffic Operations in cooperation with the Division of Transportation Planning.

Local Development-Intergovernmental Review (LD-IGR) Program

Marc Birnbaum, Statewide Advisor, Local Development and Traffic Impact Studies, Division of Traffic Operations - (559) 244-2853

marc_birnbaum@dot.ca.gov

Terri Pencovic, Statewide LD-IGR Program Manager, Division of Transportation Planning - (916) 653-1067

terri.pencovic@dot.ca.gov

Technical LD-IGR Training Schedule

District-Specific LD-IGR Workshops

7/07/08 - District 3, Marysville
Contact: Shannon Gilbertson

We Deliver!

If you are interested in scheduling a Traffic Impact Study/Guide Workshop or a District-Specific LD-IGR Workshop at your district office, let us know.

Traffic Operations

Robert Ferwerda (916) 654-5672

robert.ferwerda@dot.ca.gov

Transportation Planning

Gary Arnold (916) 651-8201

gary.arnold@dot.ca.gov

S-1-3
Attache

**STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
DISTRICT 7**

LETTER CODE: S-1

DATE: July 3, 2012

Response S-1-1

The comment is introductory and summarizes the project description provided in the DEIR. This comment does not raise any environmental issues under CEQA or their treatment in the DEIR, and no further response is required.

Response S-1-2

The commentor determined that the project does not significantly impact State facilities.

Response S-1-3

The commentor's statements regarding the County CMP standards and thresholds are acknowledged and will be forwarded to the lead agency, project developer and/or decision makers for their consideration.

Response S-1-4

The comment regarding stormwater runoff is acknowledged and will be forwarded to the lead agency, project developer and/or decision makers for their consideration. Appropriate Best Management Practices (BMPs) have been incorporated into the project. No further response is required.

Response S-1-5

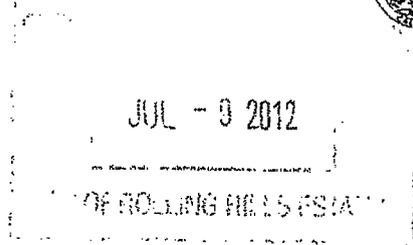
The need to acquire a transportation permit from Caltrans for any oversized-transport vehicles using the State highways is acknowledged. Caltrans' recommendation to limit large truck trips to off-peak commute periods is acknowledged. Both of these comments will be forwarded to the decision makers for their consideration. No further response is required.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



July 3, 2012



Ms. Niki Cutler, Principal Planner
City of Rolling Hills Estates
4045 Palo Verdes Estates
Rolling Hills Estates, CA 90274

Re: SCH#2007011141; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "655-683 Deep Valley Drive and 924-950 Indian Peak Road Mixed Use Residential Project;" located in the City of Rolling Hills Estates; Los Angeles County, California.

Dear Ms. Cutler:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

S-2-1

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC did conduct a Sacred Lands File (SLF) search within the 'area of potential effect (APE) and Native American cultural resources were not identified in the project area specified.

S-2-2

S-2-3

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

S-2-4

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you

S-2-5

make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

S-2-4

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

S-2-6

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

S-2-7

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

S-2-8

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

S-2-9

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

S-2-10



If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.



Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Dave Singleton".

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts

Los Angeles County
July 3, 2012

S-2

LA City/County Native American Indian Comm
Ron Andrade, Director
3175 West 6th St, Rm. 403
Los Angeles , CA 90020
randrade@css.lacounty.gov
(213) 351-5324
(213) 386-3995 FAX

Gabrielino Tongva Nation
Sam Dunlap, Chairperson
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Los Angeles , CA 90086
samdunlap@earthlink.net
Gabrielino Tongva
(909) 262-9351 - cell

Ti'At Society/Inter-Tribal Council of Pimu
Ciñdi M. Alvitre, Chairwoman-Manisar
3094 Mace Avenue, Apt. B Gabrielino
Costa Mesa, , CA 92626
calvitre@yahoo.com
(714) 504-2468 Cell

Gabrielino Tongva Indians of California Tribal Council
Robert F. Dorame, Tribal Chair/Cultural Resources
P.O. Box 490
Bellflower , CA 90707
gtongva@verizon.net
Gabrielino Tongva
562-761-6417 - voice
562-761-6417- fax

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
Private Address Gabrielino Tongva
tattnlaw@gmail.com
310-570-6567

Gabrielino-Tongva Tribe
Bernie Acuna
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Los Angeles , CA 90067
(619) 294-6660-work
(310) 428-5690 - cell
(310) 587-0170 - FAX
bacuna1@gabrieinotribe.org

Gabrieleno/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778
GTTribalcouncil@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 -FAX

Gabrielino-Tongva Tribe
Linda Candelaria, Chairwoman
1875 Century Pk East #1500 Gabrielino
Los Angeles , CA 90067
lcandelaria1@gabrielinoTribe.org
626-676-1184- cell
(310) 587-0170 - FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2007011141; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Residential Mix Use Residential Project; located in the City of Rolling Hills Estates; Los Angeles County, California.

C-70

Gabrieleno Band of Mission Indians
Andrew Salas, Chairperson
P.O. Box 393 Gabrielino
Covina , CA 91723
(626) 926-4131
gabrielenoindians@yahoo.
com

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2007011141; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Residential Mix Use Residential Project; located in the City of Rolling Hills Estates; Los Angeles County, California.

STATE OF CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION

LETTER CODE: S-2

DATE: July 3, 2012

Response S-2-1

The comment is introductory and states that the Native American Heritage Commission (NAHC) is the State "trustee agency" pursuant to Public Resources Code Section 21070 for the protection and preservation of the State's Native American resources. The comment also states that the letter contains State and federal statutes relating to Native American historic properties of religious and cultural significance.

The comment is introductory in nature and outlines the NAHC's authority and role as a commenting agency. The NAHC's introduction in this comment is noted, and no further response is required.

Response S-2-2

The comment states that CEQA requires that any project that causes a substantial adverse change in the significance of a historical resource, which includes archaeological resources, is a "significant effect" requiring the preparation of an EIR. A DEIR was prepared for the proposed project and circulated for public review from June 21, 2012, to August 6, 2012. The DEIR determined that there were no cultural resources (historic or prehistoric) identified on site during the site reconnaissance. However, the Draft EIR found that the proposed project may have the potential to uncover previously unknown cultural resources and recommended appropriate mitigation to reduce potential impacts to a less than significant level. Refer to Section 4.4 of the DEIR for additional information.

Response S-2-3

The comment states that the NAHC Sacred Lands File (SLF) search found that no Native American cultural resources were identified within the project area. Similarly, the DEIR determined that there were no cultural resources (historic or prehistoric) identified on the project site as a result of records searches or during on site reconnaissance. The comment does not contain any substantive statements or questions about the DEIR or the analysis therein. Therefore, no further response is necessary.

Response S-2-4

The comment states that NAHC Sacred Sites are confidential and exempt from the Public Records Act pursuant to California Government Code Section 6254. The City acknowledges the sensitivity and confidentiality of the information contained in an SLF; no records maps have been made public.

Response S-2-5

The comment states that early consultation with Native American Tribes in the area of the project site is the best way to avoid unanticipated discoveries once a project is underway. The letter includes a list of Native American contacts and recommends obtaining their recommendations concerning the proposed project. The DEIR determined that no cultural resources are likely to be discovered in the project area or within 0.5 miles (mi) of the project boundaries; however, project mitigation measures and implementation requirements have been included requiring NAHC notification in the unlikely event that Native American cultural resources are discovered. See Response S-2-2.

Response S-2-6

The comment states that consultation with Tribes and interested Native American consulting parties on the NAHC list should be conducted in compliance with the requirements of the federal National Environmental Policy Act (NEPA), Sections 106 and 4(f) of the National Historic Preservation Act (NHPA), and the Native American Grave Protection and Repatriation Act (NAGPRA), as appropriate.

The project is not a federal undertaking as defined under Section 106 of the NHPA or 36 Code of Federal Regulations (CFR) Part 800 regulations implementing Section 106. The project does not use federal funds and will not require any federal permits. Therefore, the project does not fall under the regulatory oversight of Section 106. The project is not a federal transportation project, so it also does not fall under the jurisdiction of Section 4(f) of the Department of Transportation Act of 1966. Finally, since there is no federal involvement in the project, the requirements of NAGPRA do not apply.

Response S-2-7

The comment states that historic properties of religious and cultural significance are confidential and protected by California Government Code Section 6254. The comment further states that the confidentiality of such resources may also be protected by section 304 of the NHPA. The City acknowledges the sensitivity and confidentiality of any identified resources. The SLF and any associated records maps are not for public distribution. In addition, because the project is not a federal undertaking, it is not regulated under Section 304 of the NHPA.

Response S-2-8

The comment cites provisions for accidentally discovered archaeological resources or human remains during construction. The DEIR determined that no cultural resources are likely to be discovered within the project area or within 0.5 mi of the project boundaries, based on review of archival material and survey of the project site. The DEIR includes Mitigation Measures 4.4-1 and 4.4-2, which include procedures for addressing cultural resources or human remains found during construction activities. No additional measures are required.

Response S-2-9

The comment states that effective consultation, in the opinion of the NAHC is the result of an ongoing relationship between Native American tribes and lead agencies, project proponents, and their contractors. The comment does not contain any substantive statements or raise any environmental issues under CEQA or their treatment in the DEIR. This comment will be forwarded to the decision-makers for their consideration.

Response S-2-10

There were no recorded Native American cultural sites and/or Native American burial sites within the project area. However, if any unknown Native American cultural sites and/or Native American burial sites are prevalent within the project area, the City will ensure that the mitigation measure identified in the EIR that addresses discovery during construction activities is implemented.



DEPARTMENT OF CONSERVATION

DIVISION OF OIL, GAS AND GEOTHERMAL RESOURCES

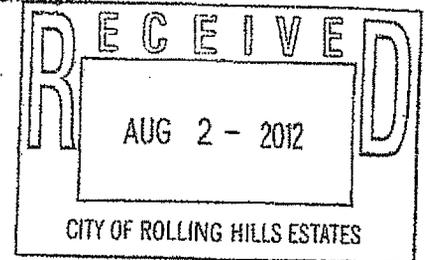
5816 Corporate Avenue • Suite 200 • CYPRESS, CALIFORNIA, 90630-4731

PHONE 714 / 816-6847 • FAX 714 / 816-6853 • WEBSITE conservation.ca.gov

S-3

July 31, 2012

Niki Cutler, AICP, Principal Planner
City of Rolling Hills Estates
4045 Palos Verdes Drive North
Rolling Hills Estates, CA 90274



DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR 655-683 DEEP VALLEY DRIVE & 924-950 INDIAN PEAK ROAD MIXED-USE RESIDENTIAL PROJECT - SCH #2007011141

Dear Ms. Cutler:

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above referenced project. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California.

The Division has no comment on your proposed project.

Thank you for the opportunity to comment on the Draft Environmental Impact Report for 655-683 Deep Valley Drive & 924-950 Indian Peak Road Mixed-Use Residential Project. If you have questions on our comments, or require technical assistance or information, please call me at the Cypress district office: (714) 816-6847.

Sincerely,

Syndi Pompa
Associate Oil & Gas Engineer - Facilities

S-3-

STATE OF CALIFORNIA DEPARTMENT OF CONSERVATION

LETTER CODE: S-3

DATE: July 31, 2012

Response S-3-1

The comment indicates that the agency reviewed the DEIR and has no comments on the document or the proposed project. Therefore, no further response is required.



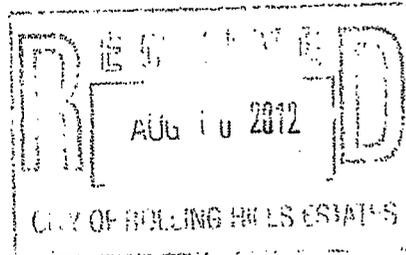
EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

August 7, 2012



S-4

Niki Cutler
City of Rolling Hills Estates
4045 Palos Verdes Drive North
Rolling Hills Estate, CA 90274

Subject: 655-683 Deep Valley Drive and 924-950 Indian Peak Road Mixed Use Residential Project
SCH#: 2007011141

Dear Niki Cutler:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 6, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

S-4-1

SCH# 2007011141
Project Title 655-683 Deep Valley Drive and 924-950 Indian Peak Road Mixed Use Residential Project
Lead Agency Rolling Hills Estates, City of

Type EIR Draft EIR

Description The proposed project would demolish the existing office buildings at 655 Deep Valley Drive, 944 and 950 Indian Peak Road, surface parking lots, and landscaping. Construction of the proposed project would stabilize the existing landslide and include 148 residential units, approximately 14,200 sf of commercial area fronting Deep Valley Drive, and associated parking on the 8.05 ac property. Included within the project site is the Brick Walk development (2.37 ac) consisting of an existing 23,187 sf of retail, commercial/office and restaurant space, and 78 existing parking spaces. The project would remove 2,013 sf of commercial space and add 63 off-street surface parking spaces, for a total of 137 parking spaces, which would be shared for all uses. Additionally, the Brick Walk commercial buildings would be enhanced through exterior facade improvements.

Lead Agency Contact

Name Niki Cutler
Agency City of Rolling Hills Estates
Phone 310 377 1577 **Fax**
email
Address 4045 Palos Verdes Drive North
City Rolling Hills Estate **State** CA **Zip** 90274

Project Location

County Los Angeles
City Rolling Hills Estates
Region
Lat / Long
Cross Streets Crenshaw Boulevard and Indian Peak Road

Parcel No.

Township	Range	Section	Base
----------	-------	---------	------

Proximity to:

Highways none
Airports none
Railways none
Waterways none
Schools Palos Verdes Peninsula HS, Chadwick HS
Land Use Commercial General/Mixed Use/Mixed Use

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wildlife; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 5; Department of Parks and Recreation; Department of Water Resources; Resources, Recycling and Recovery; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Native American Heritage Commission

Date Received 06/21/2012 **Start of Review** 06/21/2012 **End of Review** 08/06/2012

Note: Blanks in data fields result from insufficient information provided by lead agency.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-6251
 Fax (916) 657-5390
 Web Site www.nahc.ca.gov
 ds_nahc@pacbell.net

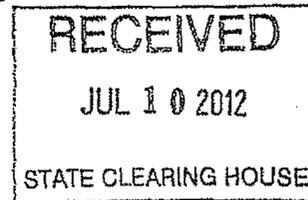
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S-4

July 3, 2012

Ms. Niki Cutler, Principal Planner
City of Rolling Hills Estates
 4045 Palo Verdes Estates
 Rolling Hills Estates, CA 90274



Re: SCH#2007011141; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "655-683 Deep Valley Drive and 924-950 Indian Peak Road Mixed Use Residential Project;" located in the City of Rolling Hills Estates; Los Angeles County, California.

Dear Ms. Cutler:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC did conduct a Sacred Lands File (SLF) search within the 'area of potential effect (APE)' and Native American cultural resources were not identified in the project area specified.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you

make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

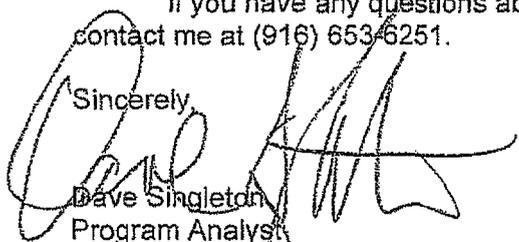
Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely

A handwritten signature in black ink, appearing to read 'Dave Singleton', is written over the typed name and title.

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

DEPARTMENT OF TRANSPORTATION
 DISTRICT 7, REGIONAL PLANNING
 IGR/CEQA BRANCH
 100 MAIN STREET, MS # 16
 LOS ANGELES, CA 90012-3606
 PHONE: (213) 897-9140
 FAX: (213) 897-1337



Flex your power!
 Be energy efficient!

S-4

July 3, 2012

Ms. Niki Cutler
 Principal Planner
 City of Rolling Hills Estates
 4045 Palos Verdes Drive North



IGR/CEQA No. 120627AL-DEIR
 655-683 Deep Valley Drive and 924-950 Indian Peak
 Road Mixed Use Residential Project
 Vic. LA-01 / PM, LA-14.63
 SCH #: 2007011141

Dear Ms. Cutler:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project would demolish the existing office buildings and construct 148 residential units, approximately 14,200 square feet of commercial area and associated parking.

From Table 5-2 Project Traffic Generation Forecast, the Draft Environmental Impact Report (DEIR), the project will generate a net increase of 1,219 net daily vehicle trips with 11 and 66 vehicle trips during AM and PM peak hours. The project is more than 2 miles away from the State facilities. Therefore, Caltrans concluded that this project does not have project significant impact to the State facilities.

Please be reminded that although the lead agency is required to comply with Los Angeles County Congestion Management Program (CMP) standards and thresholds of significance, Caltrans does not consider the Los Angeles County's CMP criteria alone to be adequate for the analysis of transportation impacts pursuant to a CEQA review. CMP requirements were developed by Los Angeles County in the context of CMP goals and objectives; it does not supersede the criteria from the responsible agency under CEQA. Caltrans' Guide directs preparers of traffic impact analysis to consult with the local District as early as possible to determine the appropriate requirements and criteria of significance to be used in the traffic impact analysis. The CMP analysis may not include site-specific safety considerations, or may not be based on an appropriate measure of effectiveness for site-specific considerations. A discussion of the flaws in the percentage theory is in the attached Caltrans LD-IGR Technical Bulletin, June 2008-Issue 2. Please contact this office early for any future project.

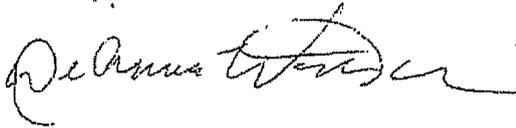
Ms. Niki Cutler
July 3, 2012
Page 2 of 2

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects should be designed to discharge clean run-off water.

Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from the Department. It is recommended that large size truck trips be limited to off-peak commute periods.

If you have any questions, please feel free to contact Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 120627AL.

Sincerely,



DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

OFFICE OF PLANNING AND RESEARCH

LETTER CODE: S-4

DATE: 8-7-12

Response S-4-1

The comment letter is a form letter indicating compliance with State Clearinghouse requirements and enclosing the State of California Department of Transportation (Caltrans) letter and State of California Native American Heritage Commission (NAHC) letter, which have been addressed above under Letter Codes S-1 and S-2. No further response is necessary.

LOCAL AGENCIES

Niki Cutler, Principal Planner
July 16, 2012
Page 2

environmental impacts related to development, development of vegetation management plans, brush clearance, coordination of wildland fire planning, review of fuel modification plans, Fire Prevention, Air and Wildland, Lifeguard and Health Hazardous Materials Division. The Fire Department maintains two Urban Search and Rescue (USAR) Task Force units at the following fire stations: Fire Station 103 in Pico Rivera and Fire Station 130 434 in Lancaster and four Hazardous Materials Task Forces at the following fire stations: Fire Station 43 in Industry, Fire Station 76 in Valencia, Fire Station 105 in Compton and Fire Station 129 in Lancaster.

L-1-2

LAND DEVELOPMENT UNIT:

1. Fire hydrant spacing shall be 300 feet and shall meet the following requirements:
 - a) No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant.
 - b) No portion of a building shall exceed 400 feet via vehicular access from a properly spaced public fire hydrant.
 - c) Additional hydrants will be required if hydrant spacing exceeds specified distances.
 - d) When cul-de-sac depth exceeds 200 feet on a commercial street, hydrants shall be required at the corner and mid-block.
 - e) A cul-de-sac shall not be more than 500 feet in length, when serving land zoned for commercial use.

L-1-3

2. The statutory responsibilities of the County of Los Angeles Fire Department, Land Development Unit, are the review of and comment on, all projects within the unincorporated areas of the County of Los Angeles. Our emphasis is on the availability of sufficient water supplies for firefighting operations and local/regional access issues. However, we review all projects for issues that may have a significant impact on the County of Los Angeles Fire Department. We are responsible for the review of all projects within Contract Cities (cities that contract with the County of Los Angeles Fire Department for fire protection services). We are responsible for all County facilities, located within non-contract cities.

L-1-4

The County of Los Angeles Fire Department, Land Development Unit may also comment on conditions that may be imposed on a project by the Fire Prevention Division, which may create a potentially significant impact to the environment.

3. The County of Los Angeles Fire Department, Land Development Unit's comments are only general requirements. Specific fire and life safety requirements and conditions set during the environmental review process will be addressed and conditions set at the building and fire plan check phase. Once the official plans are submitted for review there may be additional requirements.

L-1-5

4. The proposed development may necessitate multiple ingress/egress access for the circulation of traffic and emergency response issues.

L-1-6

Niki Cutler, Principal Planner
 July 16, 2012
 Page 3

- | | | |
|-----|--|--------|
| 5. | The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants. | L-1-7 |
| 6. | Every building constructed shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building. | L-1-8 |
| 7. | The maximum allowable grade shall not exceed 15% except where topography makes it impractical to keep within such grade. In such cases, an absolute maximum of 20% will be allowed for up to 150 feet in distance. The average maximum allowed grade, including topographical difficulties, shall be no more than 17%. Grade breaks shall not exceed 10% in ten feet. | L-1-9 |
| 8. | Fire sprinkler systems are required in some residential and most commercial occupancies. For those occupancies not requiring fire sprinkler systems, it is strongly suggested that fire sprinkler systems be installed. This will reduce potential fire and life losses. Systems are now technically and economically feasible for residential use. | L-1-10 |
| 9. | COMMERCIAL FIRE FLOW - The development may require fire flows up to 8,000 gallons per minute at 20 pounds per square inch residual pressure for up to a four-hour duration. Final fire flows will be based on the size of buildings, its relationship to other structures, property lines and types of construction used. | L-1-11 |
| 10. | Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in-length and at the end of all cul-de-sacs. | L-1-12 |
| 11. | All on-site driveways/roadways shall provide a minimum unobstructed width of 28 feet, clear-to-sky. The on-site driveway is to be within 150 feet of all portions of the exterior walls of the first story of any building. The centerline of the access driveway shall be located parallel to and within 30 feet of an exterior wall on one side of the proposed structure. | L-1-13 |
| 12. | All on-site driveways shall provide a minimum unobstructed width of 28 feet, clear-to-sky. The 28-foot width does not allow for parking and shall be designated as a "FIRE LANE" and have appropriate signage. The centerline of the on-site driveway shall be located parallel to and within 30 feet of an exterior wall on one side of the proposed structure. The on-site driveway is to be within 150 feet of all portions of the exterior walls of the first story of any building. | L-1-14 |
| 13. | When serving land zoned for residential uses having a density of more than four units per net acre: | |
| | a) A cul-de-sac shall be a minimum of 34 feet in width and shall not be more than 700 feet in length. | L-1-15 |
| | b) The length of the cul-de-sac may be increased to 1,000 feet if a minimum of 36 feet in width is provided. | |
| | c) A Fire Department approved turning area shall be provided at the end of a cul-de-sac. | |

Niki Cutler, Principal Planner
 July 16, 2012
 Page 4

14. All access devices and gates shall meet the following requirements:
 - a) Any single gated opening used for ingress and egress shall be a minimum of 26 feet in-width, clear-to-sky.
 - b) Any divided gate opening (when each gate is used for a single direction of travel i.e., ingress or egress) shall be a minimum width of 20 feet clear-to-sky.
 - c) Gates and/or control devices shall be positioned a minimum of 50 feet from a public right-of-way, and shall be provided with a turnaround having a minimum of 32 feet of turning radius. If an intercom system is used, the 50 feet shall be measured from the right-of-way to the intercom control device. L-1-16
 - d) All limited access devices shall be of a type approved by the Fire Department.
 - e) Gate plans shall be submitted to the Fire Department, prior to installation. These plans shall show all locations, widths and details of the proposed gates.
15. All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review, prior to implementation. L-1-17
16. Notify the County of Los Angeles Fire Department, Fire Station 106, at (310) 377-9523, Fire Station 56, at (310) 377-1584 and Fire Station 53, at (310) 377-3333, at least three days in advance of any street closures that may affect Fire/Paramedic response in the area. L-1-18
17. Disruptions to water service shall be coordinated with the County of Los Angeles Fire Department and alternate water sources shall be provided for fire protection during such disruptions. L-1-19
18. Submit three sets of water plans to the County of Los Angeles Fire Department, Land Development Unit. The plans must show all proposed changes to the fire protection water system, such as fire hydrant locations and main sizes. The plans shall be submitted through the local water company. L-1-20
19. The County of Los Angeles Fire Department, Land Development Unit appreciates the opportunity to comment on this project. L-1-21
20. Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department, Fire Prevention Division, Land Development Unit Inspector, Nancy Rodeheffer, at (323) 890-4243 or nrodeheffer@fire.lacounty.gov. L-1-22

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources and the County Oak Tree Ordinance. L-1-23

Niki Cutler, Principal Planner
July 16, 2012
Page 5

2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

L-1-24

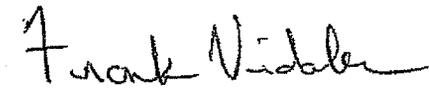
HEALTH HAZARDOUS MATERIALS DIVISION:

1. The Health Hazardous Materials Division has no objection to the proposed project.

L-1-25

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



FRANK VIDALES, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:ij

COUNTY OF LOS ANGELES FIRE DEPARTMENT

LETTER CODE: L-1

DATE: July 16, 2012

Response L-1-1

The comment is introductory and summarizes the project description provided in the DEIR. This comment does not raise any environmental issues under CEQA or their treatment in the DEIR, and no further response is required.

Response L-1-2

The comment provides corrected language regarding the Fire Department's responsibilities. The description of the Fire Department as contained on page 4.11-1 in the DEIR and has been corrected as follows, and included in the Errata as part of the Final EIR.

The Fire Department's emergency service system consists of fire and paramedic services. This system utilizes fully capable ~~paramedic engines, paramedic engines, paramedic squads, and paramedic~~ assessment engines that contain limited paramedic equipment (~~and but~~ are staffed with one paramedic who can begin advanced life support efforts prior to the arrival of the squad), ~~the certification of all~~ firefighters to a level of Emergency Technician, an extensive automatic defibrillator program, and a 24-hour Air Squad helicopter program. The Fire Department also has a Forestry Division, ~~responding to brush clearance, fire ants, and vegetation management~~ responsible for the review of environmental impacts related to development; development of vegetation management plans; brush clearance; coordination of wildland fire planning; review of fuel modification plans; and Fire Prevention, Air and Wildland, Lifeguard, and Health Hazardous Materials Division:s. The Fire Department maintains two Urban Search and Rescue (USAR) Task Force fire stations: Fire Station 103 in Pico Rivera and Fire Station 1304 in Lancaster; and four Hazardous Materials Task Forces at the following fire stations: Fire Station 43 in the City of Industry, Fire Station 76 in Valencia, Fire Station 105 in Compton, and Fire Station 129 in Lancaster.

Response L-1-3

The proposed project will be conditioned by the City to comply with all local statutes and regulations related to fire protection. The comment is, therefore, noted, and no further response is required.

Response L-1-4

The comment states that the County of Los Angeles Fire Department (Fire Department), Land Development Unit, is providing input regarding the proposed project. The comment further describes the factors considered when determining whether a project will have an impact upon fire protection, including sufficient water supplies for firefighting operations and local/regional access issues and any potentially significant impact to the environment which the project may create. The comment does

not contain any substantive statements or questions about the DEIR or the analysis therein. Therefore, no further response is necessary.

Response L-1-5

The comment states that the Fire Department, Land Development Unit, is providing general requirements/comments on the DEIR. Specific and additional fire and life safety requirements and conditions set will be requested during the environmental review process once the official plans of the proposed project are submitted for review. The comment does not contain any substantive statements or questions about the DEIR or the analysis therein. Therefore, no further response is necessary.

Response L-1-6

As stated in Table 4.13.E of the DEIR, Section 4.13, Traffic and Circulation, the primary access to the proposed project is provided via a proposed private street between Indian Peak Road and Deep Valley Drive and two commercial driveways on Deep Valley Drive. The results of the analysis indicate that under existing plus project traffic conditions, both primary project access points are forecast to operate at level of service (LOS) B or better during the a.m. and p.m. peak hours. Therefore, project access is expected to be adequate. In addition, as stated in the same section, the proposed project has the potential to affect emergency access routes during construction. In order for these issues to be managed, a Construction Traffic Management Plan would be reviewed and approved by the City Traffic Engineer, as identified in Mitigation Measure 4.13-1. Implementation of Mitigation Measure 4.13-1 would reduce potential traffic safety impacts during construction activities to less than significant levels. Based on the forecast and with the Mitigation Measure, the proposed project would not have a significant impact. Impacts of the proposed project on the traffic and circulation impacts, including multiple ingress/egress access for the circulation of traffic and emergency response issue, were thoroughly addressed in Section 4.13 of the DEIR. The comment is, therefore, noted, and no further response is required.

Response L-1-7

The City will ensure that the project complies with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants. The comment is, therefore, noted, and no further response is required.

Response L-1-8

The City will ensure the proposed project complies with all the Fire Department's statutes and regulations related to fire protection. The comment is, therefore, noted, and no further response is required.

Response L-1-9

The City will ensure the proposed project complies with all the Fire Department's statutes and regulations related to the grading requirements. The comment is, therefore, noted, and no further response is required.

Response L-1-10

The City will ensure the proposed project complies with all the Fire Department's statutes and regulations related to fire protection. The comment is, therefore, noted, and no further response is required.

Response L-1-11

The City will condition the proposed project to comply with all the Fire Department's statutes and regulations related to fire protection, including commercial fire flow requirements. The comment is, therefore, noted, and no further response is required.

Response L-1-12

The City will condition the proposed project to comply with all the Fire Department's statutes and regulations related to fire protection, including turning radii requirements. The comment is, therefore, noted, and no further response is required.

Response L-1-13

The City will condition the proposed project to comply with all the Fire Department's statutes and regulations related to fire protection, including driveway requirements. The comment is, therefore, noted, and no further response is required.

Response L-1-14

The City will condition the proposed project to comply with all the Fire Department's statutes and regulations related to fire protection, including driveway obstruction requirements. The comment is, therefore, noted, and no further response is required.

Response L-1-15

The City will condition the proposed project to comply with all the Fire Department's statutes and regulations related to fire protection, including cul-de-sac requirements. The comment is, therefore, noted, and no further response is required.

Response L-1-16

The City will condition the proposed project to comply with all the Fire Department's statutes and regulations related to fire protection, including access devices and gate requirements. The comment is, therefore, noted, and no further response is required.

Response L-1-17

If any traffic calming measures, including speed humps, bumps, cushions, traffic circles, roundabouts, etc., are proposed for the project, the plans will be submitted to the Fire Department for review prior to implementation.

Response L-1-18

The City will notify the Fire Department as requested prior to any street closures. No further response is required.

Response L-1-19

The City will coordinate with the Fire Department if any disruptions to water service are expected. Alternate water sources will be provided for fire protection during any such disruptions. No further response is required.

Response L-1-20

The City will condition the project to submit three sets of water plans to the Fire Department, Land Development Unit, to indicate any change to the fire protection system, including fire hydrant locations and main sizes. No further response is required.

Response L-1-21

The comment indicated that the Fire Department reviewed the DEIR. This comment does not raise any environmental issues under CEQA or their treatment in the DEIR, and no further response is required.

Response L-1-22

This comment provides contact information and does not raise any environmental issues under CEQA or their treatment in the DEIR; no further response is required.

Response L-1-23

The comment is introductory of the Fire Department, Forestry Division. This comment does not raise any environmental issues under CEQA or their treatment in the DEIR, and no further response is required.

Response L-1-24

This comment indicates that the DEIR has addressed the areas germane to the statutory responsibilities of the Fire Department, Forestry Division. No further response is required.

Response L-1-25

The comment indicates that the Fire Department, Health Hazardous Materials Division, reviewed the DEIR and has no comments on the document and the proposed project. Therefore, no further response is required.



Barry D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169



L-2

July 19, 2012

JUL 19 2012

David Wahba, Planning Director
City of Rolling Hills Estates
4045 Palos Verdes Drive North
Rolling Hills Estates, California 90274

Attention: Niki Cutler

Dear Mr. Wahba:

**REVIEW COMMENTS
DRAFT ENVIRONMENTAL IMPACT REPORT
655-683 DEEP VALLEY ROAD AND 924-950 INDIAN PEAK ROAD
MIXED-USE RESIDENTIAL PROJECT (PA 01-07)**

The Los Angeles County Sheriff's Department (Department) submits the following review comments on the Draft Environmental Impact Report (DEIR), dated June 2012, for the 655-683 Deep Valley Drive and 924-950 Indian Peak Road Mixed-Use Residential Project (Project). The proposed Project, as currently constituted, will demolish existing commercial and professional office buildings, surface parking lots, and landscaping, and construct 148 residential units, approximately 14,200 square feet of commercial space, and associated parking.

L-2-1

The DEIR and other environmental documents prepared for the proposed Project were reviewed by the Department's Lomita Station and my office (see attached correspondence from Captain Blaine Bolin and myself, dated July 6, 2012, and September 27, 2006, respectively).

In summary, the proposed Project, is not expected to result in any significant impact to the Department. However, the proposed Project, when considered in conjunction with other development in the area, could have a cumulative effect on Department resources and operations, including facilities, staffing, and response times. Also, the construction phase of the proposed Project could impact the Station's response times to calls for service, due to the Project's proximity to a major thoroughfare.

L-2-2

L-2-3

A Tradition of Service Since 1850

Mr. Wahba

-2-

July 19, 2012

The Department has no other comment to submit at this time, but reserves the right to further address this matter in subsequent reviews of the proposed Project.

Thank you for including the Department in the environmental review process for the proposed Project. Should you have any questions of the Department regarding this matter, please contact Lester Miyoshi, of my staff, at (626) 300-3012 and refer to Facilities Planning Bureau Tracking No. 12-039. You may also contact Mr. Miyoshi, via e-mail, at Lhmiyosh@lasd.org.

L-2-4

Sincerely,

LEROY D. BACA, SHERIFF



Gary T.K. Tse, Director
Facilities Planning Bureau

Mr. Wahba

-3-

July 19, 2012

L-2

GTKT:LM:lm/jh

Attachments

c: Blaine Bolin, Captain, Lomita Sheriff Station (LSS)
Vicki L. Stuckey, Lieutenant, LSS
Lester Miyoshi, Project Manager, Facilities Planning Bureau
Chrono
(EIR-RollingHillsEstatesMixedUseProject)

L-2

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE July 6, 2012

FILE NO. N/A

FROM: 
BLAINE BOLIN, CAPTAIN
LOMITA STATION

TO: GARY T. TSE, DIRECTOR
FACILITIES PLANNING
BUREAU

SUBJECT: MIXED USE PROJECT – ROLLING HILLS ESTATES

This is in response to your request to provide updated comments and/or suggestions regarding the proposed development of a mixed use project including 176 residential units and 12,800 square feet of retail use on a 8.07-acre parcel located at 655 to 683 Deep Valley Drive and at 924 to 950 Indian Peak Road in the city of Rolling Hills Estates.

L-2-5

There has not been any significant change since the original letter that was sent to you dated September 25, 2006.

BB:VLS:vlis

L-2



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



September 27, 2006

Mr. Virgilio Vita
Willdan
13191 Crossroads Parkway North, Suite 405
Industry, California 91746

Dear Mr. Vita:

REVIEW OF ENVIRONMENTAL DOCUMENTS
655-683 DEEP VALLEY DRIVE AND 924-950 INDIAN PEAK ROAD
ROLLING HILLS ESTATES

This is in response to your letter dated August 28, 2006, requesting comments from the Lomita Station to the proposed development on Deep Valley Drive and Indian Peak Road. For our comments, please see the attached letter from Captain Jay Zuanich of the Lomita Sheriff's Station.

In summary, while this project by itself does not create a specific need for any additional requirements to the station, it may have a cumulative impact on call and response time, staffing, and inadequate facility accommodations when considered with other developments in this area. We reserve the right to address these issues in future reviews.

Should you have any additional questions regarding this matter, please contact Mary Lammé, of my staff at (626) 300-3006.

Sincerely,

LEROY D. BACA, SHERIFF

Gary Tse by [Signature]
Gary T. K. Tse, Director
Facilities Planning Bureau

RECEIVED

SEP 27 2006

CITY OF ROLLING HILLS ESTATES

L-2-1
Attachments



Mr. Virgilio Vita

-2-

September 27, 2006

GTKT:ML:ml/jh

Attachments

- Cc: James Lopez, Commander
- Adrienne Ferree, Assistant Director
- Captain Jay Zuanich, Lomita Station
- Lt. Jason Lum, Lomita Station
- Mary Lammé, Project Manager
- Chrono
- File
- (DeepValley-IndianPeakLomitaStation.doc)



L-2-1
Attachments

OCT.06'2006 13:54

#6410 F.004/005

MARY
L-2



LEROY D. BACA, SHERIFF

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2155
(310) 539-1661



PLEASE REFER
TO FILE NO. _____

September 25, 2006

Mr. Gary T. Tse, Director
Facilities Planning Bureau
Building A-9 East / 5th Floor North
1000 South Fremont Avenue, Box 47
Alhambra, California 91803

Dear Mr. Tse:

This is in response to your request to provide comments and/or suggested conditions regarding the proposed development of a mixed-use project including 176 residential units and 12,800 square feet of retail use on a 8.07-acre parcel located at 655 to 683 Deep Valley Drive and at 924 to 950 Indian Peak Road in the city of Rolling Hills Estates.

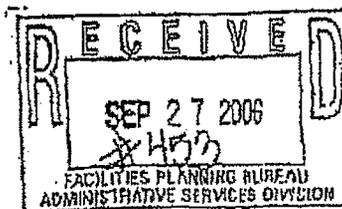
Lomita Sheriff's Station currently provides police services to the city of Rolling Hills Estates. Lomita Station is located at 26123 Narbonne Avenue, Lomita California, 90717. The station presently serves a population of approximately 75,000 and covers a geographical area of 23 square miles. Lomita Station provides police services to four contract cities: Rancho Palos Verdes, Rolling Hills, Rolling Hills Estates, Lomita, and two small unincorporated county areas.

The project vicinity is serviced by 3-5 patrol cars depending on the time of day. The contract for Sheriff's services in that immediate area is usually one radio car per shift with additional cars in the region that could be used if needed. The surrounding area of the proposed site is mostly commercial.

I estimate this project would generate 3-5 additional calls for law enforcement services per month. Additionally, the project would probably cause a moderate increase in traffic in and around the proposed development. Although this project in itself should not require an increase in police protection and traffic service, another review would be necessary with the culmination of additional development in the area.



L-2-1
Attachments



2-File
RD. DIAMU. SHE. MIAJ

A Tradition of Service

OCT.06'2006 13:54

#6410 P.006/005

L-2

Mr. Gary Tse

-2-

September 25, 2006

If you need any additional information please feel free to contact Lieutenant Jason Lum at (310) 891-3221.

Sincerely,

LEROYD D. BACA, SHERIFF



Jay Zvanich, Captain
Commander, Lomita Station



L-2-1
Attachments

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT HEADQUARTERS

LETTER CODE: L-2

DATE: July 19, 2012

Response L-2-1

The comment is introductory and summarizes the project description provided in the DEIR. This comment does not raise any environmental issues under CEQA or their treatment in the DEIR, and no further response is required.

Response L-2-2

The comment states that the proposed project is not expected to have a significant impact to the Sheriff's Department, but that the project, in conjunction with other development in the area could have a cumulative effect on the law enforcement resources and operations. As stated in Section 4.11.6, Cumulative Impacts, the Sheriff's Department stated that the proposed project and other approved and proposed projects within the project area have the potential to cumulatively impact police services in the project area. The proposed project's contribution to cumulative impacts to police services would be reduced to a less than significant level, and the proposed project could be accommodated with adequate police protection. The Sheriff's Department anticipates cumulative demand in order to plan for overall service. Therefore, the Sheriff's Department determination that adequate service can be provided includes consideration of area demand in light of cumulative planned or anticipated projects. Personal communication with a Sheriff's Department Operation Sergeant indicated that the proposed project would not generate a significant cumulative increase in demand for police protection services.¹

Response L-2-3

The comment states that response times could be impacted during the construction phase. The comment does not contain any substantive statements or questions about the DEIR or the analysis therein. The Construction Traffic Management Plan listed on pages 4.13-25 and 4.13-26 is developed specifically to address this comment and minimize the impacts during the construction phase. Therefore, no further response is necessary.

Response L-2-4

The comment indicates that the County of Los Angeles Sheriff's Department Headquarters reviewed the DEIR and has no additional comments at this time but reserves the right to comment during subsequent reviews of the project. No further response is required.

¹ Don Mueller, Operations Sergeant, L.A. County Sheriff's Department, dated March 19, 2012. Personal communication.

Response L-2-5

The comment is introductory and summarizes the project description provided in the DEIR. The comment also states that there is not any significant change in law enforcement services since the response to the information request letter dated September 25, 2006. This comment does not raise any environmental issues under CEQA or their treatment in the DEIR, and no further response is required. Therefore, no further response is necessary.



CITY OF RANCHO PALOS VERDES
CITY MANAGER'S OFFICE
ADMINISTRATION

2 August 2012

VIA ELECTRONIC AND U.S. MAIL

Niki Cutler, AICP, Principal Planner
City of Rolling Hills Estates
4045 Palos Verdes Dr. N.
Rolling Hills Estates, CA 90274

SUBJECT: Comments in Response to the Notice of Completion/Availability of a Draft Environmental Impact Report for the Proposed Brickwalk, LLC Mixed-Use Residential Project (PA 01-07)

Dear Ms. ^{NJK1} ~~Cutler~~:

The City of Rancho Palos Verdes appreciates the opportunity to comment upon the Draft Environmental Impact Report (DEIR) for the above-mentioned project. As you may recall, the City previously commented upon the scope of the DEIR for this project on 28 February 2007. We have reviewed the Notice of Completion/Availability and the DEIR, and offer the following comments:

1. The discussion of Aesthetics (Section 4.1, p. 4.1-9) describes the visual impacts of the proposed project as viewed from a location within the City of Rancho Palos Verdes at Indian Peak Road and Crenshaw Boulevard (View 4). The DEIR concludes that aesthetic impacts upon the view from this location are less-than-significant. However, we note that the view simulations (Figure 4.1-5) clearly show that the height of the new townhomes proposed in this portion of the project site would exceed the curb elevation of Indian Peak Road near its intersection with Crenshaw Boulevard. Accordingly, we are concerned that the aesthetic impacts of the proposed project upon views from homes in the 5400-block of Middlecrest Road in the *Ridgecrest* neighborhood may not have been adequately addressed in the DEIR. L-3-1

2. The discussion of Biological Resources (Section 4.3, pp. 4.3-3 to 4.3-5) describes the consistency of the proposed project with the Rancho Palos Verdes NCCP Preserve (NCCP) and concludes that project impacts would be less-than-significant and require no mitigation. Earlier in this same section (p. 4.3-2), the DEIR acknowledges the NCCP as a part of the "regulatory setting" within which the biological resource impacts of this project are to be analyzed. We would draw to your attention Section 6.2.2 of the NCCP Subarea Plan "Development L-3-2

Adjacent to the Preserve" and the specific project design criteria and best management practices (BMPs) enumerated in Subsection 6.2.2.2 (see enclosures). These guidelines should be discussed in greater detail in the DEIR. Furthermore, we strongly suggest that the DEIR consider the inclusion of the guidelines from NCCP Subarea Plan Subsection 6.2.2.2 as project mitigation to address potential impacts upon the adjacent NCCP Crestridge Reserve in Rancho Palos Verdes.

L-3-2

3. The discussion of Geology and Soils (Section 4.5) assesses the geologic and geotechnical impacts of the proposed project, and suggests mitigation measures to reduce these impacts to less-than-significant levels. The City of Rancho Palos Verdes' geotechnical consultant has reviewed Section 4.5 and the related appendices from the DEIR, and offers the enclosed comments that should be addressed in the Final EIR.

L-3-3

4. The discussion of Hydrology and Water Quality (Section 4.7) assesses the impacts and handling of site runoff and drainage for the proposed project, and suggests mitigation measures to reduce these impacts to less-than-significant levels. The City of Rancho Palos Verdes' City Engineer has reviewed Section 4.7 and the related appendices from the DEIR, and offers the enclosed comments that should be addressed in the Final EIR.

L-3-4

5. The discussion of Land Use and Planning (Section 4.8) notes at several locations that two (2) variances are requested in conjunction with the proposed project, whereas the Project Description (Section 3.0, p. 3-10) lists three (3) requested variances. This discrepancy should be resolved in the Final EIR. For the record, the City of Rancho Palos Verdes is skeptical that the requested variance for a 26-foot/1-story increase in the height of the proposed, mixed-use podium building is warranted. Also, as mentioned in our comments above regarding biological resources impacts, the discussion of the consistency of the proposed project with the NCCP (p. 4.8-17) should take into account the provisions of Subsection 6.2.2.2 of the NCCP Subarea Plan.

L-3-5

6. The discussion of Noise (Section 4.9, p. 4.9-16) identifies the Rancho Palos Verdes Preschool at 28451 Indian Peak Road (southwest corner at Crenshaw Boulevard) as a sensitive noise receptor that would be exposed to short-term construction noise impacts from the proposed project. Mitigation Measure 4.9-2 (p. 4.9-20) proposes the installation of 6-foot-tall construction noise barriers along Indian Peak Road and Crenshaw Boulevard to reduce these impacts to less-than-significant levels. We would like to point out that, since the original circulation of the NOP for this project in 2007, the City completed construction of

L-3-6

Niki Cutler
2 August 2012
Page 3

the *Mirandela* senior apartments at 5555 Crestridge Road (northwest corner at Crenshaw Boulevard), which directly abut the Rancho Palos Verdes Preschool to the south. The City believes that these age- and income-restricted apartments also constitute a sensitive noise receptor located in the immediate vicinity of the project site. Will the implementation of Mitigation Measure 4.9-2 adequately address potential construction-related noise impacts upon the residents of *Mirandela* as well?

L-3-6

7. The discussion of Population and Housing (Section 4.10, p. 4.10-10) notes that the proposed project is consistent with the City of Rolling Hills Estates' current Regional Housing Needs Assessment (RHNA), presumably because the total number of units proposed (i.e., one hundred forty-eight (148)) substantially exceeds the total of twenty-six (26) units required by the current RHNA. However, the DEIR does not discuss how the proposed project fulfills the RHNA requirement for units to be provided that are affordable to households at a variety of income levels.

L-3-7

8. The discussion of Transportation and Circulation (Section 4.13) discusses the construction-related and post-construction impacts of the proposed project, and suggests a number of mitigation measures (pp. 4.13-25 to 4.13-30) to reduce these impacts to less-than-significant levels. Several of these mitigation measures involve modifications to traffic controls at surrounding intersections. We would like to point out that, since the original circulation of the NOP for this project in 2007, the jurisdictional responsibility for several of the surrounding roadway segments and intersections has shifted from Rolling Hills Estates to Rancho Palos Verdes, and these shifts may affect the feasibility of some of the proposed mitigation measures. The City of Rancho Palos Verdes' traffic engineer has reviewed Section 4.13 and the related appendices from the DEIR, and offers the enclosed comments that should be addressed in the Final EIR.

L-3-8

9. The discussion of Alternatives (Section 5.0, pp. 5-14 to 5-15) identifies the "Reduced Project Alternative" (Alternative 3) as the environmentally-superior alternative to the proposed project. Since Alternative 3 reduces the total number of dwelling units and commercial square footage by twenty percent (20%), it reduces the project's traffic impacts and eliminates the need for a building height variance while still fulfilling the basic objectives of the project. Therefore, the City of Rancho Palos Verdes supports the selection of Alternative 3 for the proposed project.

L-3-9

Niki Cutler
2 August 2012
Page 4

Again, thank you for the opportunity to comment upon this important project. If you have any questions or need additional information, please feel free to contact me at (310) 544-5226 or via e-mail at kitt@rpv.com.

↑
L-3-9

Sincerely,



Kit Fox, AICP
Senior Administrative Analyst

enclosures

cc: Mayor Misetich and City Council
Carolyn Lehr, City Manager
Carolynn Petru, Deputy City Manager
Joel Rojas, Community Development Director
Jim Hendrickson, Interim Public Works Director

July 27, 2012

PN 00146-14A

Kit Fox
Senior Administrative Analyst
CITY OF RANCHO PALOS VERDES
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90275-5391

Subject: Review of DEIR Geology and Soils Documents for the Proposed Deep Valley and Indian Peak Mixed-Use Project in Rolling Hills Estates

Dear Mr. Fox:

Our firm has reviewed the Geology and Soils, Section 4.5 of the DEIR dated June 20, 2012 by LSA Associates for the Deep Valley and Indian Peak Mixed-Use Project in Rolling Hills Estates. Our evaluation incorporated a review of past geology and soils documents for the subject site. The following comments in regards to the Geology and Soils portion of the DEIR are presented below. L-3-10

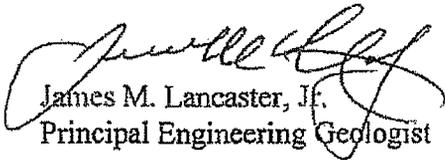
- A review of the reference list indicates that the authors have reviewed all previous documents for the project including past reviews by the City of Rancho Palos Verdes and the corresponding responses by the project geotechnical consultant. L-3-11
- The seismic design standard presented on page 4.5.6 is outdated. The design standards presented and used for the project should be updated to use the latest CBC or indicate in the DEIR what version of the CBC or UBC will be used for the project if different. L-3-12
- The last round of review and response completed in 2010 and 2011 indicated that additional readings of the inclinometers would continue every 4 to 6 months from the date of consultant's response in December 2010. Based on this schedule, a minimum of 5 additional readings should have taken place. It is recommended that these be obtained and reviewed by the geotechnical consultant in an updated report and if necessary be incorporated into the DEIR. This report should be forwarded to the City of Rancho Palos Verdes for review. L-3-13
- The DEIR's section on Faults and Seismic History states that the Cabrillo Fault is active, page 4.5-5. Later in the report on page 4.5.12 it states that it is inactive. The DEIR should be corrected to remove inconsistency. L-3-14
- Mitigation Measure 4.5-1 states that the construction and design of the proposed project shall comply with the recommendation measures listed in Section 6.0 through 9.0 in the April 27, 2007 Pacific Soils. As other addendum reports and evaluations have been authored beyond the April 2007 report, they should be added to this section of the DEIR. L-3-15

- The DEIR does not address import or export of soil during grading, nor does it address import of construction materials associated with grading or construction of buildings and what impact to RPV roadways this might have. This may be addressed elsewhere in the DEIR document. | L-3-16
- Section 4.5.2 states that the section addresses the potential for structural damage to occur due to local geology underlying the project. There does not appear to be a discussion in regards to this issue. | L-3-17
- DEIR does not appear to address tie backs, temporary excavations or shoring in detail or where they would potentially encroach into Rancho Palos Verdes. | L-3-18

We appreciate this opportunity to be of continued service to the City of Rancho Palos Verdes. Please call if you have any questions regarding the content of this letter.

Sincerely,

KLING CONSULTING GROUP



James M. Lancaster, Jr.
Principal Engineering Geologist

JML:dm

Dist.: (2) Addressee

SECTION 1.0 - EXECUTIVE SUMMARY

Add the following statement to Table 1.A item 4.5-3 and to Section 4.5 Geology and Soils

Any components of the design that are required to be placed outside of the City of Rolling Hills Estates will require additional review/approval by the affected jurisdiction.

L-3-19

Add the following statement to Table 1.A item 4.5-X

Prior to the issuance of the Certificate of Occupancy for buildings associated with the project, the project applicant shall submit a maintenance plan to the City's Director of Public Works for review and approval. The maintenance agreement shall address slope drainage facilities and require the owner to maintain any such facilities in a state of good repair. The maintenance agreement shall "run with the land". The approved maintenance agreement shall be recorded with the Los Angeles County Recorders Office. Such recordation shall be completed prior to the issuance of a certificate of occupancy by the City of Rolling Hills Estates Building Official.

L-3-20

SECTION 4.7 - HYDROLOGY AND WATER QUALITY

The project is located in an area of known unstable land. Land movement such as slope failures and landslides are adversely affected by ground water. To minimize runoff infiltration of ground water, all existing or planned drainage facilities located on slopes within the project must be properly maintained or caused to be maintained by the property owner and future owners.

To that end, the following comment and condition should be added to the Mitigation Measures 4.7-X. They are needed to ensure that storm runoff management facilities are properly maintained and that runoff on slopes adjacent to Indian Peak retain the integrity intended by the design engineer:

L-3-21

Prior to the issuance of the Certificate of Occupancy for buildings associated with the project, the project applicant shall submit a maintenance plan to the City's Director of Public Works for review and approval. The maintenance agreement shall address slope drainage facilities and require the owner to maintain any such facilities in a state of good repair. The maintenance agreement shall "run with the land". The approved maintenance agreement shall be recorded with the Los Angeles County Recorders Office. Such recordation shall be completed prior to the issuance of a certificate of occupancy by the City of Rolling Hills Estates Building Official.

Section 4.7-4 modify the sentence as follows (change to sentence shown in bold):

The drainage plan shall include any on-site structures and/or modifications of existing drainage facilities necessary to accommodate **existing and/or** increased runoff resulting from the proposed project and shall indicate project contributions to the regional storm water drainage system.

L-3-22

From: Nicole Jules
To: Kit Fox;
cc: Ron Drago;
Subject: RHE Mixed Use Project
Date: Wednesday, August 01, 2012 2:54:40 PM

Hi Kit,

Below are my comments:

General Traffic Study

Since the commencement of the Traffic Study in 2010, jurisdictional responsibilities at certain intersections and along certain roadway segments have shifted from Rolling Hills Estates to Rancho Palos Verdes. As such, report, analysis, assumptions and conclusion should be modified per the direction and concurrence of the City of Rancho Palos Verdes for the following locations:

- a) Hawthorne Blvd at Indian Peak Road
- b) Silver Spur Road at Silver Arrow Drive
- c) Indian Peak Road at Crenshaw Blvd
- d) Silver Spur Road from Hawthorne Blvd to Drybank Drive
- e) Indian Peak Road from Crenshaw Blvd to RPV City Limits
- f) Crenshaw Blvd from Indian Peak Road to RPV City Limits

L-3-23

The report should clearly identify which intersections and/or roadway segments are in each respective City. For the intersections that have joint responsibilities the proportionate share should be clearly identified.

Executive Summary

Table 1.A, mitigation # 4.13-5, 4.13-6, 4.13-10 – Mitigation Measure needs to be modified to incorporate review, concurrence and approval by the City of Rancho Palos Verdes, Department of Public Works.

L-3-24

Table 1.A, mitigation # 4.13-10 – Please modify the language of this mitigation measure and any other applicable mitigation measure to state: "Prior to the issuance of an occupancy permit, the applicant shall, for the two intersections with the jurisdictional boundaries of the City of Rancho Palos Verdes (Hawthorne Blvd at Indian Peak Road and Crenshaw Blvd at Indian Peak Road, pay it's fair share of the estimated construction costs for the necessary mitigation measures to offset its cumulative impact. All estimated costs shall be approved by the City of Rancho Palos Verdes Director of Public Works or his/her designee.

L-3-25

Section 4.13 Transportation and Circulation

L-3-26

Based on comments to Appendix J below, the traffic analysis results as presented in this section may change. Please see comments to Appendix J for details.

L-3-26

Appendix J

Study Area – Please modify the study area to identify those study intersections and roadway segments that fall under the jurisdictional responsibility of each City (RHE and/or RPV)

L-3-27

Existing Conditions – Please modify the descriptions of the existing street system to identify roadway segments and appropriate classifications and speed limits within the City of RPV. Also, please include a copy of the traffic counts conducted in 2008 in the appendix to the 2010 study.

L-3-28

Analysis – Is there any reason why a Peak Hour Factor adjustment was not applied to the intersection analysis? The traffic counts provide a calculated PHF for each movement and for the intersection. The City of RHE's traffic impact analysis methodology guidelines state in Section VIII that "peak hour factor specific to subject intersection shall be used". Please utilize an appropriate PHF for accurate intersection analysis and results.

L-3-29

Trip Distribution – with 23% of the project traffic traveling to and from Palos Verdes Drive North, why was Palos Verdes Drive North omitted from the roadway segment analysis.

L-3-30

Year 2013 Conditions – Does the Year 2013 analysis include any assumed roadway, intersection or geometric improvements that are either assumed or planned by RHE or RPV at any of the study intersections or roadway segments? Also, the Year 2013 traffic analysis sheets are not included in the report.

L-3-31

Traffic Signal Warrant Analysis – Appendix C is missing from the report.

L-3-32

Year 2013 Cumulative Plus Project – Include traffic analysis sheets for review.

L-3-33

Area-Wide Improvements – Include the traffic analysis sheets for proposed mitigation measures for verification that mitigations are addressing impacts appropriately.

L-3-34

Project Fair Share Contribution – The calculated fair share contribution needs to be modified to incorporate the projects contribution to the City of Rancho Palos Verdes.

L-3-35

SECTION 6 RESERVE MANAGEMENT

As an urban Reserve plan for wildlife and plants, the Rancho Palos Verdes Subarea Plan will enhance the city's quality of life and provide the city with recreational and educational opportunities while conserving the city's unique biodiversity and maintaining populations of sensitive resources. To succeed in these goals, this Subarea Plan will require management practices and some land-use restrictions on conserved lands that give special consideration to the interface between developed lands and open space. Adaptive management measures and compatible adjacent land uses will minimize impacts to individuals or populations of covered species from development abutting the Reserve. A process for monitoring habitats and species in the Reserve will help to improve the effectiveness of resource management. The following sections establish general guidelines for compatible land uses and development within and adjacent to the Reserve and provide a framework for consistent and coordinated management and monitoring of the Reserve.

Existing legal land uses adjacent to the Reserve may continue, and existing ownerships will be maintained until lands are obtained by public entities through purchase, dedication, or donation. On private lands that become part of the Reserve, public access will be allowed only on properties where access has been granted by the owner through an appropriate easement or on property that has been voluntarily dedicated in fee title to a public agency or nonprofit organization. All new public facilities will be reviewed for consistency with this Subarea Plan regarding public safety and to minimize management concerns and biological impacts.

L-3-36

6.1 HABITAT MANAGER

The City has selected the Palos Verdes Peninsula Land Conservancy (PVPLC) as the designated Habitat Manager for the Reserve. Some conserved habitat areas addressed by this Subarea Plan are currently managed by other organizations contracted by the private landowners (e.g., Ocean Trails and Oceanfront Estates mitigation lands). Management of these private lands would be transferred to the PVPLC once the monitoring requirements of the Wildlife Agencies have been met. The PVPLC will work with the City to ensure that habitat on these lands is adequately maintained.

6.2 FRAMEWORK MANAGEMENT GUIDELINES

6.2.1 Development of Public Use Master Plan

Within two years of the signing of the Implementing Agreement, a Public Use Master Plan (PUMP) shall be developed jointly by the City and the PVPLC to address issues such as public access, trailhead locations, parking, trail use, fencing, signage, lighting (if any), fire and brush management, minimizing impacts to adjacent neighborhoods, public involvement in advisory capacities, and other issues that may arise. This section provides management guidelines and measures for the development of the PUMP, to reduce habitat impacts of land uses within and adjacent to the Reserve. The PUMP for the site would be created based on extensive public input and would have to be approved by City Council and the Wildlife Agencies. Prior to the final approval of the PUMP by the Wildlife Agencies, all lawful uses and activities that are occurring in the Reserve at the time of approval of this Subarea Plan by the City Council shall be

SECTION SIX**Reserve Management**

deemed acceptable and allowed to continue unless otherwise restricted or prohibited by the Final approved PUMP.

6.2.2 Development Adjacent to the Reserve**6.2.2.1 Management Issues**

No new development activities will be allowed in the Reserve, except for the public and private infrastructure projects identified in this Subarea Plan, geological testing in support of compatible land uses, landslide monitoring, and any emergency actions associated with landslide abatement and remediation activities. Development adjacent to the Reserve, however, may indirectly affect the Reserve. These indirect impacts will be addressed through the existing project review process and CEQA documentation, as required. In reviewing a proposed development project adjacent to the Reserve, site design issues that need to be addressed are avoidance or minimization of impacts to biological resources and retention of native habitats. Potential impacts to biological resources from existing and new development adjacent to the Reserve will be considered in the design process. These include the locations of access and staging areas, fire and brush management zones, potential for introduction of nonnative species, increased night-lighting, increased stormwater and urban runoff, increased noise level and public access to habitats supporting covered species.

6.2.2.2 Project Design Review and Best Management Practices

The following guidelines are designed to protect biological resources in the Reserve during construction of new development directly abutting the Reserve:

1. Review grading plans of development directly adjacent to the Reserve boundary (including access routes, staging areas, etc.) to ensure the plans are consistent with this Subarea Plan, educate contractors about the biological sensitivities associated with the area, and monitor construction to ensure compliance with project-specific mitigation measures.
2. All construction site vegetation clearing will be conducted during the non-breeding season (September 1 to February 15) to avoid destruction of active bird nests. If vegetation clearing must be conducted during the bird breeding season, a nest survey must be conducted and a 15 meter (50 foot) exclusion zone is placed around all active nests (i.e., active nests with eggs or chicks) until the nest becomes inactive
3. Use existing access roads outside the Reserve wherever practicable. Clearly mark all access routes outside existing roads or construction areas. Develop an emergency access plan for the utility companies with facilities within the Reserve.
4. When stockpiling topsoil, it should be placed in areas to be affected by project development.
5. Locate construction staging areas at least 15 meters (50 feet) away from the Reserve boundary and natural drainages. Designate no-fueling zones a minimum distance of 15 meters (50 feet) from all drainages and away from the Reserve boundary.
6. Schedule construction directly adjacent to the Reserve to minimize potential indirect impacts to biological resources in the Reserve. Construction adjacent to drainages should occur during periods of

L-3-36

minimum flow (i.e., summer through the first significant rain of fall) to avoid excessive sedimentation and erosion and to avoid impacts to drainage-dependent species. Construction adjacent to habitats occupied by breeding sensitive wildlife species should be scheduled to avoid the breeding season (February 15-August 31) if practicable.

7. Minimize construction noise impacts during the bird breeding season (February 15-August 31) by precluding noise levels greater than 65 dB hourly L_{eq} at the edge of habitat occupied by noise-sensitive covered bird species where existing noise conditions are less than this noise threshold. Conduct pre-construction surveys of potentially affected conserved habitat between mid-January and mid-March. If no noise-sensitive breeding bird species are detected within 15 meters (50 feet) of the construction activity by this date, construction can proceed.
8. Locate new roads, trails, and utility corridors in areas that minimize habitat fragmentation and edge effects.
9. Place temporary construction fencing at the planned limits of disturbance adjacent to the Reserve. Add silt fencing to these fences to minimize excessive sedimentation into drainages.
10. Encourage undergrounding of utilities and use of trenchless technology, where feasible. Minimize the width of construction corridors and easements, and where possible, use less impactful construction practices such as jacking pipelines under drainages.
11. Revegetate cut/fill slopes not subject to fuel modification and adjacent to conserved habitat with appropriate native species.
12. Require approved restoration plans and construction monitoring for all construction projects within and adjacent to the Reserve.
13. Evaluate the practicality of noise barriers for short sections of road that may chronically affect breeding wildlife.
14. Avoid sidecasting of materials during road and utility construction and maintenance.

L-3-36

6.2.3 Fire and Brush Management

Fire management can focus on two potentially different objectives: achievement of biological resources goals and hazard reduction for humans and their property. Biological resource goals recognize that fire is a natural process in ecosystems. Coastal sage scrub depends on a regular cycle of burning to maintain a balance of species, create vegetation mosaics that favor increased animal species diversity, provide habitat for species characteristic of early post-fire landscapes, and control exotic plant species invasion. Fire and brush management can also affect restoration of disturbed habitats and site hydrology, which will directly affect habitat value for wildlife. Fire management for hazard reduction for humans and their property focuses on reducing fuel loads in areas where fire may threaten human safety or property, suppressing fires once they have started, and providing access for fire suppression equipment and personnel.

6.2.3.1 Management Recommendations

Fire and brush management will be prioritized for human safety, but will also consider biological resources, where appropriate. Therefore, fire and brush management practices in the Reserve need to

CITY OF RANCHO PALOS VERDES

LETTER CODE: L-3

DATE: August 2, 2012

Response L-3-1

The residences located in the Ridgecrest development are located at a higher elevation to the east of the project site. Views from this location will not be substantially affected by construction of the townhomes located at the intersection of Crenshaw Boulevard and Indian Peak Road. These townhomes are up to two stories and will be constructed on pads that ultimately connect to Deep Valley Drive. Thus, the primary structures that will be visible are those townhomes immediately adjacent to the intersection. These structures would be approximately 44 feet above the curb level of Indian Peak Road and would be similar to or less than the height of the original commercial buildings located on this portion of the site. These structures would not block any existing views across the Peninsula Center area from the Ridgecrest area, and potential visual effects from this location are considered less than significant.

Response L-3-2

This comment states that the DEIR acknowledges the Natural Communities Conservation Plan (NCCP) as part of the regulatory setting within which the biological resource impacts of the project are to be analyzed. The comment also strongly suggests that the DEIR should consider discussing the NCCP Subarea Plan "Development Adjacent to the Preserve," the specific project design criteria, and the best management practices (BMPs). The proposed project is located approximately 900 feet west of the NCCP Preserve. Development of the proposed project is expected to have limited effects on the long-term viability of the Preserve. There will be no construction activities within or directly adjacent to the Preserve or long-term access to the Preserve. Additionally, there will be no effects due to fuel modification since the project site is not contiguous to the Preserve

Given the project site's location downgradient of Indian Peak Road, there will no storm water effects on the Preserve, and it will be collected in the existing storm drain system and/or treated on site. Additionally, as noted in Section 4.9, Noise, the proposed project would not result in a substantial increase in noise levels along Indian Peak Road and would therefore not affect noise levels in the Preserve. All night lighting will be installed and operated consistent with the City's Municipal Code and will be directed toward the affected use so as to not reduce potential spill over lighting; thus, potential night lighting will not affect the Preserve.

The potential for affecting migratory birds on the project site is addressed in Section 6.2.2.2 of the DEIR, and landscaping will be implemented consistent with the City's landscape requirements. Additional local geology and soils conditions Given the project site's distance and location downgradient from the Preserve and measures incorporated into the project design, it is expected that the proposed project's potential effects to the Preserve are less than significant.

Response L-3-3

This comment indicates that the City of Rancho Palos Verdes' geotechnical consultant has reviewed the DEIR and has provided comments as included in an attached letter. These comments are addressed in Responses L-3-11 through L-3-19, below.

Response L-3-4

This comment indicates that the City of Rancho Palos Verdes' City Engineer has reviewed the DEIR and has provided comments as included in an attached letter. These comments are addressed in Responses L-3-21 and L-3-22, below.

Response L-3-5

As shown in Table 3.E, Project Discretionary Actions of Section 3.1, Project Description, three variances were listed. The variance information stated on Section 4.8, Land Use, is incorrect. The following texts in Section 4.8 have been revised as indicated below and are included in the Errata to the Final EIR.

Comprising 10.4 acres (ac), the proposed project site is located in the City of Rolling Hills Estates (City) between Deep Valley Drive, and Crenshaw Boulevard, and Indian Peak Road. Implementation of the proposed project requires review of a Precise Plan of Design, a plan review, a Conditional Use Permit, a Vesting Tentative Tract Map, a Grading Plan, and ~~two~~ three Variances. This section of the EIR addresses the relationship between the proposed uses on site and the existing and planned uses in the surrounding area, as well as consistency of the proposed project with adopted plans and zoning regulations. Where appropriate, mitigation measures are identified.

Proposed Planning and Zoning Actions. Implementation of the proposed project requires plan review, a conditional use permit, a precise plan of design, a vesting tentative tract map, approval of a grading plan, and ~~two~~ three variances. The proposed project does not include a General Plan Amendment or Zone Change. The project includes demolition of existing office buildings and the construction of a mixed-use commercial/residential development on the approximately 10.42 ac project site.

Please see Response L-3-2 for the comment on the discussion of the consistency of the proposed project with the NCCP.

Response L-3-6

The City agrees that the Mirandela senior apartments at 5555 Crestridge Road constitute a new noise-sensitive receptor in the vicinity of the project. However, all residents of these apartments are further from the proposed project site than the Rancho Palos Verdes Preschool at 28451 Indian Peak Road. Therefore, because noise levels decrease with distance, the proposed construction noise mitigation measures requiring installation of 6-foot (ft) tall construction noise barriers along Indian Peak Road and Crenshaw Boulevard would also protect the Mirandela senior apartments at 5555 Crestridge Road. Therefore, no further response is necessary.

Response L-3-7

As stated in Table 4.10.C, the Southern California Association of Governments (SCAG) Final Regional Housing Needs Assessment (RHNA) Allocation Plan (January 1, 2006–June 30, 2014) Housing Construction Need by Income, for very-low-income and low-income residential, a total of 11 units (7 units for very-low-income residential and 4 for low-income residential) will be required. A total of 15 units for moderate or above-moderate-income residential (5 for moderate-income residential and 10 for above-moderate-income residential) will be required. The proposed project would allow for construction of 148 residential units. Therefore, the proposed project would exceed the RHNA housing construction need, and the availability of these additional units would not create a significant impact to the RHNA housing construction need. The City has not identified the project site as allocation for placement of affordable housing within the City.

Response L-3-8

This comment indicates that the City of Rancho Palos Verdes' Traffic Engineer has reviewed the DEIR and has provided comments as included in an attached letter. These comments are addressed in Responses L-3-9 through L-3-36, below.

Response L-3-9

The comment states that the City of Rancho Palos Verdes supports the selection of Alternative 3, identified in the DEIR as the Environmentally Superior Alternative, for the proposed project. This comment does not raise any environmental issues under CEQA or their treatment in the DEIR. This comment will be forwarded to the decision-makers for their consideration.

Response L-3-10

This comment is an introductory paragraph to the comment letter provided. No concerns regarding the DEIR were identified in this comment, and no further response is required.

Response L-3-11

The comment states that the reference list provided in the Draft Environmental Impact Report (DEIR) summarized review of all previous documents for the project including past review by the City of Rancho Palos Verdes and the corresponding response by the project geotechnical consultant. The comment is, therefore, noted, and no further response is required.

Response L-3-12

The comment states that the seismic design standard presented on page 4.5.6 is outdated and that the seismic design standards should be updated to use the latest California Building Code (CBC) or indicate in the DEIR what version of the CBC or Uniform Building Code (UBC) will be used for the project if different.

Seismic design standards for the project will be in accordance with the 2010 CBC, or, if amended prior to project approval, the latest CBC document. All seismic design standards should be updated as part of the final review of grading plans.

Response L-3-13

A summary report of the findings will be forwarded to the City of Rancho Palos Verdes for review. Additional inclinometer readings are not available at this time. Should they become available; the data will be presented in an updated report.

Response L-3-14

The comment states that there is an inconsistency in relation to the activity level of the Cabrillo Fault on pages 4.5.5 and 4.5.12.

The description of the Cabrillo Fault as "active" on page 4.5.5 refers to a classification as defined by the United States Geological Survey (USGS) and the Southern California Earthquake Center. This definition is related to potential seismic activity on the fault trace. The description on page 4.5.12 refers to the potential for surface rupture along the fault trace. The onshore segment of the fault is not considered to have ruptured the surface in the last 11,000+ years, and, therefore, by State of California guidelines (Alquist-Priolo Act) is "not active." This comment does not raise any environmental issues under CEQA or their treatment in the DEIR, and no further response is required.

Response L-3-15

A complete list of geologic and geotechnical reports/addendums is listed on pages 4.5-1 and 4.5-2 of the Section of 4.5, Geology and Soils, of the DEIR. The comment is, therefore, noted, and no further response is required.

Response L-3-16

Construction-related activities, including export operations, are discussed in Section 4.13, Transportation and Circulation (pages 4.13-20 through 4.13-22) and Section 4.2 Air Quality (page 4.2-45) of the DEIR. The comment is, therefore, noted, and no further response is required.

Response L-3-17

The comment refers to Section 4.5.2 and questions whether "the potential for structural damage to occur due to local geology underlying the site" is specifically addressed. The description in Section 4.5.2 is a general statement that refers to the entire Geology and Soils Section of the EIR. This section was devoid of a discussion of the Local Geologic Setting, Subsurface Conditions and Groundwater Conditions. Additional local geology and soils conditions are provided below and are hereby incorporated into Section 4.5.2 of the EIR and included in the Errata.

Local Geologic Setting. The project site is located on the south side of the Silver Spur graben, which is a down-dropped block that forms Deep Valley. The graben is interpreted to be formed by steeply dipping normal faults although there is some discussion that the graben could be the headward expression of a very large, deep landslide feature that encompasses a large portion of the northern flank of the Palos Verdes Peninsula. The geotechnical evaluation of the site attributes the graben feature to normal faulting, which is likely associated with the northwesterly extension of the Cabrillo fault zone. The graben is defined by a steep contact between the bedrock on the south and the colluvial infill materials on the north. This contact/graben crosses the site from the northwest to the southeast and subparallels Indian Peak Road. The causative fault is covered by the infill materials (i.e., colluviums) as well as varying depths of artificial fill. The contact may form the headward limits of the recent landslide.

The underlying bedrock structure has been depicted as a relatively broad synclinal fold. The axis of the fold is roughly defined by subsurface data and transects the site in an approximate east-west alignment. The fold axis is likely impacted by the buried, graben-forming fault. Based on data from PSE's studies of the adjacent site located south of Indian Peak Road, minor fold axes are mapped subparallel to the synclinal axis.

The bedrock formation is moderately hard and moderately fractured in the upper 10 to 20 feet, becoming hard to very hard at depth, with occasional fractures. The upper portion of the bedrock section adjacent to the western property boundary is moderately to highly sheared with abundant fractures. This fractured rock may be impacted by faulting or could be the lateral limits of a landslide that extends offsite to the west.

Subsurface Conditions. The Altamira Shale Member of the Monterey formation is the bedrock unit that underlies the site. This unit consists primarily of diatomaceous marine claystone and siltstone, and occasional lenses of thin-bedded sandstone, hard siliceous concretions, and tuff beds.

One landslide has been mapped on the site and has recently failed. It is located approximately in the center of the project site and failed toward Deep Valley Drive. The feature is approximately 70 feet in depth and has a rupture surface orientated to the northeast, dipping at approximately 10 degrees. The landslide debris consists of artificial fill, colluvial soils and minor amounts of bedrock.

Minor occurrences of terrace deposits were encountered at depth in the central portion of the site. These deposits are described as gravelly sand to sand. Colluvial soils were observed throughout the site. These materials are covered by artificial fill and range in thickness from a few feet in the eastern portion of the project to as much as 45+ feet in the western portion of the site. Colluvium can be generally described as a silty sand that varies with depth from loose to dense.

Artificial fill covers the entire site and ranges in thickness from several feet to as much as 40+ feet. These fill materials are generally loose to medium dense and consist of a varied admixture of sands, silts and clays. The fill was placed in at least three phases in the 50s, 60s and early 70s. Reports documenting the placement of these materials are not available. The majority of the fill was placed in the eastern portion of the project to construct the existing fill slope.

Groundwater Conditions. Groundwater was not encountered in the recent subsurface explorations and is not reported in the published literature. The underlying strata are considered non-waterbearing. Slight to moderate seepage was encountered in several boring excavations. This occurrence is interpreted as perched water that has percolated from the surface along natural discontinuities (e.g., bedding planes, fractures) and is primarily the result of rainfall and landscape irrigation.

A discussion of the potential impacts to the site development in relation to geologic conditions is presented in the DEIR. Section 4.5.6 concludes that the mitigation measures described in Section 4.5 will reduce the project's potential geologic, seismic, and soils-related impacts and contribution to cumulative geology, seismic, and soils impacts to below a level of significance. Therefore, there are no significant unavoidable adverse impacts of the proposed project related to geology and soils.

Response L-3-18

These issues are addressed in the referenced geotechnical documents listed on pages 4.5.1 and 4.5.2 of the Section 4.5, Geology and Soils, of the DEIR.

Response L-3-19

The comment suggests that language regarding adjacent jurisdictions be added to Mitigation Measure 4.5-3. As requested, Mitigation Measure 4.5-3 has been revised as indicated below, and is included in the Errata to the Final EIR.

Mitigation Measure

- 4.5-3 Prior to the issuance of grading permits, the City of Rolling Hills Estates Building Official (or designee) and the City of Rolling Hills Estates Engineer (or designee) shall review and approve final design plans to ensure that landslide-resistant design has been incorporated into final site drawings in accordance with the most current California Building Code, current Grading Ordinance of the City of Rolling Hills Estates, and the Earthwork Specifications presented in the Final geotechnical review prepared for the proposed project. Any components of the design that are required to be placed outside of the City of Rolling Hills Estates shall require additional review and/or approval by the affected jurisdiction.

Response L-3-20

The comment suggests that language regarding a maintenance agreement be added to the mitigation measure in Section 4.6, Hazardous and Hazardous Materials. As requested, Mitigation Measure 4.6-7 has been added as indicated below, and is included in the Errata to the Final EIR.

Mitigation Measure

- 4.6-7 Prior to the issuance of the Certificate of Occupancy for buildings associated with the project, the project applicant shall submit a maintenance plan to the City's Director of Public Works for review and approval. The maintenance agreement shall address

slope drainage facilities and require the owner to maintain any such facilities in a state of good repair. The maintenance agreement shall "run with the land." The approved maintenance agreement shall be recorded with the Los Angeles County Recorder's Office. Such recordation shall be completed prior to the issuance of a Certificate of Occupancy by the City of Rolling Hills Estates.

Response L-3-21

The comment suggests that language regarding a maintenance agreement be added to the Mitigation Measure of Section 4.7, Hydrology and Water Quality. As requested, Mitigation Measure 4.7-5 has been added as indicated below, and is included in the Errata to the Final EIR.

4.7-5 Prior to the issuance of the Certificate of Occupancy for buildings associated with the project, the project applicant shall submit a maintenance plan to the City's Director of Public Works for review and approval. The maintenance agreement shall address slope drainage facilities and require the owner to maintain any such facilities in a state of good repair. The maintenance agreement shall "run with the land". The approved maintenance agreement shall be recorded with the Los Angeles County Recorder's Office. Such recordation shall be complete prior to the issuance of a certificate of occupancy by the City of Rolling Hills Estates Building official.

Response L-3-22

The comment suggests that Mitigation Measure 4.7-4 be modified to include the term "existing and/or increased." As requested, Mitigation Measure 4.7-4 has been revised as indicated below, and is included in the Errata to the Final EIR.

Mitigation Measure

4.7-4 Prior to issuance of a building permit for construction of the project, the project applicant shall submit a final drainage plan to the City Building Official for review and approval. The drainage plan shall include any on-site structures and/or modifications of existing drainage facilities necessary to accommodate existing and/or increased runoff resulting from the proposed project and shall indicate project contributions to the regional storm water drainage system. The drainage plan shall show all structural BMPs consistent with the project storm water management plan.

Response L-3-23

It is acknowledged that the following study intersections are jointly managed by the City of Rolling Hills Estates and the City of Rancho Palo Verdes:

1. Hawthorne Boulevard at Indian Peak Road
2. Crenshaw Boulevard at Indian Peak Road
3. Hawthorne Boulevard at Silver Spur Road

4. Silver Arrow Drive at Silver Spur Road
5. Crossfield Drive at Silver Spur Road
6. Drybank Drive at Silver Spur Road

Response L-3-24

The Comment requests that the Rancho Palos Verdes' Department of Public Works review and approve modifications within their City. As requested, Mitigation Measures 4.13-5, 4.13-6, and 4.13-10 have been revised as indicated below, and are included in the Errata to the Final EIR.

Mitigation Measures

- 4.13-5 Hawthorne Boulevard at Silver Spur Road.** Prior to issuance of an occupancy permit, the applicant shall design, construct, complete, and provide evidence to the City's Traffic Engineer and Public Works Director that the northbound approach and departure on Hawthorne Boulevard will be restriped to provide dual left-turn lanes, one through lane, and a shared through right-turn lane. Restriping the southbound approach and departure on Hawthorne Boulevard to provide a second left-turn lane will be required, as well as restriping the westbound approach on Silver Spur to provide a second left-turn lane. Removal of medians shall be required, as necessary, to minimize the need to widen. The signal shall be modified, with appropriate signing and striping modifications. Any modifications within the City of Rancho Palos Verdes will require review, concurrence, and approval by the City of Rancho Palos Verdes Department of Public Works.
- 4.13-6 Drybank Drive at Silver Spur Road.** Prior to issuance of an occupancy permit, the applicant shall design, construct, complete, and provide evidence to the City's Traffic Engineer and Public Works Director that the eastbound approach on Silver Spur Road shall be restriped to provide an exclusive right-turn lane as well as signal modifications and appropriate signing and striping modifications. Any modifications within the City of Rancho Palos Verdes will require review, concurrence, and approval by the City of Rancho Palos Verdes Department of Public Works.
- 4.13-10 Payment of Fees.** Prior to issuance of an occupancy permit, the applicant shall, at the City's discretion, provide one of the following contributory mitigation methods: (1) contribution equal to the project's share of the estimated construction costs for the necessary mitigation measures to offset its cumulative impact at the four key intersections below, (2) pay the appropriate fees to offset its cumulative impact at the four key intersections below, or (3) fully participate in the City's Development Impact Fee (DIF) program. All estimated costs pursuant to this mitigation measure shall be approved by the City Traffic Engineer. The four key intersections with contributory impacts are: Hawthorne Boulevard at Indian Peak Road, Crenshaw Boulevard at Indian Peak Road, Hawthorne Boulevard at Palos Verdes Drive North, and Crenshaw Boulevard at Palos Verdes Drive North. All estimated costs pursuant to this mitigation measure shall be approved by the City's Traffic Engineer. Subsequent to completion of this mitigation, the applicant shall provide evidence to

the City's Traffic Engineer and Public Works Director. Any modifications within the City of Rancho Palos Verdes will require review, concurrence, and approval by the City of Rancho Palos Verdes Department of Public Works. In addition, prior to issuance of an Occupancy Permit, the applicant shall construct or pay its proportionate fair share of the costs to the governing jurisdictions (i.e., City of Rolling Hills Estates, City of Rancho Palos Verdes and/or Los Angeles County) for the recommended improvements to mitigate the project's cumulative impact at the intersections of Hawthorne Boulevard/Indian Peak Road, Crenshaw Boulevard/Indian Peak Road and Crenshaw Boulevard/Palos Verdes Drive North.

For the Crenshaw Boulevard/Palos Verdes Drive North Intersection, proposed modifications to the intersection include: 1) re-striping and/or widening of the northbound approach to provide an additional northbound through lane; 2) conversion of the southbound right turn lane into a shared through/right turn lane and 3) provision of an additional departure lane in the southbound direction. The construction of these improvements will require review and approval from the governing jurisdictions.

Response L-3-25

Please refer to Response to Comment L-3-24.

Response L-3-26

Please refer to Response to Comments L-3-27 through L-3-36.

Response L-3-27

See Response L-3-23.

Response L-3-28

Existing traffic count data are provided in Appendix A of the 2010 Traffic Study.

Response L-3-29

In order to retain the consistency with the most current Los Angeles Congestion Management Program (CMP), a peak hour factor of 1.00 was applied to all signalized and unsignalized intersections. The three intersections under the jurisdiction of the City of Rancho Palos Verdes are signalized, so they shall have a peak hour factor of 1.00 as the level of service (LOS) calculation is based on intersection capacity utilization (ICU) methodology. The comment is, therefore, noted, and no further response is required.

Response L-3-30

A roadway segment analysis was not required during the traffic study scoping process. Nonetheless, Palos Verdes Drive North is anticipated to have no more than 18 total project-generated trips traveling along it during either the AM or PM peak hours. This amount of peak hour traffic is considered normal and is well below the CMP threshold of 50 peak hour trips required for analysis. The comment is, therefore, noted, and no further response is required.

Response L-3-31

The year 2013 level of service (LOS) analysis does not include any programmed/planned improvements at any of the key study intersections. Appendix B of the 2010 Revised Traffic Impact Analysis and Parking Study contained in Appendix J of the DEIR included all intersection LOS calculations. The Appendix material has been forwarded to the City of Rancho Palos Verdes.

Response L-3-32

Appendix C of the 2010 Revised Traffic Impact Analysis and Parking Study has been forwarded to the City of Rancho Palos Verdes.

Response L-3-33

Please refer to Response L-3-31.

Response L-3-34

Please refer to Response L-3-31.

Response L-3-35

Please refer to Response L-3-24.

Response L-3-36

The information provided as reference in L-3-2. Please see Response L-3-2.

Carmen Lo

From: Niki Cutler <NikiC@ci.rolling-hills-estates.ca.us>
Sent: Monday, August 13, 2012 9:53 AM
To: Ashley Davis
Cc: Carmen Lo
Subject: FW: Peak Road Mixed Use Residential- City of Rolling Hills Estates- DEIR- Due to LDD: 07/30/12

From: Cruz, Ruben [mailto:RCRUZ@dpw.lacounty.gov]
Sent: Monday, August 13, 2012 8:29 AM
To: Niki Cutler
Cc: Yanez, Jarrett; Ibrahim, Amir
Subject: Peak Road Mixed Use Residential- City of Rolling Hills Estates- DEIR- Due to LDD: 07/30/12

Ms. Cutler,

Thank you for the opportunity to review the Draft Environmental Impact Report for 655-683 Deep Valley Drive and 924-950 Indian Peak Road for a Mixed-Use Residential project. The project consists of demolishing the existing office buildings, surface parking lot, and landscaping on site. Construction of the project would stabilize the existing landslide and include 148 residential units, approximately 14,200 square feet of commercial area, and associated parking spaces. The project area is located at 655-683 Deep Valley Drive and 924-950 Indian Peak Road within the jurisdictions of the City of Rolling Hills Estates.

L-4-1

The following are County of Los Angeles, Department of Public Works comments for your consideration and relate to the environmental document only:

Services-Traffic/Access

1. We disagree with the methodology used in the traffic study of the DEIR. Based on the County's methodology, the project is expected to have a cumulative traffic impact at the intersections listed below:

L-4-2

Crenshaw Boulevard at Silver Spur Road

Crenshaw Boulevard at Palos Verdes Drive

2. The project shall conduct a traffic impact analysis at the intersections in accordance with the Los Angeles County's methodology as described in the 1997 Traffic Impact Analysis Report Guidelines. A copy of our Traffic Impact Analysis Report Guidelines may be obtained on the Department's website at <http://dpw.lacounty.gov/Traffic/>.

L-4-3

3. We also specifically disagree with the recommended traffic mitigation measures for the County intersection of Crenshaw Boulevard at Silver Spur Road. The proposed mitigation measure of adding a second right turn lane at the southbound approach does not mitigate the project's cumulative impact in accordance with the County's TIA Report Guidelines. The project shall recommend a revised measure to

L-4-4





mitigate its cumulative impact. Based on these revisions, additional comments may be forthcoming after subsequent review.

L-4

If you have any questions regarding the traffic-access comments, please contact Launda Zako at (626) 300-4792 or lzako@dpw.lacounty.gov.

Hazards-Geotechnical/Geology/Soils

1. A complete copy of the soils report dated 12/8/2008 by Pacific Soils Engineering, Inc. should be in Appendix E in the EIR.

L-4

2. The use of geosynthetic reinforcement material on the slopes may not be an acceptable mitigation measure against surficial instability.

L-4

If you have any questions regarding the geotechnical/geology/soils comments, please contact Jeremy Wan at (626) 458-3873 or jwan@dpw.lacounty.gov.

Hydrology/Water Quality

1. Section 4.7 Hydrology and Water Quality (Page 4.7-2), "The Los Angeles County Department of Public Works maintains the system of storm drains in the City of Rolling Hills Estates." The Los Angeles County Flood Control District (LACFCD) only maintains flood control facilities that have formally been transferred to the Flood Control District for operation and maintenance.

L-4

2. Please note and consider the following with your project design, if applicable:

a. Contact Los Angeles County Department of Public Works, Flood Permits Section at (626) 458-3129 for permitting requirements pertaining to any proposed alternations, connections or encroachments that affect LACFCD facilities.

L-4-8

If you have any questions regarding the water quality comment, please contact Lizbeth Calderon at (626) 458-4921 or lcalderon@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz at (626) 458-4921 or rcruz@dpw.lacounty.gov.

COUNTY OF LOS ANGELES PUBLIC WORKS

LETTER CODE: L-4

DATE: August 13, 2012

Response L-4-1

The comment is introductory and summarizes the project description provided in the DEIR. This comment does not raise any environmental issues under CEQA or their treatment in the DEIR, and no further response is required.

Response L-4-2

The County's comments regarding the cumulative traffic impacts at the Crenshaw Boulevard/Silver Spur Road and Crenshaw Boulevard/Palos Verdes Drive North intersections is acknowledged. The City has confirmed that the intersection of Crenshaw Boulevard/Silver Spur Road is governed solely by the City of Rolling Hills Estates. Therefore, no analysis of this key intersection based on the County's TIA Guidelines is required.

The County of Los Angeles shares joint jurisdiction over the intersection of Crenshaw Boulevard/Palos Verdes Drive North. It should be noted that Mitigation Measure 4.13.10, outlined in Section 4.13 of the DEIR, identifies the mitigation necessary to offset the project's incremental impact.

Nonetheless, level of service (LOS) calculations have been prepared for the intersection of Crenshaw Boulevard/Palos Verdes Drive North using the parameters/guidelines specified in the *Los Angeles County Department of Public Works Traffic Impact Analysis Report Guidelines* (County's TIA Guidelines) dated January 1, 1997.

The attached table (Table 2) presents the results of the LOS calculations using the County's TIA Guidelines for with and without trip reductions for the existing project land uses. The Table indicates that the proposed project will have a cumulative impact at the intersection of Crenshaw Boulevard/Palos Verdes Drive North using the County's TIA Guidelines, LOS Standards and Significant Impact Thresholds.

As such, the project applicant would be required to pay its fair share of the construction cost associated with the implementation of the following mitigation measure at this intersection to offset the cumulative impact of traffic generated by the proposed project. The identification of improvements to Crenshaw Boulevard/Palos Verdes Drive North was included in Mitigation Measure 4.13-10 to address the project's contributory impacts to this intersection. Additional clarification of specific improvements at this intersection have been added to Measure 4.13-10, as follows:

For the Crenshaw Boulevard/Palos Verdes Drive North Intersection, proposed modifications to the intersection include: 1) re-striping and/or widening of the northbound approach to provide an additional northbound through lane; 2) conversion of the southbound right turn lane into a shared through/right turn lane and

3) provision of an additional departure lane in the southbound direction. The construction of these improvements will require review and approval from the governing jurisdictions.

Please note that the 2010 Revised Traffic Impact Analysis and Parking Study also identifies the project's fair share for this location as a total of 7.99 percent.

Please also see revisions to Mitigation Measure 4.13-10 identified in Response to Comment L-3-24.

Response L-4-3

See response L-4-2.

Response L-4-4

According to the City, the intersection of Crenshaw Boulevard/Silver Spur Road is governed solely by the City of Rolling Hills Estates. Therefore, no analysis of this key intersection based on the County's TIA Guidelines is required. Also see response L-4-2.

Response L-4-5

The comment requests that a copy of a soils report dated December 8, 2008, by Pacific Soil Engineering, Inc., be added to Appendix E in the DEIR. Comment is noted. No letter or report dated December 8, 2008 by Pacific Soil Engineering, Inc. was received for the project. A comment letter dated December 2, 2008, was included in Appendix E of the DEIR.

Response L-4-6

The use of geosynthetic fabric has been conditionally approved by the City of Rolling Hills Estates as part of the Grading Plan Review process. Alternative methods of mitigation are available. The final recommendations concerning surficial slope stability will be made by the geotechnical consultant of record during and as a part of rough grading operations.

Response L-4-7

The comment provided a correction to a statement in the DEIR regarding the Los Angeles County Department of Public Works. The sentence on page 4.7-2 of the DEIR has been corrected as follows and included in the Errata as part of the Final EIR to be considered by decision-makers:

Drainage Network. Because Machado Lake Watershed is highly urbanized, urban and storm water runoff is primarily conducted through an extensive network of underground storm drain facilities. The Los Angeles County Department of Public Works maintains the system of storm drains in the City of Rolling Hills Estates. The Los Angeles County Flood Control District (LACFCD) only maintains flood control

facilities that have formally been transferred to the Flood Control District for operation and maintenance.

Response L-4-8

The comment stated that the Los Angeles County Department of Public Works should be contacted in the event any proposed alternations, connections, or encroachments affect LACFCD facilities. Comment is noted and will be forwarded to the decision-makers for their consideration. No further response is required.

TABLE 2
YEAR 2013 INTERSECTION CAPACITY ANALYSIS

Key Intersection	Year 2013 Ambient Growth Plus Project				Year 2013 Ambient Growth Plus Project Plus Cumulative																			
	(1)		(2)		(3)		(4)		(5)		(6)		(7)		(8)									
	Time Period	Year 2008 Existing Traffic Conditions	V/C Ratio	LOS	Year 2013 Ambient Traffic Conditions	V/C Ratio	LOS	Significant Project Impact	Change in V/C	Yes/No	Year 2013 Ambient Growth Plus Project Plus Cumulative	V/C Ratio	LOS	Significant Cumulative Impact	Change in V/C	Yes/No	Year 2013 Ambient Growth Plus Project Plus Cumulative	V/C Ratio	LOS	Significant Cumulative Impact with Mitigation	Change in V/C	Yes/No		
<i>Without Trip Reduction for Existing Project Uses</i>																								
14. Crenshaw Boulevard at Palos Verdes Drive North	AM	1.159	F	1.212	F	1.218	F	0.006	No	1.278	F	0.066	Yes	1.180	F	-0.032	No							
	PM	0.764	C	0.797	C	0.805	D	0.008	No	0.915	E	0.118	Yes	0.765	C	-0.032	No							
<i>With Trip Reduction for Existing Project Uses</i>																								
14. Crenshaw Boulevard at Palos Verdes Drive North	AM	1.159	F	1.212	F	1.217	F	0.005	No	1.277	F	0.065	Yes	1.183	F	-0.029	No							
	PM	0.764	C	0.797	C	0.798	C	0.001	No	0.908	E	0.111	Yes	0.763	C	-0.034	No							

Notes:
Bold HCM/LOS values indicate adverse service levels based on LA County LOS standards.

PUBLIC AND INTERESTED PARTIES

Carmen Lo

From: Deborah Pracilio
Sent: Friday, July 27, 2012 1:29 PM
To: Niki Cutler
Cc: Carmen Lo
Subject: RE: 655 Deep Valley Drive & 924 Indian Peak EIR Comments

Niki -

We can provide a general response about the City's peer review process. Did you want to add anything else?

Deby

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

From: Niki Cutler [mailto:NikiC@cl.rolling-hills-estates.ca.us]
Sent: Friday, July 27, 2012 10:25 AM
To: Carmen Lo
Subject: FW: 655 Deep Valley Drive & 924 Indian Peak EIR Comments

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

From: Craig Knickerbocker [mailto:cknickerbocker@knickassoc.com]
Sent: Thursday, July 26, 2012 10:14 PM
To: Niki Cutler
Cc: David Wahba
Subject: 655 Deep Valley Drive & 924 Indian Peak EIR Comments

Dear Ms. Cutler,

As part of the neighbor comment period for the above referenced property development, I would like to make comments that I believe may in fact materially impact the safety and security of my commercial medical building property located at 827 Deep Valley Drive, RHE.

P-1-1

It is a well known fact for a decade now that the subject property suffered a substantial landslide. When buying my property many years ago, I spent much time with soils engineers assuring that my property which is right next door, would not be likely suffer the same loss. I was assured that my property sits on upward strata while the subject property sits on downward strata. I have no real expertise on this issue but have great concern that a massive grading operation such as proposed, could in fact cause a catastrophe to my property and the medical tenants that serve our community and make their living from my building.

P-1-2

I would strongly recommend that the City require several geotechnical consulting opinions and or reports prior to allowing this grading operation to move forward. Specifically there is a road and a building pad at the high southeast corner of the property that hangs dangerously over my property. For the sake of the City, the developer, the medical tenants, and my ownership, I strongly recommend that the best engineers are consulted and their reports are peer reviewed.

P-1-3

If the above precautions are taken and all are convinced that the development is safe, then I would be very supportive of the EIR findings. I think this project will improve aesthetics, be a benefit to the community, improve property values, and be of great benefit to all.

P-1-4

In conclusion, I support the EIR findings while strongly advising that there be additional geotechnical peer review required.

Thank you,

Craig Knickerbocker

Sent from my iPad

CRAIG KNICKERBOCKER

LETTER CODE: P-1

DATE: July 26, 2012

Response P-1-1

The comment is introductory, expresses concerns regarding the safety and security of Mr. Knickerbocker's commercial medical building property located at 827 Deep Valley Drive. This comment does not raise any environmental issues under CEQA or their treatment in the DEIR, and no further response is required. This comment will be forwarded to the decision-makers for their consideration.

Response P-1-2

The commenter expresses his concern regarding geological impacts and substantial landslide might appear on his property and the adjacent medical building, which serve the community due to the construction of the proposed project. Please see Response P-1-3 below.

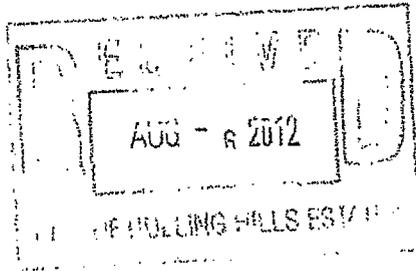
Response P-1-3

Although no qualitative assessment exists to rate engineers, it can be said that qualified/registered engineers and geologists have been contracted by the owner for consulting services. The results of their studies and recommendations for construction have been submitted to the appropriate agencies for review and comment. The geotechnical consultant for the City of Rancho Palos Verdes has conditionally approved the project. In addition, the geotechnical consultant for Rolling Hills Estates has provided review comments that have been "suitably addressed" and recommends that the project proceed.

As part of the grading operations, the geotechnical consultant of record will provide observation and testing services to confirm that geologic conditions are as anticipated. If unanticipated conditions are encountered, the recommendations will be reviewed and revised as necessary.

Response P-1-4

The comment is a conclusion to the letter stating the commenter's support of the project, if appropriate geotechnical peer review is conducted. This comment does not raise any environmental issues under CEQA or their treatment in the DEIR, and no further response is required. This comment will be forwarded to the decision-makers for their consideration.



31 Cypress Way
 Rolling Hills Estates, CA 90274
 August 6, 2012

Ms. Niki Cutler, AICP
 Principal Planner
 City of RHE Planning Dept.
 4045 Palos Verdes Dr. North
 Rolling Hills Estates, CA 90274

RE: **Draft Environmental Impact Report for Planning Application No. 01 – 07**

Dear Ms. Cutler:

I feel that the proposed 655-683 Deep Valley Drive project for 148 residential townhouses and condominiums including 14,200 square feet of commercial space is both ill advised and inappropriate, particularly in light of the original concept of Rolling Hills Estates as a “semi-rural” city.

P-2-1

When you include the 655-683 Deep Valley Drive project to the cumulative projects **already approved** for construction on Deep Valley Drive, you get

<u>Deep Valley Drive</u>	<u>Residential Units</u>	+ <u>Sq. Ft. Commercial Space</u>
627	58 unit condos	5810 sf
655-683	148 unit townhouses & condos	14200 sf
827	16 unit condos	
901	41 unit senior condos (recently constructed)	unknown sf
927	75 unit residential condos	2000 sf

P-2-2

Over less than ½ mile, on a narrow curving street that *already* has many businesses, office buildings, a major Post Office, and the main Library, you are planning to add 338 residential units and 22,010 square feet of commercial space?

P-2-3

With the resulting increase in traffic, accessing the Post Office, the Library or local businesses may become very difficult and time consuming. Parking on Deep Valley Drive may become near impossible, particularly since the 655-683 Project is unable to provide sufficient parking per the Code/shared parking.

P-2-4

All this may well destroy the ambiance that drew people to Rolling Hills Estates in the first place.

P-2-5

Sincerely,

Marilyn Forsythe

Marilyn Forsythe

MARILYN FORSYTHE

LETTER CODE: P-2

DATE: August 6, 2012

Response P-2-1

The comment is introductory and expresses opposition to the project. This comment does not raise any environmental issues under CEQA or their treatment in the DEIR, and no further response is required. This comment will be forwarded to the decision-makers for their consideration.

Response P-2-2

The comment provides information of the approved cumulative projects. All the projects used for conducting cumulative impacts are based on the build out of the project and the surrounding area, including all other known proposed projects in the surrounding area described in the DEIR. All projects that have been approved for construction within the surrounding area are included as part of our analysis. Table 4.A provides the listing of cumulative projects that were considered in the cumulative impact analysis. This list was approved by City staff.

Response P-2-3

The comment is a statement questioning the location of the project. The comment does not raise any specific environmental issues under CEQA or their treatment in the DEIR. This comment will be forwarded to the decision-makers for their consideration.

Response P-2-4

The comment states a concern related to congestion and parking related to accessing the Post Office, the Library, and other local businesses. The commenter also expresses the opinion that the proposed project cannot provide sufficient parking space. The comment does not raise any specific environmental issues under CEQA or their treatment in the DEIR. This comment will be forwarded to the decision-makers for their consideration.

Response P-2-5

The comment states that the commenter opposes the proposed project and all of the concerns will destroy the ambiance of the City. The comment does not raise any specific environmental issues under CEQA or their treatment in the DEIR. The commenter's opposition to the proposed project is acknowledged and will be forwarded to the decision-makers for their consideration.

EIR ERRATA

INTRODUCTION

Any corrections to the DEIR text and figures generated either from responses to comments or independently by the City, are stated in this section of the Final EIR. The DEIR text and figures have not been modified to reflect these Final EIR modifications.

These Final EIR errata are provided to clarify, refine, and provide supplemental information for the proposed 655-683 Deep Valley Drive and 924-950 Indian Peak Road Mixed Use Residential Project DEIR. Changes may be corrections or clarifications to the text and figures of the original DEIR. Other changes to the Final EIR clarify the analysis in the DEIR based upon the information and concerns raised by commenters during the public review period. None of the information contained in these Final EIR modifications constitutes significant new information or changes to the analysis or conclusions of the DEIR.

The information included in this EIR errata that resulted from the public comment process does not constitute substantial new information that requires recirculation of the DEIR. CEQA Guidelines, Section 15088.5, states in part:

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:
 - (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
 - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
 - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
 - (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The changes to the DEIR included in these Final EIR modifications do not constitute "significant" new information because:

- No new significant environmental impact would result from the project or from a new mitigation measure;
- There is no substantial increase in the severity of an environmental impact that would result unless mitigation measures are adopted that reduce the identified significant impacts to a level of insignificance;
- No feasible project alternative or mitigation measure considerably different from others previously analyzed has been proposed or identified that would clearly lessen the significant environmental impacts of the project; and
- The Draft EIR is not fundamentally or basically inadequate or conclusory in nature such that meaningful public review and comment were precluded.

Therefore, recirculation of the DEIR is not required because the new information added to the DEIR through these modifications clarifies or amplifies information already provided or makes insignificant modifications to the already adequate DEIR.

For simplicity, the DEIR modifications contained in the following pages are in the same order as the information that appears in the DEIR. Changes in text are signified by strikeouts (~~strikeouts~~) where text has been removed and by underlining (underline) where text has been added. The applicable page numbers from the DEIR are also provided where necessary for easy reference.

PAGE 4.11-1 OF THE DEIR

The text on page 4.11-1 in Section 4.11, Public Services and Utilities Section of the DEIR was revised to provide clarification. This change to the DEIR does not result in a significant impact and has no material effect on the findings of the Final EIR.

The Fire Department's emergency service system consists of fire and paramedic services. This system utilizes fully capable engines, paramedic engines, paramedic squads, paramedic assessment engines that contain limited paramedic equipment (~~but~~ are ~~are~~ staffed with one paramedic who can begin advanced life support efforts prior to the arrival of the squad), ~~the certification of all firefighters to a level of Emergency Technician, an extensive automatic defibrillator program, and a 24-hour Air Squad helicopter program.~~ The Fire Department also has a Forestry Division that is responding to brush clearance, fire ants, and vegetation management responsible for the review of environmental impacts related to development; development of vegetation management plans; brush clearance; coordination of wildland fire planning; review of fuel modification plans; and has Fire Prevention, Air and Wildland, Lifeguard and Health Hazardous Materials Divisions. The Fire Department maintains two ~~Urban Search and Rescue (USAR) Task Force~~ Urban Search and Rescue (USAR) Task Force fire stations: Fire Station 103 in Pico Rivera and Fire Station 1304 in Lancaster, and four Hazardous Materials Task Forces at the following

fire stations: Fire Station 43 in the City of Industry, Fire Station 76 in Valencia, Fire Station 105 in Compton, and Fire Station 129 in Lancaster.

PAGE 4.8-1 AND PAGE 4.8-11 OF THE DEIR

The text on pages 4.8-1 and 4.8-11 in Section 4.8, Land Use Section of the DEIR was revised to reflect the correct information. This change to the DEIR does not result in a significant impact and has no material effect on the findings of the Final EIR.

Comprising 10.4 acres (ac), the proposed project site is located in the City of Rolling Hills Estates (City) between Deep Valley Drive, and Crenshaw Boulevard, and Indian Peak Road. Implementation of the proposed project requires review of a Precise Plan of Design, a plan review, a Conditional Use Permit, a Vesting Tentative Tract Map, a Grading Plan, and ~~three~~ Variances. This section of the EIR addresses the relationship between the proposed uses on site and the existing and planned uses in the surrounding area, as well as consistency of the proposed project with adopted plans and zoning regulations. Where appropriate, mitigation measures are identified.

Proposed Planning and Zoning Actions. Implementation of the proposed project requires plan review, a conditional use permit, a precise plan of design, a vesting tentative tract map, approval of a grading plan, and ~~three~~ variances. The proposed project does not include a General Plan Amendment or a Zone Change. The project includes demolition of existing office buildings and the construction of a mixed-use commercial/residential development on the approximately 10.42 ac project site.

PAGE 4.5-2 OF THE DEIR

The text on page 4.5-2 in Section 4.5, Geology and Soils Section of the DEIR was revised to include the additional local geology and soils conditions information. This change to the DEIR does not result in a significant impact and has no material effect on the findings of the Final EIR.

Local Geologic Setting. The project site is located on the south side of the Silver Spur graben, a down-dropped block that forms Deep Valley. The graben is interpreted to be formed by steeply dipping normal faults although there is some discussion that the graben could be the headward expression of a very large, deep landslide feature that encompasses a large portion of the northern flank of the Palos Verdes Peninsula. The geotechnical evaluation of the site attributes the graben feature to normal faulting that is likely associated with the northwesterly extension of the Cabrillo fault zone. The graben is defined by a steep contact between the bedrock on the south and colluvial infill materials on the north. This contact/graben crosses the site from the northwest to the southeast and sub parallels Indian Peak Road. The causative fault is covered by the infill materials (i.e., colluviums) as well as varying depths of artificial fill. The contact may form the headward limits of the recent landslide.

The underlying bedrock structure has been depicted as a relatively, broad synclinal fold. The axis of the fold is roughly defined by subsurface data and transects the site in an approximate east-west alignment. The fold axis is likely impacted by the buried, graben forming fault. Based on data from

PSE's studies of the adjacent site located south of Indian Peak Road, minor fold axes are mapped subparallel to the synclinal axis.

The bedrock formation is moderately hard and moderately fractured in the upper 10 to 20 feet, becoming hard to very hard at depth, with occasional fractures. The upper portion of the bedrock section adjacent to the western property boundary is moderately to highly sheared with abundant fractures. This fractured rock may be impacted by faulting or could be the lateral limits of a landslide that extends offsite to the west.

Subsurface Conditions. The Altamira Shale Member of the Monterey formation is the bedrock unit that underlies the site. This unit consists primarily of diatomaceous marine claystone and siltstone, and occasional lenses of thin-bedded sandstone, hard siliceous concretions, and tuff beds.

One landslide has been mapped on the site and has recently failed. It is located approximately in the center of the project site and failed toward Deep Valley Drive. The feature is approximately 70 feet deep and has a rupture surface orientated to the northeast, dipping at approximately 10 degrees. The landslide debris consists of artificial fill, colluvial soils and minor amounts of bedrock.

Minor occurrences of terrace deposits were encountered at depth in the central portion of the site. These deposits are described as gravelly sand to sand. Colluvial soils were observed throughout the site. These materials are covered by artificial fill and range in thickness from a few feet in the eastern portion of the project to as much as 45+ feet in the western portion of the site. Colluvium can be generally described as a silty sand that varies from loose to dense with depth.

Artificial fill covers the entire site and ranges in thickness from several feet to as much as 40+ feet. These fill materials are generally loose to medium-dense and consist of a varied admixture of sands, silts, and clays. The fill was placed in at least three phases in the 50s, 60s and early 70s. Reports documenting the placement of these materials are not available. The majority of the fill was placed in the eastern portion of the project to construct the existing fill slope.

Groundwater Conditions. Groundwater was not encountered in the recent subsurface explorations and is not reported in the published literature. The underlying strata are considered nonwater-bearing. Slight to moderate seepage was encountered in several boring excavations. This occurrence is interpreted as perched water that has percolated from the surface along natural discontinuities (e.g., bedding planes, fractures) and is primarily the result of rainfall and landscape irrigation.

PAGE 1-8 (Table 1.A), PAGE 4.5-15, AND PAGE 7-8 OF THE DEIR

The suggested language regarding adjacent jurisdictions has been added to Mitigation Measure 4.5-3 in Section 4.5, Geology, of the DEIR. This change to the DEIR does not result in a significant impact and has no material effect on the findings of the Final EIR. Table 1.A is hereby modified to reflect revisions to the mitigation measure identified below:

Mitigation Measure

- 4.5-3 Prior to the issuance of grading permits, the City of Rolling Hills Estates Building Official (or designee) and the City of Rolling Hills Estates Engineer (or designee) shall review and approve final design plans to ensure that landslide-resistant design has been incorporated into final site drawings in accordance with the most current California Building Code, current Grading Ordinance of the City of Rolling Hills Estates, and the Earthwork Specifications presented in the Final geotechnical review prepared for the proposed project. Any components of the design that are required to be placed outside of the City of Rolling Hills Estates shall require additional review and/or approval by the affected jurisdiction.

PAGE 1-11 (TABLE 1.A) AND PAGE 4.6-17 OF THE DEIR

The suggested language regarding a maintenance agreement has been added to the Mitigation Measure section of the DEIR. This change to the DEIR does not result in a significant impact and has no materials effect on the findings of the Final EIR Table 1.A is hereby modified to reflect revisions to the mitigation measure identified below:

Mitigation Measure

- 4.6-7 Prior to the issuance of the Certificate of Occupancy for buildings associated with the project, the project applicant shall submit a maintenance plan to the City's Director of Public Works for review and approval. The maintenance agreement shall address slope drainage facilities and require the owner to maintain any such facilities in a state of good repair. The maintenance agreement shall "run with the land." The approved maintenance agreement shall be recorded with the Los Angeles County Recorder's Office. Such recordation shall be completed prior to the issuance of a Certificate of Occupancy by the City of Rolling Hills Estates.

PAGE 1-13 (TABLE 1.A) AND PAGE 4.7-19 OF THE DEIR

The mitigation in Section 4.7 of the Hydrology and Water Quality Section of the DEIR was expanded to ensure that storm runoff management facilities are properly maintained and that runoff on slopes adjacent to Indian Peak retain the integrity intended by the design engineer. This change to the DEIR does not result in a significant impact and has no material effect on the findings of the Final EIR. Table 1.A is hereby modified to reflect revisions to the mitigation measure identified below:

Mitigation Measure

- 4.7-5 Prior to the issuance of the Certificate of Occupancy for buildings associated with the project, the project applicant shall submit a maintenance plan to the City's Director of Public Works for review and approval. The maintenance agreement shall address slope drainage facilities and require the owner to maintain any such facilities in a state of good repair. The maintenance agreement shall "run with the land." The approved maintenance agreement shall be recorded with the Los Angeles County Recorder's Office. Such recordation shall be completed prior to the issuance of a Certificate of Occupancy by the City of Rolling Hills Estates Building Official.

PAGE 1-12 (TABLE 1.A) AND PAGE 4.7-19 OF THE DEIR

The mitigation in Section 4.7 of the Hydrology and Water Quality Section of the DEIR was revised to provide clarification. This change to the DEIR does not result in a significant impact and has no material effect on the findings of the Final EIR. Table 1.A is hereby modified to reflect revisions to the mitigation measure identified below:

Mitigation Measure

- 4.7-4 Prior to issuance of a building permit for construction of the project, the project applicant shall submit a final drainage plan to the City Building Official for review and approval. The drainage plan shall include any on-site structures and/or modifications of existing drainage facilities necessary to accommodate increased existing and/or increased runoff resulting from the proposed project and shall indicate project contributions to the regional storm water drainage system. The drainage plan shall show all structural BMPs consistent with the project storm water management plan.

PAGE 1-18 THROUGH PAGE 1-19 AND PAGE 1-20 THROUGH PAGE 1-21 (TABLE 1.A), AND PAGE 4.13-29 OF THE DEIR

The suggested language has been added to Mitigation Measures 4.13-7, 4.13-8, and 4.13-10 in Section 4.13, Transportation and Circulation, of the DEIR. This change to the DEIR does not result in a significant impact and has no material effect on the findings of the Final EIR. Table 1.A is hereby modified to reflect revisions to the mitigation measures identified below:

Mitigation Measures

- 4.13-5 **Hawthorne Boulevard at Silver Spur Road.** Prior to issuance of an occupancy permit, the applicant shall design, construct, complete, and provide evidence to the City's Traffic Engineer and Public Works Director that the northbound approach and departure on Hawthorne Boulevard will be restriped to provide dual left-turn lanes, one through lane, and a shared through right-turn lane. Restriping the southbound approach and departure on Hawthorne Boulevard to provide a second left-turn lane will be required, as well as restriping the westbound approach on Silver Spur to provide a second left-turn lane. Removal of medians shall be required, as necessary, to minimize the need to widen. The signal shall be modified, with appropriate signing and striping modifications. Any modifications within the City of Rancho Palos Verdes will require review, concurrence, and approval by the City of Rancho Palos Verdes Department of Public Works.
- 4.13-6 **Drybank Drive at Silver Spur Road.** Prior to issuance of an occupancy permit, the applicant shall design, construct, complete, and provide evidence to the City's Traffic Engineer and Public Works Director that the eastbound approach on Silver Spur Road shall be restriped to provide an exclusive right-turn lane as well as signal

modifications and appropriate signing and striping modifications. Any modifications within the City of Rancho Palos Verdes will require review, concurrence, and approval by the City of Rancho Palos Verdes Department of Public Works.

4.13-10

Payment of Fees. Prior to issuance of an occupancy permit, the applicant shall, at the City's discretion, provide one of the following contributory mitigation methods: (1) contribution equal to the project's share of the estimated construction costs for the necessary mitigation measures to offset its cumulative impact at the four key intersections below, (2) pay the appropriate fees to offset its cumulative impact at the four key intersections below, or (3) fully participate in the City's Development Impact Fee (DIF) program. All estimated costs pursuant to this mitigation measure shall be approved by the City Traffic Engineer. The four key intersections with contributory impacts are: Hawthorne Boulevard at Indian Peak Road, Crenshaw Boulevard at Indian Peak Road, Hawthorne Boulevard at Palos Verdes Drive North, and Crenshaw Boulevard at Palos Verdes Drive North. All estimated costs pursuant to this mitigation measure shall be approved by the City's Traffic Engineer. Subsequent to completion of this mitigation, the applicant shall provide evidence to the City's Traffic Engineer and Public Works Director. Any modifications within the City of Rancho Palos Verdes will require review, concurrence, and approval by the City of Rancho Palos Verdes Department of Public Works. In addition, prior to issuance of an Occupancy Permit, the applicant shall construct or pay its proportionate fair share of the costs to the governing jurisdictions (i.e., City of Rolling Hills Estates, City of Rancho Palos Verdes and/or Los Angeles County) for the recommended improvements to mitigate the project's cumulative impact at the intersections of Hawthorne Boulevard/Indian Peak Road, Crenshaw Boulevard/Indian Peak Road and Crenshaw Boulevard/Palos Verdes Drive North.

For the Crenshaw Boulevard/Palos Verdes Drive North Intersection, proposed modifications to the intersection include: 1) re-striping and/or widening of the northbound approach to provide an additional northbound through lane; 2) conversion of the southbound right turn lane into a shared through/right turn lane and 3) provision of an additional departure lane in the southbound direction. The construction of these improvements will require review and approval from the governing jurisdictions.

PAGE 4.7-2 OF THE DEIR

The comment provided a correction to a statement in the DEIR regarding the Los Angeles County Department of Public Works. The sentence on page 4.7-2 of the DEIR has been corrected as below. This change to the DEIR does not result in a significant impact and has no material effect on the findings of the Final EIR.

Drainage Network. Because Machado Lake Watershed is highly urbanized, urban and storm water runoff is primarily conducted through an extensive network of underground storm drain facilities. The Los Angeles County Department of Public Works maintains the system of storm drains in the City of Rolling Hills Estates. The

LACFCD only maintains flood control facilities that have formally been transferred to the Flood Control District for operation and maintenance.

PV News article regarding hearing for Brickwalk, LLC Project



Print Page

City weighs granting condo project special permissions

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Developer could buck height, parking requirements and stabilize landslide.

By Jeremiah Dobruck, Special to the News

RHE — Rolling Hills Estates' Planning Commission is weighing approval of a large condo and commercial project that would break some city guidelines.

The tradeoff is the developer is building on a landslide area that has remained covered in black tarp for years. The developer, Stephen Jordan of the Long Beach-based Auric Group, would have to stabilize the area — fixing a headache and eyesore for the city — to continue.

Jordan wants to put 148 townhome condo units on the 10 acres between 655 to 683 Deep Valley Drive and 924 to 950 Indian Peak Road and build more than 20,000 square feet of retail space along the Brickwalk portion of Deep Valley Drive.

This would include the demolition of office buildings at 655 Deep Valley Drive, and 924 and 950 Indian Peak Road.

Because the lot is oddly shaped with a steep slope and is a landslide area, the costs of grading and stabilizing the slide will run high.

To offset this, developers are asking the city to waive height and setback requirements that allows them to add square footage and — they hope — make the project economically feasible.

RHE would normally limit these condos to 44 feet high or three stories, but in this case, the city is considering allowing the main building to stretch to 56 feet high and allow decorative towers to reach up to 70 feet high.

The applicant is also asking that the city waive a requirement for them to build 49 more parking spaces at the commercial development and waive some setback requirements.

Niki Cutler, RHE's principal planner, said the city isn't considering doling out the variances as a trade to entice the developer to fix the landslide. They are only being considered because it's an exceptionally difficult property to build on.

"This property truly is unique," she said.

Nevertheless, she continued, the city has counted on the developer fixing the slide since it happened in 1997.

"The city currently doesn't have financial resources to repair the slide," Cutler said.

These variances, as well as the difficulties of building on a landslide, were the main topic of discussion at a Sept. 4 Planning Commission meeting where the project was introduced to the panel.

When some residents complained about being blindsided by the large development, commissioners and city

staff reminded them that this is the beginning of a long process and all decisions will have to be approved by the City Council.

RHE resident Marilyn Forsythe was concerned this development combined with others along Deep Valley Drive could destroy the rural ambiance of the city by adding congestion.

There are three more condo developments planned for Deep Valley Drive, amounting to another 149 units and almost 8,000 square feet of commercial space in the area.

Those developments were approved years ago, but all the developers delayed construction to the point that their approvals expired.

However, in a mass extension approved in October 2011, the City Council granted those projects and three other developments until 2014 to build.

The city has begun conducting traffic studies at major intersections along Silver Spur Road, Hawthorne Boulevard, Crenshaw Boulevard and Palos Verdes Drive North.

City staff has so far concluded that many of the intersections will need added and adjusted lanes to accommodate the thousands of extra car trips through them each day.

The public hearing on the development remains open and before the Planning Commission. Residents can voice their opinions at the commission's next meeting on Tuesday, Sept. 17 at 7 p.m. at RHE City Hall, located at 4045 Palos Verdes Drive East.

Former News' reporter Jeremiah Dobruck is a freelance writer and will be a regular contributor to the News.

**Notice of Completion/Availability of DEIR
for San Pedro Community Plan Update**

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August 9, 2012

**NOTICE OF COMPLETION AND AVAILABILITY OF
DRAFT ENVIRONMENTAL IMPACT REPORT
ENV-2009-1558-EIR
STATE CLEARINGHOUSE NO. 2008021004**

**45 DAY COMMENT PERIOD
COMMENTS DUE DATE: SEPTEMBER 24, 2012**

To: Interested Parties

A community plan update has been proposed for San Pedro, for which a draft Environmental Impact Report has been prepared.

The comment period for the San Pedro Community Plan Update Draft EIR is 45 days.
The comments due date is **September 24, 2012**.

PROJECT NAME: San Pedro Community Plan Update

PROJECT LOCATION: The San Pedro Community Plan covers 3,674 acres situated in the southern portion of the City of Los Angeles. The Community Plan Area is located adjacent to the Port of Los Angeles, the Pacific Ocean, and the City of Rancho Palos Verdes. It is generally bounded by: Taper Avenue on the north; John S. Gibson Boulevard, Harbor Boulevard, the West Channel of the Port of Los Angeles, and Cabrillo Beach on the east; the Pacific Ocean on the south; and the western border of Los Angeles with the City of Rancho Palos Verdes.

PROJECT DESCRIPTION: The Proposed San Pedro Community Plan (Proposed Plan) includes changes in land use designations and zones that are intended to accommodate growth anticipated in the SCAG 2030 Forecast. It is a conservative growth plan that aims at preserving existing single-family residential neighborhoods and accommodating a variety of housing opportunities near public transit, services, and amenities. The Proposed Plan would preserve the character of existing single-family and lower density neighborhoods by maintaining lower density land use designations and limiting the allowed residential density of some neighborhood commercial areas. The Proposed Plan seeks to direct growth away from existing residential neighborhoods by focusing growth in higher-intensity commercial centers, including emphasis of the downtown as San Pedro's regional center with increased residential and commercial activity. The policies emphasize the importance of planning for sustainability, improved mobility, more

open space, plazas, and parks, and better urban design. There are also policies for improving the attractiveness and functionality of Downtown San Pedro, the Gaffey Street and Pacific Avenue commercial corridors, and the North Gaffey Street industrial areas. The establishment of lively and walkable commercial districts while retaining positive elements of San Pedro's small-town environment is a key goal of the Proposed Plan. Proposed land use changes would be implemented by Plan amendments, zone changes, and height district changes and other long range implementation programs.

ANTICIPATED SIGNIFICANT ENVIRONMENTAL EFFECTS: Potentially significant impacts have been identified with regard to aesthetics, air quality, greenhouse gas emissions, hydrology (sea level rise), noise, public services (parks, public schools), transportation, and utilities (water supply, energy, wastewater, and solid waste.) With implementation of proposed mitigation measures, no significant and unavoidable impacts are expected with regard to parks, public schools, energy, wastewater, or solid waste. However, there may be significant and unavoidable adverse impacts on aesthetics, air quality, greenhouse gas emissions, hydrology (future sea level rise), noise, transportation, and water supply.

DOCUMENT REVIEW AND COMMENT: The Draft EIR is available online at the Department of City Planning's website [<http://cityplanning.lacity.org/> (Select New Community Plans, click on the map of San Pedro then "What's New")]. Printed copies of the Draft Environmental Impact Report (Draft EIR) are available for review at local libraries (listed below) and at the City of Los Angeles, Department of City Planning at 200 North Spring Street, Room 667, Los Angeles. The printed copies include a CD with all the Draft EIR appendices. The Draft EIR Appendices include associated documents.

Printed copies of the Draft EIR are available for review at the following Library Branches:

- 1) Central Library - 630 West 5th Street, Los Angeles, CA 90071
- 2) San Pedro Regional Branch Library - 931 S. Gaffey Street, San Pedro, CA 90731
- 3) Harbor City-Harbor Gateway Branch Library - 24000 S. Western Ave, Harbor City, CA 90710

CDs including the Draft EIR and Appendices are available for purchase from the Planning Department for \$7.50 per copy. Contact **Cherry Yap** at **213-978-1164** to purchase one.

If you wish to submit comments following review of the Draft EIR, please reference the file number **ENV-2009-1558-EIR**, and submit them in writing by **September 24, 2012**. Please direct your comments to:

Debbie Lawrence, San Pedro Community Planner
Los Angeles Department of City Planning
200 North Spring Street, Room 667
Los Angeles, CA 90012
Debbie.Lawrence@lacity.org (e-mail), 213-978-1163

A public hearing for the proposed San Pedro Community Plan and Draft EIR will be held, and a separate hearing notice will be mailed at a later date for such purpose.

Michael J. LoGrande
Director of Planning


Debbie Lawrence, Policy Planning Division

**Executive Summary from DEIR
for San Pedro Community Plan Update**



CITY OF LOS ANGELES
SAN PEDRO
COMMUNITY PLAN
Environmental Impact Report

SCH No. 2008021004
City of LA EIR No. ENV-2009-1558-EIR
CPC No. CPC-2009-1557-CPU

Draft EIR Executive Summary

Prepared for
City of Los Angeles
Department of City Planning
200 N. Spring Street, Room 667
Los Angeles, California 90012-4801

Prepared by
Atkins
12301 Wilshire Boulevard, Suite 430
Los Angeles, California 90025

August 2012

2.1 PURPOSE OF THE SUMMARY

This section summarizes the characteristics of the proposed San Pedro Community Plan and implementing ordinances (proposed plan), the environmental impacts, mitigation measures, and residual impacts with the proposed plan.

2.2 INTRODUCTION

This Draft EIR is intended to provide decision-makers and the public with information that enables them to intelligently consider the environmental consequences of the proposed action. This Draft EIR identifies significant or potentially significant environmental effects, as well as ways in which those impacts could be reduced to less-than-significant levels, through the imposition of mitigation measures (MMs), or through the implementation of alternatives to the proposed plan.

2.3 SUMMARY OF PROPOSED PLAN

The proposed San Pedro Community Plan is one of the thirty-five Community Plans that comprise the Land Use Element of the Comprehensive General Plan and is intended to promote an arrangement of land uses, streets, and services that will encourage and contribute to the economic, social, and physical health, safety, welfare, and convenience of the people who live and work in the Community. The proposed plan will allocate land for the range of uses that the community will need through 2030, including land for housing, jobs, services and recreation, and improve the link between land use and transportation in a manner that is consistent with the General Plan Framework (GPF), the citywide growth strategy. The Community Plan's goals, objectives, policies, and programs are specific, action-oriented ideals which the City will promote during the lifespan of the proposed plan.

The GPF is a long-range, citywide, comprehensive growth strategy. It is a special element of the General Plan that plans for the future, and replaces the Concept Los Angeles and the Citywide Plan (adopted in 1974). Therefore, the GPF looks at the City as a whole and provides a citywide context within which community planning takes place. The GPF neither overrides nor supersedes the Community Plans. It guides the City's long-range growth and development policy, establishing citywide standards, goals, policies, and objectives for citywide elements and community plans. The GPF provides demographic estimates and build-out capacity calculations for the community plan areas through 2010. The Citywide elements provide long-range policy direction that takes into account citywide goals and needs to guide more detailed planning efforts, including Community Plans. The Transportation Element of the General Plan sets forth objectives, policies, and programs to guide the location and development of the City's transportation facilities and programs linking parts of Los Angeles with each other and other parts of the region.

The project is the proposed San Pedro Community Plan and implementing ordinances, which are intended to:

- Focus growth into Framework-identified Centers and corridors while preserving single-family neighborhoods, and open space.
- Accommodate projected growth by providing for a range of housing options, mixed uses, and commercial space for future employment opportunities.
- Maximize development opportunities around existing and future transit systems while minimizing adverse impacts.
- Improve the function, design, and economic vitality of the commercial areas.
- Preserve and enhance the positive characteristics of existing land uses.
- Preserve and strengthen commercial developments to provide a diverse job-producing economic base, provide neighborhood services, and enhance the appearance of these areas.
- Encourage the protection, enhancement, and conservation of valuable community resources (natural, historic, and cultural) and community identity and identify appropriate mitigation measures to minimize project impacts.
- Provide for the development of civic, cultural, religious, education, and other community uses such as libraries, fire stations, community centers, police facilities, parks, schools, etc.
- Include a comprehensive program of resource protection, enhancement, conservation, and re-use and provide mitigation of impacts of the project.
- Enhance the positive characteristics of residential neighborhoods while providing a variety of housing opportunities.
- Preserve and strengthen industrial areas and support environmentally sensitive industrial and employment centers that provide local and regional jobs and bolster the community's economic and physical condition.

Adoption of the San Pedro Community Plan and implementing ordinances would result in changes to zoning and height districts, initiate plan amendments to land use plan designations, and amend overlay zones, as appropriate. Plan amendments would potentially change or refine plan designations and footnotes and make changes to other Citywide Elements, as necessary. In concert with the proposed General Plan amendments, new zones may be necessary to maintain General Plan consistency (implemented by ordinance). The zoning would serve to regulate development standards, such as heights of structures, setbacks, lot coverage, density and intensity, open space, use of land, parking, and design. Overlay zones, districts, and other plans would additionally be established to regulate development that is consistent with the General Plan, enhance the unique character of neighborhoods, and accommodate growth within the San Pedro CPA.

2.4 CLASSIFICATION OF ENVIRONMENTAL IMPACTS

Under CEQA, a “significant impact” represents a substantial or potentially substantial adverse physical change to the environment. In evaluating specific effects, this Draft EIR identifies thresholds of significance for each effect, evaluates the potential environmental change associated with each effect, and then characterizes the effects as impacts in the following categories:

- **Less Than Significant**—Results in no substantial adverse change to existing environmental conditions
- **Potentially Significant**—Constitutes a substantial adverse change to existing environmental conditions that can be mitigated to less-than-significant levels by implementation of proposed potentially feasible mitigation measures or by the selection of an environmentally superior project alternative
- **Significant and Unavoidable**—Constitutes a substantial adverse change to existing environmental conditions that cannot be fully mitigated by implementation of all feasible mitigation measures.

2.5 SIGNIFICANT AND UNAVOIDABLE IMPACTS

The following significant and unavoidable impacts would result from future development of the proposed plan. A detailed discussion of these impacts can be found in Section 4.2 (Air Quality), Section 4.10 (Noise), and Section 4.13 (Transportation/Traffic) of this document.

- **Aesthetics**
 - > Implementation of the proposed plan could have a substantial adverse effect on a scenic vista.
 - > Implementation of the proposed plan could substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
 - > Implementation of the proposed plan could substantially degrade the existing visual character or quality of the site and its surroundings.
 - > Implementation of the proposed plan could create a new source of substantial light or glare that could adversely affect day- or nighttime views in the area.
 - > Implementation of the proposed plan could result in development of structures that would shade shadow-sensitive uses for more than three hours between the hours of 9:00 AM and 3:00 PM Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 AM and 5:00 PM Pacific Daylight Time (between early April and late October).
- **Air Quality**
 - > Implementation of the proposed plan could violate air quality standards or contribute substantially to an existing or projected air quality violation.
 - > Implementation of the proposed plan could result in a cumulatively considerable net increase of a criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).

- > Implementation of the proposed plan could expose sensitive receptors to substantial pollutant concentrations.

■ **Greenhouse Gas Emissions**

- > Implementation of the proposed plan would result in development that could contribute substantial emissions of greenhouse gases.
- > Project emissions of greenhouse gases would have the potential to conflict with the implementation of AB 32.

■ **Hydrology/Water Quality**

- > A small shoreline segment of the CPA, east of Pacific Avenue and extending south to Point Fermin, could be exposed to flooding from future sea level rise, partially from incremental effects from the growth anticipated by the CPA.

■ **Noise**

- > Construction of development pursuant to the proposed plan could result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- > Construction of development pursuant to the proposed plan could generate or expose persons or structures to excessive groundborne vibration.
- > Construction of development pursuant to the proposed plan could result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

■ **Traffic**

- > The volume-weighted average V/C ratio under the proposed plan would substantially exceed that of existing traffic conditions, and the number of roadway segments projected to operate at unsatisfactory levels of service would substantially exceed that of existing traffic conditions.
- > Implementation of the proposed plan could result in impacts to emergency access during construction.
- > Implementation of the proposed plan could conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

■ **Utilities/Services Systems**

- > The proposed plan could impact water supplies that serve the CPA. While water supply is expected to be adequate, LADWP is looking at a number of strategies to serve citywide growth, including additional conservation measures, use restrictions, recycling programs, and regulatory changes that may occur over the life of the plan.

2.6 ALTERNATIVES

As required by CEQA Guidelines Section 15126.6(a) and recent court cases, an EIR must:

Describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.

Further, CEQA Guidelines Section 15126.6(b) state:

The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

Alternatives evaluated in this Draft EIR (Chapter 6) include the following:

- **Alternative 1: No Project (1999 Plan)**—This legally mandated alternative, which is not subject to the requirements to meet most of the project objectives of the proposed plan or to substantially lessen any of the significant effects of the project, reflects conditions likely to occur in the future without the adoption of the proposed plan. Rather, future land uses in the San Pedro CPA would be guided by continued implementation of the 1999 Plan.
- **Alternative 2: SCAG 2030 Forecast**—Under this alternative, employment, housing, and population levels are analyzed at levels based on those projected by SCAG for the year 2030 (population and housing as adjusted).

2.7 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Pursuant to CEQA Guidelines Section 15123(b)(1), Table 2-1 (Summary of Environmental Effects and Mitigation Measures) contains the following: a summary of less-than-significant, potentially significant, or significant and unavoidable environmental impacts associated with the proposed plan; mitigation measures that would reduce or avoid those effects; and the level of significance of the impacts following the implementation of mitigation measures.

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LIS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
AESTHETICS			
<p>Impact 4.1-1 Implementation of the proposed plan could have a substantial adverse effect on a scenic vista. Implementation of feasible mitigation measures would reduce this impact, but not to less than significant. Therefore, this impact is significant and unavoidable.</p>	PS	<p>MM4.1-1 The City shall ensure that review of individual discretionary projects addresses aesthetic concerns as appropriate to minimize site-specific aesthetic impacts, including impacts to views, scenic resources, lighting, and shading.</p>	SU
<p>Impact 4.1-2 Implementation of the proposed plan could substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Implementation of feasible mitigation measures would reduce this impact, but not to less than significant. Therefore, this impact is significant and unavoidable.</p>	PS	<p>MM4.1-1 would apply.</p>	SU
<p>Impact 4.1-3 Implementation of the proposed plan could substantially degrade the existing visual character or quality of the site and its surroundings. Implementation of feasible mitigation measures would reduce this impact but not to less than significant. Therefore, this impact is significant and unavoidable.</p>	PS	<p>MM4.1-1 would apply.</p>	SU
<p>Impact 4.1-4 Implementation of the proposed plan could create a new source of substantial light or glare that could adversely affect day- or nighttime views in the area. Compliance with existing codes and regulations and implementation of feasible mitigation measures would reduce this impact to less than significant. Therefore, this impact is significant and unavoidable.</p>	PS	<p>MM4.1-1 would apply.</p>	SU

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact 4.1-5 Implementation of the proposed plan could result in development of structures that would shade shadow-sensitive uses for more than three hours between the hours of 9:00 AM and 3:00 PM Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 AM and 5:00 PM Pacific Daylight Time (between early April and late October). Compliance with design guidelines and policies and implementation of feasible mitigation measures would reduce this impact, but not to less than significant. Therefore, this impact is <i>significant and unavoidable</i>.</p>	PS	MM4.1-1 would also apply.	SU
AIR QUALITY			
<p>Impact 4.2-1 Implementation of the proposed plan would not conflict with or obstruct implementation of the applicable air quality plan. This impact is <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.2-2 Implementation of the proposed plan would not result in objectionable odors affecting a substantial number of people. This impact is <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.2-3 Implementation of the proposed plan could violate air quality standards or contribute substantially to an existing or projected air quality violation. This is considered a potentially significant impact. Implementation of mitigation measures MM4.2-1 through MM4.2-4 would reduce this impact, but not to less than significant during construction. Therefore, this impact is <i>significant and unavoidable</i>.</p>	PS	<p>MM4.2-1 The City, as a condition of approval of all applicable discretionary projects, shall require contractors building projects within the San Pedro CPA to:</p> <ul style="list-style-type: none"> ■ Use properly tuned and maintained equipment. Contractors shall enforce the idling limit of five minutes as set forth in the California Code of Regulations ■ Use diesel-fueled construction equipment to be retrofitted with after treatment products (e.g. engine catalysts) to the extent they are readily available and feasible ■ Use heavy-duty diesel-fueled equipment that uses low NO_x diesel fuel to the extent it is readily available and feasible ■ Use construction equipment that uses low polluting fuels (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent available and feasible ■ Maintain construction equipment in good operating condition to minimize air pollutants ■ Use building materials, paints, sealants, mechanical equipment, and other materials that yield low air pollutants and are nontoxic <p>MM4.2-2 In the event that future projects under the Community Plan cover areas greater</p>	SU

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact 4.2-4 Implementation of the proposed plan could result in a cumulatively considerable net increase of a criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors). Implementation of mitigation measures MM4.2-1 through MM4.2-3 would reduce this impact, but not to a less-than-significant level. Therefore, this cumulative impact is <i>significant and unavoidable</i>.</p>	PS	<p>than 5 acres, appropriate analysis and modeling would be required for CO, NO_x, PM₁₀, and PM_{2.5}.</p> <p>MM4.2-3 In order to comply with the California Air Resources Board Air Quality and Land Use Handbook (June 2005) and achieve an acceptable interior air quality level for sensitive receptors, appropriate measures shall be incorporated into project building design.</p> <p>MM4.2-4 The City, as a condition of approval for applicable discretionary projects, shall require developers to implement applicable Greenhouse Gas reduction measures in project design and comply with regulatory targets.</p>	SU
<p>Impact 4.2-5 Implementation of the proposed plan could expose sensitive receptors to substantial pollutant concentrations. Implementation of project-level mitigation measures MM4.2-1 through MM4.2-3 would reduce this impact, but not to a less-than-significant level for exceedance of LST thresholds during construction. Therefore, this impact is <i>significant and unavoidable</i>.</p>	PS	<p>MM4.2-1 through MM4.2-3 would apply.</p>	SU
BIOLOGICAL RESOURCES			
<p>Impact 4.3-1 Implementation of the proposed plan would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. This impact is <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
Impact 4.3-2 The proposed plan would not have a substantial adverse effect on any riparian habitat or other sensitive natural community. This impact is <i>less than significant</i> .	LTS	No mitigation is required.	LTS
Impact 4.3-3 The proposed plan would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. This impact is <i>less than significant</i> .	LTS	No mitigation is required.	LTS
CULTURAL RESOURCES			
Impact 4.4-1 Implementation of the proposed plan would not disturb human remains, including those interred outside of formal cemeteries. Compliance with applicable regulations would ensure this impact remains <i>less than significant</i> .	LTS	No mitigation is required.	LTS
Impact 4.4-2 Implementation of the proposed plan would not cause a substantial adverse change in the significance of an archaeological resource. Compliance with applicable regulations would ensure this impact remains <i>less than significant</i> .	LTS	No mitigation is required.	LTS
Impact 4.4-3 Implementation of the proposed plan would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Compliance with applicable regulations would ensure this impact remains <i>less than significant</i> .	LTS	No mitigation is required.	LTS
Impact 4.4-4 Implementation of the proposed plan would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5. Compliance with applicable regulations would ensure this impact remains <i>less than significant</i> .	LTS	No mitigation is required.	LTS

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
GEOLOGY/SOILS AND MINERAL RESOURCES			
<p>Impact 4.5-1 The San Pedro Community Plan area is in an area where active faults are present, but the proposed plan would not cause or accelerate geologic hazards that would result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury by exposing people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. Compliance with existing CBC and City of Los Angeles Building Code regulations would ensure this impact remains <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.5-2 Implementation of the proposed plan would not cause or accelerate geologic hazards which would result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury from strong seismic groundshaking. Compliance with existing CBC and City of Los Angeles Building Code regulations would ensure this impact remains <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.5-3 Implementation of the proposed plan would not cause or accelerate geologic hazards that would result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury involving seismic-related ground failure, including liquefaction and/or landslides. Compliance with existing CBC and City of Los Angeles Building Code regulations would ensure this impact remains <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact 4.5-4 Implementation of the proposed plan would not cause or accelerate instability from erosion so as to result in a geologic hazard to other properties, or accelerate natural processes of wind and water erosion and sedimentation, resulting in sediment runoff or deposition that would not be contained or controlled on site. Compliance with existing state water quality protection regulations and the CBC and City of Los Angeles Building Code regulations would ensure this impact remains <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.5-5 Implementation of the proposed plan could result in development in areas subject to potential geologic hazards or unstable soils and potentially result in on- or off-site landslide, lateral spreading, subsidence, or collapse. Compliance with existing CBC and City of Los Angeles Building Code regulations would ensure this impact remains <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.5-6 Implementation of the proposed plan would not create substantial risks to life or property as a result of expansive soils. Compliance with existing CBC and City of Los Angeles Building Code regulations would ensure this impact remains <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.5-7 Implementation of the proposed plan would not destroy, permanently cover or materially and adversely modify one or more distinct and prominent geologic or topographic features such as hilltops, ridges, hill slopes, canyons, ravines, rock outcrops, water bodies, streambeds and wetlands. This impact would be <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
GREENHOUSE GAS EMISSIONS			
<p>Impact 4.6-1 Implementation of the proposed plan would result in development that could contribute substantial emissions of greenhouse gases. Implementation of feasible mitigation measure MM4.6-1 would reduce this impact, but not to less than significant. Therefore, this impact is <i>significant and unavoidable</i>.</p>	PS	<p>MM4.6-1 The City, as a condition of approval for all applicable discretionary projects, shall require developers to implement applicable GHG-reduction measures in project design and comply with regulatory targets.</p>	SU
<p>Impact 4.6-2 Project emissions of greenhouse gases would have the potential to conflict with the implementation of AB 32. Implementation of feasible mitigation measure MM4.6-1 would reduce this impact, but not to less than significant. Therefore, this impact is <i>significant and unavoidable</i>.</p>	PS	<p>MM4.6-1 would apply.</p>	SU
SAFETY/RISK OF UPSET			
<p>Impact 4.7-1 Implementation of the proposed plan could create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. However, compliance with existing local, state, and federal regulations and project level conditions of approval would ensure this impact remains <i>less than significant</i>.</p>	LTS	<p>No mitigation is required.</p>	LTS
<p>Impact 4.7-2 Implementation of the proposed plan could create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. However, compliance with existing regulations and project level conditions of approval would ensure this impact remains <i>less than significant</i>.</p>	LTS	<p>No mitigation is required.</p>	LTS
<p>Impact 4.7-3 Implementation of the proposed plan could result in the handling of acutely hazardous materials, substances, or waste within 0.25 mile of a proposed school, but would not create a risk to human health from such activities. Compliance with existing regulations would ensure this impact remains <i>less than significant</i>.</p>	LTS	<p>No mitigation is required.</p>	LTS

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
Impact 4.7-4 Development under the proposed plan could be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Compliance with existing regulations would ensure this impact remains <i>less than significant</i> .	LTS	No mitigation is required.	LTS
Impact 4.7-5 Implementation of the proposed plan, located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public/private airport or public/private use airport, would not result in a safety hazard for people residing or working in the CPA. This impact is <i>less than significant</i> .	LTS	No mitigation is required.	LTS
Impact 4.7-6 Implementation of the proposed plan would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Compliance with existing local, state, and federal regulations would ensure that this impact remains <i>less than significant</i> .	LTS	No mitigation is required.	LTS
Impact 4.7-7 Implementation of the proposed plan would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. This impact is <i>less than significant</i> .	LTS	No mitigation is required.	LTS
Impact 4.7-8 Construction of future development under the proposed plan could occur adjacent to existing or proposed school sites, but would not result in increased hazards for schools. Compliance with existing regulations would ensure this impact remains <i>less than significant</i> .	LTS	No mitigation is required.	LTS
HYDROLOGY/WATER QUALITY			
Impact 4.8-1 Implementation of the proposed plan would minimally change stormwater flows and volumes but would not contribute to off-site flooding potential or changes in the amount of surface water or surface water flow direction or current. This impact is <i>less than significant</i> .	LTS	No mitigation is required.	LTS

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact 4.8-2 Implementation of the proposed plan would not expose people or structures to 100-year flood hazard or place structures in locations that could impede or redirect flood flows. This impact is <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.8-3 Small portions of the CPA could be exposed to inundation by tsunami, but little or no development in those locations is planned, and existing hazard mitigation programs that address emergency notification and evacuation would ensure that this impact remains <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.8-4 Implementation of the proposed plan would minimally contribute additional stormwater runoff containing urban pollutants to local water bodies, but would not result in violation of regulatory standards. This impact is <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.8-5 Implementation of the proposed plan would cause negligible changes in surface drainage patterns and surface water bodies in a manner that could cause erosion or siltation. This impact is <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.8-6 A small shoreline segment of the CPA, east of Pacific Avenue and extending south to Point Fermin, could be exposed to flooding from future sea level rise, partially from incremental effects from the growth anticipated by the CPA. Implementation of feasible mitigation measure MM4.8-1 would reduce this impact, but not to <i>less than significant</i>. Therefore, this impact is <i>significant and unavoidable</i>.</p>	PS	<p>MM4.8-1 Provide Flood Protection up to the 50-Year Flood plus Sea Level Rise. To protect structures and people from sea level rise risks, prior to approving discretionary grading and/or building permits in areas that could be exposed to sea-level rise, the City shall ensure project design incorporates its floodplain development requirements for a flood depth of the identified 50-year flood hazard water surface elevation plus a 4.6-foot (55-inch) rise in sea level for those locations that could be directly affected. All aboveground structures within predicted sea-level-rise inundation areas shall be flood proofed and able to withstand hydrostatic forces and buoyancy to this elevation. All enclosed, belowground structures in predicted sea-level-rise inundation areas shall be flood proofed in their entirety and designed to withstand hydrostatic forces and buoyancy from water surface elevations up to 4.6 feet above ground surface.</p>	SU

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
LAND USE/PLANNING			
Impact 4.9-1 Implementation of the proposed plan would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. This impact is <i>less than significant</i> .	LTS	No mitigation is required.	LTS
Impact 4.9-2 Implementation of the proposed plan would not result in a substantial increased potential for land use conflicts and nuisance relationships between existing and future land uses. This impact is <i>less than significant</i> .	LTS	No mitigation is required.	LTS
NOISE			
Impact 4.10-1 Development under the proposed plan could result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Compliance with LAMC regulations would ensure this impact is <i>less than significant</i> .	LTS	No mitigation is required.	LTS
Impact 4.10-2 Development under the proposed plan would not result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. This impact is <i>less than significant</i> .	LTS	No mitigation is required.	LTS
Impact 4.10-3 Implementation of the proposed plan would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. This impact is <i>less than significant</i> .	LTS	No mitigation is required.	LTS

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact 4.10-4 Implementation of the proposed plan would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Compliance with LAMC Sections 112.02 and 115.02 would ensure that this impact is <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.10-5 Construction of development pursuant to the proposed plan could result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Project-level environmental review and implementation of mitigation measure MM4.10-1 for discretionary projects would reduce this impact, but not necessarily to a less-than-significant level. Therefore, this impact is <i>significant and unavoidable</i>.</p>	PS	<p>MM4.10-1 The City, as a condition of approval for all applicable discretionary projects, shall require all contractors to include the following best management practices in contract specifications:</p> <ul style="list-style-type: none"> ■ Re-route truck traffic away from residential streets, if possible. If no alternatives are available, route truck traffic on streets with the fewest residences. ■ Site equipment on construction lots as far away from noise-sensitive sites as possible. ■ When construction activities are located in close proximity to noise-sensitive sites, construct noise barriers, such as temporary walls or piles of excavated material between activities and noise sensitive uses. ■ Avoid use of impact pile drivers where possible in noise-sensitive areas. Drilled piles or the use of a sonic vibratory pile driver are quieter alternatives where geological conditions permit their use. Use noise shrouds when necessary to reduce noise of pile drilling/driving. ■ Use construction equipment with mufflers that comply with manufacturers' requirements. ■ Consider potential vibration impacts to older (historic) buildings. 	SU
<p>Impact 4.10-6 Construction of development pursuant to the proposed plan could generate or expose persons or structures to excessive groundborne vibration. Implementation of project-level environmental review and mitigation measure MM4.10-1 for discretionary projects would reduce this impact, but not necessarily to a less-than-significant level. Therefore, this impact would be <i>significant and unavoidable</i>.</p>	PS	<p>MM4.10-1 would apply.</p>	SU

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact 4.10-7 Construction of development pursuant to the proposed plan could result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project due to construction activities. Implementation of project-level environmental review and mitigation measure MM4.10-1 for discretionary projects would reduce this impact, but not necessarily to a less-than-significant level. Therefore, this impact is <i>significant and unavoidable</i>.</p>	PS	MM4.10-1 would apply.	SU
POPULATION, HOUSING, AND EMPLOYMENT			
<p>Impact 4.11-1 Implementation of the proposed plan would not induce substantial population growth directly (i.e., new housing or employment generators) or indirectly (i.e., accelerate development in an undeveloped area that exceeds projected planned levels) that would result in an adverse physical change in the environment, and would accommodate the potential growth in population and/or employment that has been forecasted to occur by 2030. This impact is <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.11-2 Implementation of the proposed plan would not result in inconsistencies with adopted City and regional housing policies. This impact is <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
PUBLIC SERVICES AND RECREATION			
<p>Impact 4.12-1 Implementation of the proposed plan would not foreseeably require the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility to maintain service, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection and emergency response. Compliance with existing regulations would ensure this impact remains <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact 4.12-2 Implementation of the proposed plan would not foreseeably require the addition of a new police station or the expansion, consolidation or relocation of an existing facility to maintain service, nor cause the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police services. Compliance with existing regulations would ensure this impact remains <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.12-3 Implementation of the proposed plan could result in substantial adverse physical impacts associated with the need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools. Implementation of mitigation measure MM4.12-1 would reduce this impact to <i>less than significant</i>.</p>	PS	<p>MM4.12-1 Individual project applicants shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.</p>	LTS
<p>Impact 4.12-4 Implementation of the proposed plan would not result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for libraries. This impact is <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.12-5 Implementation of the proposed plan could result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities, the construction of which could cause significant environmental impacts. Implementation of mitigation measures MM4.12-2 through MM4.12-4 would reduce this impact to <i>less than significant</i>.</p>	PS	<p>MM4.12-2 Develop City or private funding programs for the acquisition and construction of new Community and Neighborhood recreation and park facilities. MM4.12-3 Establish joint-use agreements with the Los Angeles Unified School District and other public and private entities which could contribute to the availability of recreational opportunities in the CPA. MM4.12-4 Monitor appropriate recreation and park statistics and compare with population projections and demand to identify the existing and future recreation and park needs of the San Pedro CPA.</p>	LTS

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
TRANSPORTATION/TRAFFIC			
Impact 4.13-1 The volume-weighted average V/C ratio under the proposed plan would substantially exceed that of existing traffic conditions, and the number of roadway segments projected to operate at unsatisfactory levels of service would substantially exceed that of existing traffic conditions. Implementation of mitigation measures MM4.13-1 would reduce this impact, but not to a less-than-significant level. The impact is <i>significant and unavoidable</i> .	PS	MM4.13-1 Implement development review procedures to ensure that the applicable Mobility policies of the San Pedro Community Plan are applied and implemented by individual discretionary development projects when they are considered for approval in the plan area.	SU
Impact 4.13-2 Implementation of the proposed plan could result in inadequate emergency access during construction unless mitigated. Implementation of mitigation measures MM4.13-1 would reduce this impact, but not to less than significant. Therefore, this impact is <i>significant and unavoidable</i> .	PS	MM4.13-1 would apply.	SU
Impact 4.13-3 Implementation of the proposed plan could conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. Therefore, this impact is <i>significant and unavoidable</i> .	PS	MM4.13-1 would apply.	SU
UTILITIES/SERVICES SYSTEMS			
Impact 4.14-1 The proposed plan could affect the capacity of the water infrastructure that serves the CPA. However, compliance with existing regulations would ensure this impact remains <i>less than significant</i> .	LTS	No mitigation is required.	LTS

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact 4.14-2 The proposed plan could impact the water supplies that serve the CPA. While water supply is expected to be adequate, LADWP is looking at a number of strategies to serve citywide growth, including additional conservation measures, use restrictions, recycling programs, and regulatory changes that may occur over the life of the plan. Implementation of mitigation measure MM4.14-1 and compliance with existing regulations would reduce this impact but not to less than significant. Therefore, this impact is <i>significant and unavoidable</i>.</p>	PS	<p>MM4.14-1 As part of individual discretionary project review, the Planning Department shall work with LADWP to ensure appropriate expansion, upgrade, and/or improvement of the local water distribution system within the CPA as may be necessary to accommodate anticipated growth.</p>	SU
<p>Impact 4.14-3 Implementation of the proposed plan would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. This impact is <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.14-4 Implementation of the proposed plan could result in an inability to accommodate the CPA's projected wastewater flow, and require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Implementation of mitigation measures MM4.14-2 through MM4.14-5 would reduce this impact to <i>less than significant</i>.</p>	PS	<p>MM4.14-2 Continue to implement existing water conservation measures, including ultra low-flush installation and, school educational, public information, and residential programs, and develop new ones as needed MM4.14-3 Enforce the City's water conservation ordinance and develop a comprehensive water reuse ordinance that will establish, among other things, goals on reuse of reclaimed water MM4.14-4 Establish water reuse demonstration and research programs and implement educational programs among consumers to increase the level of acceptance of reclaimed water MM4.14-5 Provide incentives for the development of new markets and uses for reclaimed water</p>	LTS
<p>Impact 4.14-5 Implementation of the proposed plan would not result in a determination by the wastewater treatment provider that serves or may serve the CPA that it has inadequate capacity to serve the plan's projected demand in addition to the provider's existing commitments. This impact is <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS

Table 2-1 Summary of Environmental Effects and Mitigation Measures

LTS = less than significant; PS = potentially significant; SU = significant and unavoidable

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s) and/or Project Requirements	Level of Significance After Mitigation
<p>Impact 4.14-6 Implementation of the proposed plan would increase solid waste generation and result in the need for additional solid waste collection routes, recycling, or disposal facility to adequately handle projected solid waste generation and disposal needs. Implementation of mitigation measures MM4.14-6 through MM4.14-8 and compliance with federal, state, and local regulations would reduce this impact to <i>less than significant</i>.</p>	PS	<p>MM4.14-6 Implement the Solid Waste Integrated Resources Plan to maximize source reduction and materials recovery and minimize the amount of solid waste requiring disposal with the goal of leading the City to achieve zero waste by 2025. MM4.14-7 Encourage and provide incentives for the processing and marketing of recyclable items. MM4.14-8 Accelerate ongoing efforts to provide alternative solid waste treatment processes and the expansion of existing landfills and establishment of new sites.</p>	LTS
<p>Impact 4.14-7 Development under the proposed plan would comply with federal, state, and local statutes and regulations related to solid waste. This impact is <i>less than significant</i>.</p>	LTS	No mitigation is required.	LTS
<p>Impact 4.14-8 Implementation of the proposed plan could require new energy-supply facilities and distribution infrastructure or capacity-enhancing alterations to existing facilities to accommodate projected energy demand, the construction of which could cause a significant environmental impact. Implementation of mitigation measures MM4.14-9 through MM4.14-12 and compliance with local, state, and federal regulations would reduce this impact to <i>less than significant</i>.</p>	PS	<p>MM4.14-9 Promote energy conservation and efficiency to the maximum extent that is cost effective and practical. MM4.14-10 Encourage and provide incentives for the development and use of alternative sources of energy. MM4.14-11 Adopt and implement a program to provide technical assistance and incentives to property owners and developers on building design and/or the use of energy-efficient systems in new residential, commercial and industrial developments to exceed existing State of California Energy Code standards. MM4.14-12 Promote the responsible use of natural resources in accordance with City environmental policies.</p>	LTS

NWSPNC Planning & Land Use Committee meeting agenda



***Northwest San Pedro Neighborhood Council
Planning and Land Use Committee Agenda***

Wednesday, September 5, 2012, 6:00 p.m.

Croatian Cultural Center

510 W. 7th Street, San Pedro

Agenda

The Northwest San Pedro Neighborhood Council Land Use and Public Works Committee will meet in conjunction with the other San Pedro Neighborhood Councils to review the recently released San Pedro Community Plan and associated environmental documents on Wednesday, September 5th, 6:00 pm, at the Croatian Cultural Center at 510 West 7th St. (the northwest corner of Pacific Avenue and 7th Street). The agenda is as follows:

1. Introductions
2. Planning Department staff presentation on Community Plan, EIR and relevant Q conditions
3. Questions and comments from committee members and other attendees
4. Public Comment
5. Adjourn

Note: Anything on this Agenda Could Result in a Motion

To Contact us: www.nwsanpedro.org, board@nwsanpedro.org, or 310-732-4522

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assisted listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services please make your request at least 3 business days (72 hours) prior to the meeting by contacting the Department of Neighborhood Empowerment at 213-485-1360.

**Staff request for a 15-day extension to comment
on the DEIR for San Pedro Community Plan Update**



CITY OF RANCHO PALOS VERDES
CITY MANAGER'S OFFICE
ADMINISTRATION

6 September 2012

VIA ELECTRONIC AND U.S. MAIL

Debbie Lawrence, AICP
City of Los Angeles
Department of City Planning
200 N. Spring St., Rm. 667
Los Angeles, CA 90012

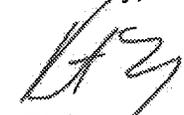
SUBJECT: Request for Extension of the Public Comment Period for the Draft Environmental Impact Report for the San Pedro Community Plan Update (Case No. ENV-2009-1558-EIR)

Dear ^{DEBBIE} Ms. Lawrence:

The City of Rancho Palos Verdes has appreciated the opportunity participate in the San Pedro Community Plan Update process over the past few years, including last night's meeting with the Northwest San Pedro Neighborhood Council Land Use and Planning Committee. We are currently reviewing the Draft Environmental Impact Report (DEIR), for which the 45-day public comment period is scheduled to end on 24 September 2012. However, we find that we will require additional time for our traffic engineer to review the DEIR, Mobility Element and Transportation Improvement Mitigation Program (TIMP), particularly as they relate to roadways and bikeways that link and/or intersect with those in Rancho Palos Verdes. Therefore, we respectfully request an extension of the 45-day public comment period for the DEIR for at least fifteen (15) additional days to 8 October 2012.

If you have any questions or need additional information, please feel free to contact me at (310) 544-5226 or via e-mail at kittf@rpv.com.

Sincerely,



Kit Fox, AICP
Senior Administrative Analyst

cc: Mayor Misetich and Rancho Palos Verdes City Council
Carolyn Lehr, City Manager
Carolynn Petru, Deputy City Manager
Eduardo Schonborn, Senior Planner
Nicole Jules, Senior Engineer

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Councilwoman Brooks' Study Session report
regarding Rancho LPG butane storage facility

**STUDY SESSION
MEMORANDUM**

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS
FROM: COUNCILWOMAN SUSAN BROOKS
DATE: AUGUST 21, 2012
SUBJECT: RANCHO LPG BUTANE STORAGE FACILITY

The Rancho LPG butane storage facility at North Gaffey Street and Westmont Drive in San Pedro was constructed beginning in the early 1970s. At the time that construction started, the City of Los Angeles did not issue a building permit for it because it was believed (erroneously) that the facility was exempt from City regulation. Eventually, a building permit was issued and an EIR was prepared.

The facility includes 2 large refrigerated butane storage tanks with a combined capacity of 25 million gallons and several smaller tanks for the storage of propane. The butane stored in the large tanks is a by-product of petroleum refining at the nearby Valero and BP refineries. In the past, butane was transported from the site through an underground pipeline to a nearby berth in the Port of Los Angeles. Currently, butane is transported from the facility via rail car and tanker truck.

City Staff has been reporting on the Rancho LPG facility as a part of the Border Issues Status Report for nearly 2 years, but there has been public concern about the facility in the surrounding community for many years. These concerns were heightened following the catastrophic explosion of an underground natural gas transmission line in a residential neighborhood in San Bruno, CA in September 2010. At about this same time, the City of Los Angeles' Northwest San Pedro Neighborhood Council commissioned a risk assessment of the facility by Cornerstone Technologies. The Cornerstone report identified a variety of possible accident scenarios, ranging from a relatively small, on-site mishap to a sudden, catastrophic failure of the butane tanks, with impacts extending for miles.

In response to the Cornerstone report, the facility operator commissioned its own risk assessment by Quest Consultants. The Quest report of January 2011 concluded that the area affected by the most catastrophic events that could realistically occur would be several orders of magnitude less than the most-catastrophic scenario identified in the Cornerstone report. Third-party independent assessments of the Cornerstone and Quest

MEMORANDUM: Rancho LPG Butane Storage Facility

August 21, 2012

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reports—prepared at the request of the U.S. Environmental Protection Agency—generally concluded that the Cornerstone report was flawed in its analysis of the risk of catastrophic upset at the facility, while the Quest report defined more realistic scenarios that were indicative of the actual risk posed by the facility upon the surrounding community.

There is still a great deal of controversy about this facility in the surrounding community. Community members have questions about a number of critical topics, including (but not limited to):

- The circumstances of the environmental review of the facility, both at the time of its construction and since;
- The validity and accuracy of either of the risk assessments recently performed for the facility;
- The potential effects of seismic activity from the Palos Verdes fault upon the facility, including liquefaction and earthquake-induced landslides; and,
- The amount, type and sufficiency of liability coverage afforded to surrounding residents and property owners by the operator of the facility.

Opponents of the facility have pleaded with local, State and Federal officials and agencies to have the facility closed and/or relocated. Opponents have also prepared a 12-minute video called “Before the Ashes” and recently testified before Councilman Joe Buscaino and the Public Safety Committee of the Los Angeles City Council in July 2012.

On 2 previous occasions, this City Council has taken a formal position on the facility. In letters to then-Councilwoman Janice Hahn, Senator Dianne Feinstein and Senator Barbara Boxer in 2011, the City Council encouraged the addressees to:

- Regularly monitor the facility and enforce all applicable regulations and environmental review processes with respect to the on-going operation of the facility and any possible future proposals for its modification, renovation and/or expansion; and,
- Provide to the general public a transparent and accountable clearinghouse for the dissemination of information and the discussion of issues about the facility.

Given the high level of concern that continues to exist in the surrounding community, I suggest that the City Council should re-assess its past position and potentially propose new action regarding this facility. In my view, it is incumbent upon our City Council to take action to ensure that our community is as safe and protected as possible, and to enlist the support of surrounding communities on the Peninsula to bring sufficient pressure to bear upon the facility operator and the local, State and Federal agencies charged with overseeing this facility. To this end, I recommend that we direct Staff to report back to the City Council on the next available agenda regarding our available options and strategies to ensure that the health, safety and welfare of our residents are protected.

MEMORANDUM: Rancho LPG Butane Storage Facility

August 21, 2012

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Attachments

Letter to Councilwoman Janice Hahn (dated 1/6/11)

Letters to Senators Feinstein and Boxer (dated 6/21/11)

January 6, 2011

Councilwoman Janice Hahn, 15th District
City of Los Angeles
200 N. Spring St., Room 435
Los Angeles, CA 90012

SUBJECT: City of Rancho Palos Verdes' Concerns regarding the Rancho LPG Butane Storage Facility, 2110 North Gaffey Street, San Pedro

Dear Councilwoman Hahn:

As you may be aware, residents in San Pedro and Rancho Palos Verdes have been concerned for many years about the Rancho LPG (formerly AmeriGas) butane storage facility at North Gaffey Street and Westmont Drive. Recently, these concerns have returned to the forefront, particularly in the aftermath of the catastrophic gas pipeline failure in the Bay Area community of San Bruno in September 2010.

We understand that plans were made several years ago for this facility to be re-located to Pier 400 in the Port of Los Angeles—away from homes, schools and local business—plans that (for some reason) have never come to fruition. The facility was approved for this site more than thirty (30) years ago, at a time when less-rigorous environmental review and public participation processes were in effect than is the case today.

Earlier this year, the Northwest San Pedro Neighborhood Council (NWSPNC) commissioned a quantitative risk assessment of the Rancho LPG facility. The risk assessment—released in September 2010—identified a variety of possible accident scenarios for the facility. These ranged from a relatively small, on-site mishap with impacts mainly contained to the site, to a sudden, catastrophic failure of the butane storage tanks with impacts extending for a 5- to 7-mile radius from the facility.

The facility's operator, Rancho LPG Holdings, LLC, has refuted the conclusions of the NWSPNC risk assessment, and the assessment's authors have not (to the City's knowledge) responded publicly to questions about how the risk assessment was prepared or how its conclusions were reached. Although Rancho LPG has stated that it intends to prepare its own risk assessment of the facility and to publicly release its findings, there remain today many unanswered questions about the safety of this facility for residents living nearby.

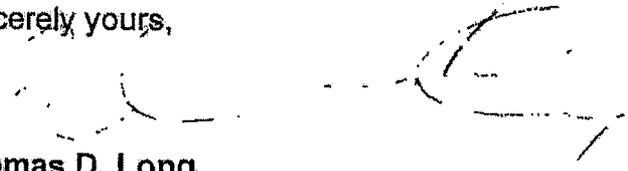
Councilwoman Janice Hahn
January 6, 2011
Page 2

Ideally, the City of Rancho Palos Verdes and its residents would like to see this facility relocated to another site that does not pose such a significant "risk of upset" to surrounding property and neighborhoods. Failing that, however, we wish to be assured that the facility is operated as safely as possible, and in complete accordance the regulations of all local, State and Federal agencies having jurisdiction over this site and these types of facilities. To these ends, we respectfully request your assistance in the fulfilling the following community objectives:

- Regularly monitor the Rancho LPG site and facility, and enforce (to the maximum extent possible) the City of Los Angeles' land use regulations and the State's environmental review processes (i.e., CEQA) with respect to the on-going operation of the facility and any possible future proposals for its modification, renovation and/or expansion; and,
- Provide to the general public a transparent and accountable clearinghouse for the dissemination of information and the discussion of issues about the Rancho LPG site and facility.

Our Planning Staff continues to monitor issues related to the Rancho LPG site and facility, and to report these issues regularly to our City Council. We look forward to working with you and the facility's owner/operator to ensure the future safety and tranquility of our respective communities and residents.

Sincerely yours,



Thomas D. Long
Mayor

cc: Rancho Palos Verdes City Council
Carolyn Lehr, City Manager
✓ Joel Rojas, Community Development Director
✓ Kit Fox, Associate Planner



CITY OF RANCHO PALOS VERDES

THOMAS D. LONG, MAYOR

ANTHONY M. MISETICH, MAYOR PRO TEM

BRIAN CAMPBELL, COUNCILMAN
DOUGLAS W. STERN, COUNCILMAN
STEFAN WOLOWICZ, COUNCILMAN

June 21, 2011

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, DC 20510

**SUBJECT: City of Rancho Palos Verdes' Concerns regarding the Rancho LPG
Butane Storage Facility, 2110 North Gaffey Street, San Pedro, California**

Dear Senator Feinstein:

Residents in San Pedro and Rancho Palos Verdes have been concerned for many years about the Rancho LPG (formerly AmeriGas) butane storage facility at North Gaffey Street and Westmont Drive in San Pedro. Within the past year, these concerns returned to the forefront, particularly in the aftermath of the catastrophic gas pipeline failure in the Bay Area community of San Bruno in September 2010.

We understand that plans were made several years ago for this facility to be re-located to the Port of Los Angeles—away from homes, schools and local business—plans that (for some reason) have never come to fruition. The facility was approved for its current site more than thirty (30) years ago, at a time when less-rigorous environmental review and public participation processes were in effect than is the case today.

In September 2010, the City of Los Angeles' Northwest San Pedro Neighborhood Council (NWSPNC) released a quantitative risk assessment of the Rancho LPG facility, prepared by Cornerstone Technologies. The Cornerstone report identified a variety of possible accident scenarios for the facility. These ranged from a relatively small, on-site mishap with impacts mainly contained to the site, to a sudden, catastrophic failure of the butane storage tanks with impacts extending for a 5- to 7-mile radius from the facility.

The facility's operator, Rancho LPG Holdings, LLC, immediately refuted the conclusions of the Cornerstone report, whose authors have not (to the City's knowledge) responded publicly to questions about how the risk assessment was prepared or how its conclusions were reached. Rancho LPG subsequently commissioned its own risk assessment of the

Senator Dianne Feinstein
June 16, 2011
Page 2

facility, prepared by Quest Consultants. The findings of the Quest report, which were publicly released in January 2011, concluded that the area potentially affected by the most catastrophic events that could realistically occur at the Rancho LPG facility would be several orders of magnitude less than the nearly 7-mile radius affected under the most-catastrophic scenario identified in the Cornerstone report. Despite this, there remain today many unanswered questions about the safety of this facility for residents living nearby.

Ideally, the City of Rancho Palos Verdes and its residents would like to see this facility relocated to another site that does not pose such a significant "risk of upset" to surrounding property and neighborhoods. Failing that, however, we wish to be assured that the facility is operated as safely as possible, and in complete accordance the regulations of all local, State and Federal agencies having jurisdiction over this site and these types of facilities. To these ends, we respectfully request your assistance in the fulfilling the following community objectives:

- Regularly monitor the Rancho LPG site and facility, and enforce (to the maximum extent possible) any applicable Federal regulations and environmental review processes (i.e., NEPA) with respect to the on-going operation of the facility and any possible future proposals for its modification, renovation and/or expansion; and,
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Thomas D. Long
Mayor

cc: Rancho Palos Verdes City Council
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CITY OF RANCHO PALOS VERDES

THOMAS D. LONG, MAYOR

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BRIAN CAMPBELL, COUNCILMAN
DOUGLAS W. STERN, COUNCILMAN
STEFAN WOLOWICZ, COUNCILMAN

June 21, 2011

The Honorable Barbara Boxer
United States Senate
112 Hart Senate Office Building
Washington, DC 20510

SUBJECT: City of Rancho Palos Verdes' Concerns regarding the Rancho LPG Butane Storage Facility, 2110 North Gaffey Street, San Pedro, California

Dear Senator Boxer:

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We understand that plans were made several years ago for this facility to be re-located to the Port of Los Angeles—away from homes, schools and local business—plans that (for some reason) have never come to fruition. The facility was approved for its current site more than thirty (30) years ago, at a time when less-rigorous environmental review and public participation processes were in effect than is the case today.

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Senator Barbara Boxer
June 16, 2011
Page 2

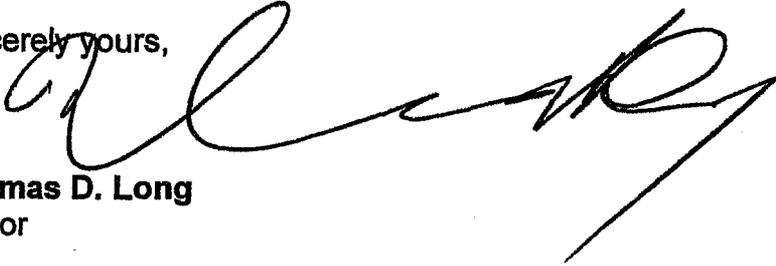
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Sincerely yours,


Thomas D. Long
Mayor

cc: Rancho Palos Verdes City Council
Carolyn Lehr, City Manager
Joel Rojas, Community Development Director
Kit Fox, Associate Planner

MND for Marymount College San Pedro Campus

CITY OF LOS ANGELES
 OFFICE OF THE CITY CLERK
 ROOM 395, CITY HALL
 LOS ANGELES, CALIFORNIA 90012
 CALIFORNIA ENVIRONMENTAL QUALITY ACT
PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY City of Los Angeles	COUNCIL DISTRICT 15
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PROJECT TITLE ENV-2011-2478-MND	CASE NO. AA-2011-2479-PMLA, CPC-2011-2480-CU
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PROJECT LOCATION
1600 W PALOS VERDES DR N

PROJECT DESCRIPTION
 The addition of 192 bedrooms to the existing 86 units, construction of a 27,000 sq.ft. student services building with a dining hall, 50 faculty and administrative offices and nine classrooms, construction of a 2,200 square foot maintenance facility, including the removal of six dwelling units, construction of a sixteen classroom academic building with studios, laboratories and 32 faculty offices and the addition of 342 parking spaces.

NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY
 James Reeves, Marymount College
 30800 Palos Verdes Drive East
 Rancho Palos Verdes, CA 90275

FINDING:
 The City Planning Department of the City of Los Angeles has Proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance

(CONTINUED ON PAGE 2)

SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED.

Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt the mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.

NAME OF PERSON PREPARING THIS FORM Marc Woerschling	TITLE City Planner	TELEPHONE NUMBER (213) 978-1470
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ADDRESS 200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012	SIGNATURE (Official) 	DATE SEPTEMBER 19, 2012
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I-90. Aesthetics (Vandalism)

- Environmental impacts may result from project implementation due to graffiti and accumulation of rubbish and debris along the wall(s) adjacent to public rights-of-way. However, this potential impact will be mitigated to a less than significant level by the following measures:
- Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.

I-110. Aesthetics (Signage on Construction Barriers)

- Environmental impacts may result from project implementation due to on-site signage in excess of that allowed under the Los Angeles Municipal Code Section 91.6205. However, the potential impact will be mitigated to a less than significant level by the following measures:
- The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
- Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
- The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.

III-10. Air Pollution (Demolition, Grading, and Construction Activities)

- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- Trucks having no current hauling activity shall not idle but be turned off.

III-50. Air Pollution (Stationary)

- Adverse impacts upon future occupants may result from the project implementation due to existing diminished ambient air pollution levels in the project vicinity. However, this impact can be mitigated to a less than significant level by the following measure:
- An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.

V-20. Cultural Resources (Archaeological)

- Environmental impacts may result from project implementation due to discovery of unrecorded archaeological resources. However, the potential impacts will be mitigated to a less than significant level by the following measures:
- If any archaeological materials are encountered during the course of project development, all further development activity shall halt and:
- The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
- The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.

- Project development activities may resume once copies of the archaeological survey, study or report are submitted to: SCCIC Department of Anthropology, McCarthy Hall 477, CSU Fullerton, 800 North State College Boulevard, Fullerton, CA 92834.
- Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.
- A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

VI-10. Seismic

- Environmental impacts to the safety of future occupants may result due to the project's location in an area of potential seismic activity. However, this potential impact will be mitigated to a less than significant level by the following measure:
- The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.

VI-20. Erosion/Grading/Short-Term Construction Impacts

- Short-term erosion impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a less than significant level by the following measures:
- The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
 - a. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
 - b. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.

VII-10. Green House Gas Emissions

- The project will result in impacts resulting in increased green house gas emissions. However, the impact can be reduced to a less than significant level through compliance with the following measure(s):
- Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

IX-20. Stormwater Pollution (Demolition, Grading, and Construction Activities)

-
- Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

IX-50. Standard Urban Stormwater Mitigation Plan (Parking Lots with 25+ Spaces or Greater than 5,000 s.f.; Food Service Industry)

- Environmental impacts may result from erosion carrying sediments and/or the release of toxins into the stormwater drainage channels. However, the potential impacts will be mitigated to a less than significant level by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).

- Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Promote natural vegetation by using parking lot islands and other landscaped areas.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing a rock outlet protection. Rock outlet protection is physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair, and maintain the outlet protection after each significant rain.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.
- **(Parking Lots with 25 or More Spaces or 5,000 Square feet of Lot Area: Residential, Commercial, Industrial, Public Facility)**
- Trash container areas must have drainage from adjoining roofs and pavement diverted around the area(s).
- Trash container areas must be screened or walled to prevent off-site transport of trash.
- Reduce impervious land coverage of parking lot areas.
- Infiltrate runoff before it reaches the storm drain system.
- Runoff must be treated prior to release into the storm drain. Three types of treatments are available, (1) dynamic flow separator; (2) a filtration or (3) infiltration. Dynamic flow separator uses hydrodynamic force to remove debris, and oil and grease, and are located underground. Filtration involves catch basins with filter inserts. Filter inserts must be inspected every six months and after major storms, cleaned at least twice a year. Infiltration methods are typically constructed on-site and are determined by various factors such as soil types and groundwater table.
- Prescriptive Methods detailing BMPs specific to this project category are available. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at: www.lastormwater.org. (See Exhibit D).

XII-20. Increased Noise Levels (Demolition, Grading, and Construction Activities)

- The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.

- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

XIV-20. Public Services (Police – Demolition/Construction Sites)

- Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

XIV-30. Public Services (Police)

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal police services. However, this potential impact will be mitigated to a less than significant level by the following measure:
- The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

XVI-10. Increased Vehicle Trips/Congestion

- An adverse impact may result from the project's traffic generation. An investigation and analysis conducted by the Department of Transportation has identified significant project-related traffic impacts which can be mitigated to less than significant level by the following measure:
- Implementing measure(s) detailed in said Department's communication to the Planning Department dated 7-24-12 and attached shall be complied with. Such report and mitigation measure(s) are incorporated herein by reference.

XVII-20. Utilities (Local Water Supplies - All New Construction)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
- If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

XVII-40. Utilities (Local Water Supplies - New Residential)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
- Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

XVII-90. Utilities (Solid Waste Recycling)

- Environmental impacts may result from project implementation due to the creation of additional solid waste. However, this potential impact will be mitigated to a less than significant level by the following measure:
- **(Operational)** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- **(Construction/Demolition)** Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- **(Construction/Demolition)** To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

XVII-100. Utilities (Solid Waste Disposal)

-
- All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY
and CHECKLIST
(CEQA Guidelines Section 15063)

LEAD CITY AGENCY: City of Los Angeles	COUNCIL DISTRICT: CD 15 - JANICE HAHN	DATE: 08/24/2012
RESPONSIBLE AGENCIES: Department of City Planning		
ENVIRONMENTAL CASE: ENV-2011-2478-MND	RELATED CASES: AA-2011-2479-PMLA, CPC-2011-2480-CU	
PREVIOUS ACTIONS CASE NO.:	<input type="checkbox"/> Does have significant changes from previous actions. <input checked="" type="checkbox"/> Does NOT have significant changes from previous actions.	
PROJECT DESCRIPTION: A 5-PHASE, COLLEGE CAMPUS W/ CLASSROOM SEATING FOR 520 STUDENTS IN 25 CLASSROOMS, RES ACCOMODATIONS FOR 800 PERSONS, WITH 700 COMMUTER STUDENTS, 14,400 SQ FT STUDENT CENTER AND 417 PARKING STALLS.		
ENV PROJECT DESCRIPTION: The addition of 192 bedrooms to the existing 86 units, construction of a 27,000 sq.ft. student services building with a dining hall, 50 faculty and administrative offices and nine classrooms, construction of a 2,200 square foot maintenance facility, including the removal of six dwelling units, construction of a sixteen classroom academic building with studios, laboratories and 32 faculty offices and the addition of 342 parking spaces.		
ENVIRONMENTAL SETTINGS: The immediate area around Marymount College is planned as an educational district with the Rolling Hills Prep School immediately to the east. Further out are single family homes to the north, some single family homes and a cemetery to the west, the open space of the former Naval housing to the south and the oil tank farms to the east, east of Gaffey Street.		
PROJECT LOCATION: 1600 W PALOS VERDES DR N		
COMMUNITY PLAN AREA: WILMINGTON - HARBOR CITY STATUS: <input checked="" type="checkbox"/> Does Conform to Plan <input type="checkbox"/> Does NOT Conform to Plan	AREA PLANNING COMMISSION: HARBOR	CERTIFIED NEIGHBORHOOD COUNCIL: NORTHWEST SAN PEDRO
EXISTING ZONING: RD6-1XL	MAX. DENSITY//INTENSITY ALLOWED BY ZONING: 1.5:1 floor/area ratio	LA River Adjacent: NO
GENERAL PLAN LAND USE: LOW RESIDENTIAL	MAX. DENSITY//INTENSITY ALLOWED BY PLAN DESIGNATION: 7 dwelling units per acre.	
	PROPOSED PROJECT DENSITY: 6.47 units/acre	

Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Marc Wauson

City Planner

(213) 978-1470

Signature

Title

Phone

Evaluation Of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> AESTHETICS <input type="checkbox"/> AGRICULTURE AND FOREST RESOURCES <input checked="" type="checkbox"/> AIR QUALITY <input type="checkbox"/> BIOLOGICAL RESOURCES <input checked="" type="checkbox"/> CULTURAL RESOURCES <input checked="" type="checkbox"/> GEOLOGY AND SOILS	<input checked="" type="checkbox"/> GREEN HOUSE GAS EMISSIONS <input type="checkbox"/> HAZARDS AND HAZARDOUS MATERIALS <input checked="" type="checkbox"/> HYDROLOGY AND WATER QUALITY <input type="checkbox"/> LAND USE AND PLANNING <input type="checkbox"/> MINERAL RESOURCES <input checked="" type="checkbox"/> NOISE	<input type="checkbox"/> POPULATION AND HOUSING <input checked="" type="checkbox"/> PUBLIC SERVICES <input type="checkbox"/> RECREATION <input checked="" type="checkbox"/> TRANSPORTATION/TRAFFIC <input checked="" type="checkbox"/> UTILITIES AND SERVICE SYSTEMS <input type="checkbox"/> MANDATORY FINDINGS OF SIGNIFICANCE
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INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)

Background

PROPONENT NAME:

James Reeves, Marymount College

PHONE NUMBER:

(310) 377-5501

APPLICANT ADDRESS:

30800 Palos Verdes Drive East
 Rancho Palos Verdes, CA 90275

AGENCY REQUIRING CHECKLIST:

Department of City Planning

DATE SUBMITTED:

09/22/2011

PROPOSAL NAME (if Applicable):

Marymount College Campus Master Plan

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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I. AESTHETICS				
a.	Have a substantial adverse effect on a scenic vista?		✓	
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			✓
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?	✓		
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		✓	
II. AGRICULTURE AND FOREST RESOURCES				
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?			✓
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?			✓
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			✓
d.	Result in the loss of forest land or conversion of forest land to non-forest use?			✓
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			✓
III. AIR QUALITY				
a.	Conflict with or obstruct implementation of the applicable air quality plan?		✓	
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		✓	
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		✓	
d.	Expose sensitive receptors to substantial pollutant concentrations?	✓		
e.	Create objectionable odors affecting a substantial number of people?			✓
IV. BIOLOGICAL RESOURCES				
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		✓	
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			✓
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓	
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			✓
V. CULTURAL RESOURCES				

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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a.	Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?			✓
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	✓		
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			✓
d.	Disturb any human remains, including those interred outside of formal cemeteries?			✓

VI. GEOLOGY AND SOILS

a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	✓		
b.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking?	✓		
c.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction?		✓	
d.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides?		✓	
e.	Result in substantial soil erosion or the loss of topsoil?			✓
f.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	✓		
g.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		✓	
h.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			✓

VII. GREEN HOUSE GAS EMISSIONS

a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	✓		
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?		✓	

VIII. HAZARDS AND HAZARDOUS MATERIALS

a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		✓	
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?		✓	
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			✓
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			✓
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		✓	

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			✓
IX. HYDROLOGY AND WATER QUALITY				
a.	Violate any water quality standards or waste discharge requirements?		✓	
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?		✓	
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			✓
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		✓	
f.	Otherwise substantially degrade water quality?		✓	
g.	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			✓
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			✓
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			✓
j.	Inundation by seiche, tsunami, or mudflow?			✓
X. LAND USE AND PLANNING				
a.	Physically divide an established community?			✓
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		✓	
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?			✓
XI. MINERAL RESOURCES				
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			✓
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			✓
XII. NOISE				
a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✓	
b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓
c.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		✓	
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		✓	

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓
XIII. POPULATION AND HOUSING					
a.	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓
XIV. PUBLIC SERVICES					
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?			✓	
b.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Police protection?		✓		
c.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Schools?				✓
d.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Parks?			✓	
e.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Other public facilities?			✓	
XV. RECREATION					
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			✓	
XVI. TRANSPORTATION/TRAFFIC					
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?		✓		

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?		✓		
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			✓	
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
e.	Result in inadequate emergency access?				✓
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				✓

XVII. UTILITIES AND SERVICE SYSTEMS

a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			✓	
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?		✓		
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		✓		
g.	Comply with federal, state, and local statutes and regulations related to solid waste?			✓	

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			✓	
b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			✓	
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference materials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State of California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify potential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant information provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on stated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed through the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in conjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable conclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description may cause potentially significant impacts on the environment without mitigation. Therefore, this environmental analysis concludes that a Mitigated Negative Declaration shall be issued to avoid and mitigate all potential adverse impacts on the environment by the imposition of mitigation measures and/or conditions contained and expressed in this document; the environmental case file known as **ENV-2011-2478-MND** and the associated case(s), **AA-2011-2479-PMLA**, **CPC-2011-2480-CU**. Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, and based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality Act, section 15065, the overall project impact(s) on the environment (after mitigation) **will not:**

- Substantially degrade environmental quality.
- Substantially reduce fish or wildlife habitat.
- Cause a fish or wildlife habitat to drop below self sustaining levels.
- Threaten to eliminate a plant or animal community.
- Reduce number, or restrict range of a rare, threatened, or endangered species.
- Eliminate important examples of major periods of California history or prehistory.
- Achieve short-term goals to the disadvantage of long-term goals.
- Result in environmental effects that are individually limited but cumulatively considerable.
- Result in environmental effects that will cause substantial adverse effects on human beings.

ADDITIONAL INFORMATION:

All supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the EIR Unit, Room 763, City Hall.

For City information, addresses and phone numbers: visit the City's website at <http://www.lacity.org> ; City Planning - and Zoning Information Mapping Automated System (ZIMAS) cityplanning.lacity.org/ or EIR Unit, City Hall, 200 N Spring Street, Room 763.

Seismic Hazard Maps - <http://gmw.consrv.ca.gov/shmp/>

Engineering/Infrastructure/Topographic Maps/Parcel Information - <http://boemaps.eng.ci.la.ca.us/index01.htm> or

City's main website under the heading "Navigate LA".

PREPARED BY: Marc Woersching	TITLE: City Planner	TELEPHONE NO.: (213) 978-1470	DATE: 08/15/2012
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Impact?	Explanation	Mitigation Measures
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APPENDIX A: ENVIRONMENTAL IMPACTS EXPLANATION TABLE

I. AESTHETICS		
a.	LESS THAN SIGNIFICANT IMPACT	The low rise buildings planned by the college will have a minimal impact on views of the harbor and ocean from the Palos Verdes hills.
b.	NO IMPACT	There are no significant scenic resources on the project site.
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	Aesthetic impacts may result from graffiti vandalism and from unapproved signage on construction barriers.
		I-90, I-110 The required mitigation measures will minimize the aesthetic impact of graffiti and construction fences with signs and handbills.
d.	LESS THAN SIGNIFICANT IMPACT	No additional lighting will be added to the residential buildings and parking lot lighting will be shielded.
II. AGRICULTURE AND FOREST RESOURCES		
a.	NO IMPACT	The project site consists of former Navy housing and is not farmland.
b.	NO IMPACT	The project site is zoned RD6 for low density residential uses and is not covered by a Williamson Act contract.
c.	NO IMPACT	The project site consists of former Navy housing that is consistent with the existing RD6 zone and is not farmland.
d.	NO IMPACT	The project site is not farmland.
e.	NO IMPACT	The project site is not farmland.
III. AIR QUALITY		
a.	LESS THAN SIGNIFICANT IMPACT	The classroom seating for 520 and dorms for 800 students are below the threshold for a significant impact of 813 students established by the SCAQMD.
b.	LESS THAN SIGNIFICANT IMPACT	The classroom seating for 520 and dorms for 800 students are below the threshold for a significant impact of 813 students established by SCAQMD.
c.	LESS THAN SIGNIFICANT IMPACT	The classroom seating for 520 and the dorms for 800 students are below the threshold for a cumulatively significant impact established by AQMD.
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	Construction activities will result in air quality impacts.
		III-10, III-50 The mitigation measures will protect existing and future residents of the college campus from poor ambient air quality and from construction emissions and dust.

Impact?	Explanation	Mitigation Measures	
e.	NO IMPACT	Beause this is a college rather than an industrial or commercial use, no objectionable odors will be emitted.	
IV. BIOLOGICAL RESOURCES			
a.	LESS THAN SIGNIFICANT IMPACT	The project site is former Navy housing and is not a habitat for sensitive or special status species.	
b.	NO IMPACT	The project site is former Navy housing and is not a riparian habitat or sensitive natural community.	
c.	NO IMPACT	The project site is former Navy housing and is not Federally protected wetlands.	
d.	NO IMPACT	The project site is former Navy housing and is not habitat used by migratory wildlife.	
e.	LESS THAN SIGNIFICANT IMPACT	There are no protected trees on the project site.	
f.	NO IMPACT	There are no habitat conservation plans applicable to the project site.	
V. CULTURAL RESOURCES			
a.	NO IMPACT	There are no historical resources listed on the project site.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The area is designated as a location of archaeological sites.	V-20 This mitigation measure requires monitoring to ensure that items with archaeological significance will be preserved.
c.	NO IMPACT	There are no paleontological resources listed for the area that includes the project site.	
d.	NO IMPACT	The project site is not designated as an area containing human remains.	
VI. GEOLOGY AND SOILS			
a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project site is located in the vicinity of an earthquake fault.	VI-10 The building code requirements that buildings be seismically strengthened provide further protection from earthquake damage.
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project site is located in the vicinity of an earthquake fault.	VI-10 The building code requirements that building foundations be properly engineered will provide further protection from liquefaction during an earthquake.
c.	LESS THAN SIGNIFICANT IMPACT	The project site is not in an area subject to seismic related ground failure, including liquefaction.	
d.	LESS THAN SIGNIFICANT IMPACT	The project site is not in an area designated as being at risk for landslides.	

Impact?	Explanation	Mitigation Measures
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e.	NO IMPACT	The project site is former Navy housing with buildings, pavement and landscaping with minimal erosion resulting from the construction of the new buildings and parking lots.	
f.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project site is not located in an area designated to be at risk for landslides, lateral spreading, subsidence or collapse.	VI-20 These mitigation measures will reduce the amount of soil erosion and loss from construction grading.
g.	LESS THAN SIGNIFICANT IMPACT	The project site is not located in an area with expansive soil.	
h.	NO IMPACT	The project will be connected to the sewer system. Septic tanks will not be used.	

VII. GREEN HOUSE GAS EMISSIONS

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The additional bedrooms, parking spaces and classrooms and offices added by this project will increase emissions of green house gasses.	VII-10 This mitigation measures will ensure that reduced emissions from paints, sealants and solvents will occur during construction.
b.	LESS THAN SIGNIFICANT IMPACT	The modest amount of additional green house gas emissions does not conflict with plans, policies and regulations to reduce green house gasses.	

VIII. HAZARDS AND HAZARDOUS MATERIALS

a.	LESS THAN SIGNIFICANT IMPACT	Because the proposed project is a private college rather than an industrial use, few if any hazardous materials will be used or transported.	
b.	NO IMPACT	Because the project is a private college rather than an industrial uses, the release of hazardous materials into the environment is very unlikely.	
c.	NO IMPACT	Because the project is a private college rather than an industrial use the emission or handling of hazardous materials, substances or waste within a quarter mile of a school is very unlikely.	
d.	LESS THAN SIGNIFICANT IMPACT	The proposed project is not located on a list of hazardous materials sites pursuant to Code Section 65962.5.	
e.	NO IMPACT	The project site is not located within two miles of a public airport.	
f.	NO IMPACT	The project site is not located in the vicinity of a private airstrip.	
g.	LESS THAN SIGNIFICANT IMPACT	The proposed project, consisting of additional bedrooms, classrooms, offices and parking spaces, is not likely to interfere with an adopted emergency response plan or evacuation plan.	

Impact?	Explanation	Mitigation Measures
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h.	NO IMPACT	The project site is not located at the edge of an urbanized area adjacent to or intermixed with wildlands prone to fires.	
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IX. HYDROLOGY AND WATER QUALITY

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	Water quality impacts may result from construction activities and from runoff from surface parking lots.	IX-20, IX-50 These mitigation measures will reduce the impacts on water quality from construction and stormwater runoff.
b.	NO IMPACT	The proposed project will obtain water from the City's water mains. No groundwater will be depleted.	
c.	LESS THAN SIGNIFICANT IMPACT	No streams or rivers exist on the project site.	
d.	NO IMPACT	No streams or rivers exist on the project site.	
e.	LESS THAN SIGNIFICANT IMPACT	The addition of the buildings for the classrooms and offices and the parking lots will result in a modest increase in the amount of runoff water.	
f.	LESS THAN SIGNIFICANT IMPACT	The facilities of this private college are not likely to have any other impacts on water quality.	
g.	NO IMPACT	The project site is not located within a 100 year flood hazard area.	
h.	NO IMPACT	The project site is not located within a 100 year flood hazard area.	
i.	NO IMPACT	The project site is not located in an area that would be flooded as a result of the failure of a levee or dam.	
j.	NO IMPACT	The project site is not located in an area subject to seiche, tsunami or mudflows.	

X. LAND USE AND PLANNING

a.	NO IMPACT	The project does not involve the construction of physical barriers. Rather it will add more bedrooms, buildings and parking lots to an existing campus which remains open to the public.	
b.	LESS THAN SIGNIFICANT IMPACT	The project is consistent with the existing community plan and the RD6 zoning provided that a conditional use permit is obtained.	
c.	NO IMPACT	There are no habitat conservation plans or community conservation plans applicable to the project site.	

XI. MINERAL RESOURCES

a.	NO IMPACT	There are no known mineral resources on the project site.	
b.	NO IMPACT	There is no locally important mineral resources recovery site designated for the project site by a local land use plan.	

XII. NOISE

Impact?	Explanation	Mitigation Measures	
a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	There will be periodic increases in noise levels resulting from future construction activity on the campus.	XII-20 The mitigation measures will reduce construction noise levels.
b.	NO IMPACT	The additional bedrooms, offices, classrooms, dining hall and parking spaces proposed for this private college are not industrial uses and will not expose persons to excessive groundbourne vibration or groundbourne noise levels.	
c.	LESS THAN SIGNIFICANT IMPACT	The additional vehicle traffic generated by this project will result in an increase in ambient noise levels but not an increase that is substantial.	
d.	LESS THAN SIGNIFICANT IMPACT	The additional vehicle traffic generated by this project will result in temporary or periodic increases in noise levels but not increases that are substantial.	
e.	NO IMPACT	The proposed project is not within two miles of an airport.	
f.	NO IMPACT	The proposed project is not in the vicinity of a private airstrip.	
XIII. POPULATION AND HOUSING			
a.	LESS THAN SIGNIFICANT IMPACT	The proposed addition of 192 bedrooms to the existing dormitory buildings will allow for an increased student population on campus. However, the increase is not significant.	
b.	NO IMPACT	The removal of six dwelling units in order to construct a maintenance facility is not a significant reduction because it is more than offset by the addition of 192 new bedrooms to the existing residential buildings.	
c.	NO IMPACT	The removal of six dwelling units will not result in persons being displaced because the removal of the units is more than offset by the addition of 192 bedrooms to the other residences and because students occupy college dorms only for the duration of the school year.	
XIV. PUBLIC SERVICES			
a.	LESS THAN SIGNIFICANT IMPACT	The proposed project is within a 1.5 mile service radius of an Fire Dept. engine company and truck company, with a regional fire station located next to the project site. The impact of the proposed structures on fire protection services is not significant.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The additional students resulting from the 192 bedrooms to be added to the dorms is a significant impact on the provision of police protection.	XIV-20, XIV-30 The mitigation measures will result in an enhanced level of security during and after construction.

Impact?	Explanation	Mitigation Measures
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c.	NO IMPACT	Because the new bedrooms are for college students rather than for families, there will few if any additional students attending the public schools.	
d.	LESS THAN SIGNIFICANT IMPACT	The addition of 192 bedrooms to the existing residential buildings would result in a modest increase in the demand for parks and recreational facilities that is partially offset by basketball and volleyball courts and grassy open space on the project site.	
e.	LESS THAN SIGNIFICANT IMPACT	The addition of 192 new bedrooms will not have a significant effect on the need for other public facilities.	

XV. RECREATION

a.	LESS THAN SIGNIFICANT IMPACT	The addition of 192 bedrooms to the existing residential buildings will result in a modest increase in the demand for parks and recreational facilities that is partially offset by basketball and volleyball courts and grassy open areas on the project site.	
b.	LESS THAN SIGNIFICANT IMPACT	The volley ball and basket ball courts are part of a developed neighborhood of former Navy housing. There will be no new construction and no adverse physical impacts on the environment.	

XVI. TRANSPORTATION/TRAFFIC

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The addition of 192 bedrooms, faculty offices and classrooms would result in a significant increase in a.m. and p.m. peak vehicle trips that will reduce the effectiveness for the circulation system.	XVI-10 The required mitigation measures recommended by DOT will reduce the traffic impacts on nearby intersections to a level of insignificance.
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The addition of 192 bedrooms, faculty offices and classrooms would result in an increase in a.m. and p.m. peak vehicle trips that will have a significant impact on a congestion management program.	
c.	LESS THAN SIGNIFICANT IMPACT	The project site is not near an airport and the low rise buildings will have no impact on air traffic patterns.	
d.	NO IMPACT	No changes in the street patterns are proposed as part of this project.	
e.	NO IMPACT	No changes in the street patterns, including those that would restrict emergency access, are proposed as part of this project.	
f.	NO IMPACT	No changes in the circulation patterns that would affect public transit, bicycle or pedestrian facilities are proposed as part of this project.	

Impact?	Explanation	Mitigation Measures
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XVII. UTILITIES AND SERVICE SYSTEMS

a.	LESS THAN SIGNIFICANT IMPACT	The addition of 192 bedrooms, faculty offices, class rooms and a dining hall will generate only a modest amount of wastewater which will not exceed the wastewater treatment requirements of the Regional Water Quality Control Board.	
b.	LESS THAN SIGNIFICANT IMPACT	The additional wastewater generated by this project will not require the construction of new water or wastewater treatment facilities or the expansion of existing facilities.	
c.	LESS THAN SIGNIFICANT IMPACT	The proposed project will add two new buildings and parking which will result in a modest increase in stormwater runoff that is not of a sufficient volume to require the construction of new stormwater drainage facilities.	
d.	LESS THAN SIGNIFICANT IMPACT	The two buildings and additional bedrooms will result in a modest increase in the amount of water required for Marymount College.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The increased amount of wastewater generated by the additional bedrooms and the two buildings exceeds the threshold of 4,000 gallons per day.	XVII-20, XVII-40 The mitigation measures will reduce water use and thus the amount of wastewater generated by this project.
f.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The amount of solid waste generated by the additional bedrooms and two new buildings exceeds the threshold of five tons or more per week.	XVII-90, XVII-100 The mitigation measures will ensure that construction generated waste and waste generated by the buildings after completion of construction is recycled.
g.	LESS THAN SIGNIFICANT IMPACT	All waste generated during and after completion of construction will be disposed of at local landfills in accordance with federal, state and local laws.	

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a.	LESS THAN SIGNIFICANT IMPACT	The project will be constructed on a site which is former Navy housing so there will be no reduction in the amount of habitat for wildlife or destruction of native plant species.	
b.	LESS THAN SIGNIFICANT IMPACT	All project related impacts have been reduced to less than significant levels. None of the identified impacts have been identified as resulting in cumulatively considerable impacts.	
c.	LESS THAN SIGNIFICANT IMPACT	The proposed project consists of the construction of additional bedrooms and two new structures for classrooms, faculty offices and a dining hall and parking spaces. None of these uses are industrial in nature that would involve the use of hazardous materials that would cause substantial adverse effects on humans.	

Staff comments on MND for Marymount College San Pedro Campus



CITY OF RANCHO PALOS VERDES
CITY MANAGER'S OFFICE
ADMINISTRATION

17 September 2012

VIA ELECTRONIC & U.S. MAIL

Marc Woersching
City of Los Angeles
Department of City Planning
200 N. Spring St., 7th Fl.
Los Angeles, CA 90012

SUBJECT: Comments Regarding the Proposed Mitigated Negative Declaration (Case No. ENV-2011-2478-MND) for the Marymount College San Pedro Campus Project

Dear Mr. Woersching:

On 5 September 2012, the City of Rancho Palos Verdes learned that, on or about 30 August 2012, the City of Los Angeles published notice of the above-mentioned Mitigated Negative Declaration (MND), thereby setting a 20-day deadline for the submittal of comments on the MND by 19 September 2012. The City of Rancho Palos Verdes has been involved in the review of the Marymount College San Pedro Campus project with the City of Los Angeles' Northwest San Pedro Neighborhood Council (NWSPNC) for the past year.

The primary issue of concern to Rancho Palos Verdes regarding this project is its traffic impact, particularly related to trips between the proposed San Pedro Campus on Palos Verdes Drive North and the College's main Rancho Palos Verdes Campus on Palos Verdes Drive East. We note that the Initial Study (IS) identifies "Potentially Significant Impacts Unless Mitigation Incorporated" with respect to "[conflicts] with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system" and "[conflicts] with an applicable congestion management program" (Checklist Item Nos. XVI.a and XVI.b). The explanation of environmental impacts then offers Mitigation Measure XVI-10 to address Item Nos. XVI.a and XVI.b, which claims that "[the] required mitigation measures recommended by DOT will reduce the traffic impacts on nearby intersections to a level of insignificance." However, Mitigation Measure XVI-10 cites—but does not provide a copy of—the 24 July 2012, communication between the Department of Transportation and the Planning Department that purports to detail the implementing measure(s) necessary to fully mitigate the project's traffic impacts to less-than-significant levels.

As mentioned above, our City has been involved in the review of this project as a participant in the NWSPNC planning review process for nearly a year. We have appreciated that our suggestions to expand the scope of the traffic impact analysis of the project to address our City's concerns were welcomed by the College and their traffic consultant. That is why it is so distressing to find that the proposed MND does not include any detail about how our City's concerns will be addressed.

Beyond the proposed MND, the City of Rancho Palos Verdes is also concerned that the environmental analysis of this project does not adequately capture its full scope and range of potential impacts. Enclosed is the "Marymount College Campus Locator Map" from the College's website. As shown on this map, the San Pedro Campus is but one of five (5) geographically dispersed facilities that make up this institution. While the MND focuses on the relationship and impacts (primarily traffic) between the San Pedro Campus and the Main Campus in Rancho Palos Verdes, it does little to acknowledge or address the relationship of these facilities with the College's Waterfront Campus and arts center in downtown San Pedro or its existing Pacific View West residential community on West 24th Street in San Pedro. The City of Rancho Palos Verdes is concerned that the effects of these interrelations have not been adequately addressed in the MND.

The City of Rancho Palos Verdes respectfully requests that the City of Los Angeles suspend the review period for the proposed MND, and recirculate a corrected MND that:

- Includes the missing DOT correspondence of 24 July 2012; and,
- More fully addresses the environmental impacts of the interrelationship of the San Pedro Campus project with all four (4) of the other Marymount College facilities in San Pedro and Rancho Palos Verdes.

Please note that the City of Rancho Palos Verdes also reserves the right to raise additional issues and concerns based upon the corrected and recirculated MND.

Thank you for your consideration in this matter. If you have any questions or need additional information, please feel free to contact me at (310) 544-5226 or via e-mail at kitf@rpv.com.

Sincerely,



Kit Fox, AICP
Senior Administrative Analyst

enclosure

cc: Mayor Misetich and Rancho Palos Verdes City Council
Carolyn Lehr, City Manager
Carolynn Petru, Deputy City Manager
Joel Rojas, Community Development Director
Ara Mihranian, Deputy Community Development Director
Nicole Jules, Senior Engineer

