



MEMORANDUM

TO: HONORABLE MAYOR & CITY COUNCIL MEMBERS
FROM: CAROLYNN PETRU, AICP, DEPUTY CITY MANAGER 
DATE: DECEMBER 4, 2012
SUBJECT: BORDER ISSUES STATUS REPORT
REVIEWED: CAROLYN LEHR, CITY MANAGER 
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 report on the release of the Draft Environmental Impact Report (DEIR) for the revised *Ponte Vista* project in Los Angeles (San Pedro);
- A final report on the legal challenge to the *Chandler Ranch*/Rolling Hills Country Club project in Rolling Hills Estates;
- A brief follow-up report on the release of the DEIR for the Brickwalk, LLC mixed-use condominium project in Rolling Hills Estates;
- A follow-up report on the release of the DEIR for the San Pedro Community Plan Update in Los Angeles (San Pedro);
- An update on recent issues and events related to the Rancho LPG butane storage facility in Los Angeles (San Pedro);
- A follow-up 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); and,
- A report on the certification of the Final Environmental Impact Report (FEIR) for the Los Angeles County Sanitation Districts' Clearwater Program in the City's *Eastview* area and 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/2012/20121204_BorderIssues_StatusRpt.cfm

DISCUSSION

Current Border Issues

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

On November 8, 2012, the City of Los Angeles released the Draft EIR (DEIR) for the revised, 1,135-unit *Ponte Vista* project at the former Navy housing site on Western Avenue in San Pedro (see attached Notice of Availability/Completion and *Daily Breeze* and *PV News* articles). Among the alternatives analyzed in the DEIR are:

- A 385-unit single-family alternative that is consistent with the current R-1 zoning; and,
- An 830-unit proposal that is consistent with previous Los Angeles Planning Department Staff recommendations.

The public comment period for the DEIR is scheduled to end on Monday, January 7, 2013, at 4:00 PM. City Staff will be reviewing the DEIR and submitting comments prior to the end of the public comment period. The DEIR and appendices may be reviewed on-line at the following link:

<http://planning.lacity.org/eir/PonteVistaProj2/DEIR/DEIR%20Ponte%20Vista%20Project.html>

Staff attended the Northwest San Pedro Neighborhood Council (NWSPNC) Board Meeting on November 12, 2012, to hear a presentation by the project developer. Copies of *Ponte Vista* fact sheets from that meeting are attached. The presentation was somewhat confusing in that the site plan of the developer's 1,135-unit proposal did not match the proposed 1,135-unit project that is depicted and described in the DEIR. Upon further research, Staff found that the plan presented by the developer is actually Alternative D, which is a revised version of the 1,135-unit project that has been modified to avoid an earthquake fault running through the property. Alternative D does not include the 2.8-acre public park and other public amenities that are described in the DEIR as a part of the "proposed" project. There was also a great deal of discussion by the developer regarding Alternative C, which is the revised 830-unit plan that is purportedly consistent with the Los Angeles City Planning Department's previous recommendations for the site. It appears to Staff that it is the developer's preference to obtain entitlements to build either Alternative C

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or Alternative D rather than the “proposed” project described in the DEIR. Staff will continue to monitor this project in future Border Issues reports.

Chandler Ranch/Rolling Hills Country Club Project, Rolling Hills Estates and Torrance

Staff has recently learned that the plaintiffs and the City of Rolling Hills Estates reached a settlement earlier this year in the lawsuit challenging the *Chandler Ranch/Rolling Hills Country Club* project. As such, Staff will remove this project in future Border Issues reports.

Brickwalk, LLC Mixed-Use Condominiums, Rolling Hills Estates

On October 15, 2012, Staff attended the Rolling Hills Estates Planning Commission’s continued public hearing for the DEIR (see attached agenda and Staff report). After receiving a presentation from the project’s traffic consultant, the public hearing was left open and the matter continued to December 3, 2012. Staff will continue to monitor this project in future Border Issues reports.

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

In response to requests from the Northwest San Pedro Neighborhood Council (NWSPNC) and other interested parties (including Staff), the City of Los Angeles granted a 15-day extension of the public comment period on the Draft Environmental Impact Report (DEIR) for the San Pedro Community Plan Update to October 9, 2012. On that date, Staff transmitted the attached comments to the City of Los Angeles. Staff’s comments focus upon issues related to two (2) subareas, encompassing the Rancho LPG facility and the commercial area surrounding the intersection of Western Avenue and 25th Street. Staff also noted concerns regarding proposed modifications to 25th Street that could adversely impact traffic on Palos Verdes Drive South.

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

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

As was reported in the *Daily Breeze* on October 18, 2012 (see attachments), the City Council received a report from Staff laying out options to address community concerns about the Rancho LPG facility on October 16, 2012. The City Council unanimously agreed to “step up” monitoring of the facility as a part of the Border Issues Status Report; to reach out to surrounding jurisdictions and agencies; to evaluate the applicability of the Contra Costa County Risk Management Ordinance as model legislation; and to ask Rancho LPG to provide information about liability coverage for the facility. Staff is actively working on all of these initiatives.

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On October 20, 2012, the *Daily Breeze* reported on complaints about an odor emanating from the Rancho LPG facility on October 18, 2012 (see attachments). Nearly forty (40) complaints were received from residents all over the South Bay. The South Coast Air Quality Management District (AQMD) has issued a notice of violation to Rancho LPG and launched an investigation (see attached *Daily Breeze* article of November 3, 2012).

In response to the City Council's direction of October 16, 2012, Staff prepared a letter from the Mayor to Councilman Buscaino on November 7, 2012. The attached letter expresses support for Councilman Buscaino's recent motions regarding the facility, and urges him to follow-up with the AQMD regarding the leak on October 18, 2012. Copies of this letter were provided to the City Councils and City Managers of Lomita, Palos Verdes Estates, Rolling Hills and Rolling Hills Estates.

Councilman Buscaino made a further motion regarding the Rancho LPG facility on November 13, 2012 (see attachments). This motion directs the Los Angeles City Attorney to report on the insurance requirements and liability coverage of Liquid Bulk Storage/Liquid Petroleum Gas facilities, and to suggest improvements to City laws in this respect.

Also attached to tonight's report are copies of e-mails and correspondence received regarding the Rancho LPG facility between October 17, 2012 and November 20, 2012. These include:

- E-mail from Janet Gunter expressing thanks for the City Council's action, received on October 17, 2012;
- E-mail from Janet Gunter regarding 1990 Los Angeles *Times* article about the 1987 Mobil refinery fire in Torrance, received on October 25, 2012;
- E-mail from Janet Gunter regarding correspondence about Rancho LPG with Los Angeles County, received on October 30, 2012;
- Materials submitted by Noel Weiss under "Public Comments" at the City Council meeting of October 30, 2012;
- E-mail from Jeanne Lacombe regarding the Rancho LPG leak, received on November 1, 2012;
- E-mail from Janet Gunter regarding the Rancho LPG leak, received on November 3, 2012;
- E-mail from Janet Gunter regarding Rancho LPG parent company's plans for Pier 400, received November 6, 2012;
- E-mail from Noel Weiss in response to Janet Gunter's e-mail, received November 6, 2012;
- E-mails from Cat Spydell regarding Rancho LPG facility, received November 15, 2012;
- E-mail from Janet Gunter regarding Councilman Buscaino's November 13th motion, received November 16, 2012; and,

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- E-mail from Janet Gunter regarding *CityWatch* article about Rancho LPG facility, received November 20, 2012.

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

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

Shortly after Staff commented on the adequacy of the proposed Mitigated Negative Declaration (MND) for the Marymount College San Pedro Campus project on September 17, 2012, we noted that the City of Los Angeles re-published the notice for the MND on September 27, 2012, for an additional 20-day public review and comment period. Staff was also able to obtain a copy of the July 24, 2012, memorandum from the Los Angeles Department of Transportation (LADOT) that was not included with the previous MND (see attachments).

Staff has reviewed the LADOT memorandum, which has raised a number of additional questions about the adequacy of the MND. These questions were articulated in the attached letter sent to the City of Los Angeles on October 17, 2012, and included:

- Ensuring that traffic impacts and mitigation identified in the MND are consistent and compatible with those identified in the 2010 Marymount College Facilities Expansion project Environmental Impact Report (EIR): and,
- Requesting the inclusion of eight (8) additional study intersections that were analyzed by the College's traffic consultant, but were not included in the LADOT memorandum.

On November 16, 2012, Staff received notification that the MND and related project entitlements were scheduled for public hearing on December 12, 2012 (see attachments). The joint public hearing of the Advisory Agency and Hearing Officer will be held at 9:30 AM at Los Angeles City Hall, 200 N. Spring St., Rm. 1020, Los Angeles, CA 90012. Staff will continue to monitor this project in future Border Issues reports.

Los Angeles County Sanitation Districts' Clearwater Program, Eastview Area and Los Angeles (San Pedro)

On November 5, 2012, Staff received a copy of the Districts' responses to our April 9, 2012, comments on the Draft EIS/EIR (see attachments). Staff is satisfied that the Districts have adequately responded to our comments on the project EIR.

The Districts' Board of Directors was scheduled to consider certification of the Clearwater Program Final EIR on November 28, 2012. As of the date that this report was distributed, Staff was not yet able to confirm the Districts' action on the EIR. Separate action will be

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taken by the Army Corps of Engineers on the project EIS for those portions of the project under Federal jurisdiction.

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:

- Notice of Availability/Completion for *Ponte Vista* EIR (received 11/8/12)
- *Daily Breeze* article regarding *Ponte Vista* EIR (published 11/9/12)
- *Ponte Vista* fact sheets from NWSPNC Board meeting (dated 11/12/12)
- *PV News* article regarding *Ponte Vista* EIR (published 11/15/12)
- RHE Planning Commission agenda and Staff report for Brickwalk, LLC project (dated 10/15/12)
- Comments on DEIR for San Pedro Community Plan Update (dated 10/9/12)
- *Daily Breeze* article regarding City Council review of Rancho LPG facility (published 10/18/12)
- *Daily Breeze* articles regarding leak at Rancho LPG facility (published 10/20/12 & 11/3/12)
- Letter to Councilman Buscaino regarding Rancho LPG facility (dated 11/7/12)
- Councilman Buscaino's motion regarding Rancho LPG insurance requirements (dated 11/13/12)
- E-mails and correspondence regarding Rancho LPG facility (received 10/17/12 to 11/20/12)
- LADOT memorandum regarding traffic study for Marymount College San Pedro Campus (dated 7/24/12)
- Comments on MND for Marymount College San Pedro Campus (dated 10/17/12)
- Public hearing notice for Marymount College San Pedro Campus (received 11/16/12)
- Response to comments for LACSD Clearwater Program EIR (received 11/5/12)

Notice of Availability/Completion for *Ponte Vista* EIR

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION
WILLIAM ROSCHEN
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REGINA M. FREER
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BARBARA ROMERO
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JAMES WILLIAMS
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(213) 978-1300

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MAYOR

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DEPUTY DIRECTOR
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INFORMATION
www.planning.lacity.org

November 8, 2012

**NOTICE OF AVAILABILITY/COMPLETION OF
DRAFT ENVIRONMENTAL IMPACT REPORT
NO. ENV-2005-4516-EIR
STATE CLEARINGHOUSE NO. 2010101082**

To: Owners of Property and Occupants and other interested parties.

PROJECT NAME: Ponte Vista Project

SITE LOCATION: The Project Site is located at 26900 South Western Avenue, in the San Pedro/Harbor City area of the City of Los Angeles, CA 90732.

COMMENT REVIEW PERIOD: November 8, 2012 –January 7, 2013 (60 DAYS)

DEVELOPMENT PROJECT DESCRIPTION:

The Project Site is currently improved with 245 residential dwelling units, a community center, and a retail convenience facility that were constructed in approximately 1962 by the U.S. Navy for the purpose of housing personnel stationed at the Long Beach Naval Shipyard. All of these buildings and uses are vacant. The dwelling units and facilities were built by the United States government without compliance with building codes enforced by the City of Los Angeles, and are required to be demolished. In addition, the dwelling units, facilities, infrastructure, streets, and landscaping at the Project Site were abandoned after the site was closed in the late 1990s and are in a state of disrepair. As part of the Project, all existing improvements would be removed from the site.

The Project consists of the development of a residential community comprised of 1,135 dwelling units featuring a combination of for-sale and rental single-family homes, duplexes, townhomes, and flats. The Project would be comprised of a combination of for-sale and rental dwelling units within the following categories:

- Two- and three-story detached single-family homes with alley-loaded private garages
- Three-story buildings containing townhomes and flats with elevators and motor-court private garages
- Two- and three-story townhome duplexes with alley-loaded private garages
- Three-story buildings containing townhomes and flats with alley-loaded private garages
- Three-story townhomes in row house buildings with alley-loaded private garages
- Four-story buildings containing flats with elevators and secured common garages
- Four-story buildings with elevators over a secured common basement garage containing rental apartments

The Project would require the following discretionary actions:

1. General Plan Amendment to change the land use designation in the Wilmington-Harbor City Community Plan for the Project Site from Low Residential to Low Medium I Residential, Low Medium II Residential, and Medium Residential;
2. Zone change to change the zoning designation for the Project Site from R1-1XL and OS-1XL to a new Specific Plan Zone;
3. Specific Plan adopted for Ponte Vista establishing project-specific development standards and guidelines;
4. Vesting Tract Map for the development of 1,135 residential dwelling units on the 61.5-acre Project Site;
5. Development Agreement between the project developer and the City of Los Angeles in order to provide reasonable assurances and certainty to the developer concerning applicable regulations while providing the City of Los Angeles with public benefits;
6. Haul Route Permit for the removal of demolished structures and associated materials from the Project Site;
7. B-Permit for necessary street, sewer, storm drain, and lighting improvements;
8. Grading Permits;
9. Building Permits;
10. Streambed Alteration Agreement pursuant to Section 1603 of the California Fish & Game Code;
11. Permits pursuant to Sections 401 and 404 of the Clean Water Act;
12. Encroachment Permit from the California Department of Transportation (Caltrans); and
13. Any other necessary discretionary approvals or ministerial permits required for the construction or operation of the Project.

ANTICIPATED SIGNIFICANT ENVIRONMENTAL EFFECTS: Based on the analysis contained in this Draft Environmental Impact Report (DEIR), the Project would result in significant unavoidable environmental impacts related to operational air emissions, construction-related noise and vibration, and operational noise at some units within the Project. In addition, although mitigation is available to reduce all Project traffic impacts to a less than significant level, the implementation of such mitigation at locations outside the City of Los Angeles is beyond the control of the Lead Agency. If approval for implementation of these mitigation measures is not received from each applicable jurisdiction, a significant unavoidable traffic impact would result.

All other potential impacts identified would be mitigated to less than significant levels.

DOCUMENT REVIEW AND COMMENT: If you wish to review a print copy of the DEIR or the documents referenced in the DEIR, you may do so at the City of Los Angeles, Department of City Planning, at 200 N. Spring Street, City Hall, Los Angeles, CA, Room 750. The DEIR is available online at the Department of City Planning's website at <http://cityplanning.lacity.org> (click on "Environmental" then "Draft EIR"), and digital versions are also available at the following Library Branches:

1. San Pedro Regional Branch Library, 931 S. Gaffey Street, San Pedro, CA 90731
2. Harbor City-Harbor Gateway Branch Library, 24000 S. Western Avenue, Harbor City, CA 90710
3. Wilmington Branch Library, 1300 N. Avalon Boulevard, Wilmington, CA 90744
4. Los Angeles Central Library, 630 W. 5th Street, Los Angeles, CA 90071

The Project Site is located near the jurisdictions of Los Angeles County, Lomita, and Rancho Palos Verdes. The DEIR will also be available in digital format for review at these libraries that are outside the City of Los Angeles Public Library system, due to their proximity to the Project Site:

5. Lomita Public Library (County of Los Angeles, Public Library), 24200 Narbonne Avenue, Lomita, CA 90717
6. Miraleste Library (City of Rancho Palos Verdes), 29089 Palos Verdes Drive East, Rancho Palos Verdes, CA 90275

The DEIRs can also be purchased on CD-ROM for \$7.50 per copy. Contact Erin Strelch of the City of Los Angeles at (213) 978-1351 to purchase one.

If you wish to submit comments following review of the DEIR, please reference the file number above, and submit them **in writing** by **Monday, January 7, 2013, no later than 4:00 PM.** The 45-day comment period was scheduled to end on Dec 24, 2012. However, because of the holiday season, the comment period is being extended to Jan 7, 2013, which will allow for a 60-day review period.

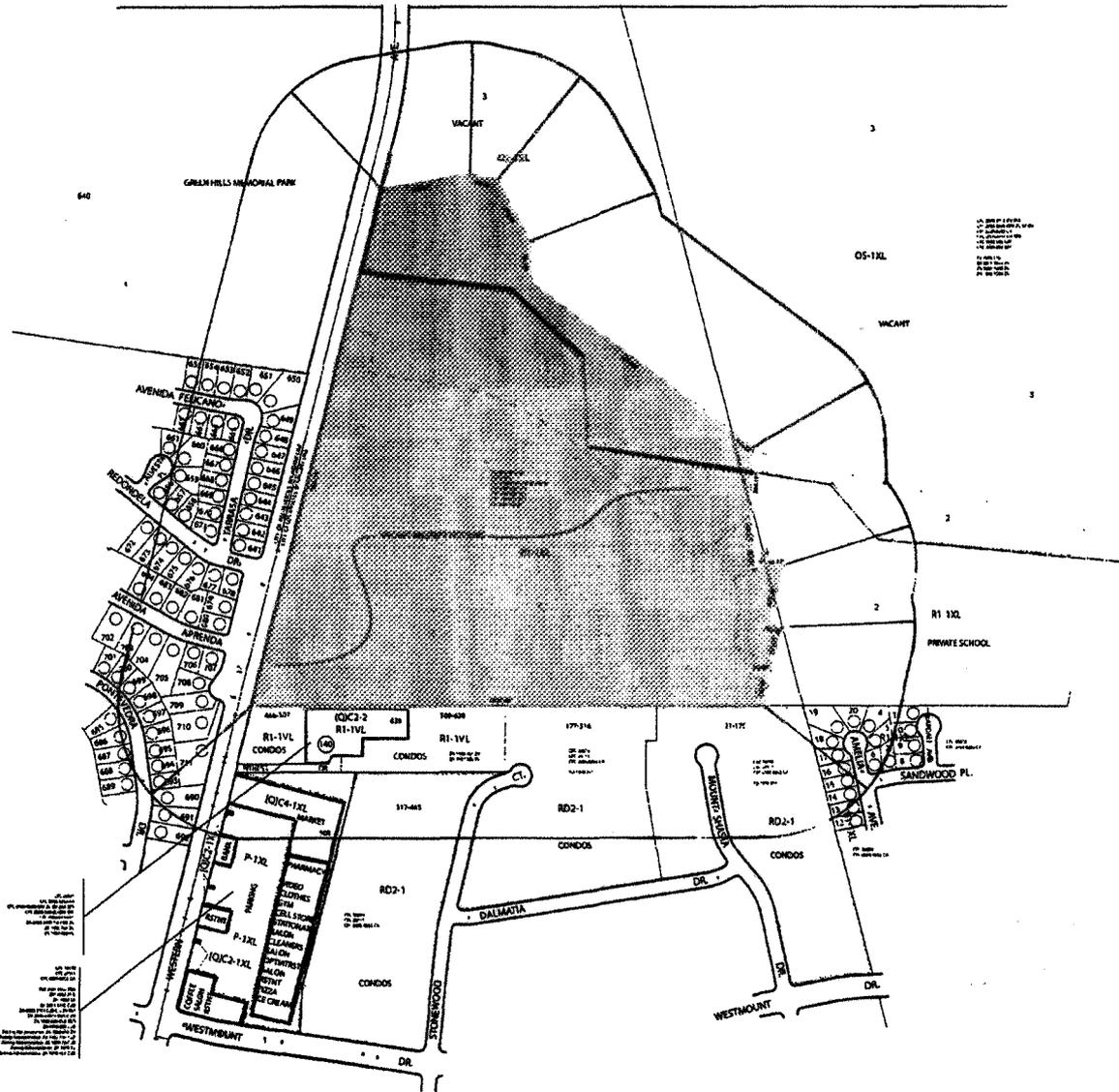
Please direct your comments to: Erin Strellich, Planning Assistant
Los Angeles Department of City Planning
200 N. Spring Street, Room 750
Los Angeles, CA 90012
Fax: (213) 978-1343
Email: erin.strellich@lacity.org

When a public hearing is required for the Project, a separate hearing notice will be mailed at a later date for such purpose. If you have any questions, **please contact Erin Strellich** at the location and e-mail above.

Michael J. LoGrande
Director of Planning



Erin Strellich
Planning Assistant
Environmental Analysis Section



**GENERAL PLAN AMENDMENT - ZONE CHANGE - DEVELOPMENT AGREEMENT
SPECIFIC PLAN - VESTING TENTATIVE TRACT MAP - HAUL ROUTE**



Quality Mapping Service

14549 Archwood St, Suite 301
Van Nuys, California 91405
Phone (818) 997-7849 - Fax (818) 997-0351
qmappng@qaqms.com

DRAWN BY:

THOMAS BROTHERS
Page: 783,823 Grid: J-7, J-1

LEGAL
LOT: POR LOT 1
TRACT: 3192 M.B. 44-91-84
"SEE APPLICATIONS"
CONTACT: FUSCOE ENGINEERING

A.P.N.
7442-001-(009-012)

CD: 15
CT: 2951.01
PA: 433-WILMINGTON
USES: FIELD

SITE ADDRESS
26900 WESTERN AVENUE

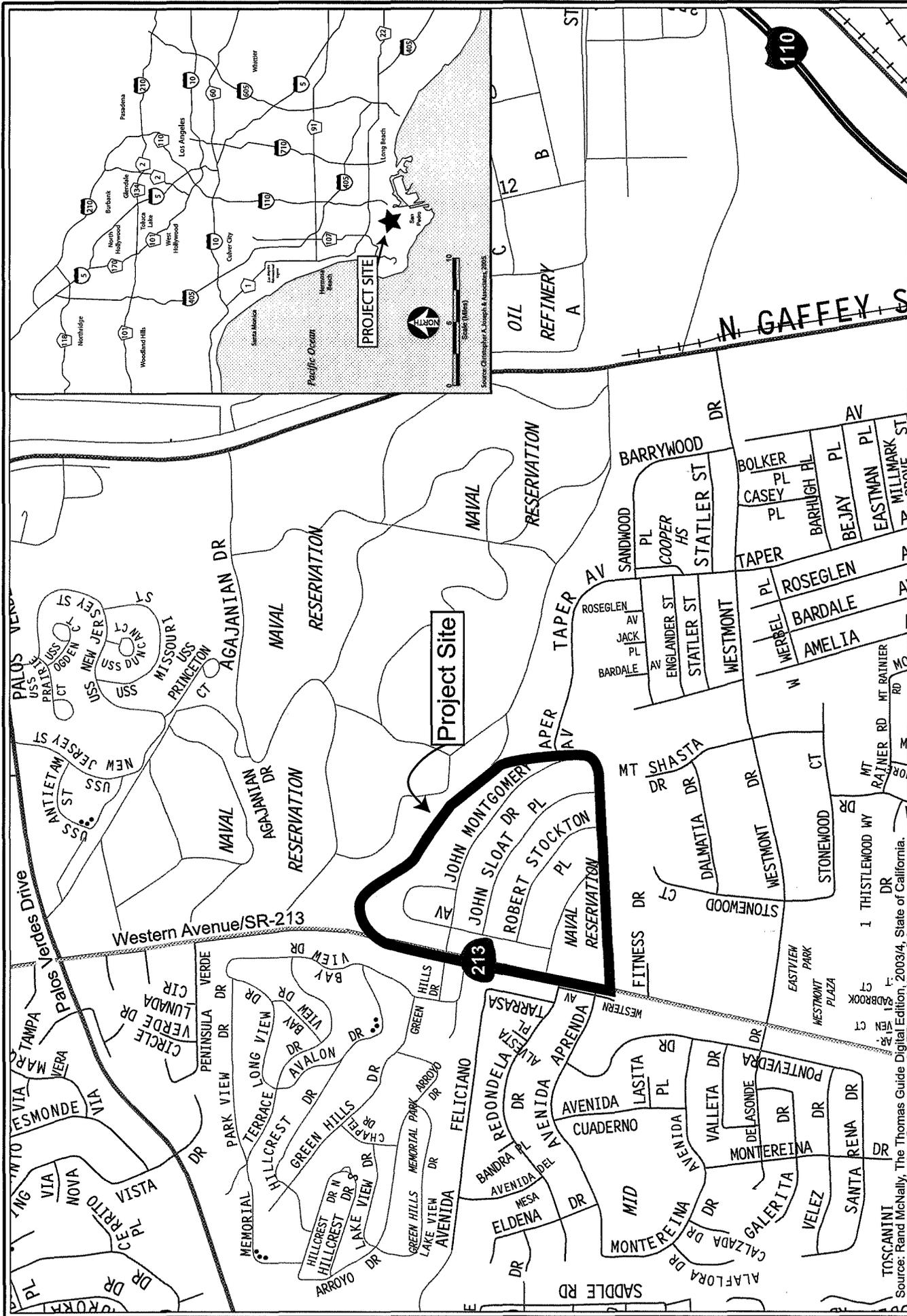
CASE NO:
SCALE: 1"=200'
D.M.: 027B193.024B193
PHONE: 213-988-8802

DATE: 05-04-12
Update: 09-05-12

NET AC: 61.53



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Project Location and
Regional Vicinity Map

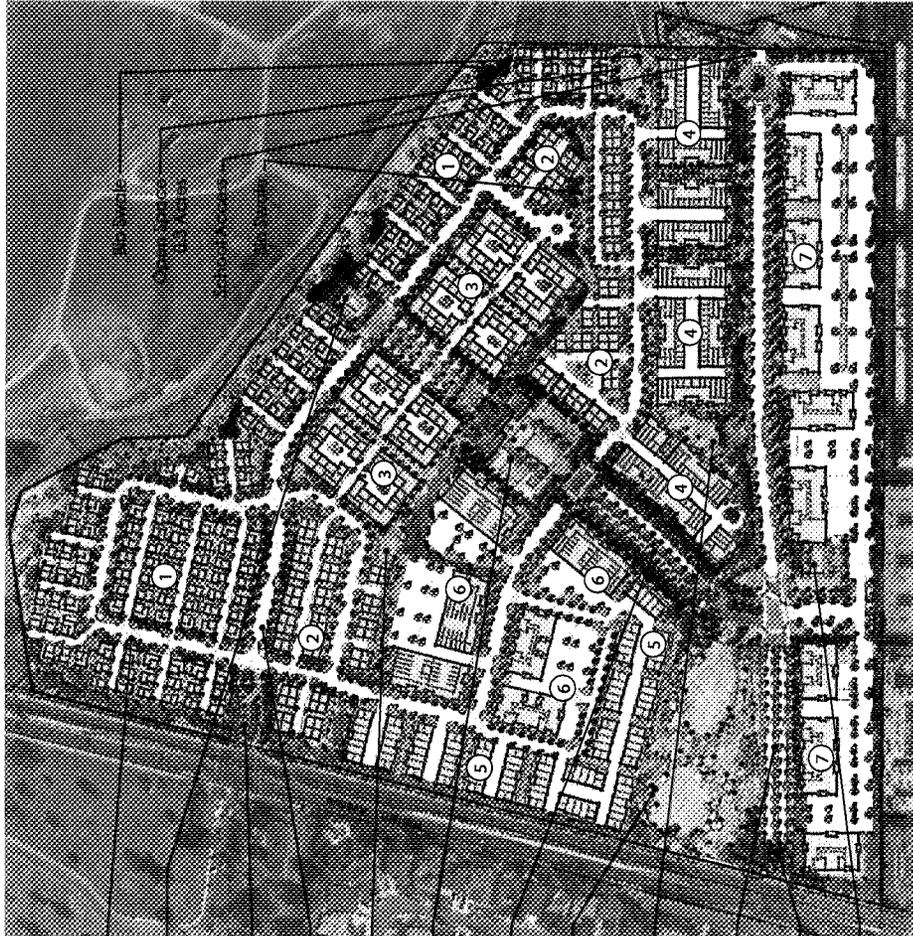


CAJA Environmental Services, LLC

TOSCANTINI
Source: Rand McNally, The Thomas Guide Digital Edition, 2003/4, State of California.

Product Type Diagrams

①		<p>Product Type 1 - 2-3-story detached, - detached garage - alley located private garages</p> <p>143 Units</p>
②		<p>Product Type 2 - 2-3-story townhomes, adjacent - alley located private garages</p> <p>74 Units</p>
③		<p>Product Type 3 - 3-story building - townhomes & flats with elevation - motor court private garages</p> <p>128 Units</p>
④		<p>Product Type 4 - 3-story building - townhomes & fish - alley located private garages</p> <p>136 Units</p>
⑤		<p>Product Type 5 - 3-story building with mezzanine building - alley located private garage</p> <p>101 Units</p>
⑥		<p>Product Type 6 - 4-story building - flats with elevator - shared common garage</p> <p>161 Units</p>
⑦		<p>Product Type 7 - 4-story building over basement garage - shared common garage - shared common garage</p> <p>392 Units</p>
<p>Total: 1,135 Units</p>		



- Secondary Loop Road
- Recreation Center
0.25 Acres
- Community Entry
- Primary Loop Road
- Bio Swale
- Community Recreation
Center 1.3 Acres
- Community Spine Street
- Public Park
2.8 Acres
- Open Space
0.4 Acres
- Entry Drive
- Community Entry
- Recreation Center

Source: TCA-Architects, ValleyCrest Design Group, Fuscoe Engineering and Robert Hidey Architects, October 14, 2010.



Daily Breeze article regarding *Ponte Vista* EIR

San Pedro: Downsized plan for Ponte Vista housing development debuts

By Donna Littlejohn Staff Writer Daily Breeze

Posted:

DailyBreeze.com

After seven years of off-and-on debate, a new downsized version of the proposed Ponte Vista housing development in San Pedro was rolled out Thursday.

The latest project, now under a new development team, will be presented in coming weeks at a series of public meetings, with the first set for 6 p.m. Monday at a meeting of the Northwest San Pedro Neighborhood Council.

Scaled down from an original 2,300 to either 1,135 or 830 homes, developers are confident they now have a plan that will pass community approval.

"We have an entirely new project," said Dennis Cavallari, project manager, adding that Ponte Vista has been "completely redesigned from the ground up."

Instead of what he called an "ultra-dense" project in its first generation, Ponte Vista now is a project that has the feel of a suburban - and specifically of a San Pedro - community.

Single-family homes, condominiums and apartments will be feature a Spanish, Mediterranean and California contemporary design.

Included are two outdoor pools, several pocket parks, a playground and clubhouse for Ponte Vista residents.

While the project - planned on 61.5 acres of former Navy housing property at 26900 S. Western Ave. - will be a gated community, there will be walking/jogging and bike trails around the perimeter that will be accessible to the public.

Two entry and exit ways will be included and an additional northbound lane will be added to Western Avenue to help accommodate the flow of motorists heading into the development.

The city's new draft environmental report for the project was released Thursday by the city of Los Angeles. It had been in the works for two years.

Members of the public now have 60 days to submit comments (the period ends Jan. 7) on the new plans that also will be the subject of several upcoming community presentations.

The plans include a new traffic study. Developers said all impacts on all affected intersections can be mitigated, according to the report.

As for density, the new proposal calls for 1,135 units. But a smaller alternative also studied - one that is preferred by the council office and no doubt will be more appealing to many of Ponte Vista's community critics - would build 830 units on the property.

Included in both plans are single-family homes with backyards and detached garages; multi- and single-story condominiums and townhomes with smaller units suitable for singles, retirees or empty-nesters; and a section at the south end of the property for new apartment buildings.

Mature trees and drought-resistant landscaping will be added and the housing elements are planned to best

http://www.dailybreeze.com/ci_21959618/san-pedro-downsized-plan-ponte-vista-housing-development?IADID=Search-wv
preserve views of the Vincent Thomas Bridge, developers said.

Ponte Vista was first envisioned by the Bisno Development Co., the property's first owner, as a 2,300-home project with flats along with multi-story townhomes and condominiums along with a retail center.

But the project received heavy criticism from the start after its public debut in October 2005.

The development was far too dense, many residents complained. The Gardens townhome development, for example - the most densely planned housing development in San Pedro - had 13.3 units per acre.

Under the Bisno plan, Ponte Vista would have had 37 units per acre.

But of even greater concern was how the project would affect traffic along an already crowded Western Avenue thoroughfare.

And traffic no doubt will remain the primary concern as residents begin a new round of discussions over the latest proposal.

In addition to the Northwest San Pedro Neighborhood Council on Monday, future presentations will be planned at the Central San Pedro, Coastal San Pedro, Harbor City-Harbor Gateway and Wilmington neighborhood councils, developers said.

Developers also will make presentations to area chambers of commerce - the first one is planned for Tuesday morning at the San Pedro chamber - and appointments can be made by anyone to see the drawings and ask questions of the developers by calling the Ponte Vista office.

The property once was home to hundreds of Navy shipyard workers. When the shipyard was closed, the property was declared surplus by the federal government and Bisno Development paid \$88 million in an online auction in early 2005 to purchase most of the property. The company later bought out owners of the rest of the land, with the total purchase price amounting to \$125 million.

A later proposal for 1,950 homes also was rejected by the community.

The property was purchased by iStar Financial Inc. in 2010 and a new plan was then put in motion.

The land sits along Western Avenue mostly north of Avenida Aprenda and partially across from Green Hills Memorial Park cemetery.

The long vacant Navy houses are still standing on the land.

If agreement can be reached on one of the new plans to move forward, building could begin in 2014 and take five years for completion.

Projected sale prices for the homes will be determined by the housing market once the development is approved and built, Cavallari said.

Also studied in the city's draft EIR was a 500-unit single-family home option.

The 830-home alternative, however, would be the "only economically viable" alternative for developers, he said. Building iStar's primary 1,135-home option would cost less for the developer.

There is no estimated cost for building Ponte Vista at this time, Cavallari said.

The 830-unit alternative would include 208 single-family homes; 224 two-story townhomes with private garages; 180 multi-level and single-story "flat" condominiums; and 218 luxury apartments.

The larger 1,135-unit proposal calls for 143 single-family homes; 140 townhomes with private garages; 120 single- and multi-level condominiums; 514 single-level condominiums or "flats;" 218 luxury apartments.

The project also has been set back from Western Avenue by about 40 feet. Trees will be planted in front of the development.

The project, Cavallari said, took in feedback received from the community throughout the years and will bring needed new housing stock to the South Bay.

"It's a new Ponte Vista," Cavallari said.

Over the next few months, residents will have to determine whether the project is new enough to finally get their stamp of approval.

donna.littlejohn@dailybreeze.com

Follow Donna Littlejohn on Twitter at <http://twitter.com/donnalittlejohn>

What's next?

What: Presentation on the latest Ponte Vista housing proposal at the monthly meeting of the Northwest San Pedro Neighborhood Council

Where: St. Peter's Episcopal Church, 1648 W. Ninth St., San Pedro

When: 6 p.m. Monday

Information: www.pontevista.com (where there also is a link to the city's draft EIR; www.nwsanpedro.org/; Ponte Vista office, 310-241-0699.

Ponte Vista fact sheets from NWSPNC Board meeting

THE NEW PONTE VISTA: project overview



The new Ponte Vista is a proposed residential community in San Pedro, including 1,135 residential units, a mixture of single family homes, townhomes, single and multi-story condominiums, and luxury apartment homes. Ponte Vista is proposed for a 61.5 acre site located at 26900 S. Western Avenue, in the Wilmington-Harbor City Community Plan in the City of Los Angeles. The site was previously owned by the federal government, providing housing to naval personnel and their families until the Naval Shipyards closed in the late 1990s.

In 1999, the Planning Department and City approved a plan for redeveloping the site as a mixed-use development. That plan ultimately did not move forward, and the property is currently vacant. Until a project is approved by the City, the site will remain in its current state, with blighted, abandoned homes standing unoccupied.

In March, 2010, iStar Financial took ownership and control of the Ponte Vista property. iStar has been working with the Council office, LA City Planning Dept. and the community to develop a new, revised plan for the site that is in keeping with the Harbor area community. The project is currently moving through the environmental review process and City approval process. **iStar's goal is to transform the blighted site into a productive residential community.**

HOUSING DESIGNED FOR San Pedro's Families

Ponte Vista is designed to meet the residential housing needs of Harbor-area families. The project will contain many housing options, including 143 single family homes, 140 townhomes, 120 single and multi-level condominiums, 514 single-level condominiums (flats), and 218 luxury apartment homes. iStar is committed to building a high-quality residential community with amenities that meet the needs of working men and women, families and seniors, as well as being affordable to residents who currently live in the Harbor area.

A NEW PROJECT Designed with the Community

As the EIR process launched in November, 2010, a public Scoping Session was held in San Pedro. At that event, and through other events in the past, we have gathered dozens, if not hundreds, of suggestions and comments on past and present plans for Ponte Vista. This ongoing conversation with the community has been critical to developing the new plan for Ponte Vista. Many of the suggestions made by community members are reflected in the present design.

We have designed a project that is **less dense, with a suburban feel that matches the surrounding neighborhoods**, with less than half the units proposed by the original developer (1,135 units versus over 2,300). Over 40% of the project site is devoted to **single family homes**, and the layout of the project has been designed to preserve views of the Harbor, and to ensure a generous setback from Western Avenue. Additionally, Ponte Vista will include a system of **walking and biking trails**, as well as small parks and playgrounds for residents, and a permanent and direct access road to Mary Star of the Sea High School from Western Avenue.

ECONOMIC Benefits

The Ponte Vista site presents a unique opportunity to master plan a residential community on one of the larger undeveloped parcels of land in the Harbor area and the City of Los Angeles. The Ponte Vista site is located near public transit and jobs, with the nation's busiest port less than 2 miles away. The Port is the region's biggest job generator, and the location of Ponte Vista offers the opportunity to build new housing close to existing jobs.

During its construction, Ponte Vista will employ hundreds of local construction workers. Once complete, additional benefits will include increasing the tax base, which will fund schools and public services, and generating project park and recreation fees of over \$2.5 million to fund new and existing public parks in the surrounding areas.

TRANSPORTATION Improvements

As part of the EIR (Environmental Impact Report, which is part of the California Environmental Quality Act), a completely new traffic study was completed. Twenty intersections were identified that need improvements in order to offset any potential impact from future traffic from the Ponte Vista development: 16 of the intersections are within the City of Los Angeles, and the remaining intersections are in neighboring cities or on the border between cities.

All potential traffic impacts from the project are able to be fully addressed through transportation improvements in the Harbor area. Improvements may include new turning lanes, left-turn lights and new signals, for example.

A COMMITMENT to Sustainability

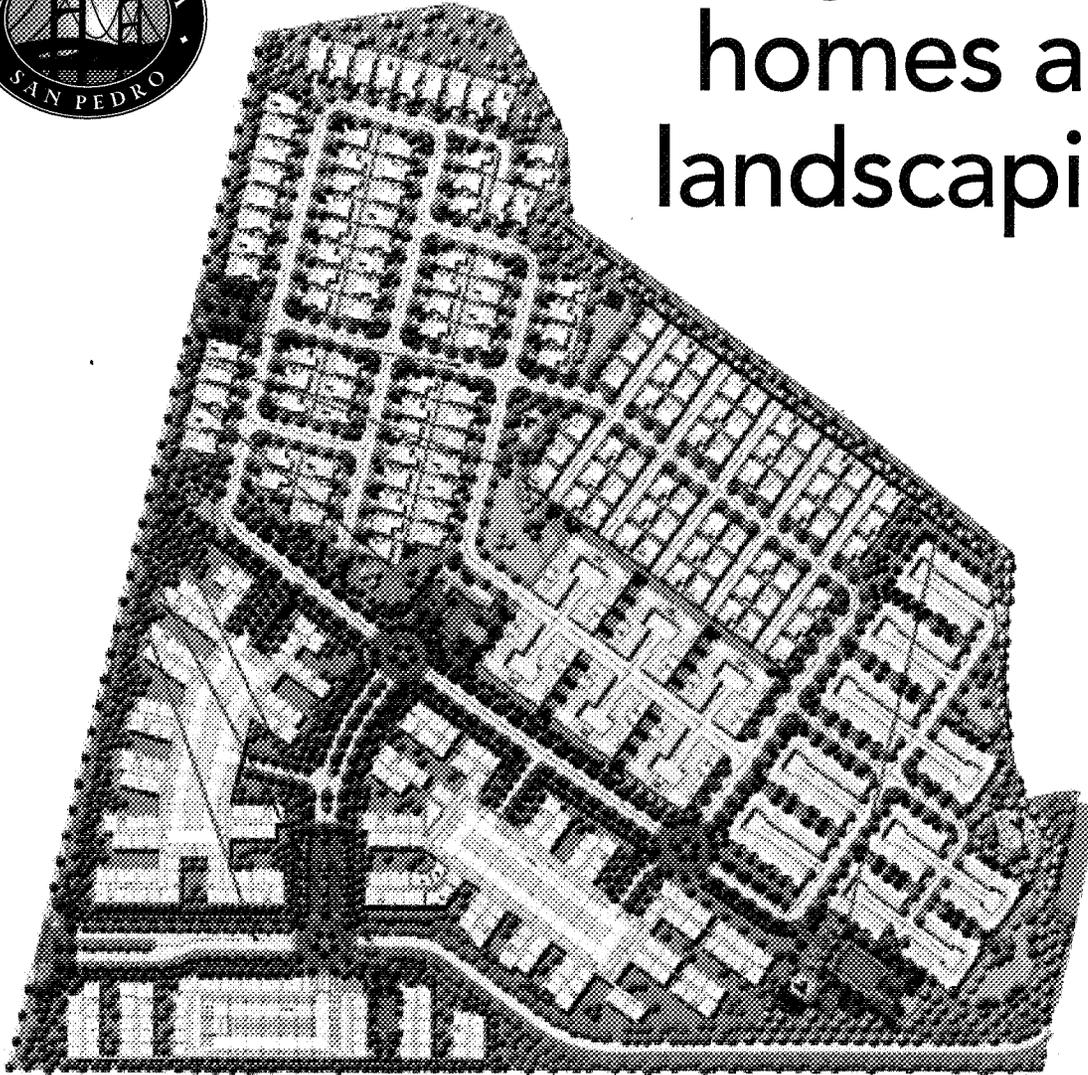
Ponte Vista will be **designed and built to LEED standards**, and issues of energy and water conservation are central to the project's design. Our landscaping team has designed the project with drought-resistant landscaping to reduce water use, as well as irrigation systems using recycled grey water through purple pipe. In addition, rainwater runoff will be captured in **bioswales**, a natural groundwater filtration system that cleans and recharges local groundwater.

Outdoor recreation is an important part of the overall site design. Ponte Vista will feature a number of small parks and playgrounds. Hiking and biking trails will allow both residents and the community to enjoy the beautiful, environmentally-sensitive landscape features.

We welcome your comments and invite you to contact us at info@pontevista.com, or visit our website www.pontevista.com for more information.



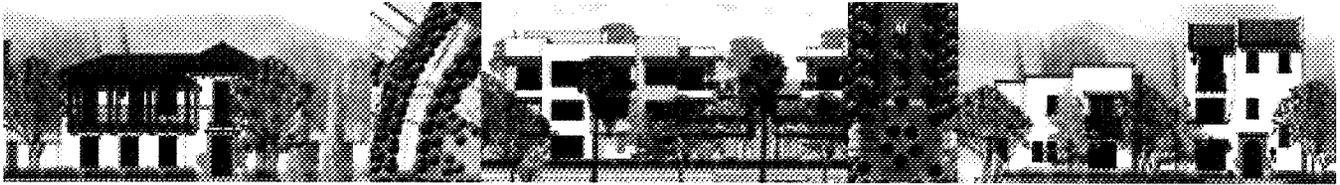
THE NEW PONTE VISTA: community design, homes and landscaping



OVERVIEW

The new Ponte Vista is a proposed residential community in San Pedro, including 1,135 residential units, a mixture of single family homes, townhomes, and apartments. A former U.S. Navy family housing development, the 61.5 acre Ponte Vista site is located on Western Avenue. For over 15 years,

since the closure of the local naval base, the Ponte Vista site has sat vacant, and the abandoned housing on the site has been a blight on the surrounding community. The new plan for Ponte Vista is an exciting project that will reinvigorate the area with a residential community that is designed to fit into the existing neighborhood.



Far less dense than previous plans (less than half the number of units originally proposed), the new Ponte Vista is designed with the families of San Pedro in mind. Housing types feature a diversity of sizes and layouts to meet the needs of families, young professionals and seniors, across income levels. The overall design is crafted to highlight the natural beauty of the site, preserve the unique views of the Harbor, and lessen the environmental footprint of the buildings, wherever possible.

The new Ponte Vista will feature abundant opportunities for on-site outdoor recreation, including hiking and biking trails and multiple parks, playgrounds and even a dog park. On-site amenities will include several swimming pools and a clubhouse. Drought-tolerant landscaping and water recycling will help promote the conservation of natural resources. Landscaping with mature trees will give the community a settled, lush appearance that will enhance views into the community from Western Avenue and provide the natural cooling and shade to reduce energy consumption.

A DIALOGUE with the Community

Starting from the ground up, the Ponte Vista creative team designed the project to reflect input and ideas from the community. In addition to the project being re-designed from those proposed by previous developers, a new Environmental Impact Report has been completed, including a completely new traffic study. Significant community input was included to ensure that the new plan meets the community's goals, and creates a quality project that will be embraced by its neighbors.

Building on ideas and input from the community, the current design calls for less than half the number of units originally proposed for the site, as well as lower density, more single-family homes, and numerous green design features.

INSPIRATION for Design

The project designers, Robert Hidey Architects (RHA), is a Southern California-based company. Firm principal and founder Robert Hidey grew up in Palos Verdes Estates, where he developed his passion for architecture and design. RHA specializes in designing homes rich in architectural detail and history, and for Ponte Vista, the team looked to the unique history of the San Pedro area for inspiration.

At Ponte Vista, housing and community buildings will be built in one of two distinct styles: Mediterranean and California Modern. The vision is to have an overall design that incorporates a variety of historical and stylistic references native to the area, while maintaining a cohesive feel for the community.

Landscape architects ValleyCrest Design Group specialize in sustainable design. ValleyCrest worked in close collaboration with the architecture and engineering firms to develop a plan that highlights the natural beauty of the site and maximizes the use of green and open space. Water conservation is a key element of the overall design, and drought-tolerant native and Mediterranean plantings will be featured throughout. In addition, mature trees will be planted to provide shade, and to make sure the new Ponte Vista blends organically into the surrounding neighborhood.

HOUSING Options

Ponte Vista is designed with 143 detached single-family homes on traditional lots (with backyards), comprising over 40% of the total project site area. These homes will be built in the Mediterranean style. Other housing types include:

- 140 Townhomes, all with private garages
- 120 Single- and multi-level condominiums
- 514 Single-level condominiums (flats)
- 218 Apartments

The new Ponte Vista is designed to meet the unique needs of a range of household types and sizes — from young families to singles and seniors. At Ponte Vista, everyone can find the perfect home for their family.

THE NEW PONTE VISTA: traffic study



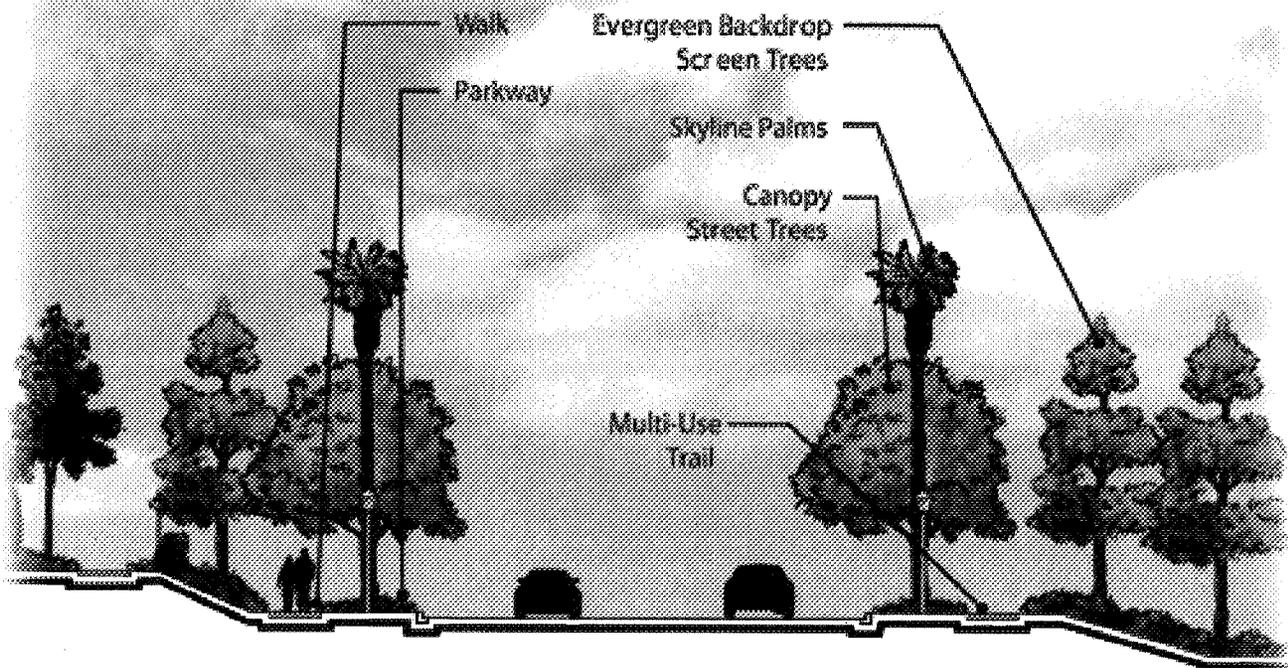
WHAT IS A **Traffic Study?**

Traffic studies are carried out as part of the City of Los Angeles's environmental review process. Completed by certified engineers, these studies examine a wide variety of issues, including the type and location of the proposed project, and the existing traffic and environmental conditions in the area. The goal of the study is to determine what, if any, impacts the proposed development will have on traffic in the surrounding community, and how those impacts can be addressed through traffic improvements.

Traffic studies must meet the requirements of the City of Los Angeles and LADOT (Los Angeles Department of Transportation), as well as CEQA (California Environmental Quality Act). The intersections studied are primarily determined by LADOT.

THE NEW PONTE VISTA **Traffic Study**

A new traffic study has been conducted by the Ponte Vista development team, as part of the EIR process. Through our conversations with the community, it became clear that there was concern about relying on the 2006 traffic study for the new EIR. Therefore, we made the decision to complete an entirely new traffic study.



The study examined intersections in the City of Los Angeles as well as neighboring cities such as Rancho Palos Verdes and Lomita, and unincorporated areas of Los Angeles County. Additional intersections evaluated in the new study were identified from public comments to the previous Draft EIR for the property (for example, Western Avenue/Peninsula Verde Drive, and Western Avenue/Fitness Drive).

Traffic counts were taken in the fall, when school was in session, during peak weekday morning and afternoon hours, as well as on Saturdays. In addition, the timeframe for traffic counts was extended in order to capture school traffic, from 2pm to 6pm.

TRAFFIC STUDY Recommendations

With the new, completed traffic study in hand, Ponte Vista is proposing a transportation plan that maximizes the flow of traffic along Western Avenue and other important roadways within the community.

As outlined in the EIR, the new traffic study has identified 20 intersections where potential impacts exist once Ponte Vista is built. Of these intersections, most are within the City of Los Angeles, and many of the intersections are located on the border between cities/jurisdictions.

Improvements have been identified that will mitigate the potential impacts to specific intersections. These improvements will be constructed before traffic impacts due to Ponte Vista could occur. Permits for the improvements will be issued by the City of Los Angeles, CALTrans, or another jurisdiction, depending on where the intersection is located. Improvements may include new turning lanes, left-turn lights and new signals, for example.

MOVING Forward

Keeping traffic moving around and through Ponte Vista is important to the project's success and crucial to preserving the quality of life in the Harbor community. The Ponte Vista team is pleased that all traffic impacts listed in the EIR are able to be fully addressed through traffic improvements in the Harbor area.

ACCESS TO

Mary Star of the Sea High School

As part of the Ponte Vista project, a dedicated road from Western Avenue to the Mary Star of the Sea High School will be built. This is just one of many benefits and improvements that will come to the community through the Ponte Vista project.

THE NEW PONTE VISTA: a sustainable future



Sustainability is an essential element of the overall design plan for Ponte Vista, a proposed residential development in San Pedro. The New Ponte Vista architecture, landscaping and engineering teams are highly experienced in sustainable design, and bring creative, practical and proven solutions to the issues our community is facing, including water supply, energy consumption, and preservation of open space.

PONTE VISTA: **Site History**

Located on Western Avenue in San Pedro, Ponte Vista is a 61.5 acre former naval housing site. Currently, the site is covered with dilapidated, vacant housing. The new plan for Ponte Vista will reinvigorate the area with a residential community that is designed to fit into the existing neighborhood, including 1,135 residential units, a mixture of single family homes, townhomes, condominiums and apartments.



VISION FOR A **Sustainable Community**

Ponte Vista is being designed as an 'urban in-fill' project, meaning that it is being built within the boundaries of an existing city and with existing transportation and other infrastructure in place. These urban in-fill projects are, by definition, more environmentally-friendly as they limit urban sprawl and keep residents close to existing jobs and transportation centers.

Ponte Vista residents will have easy access to public transportation on Western Avenue, and easy freeway access to the 110 freeway. Also, the project is located within 2 miles of the Port of Los Angeles, a hub for thousands of local jobs. Ponte Vista promotes the economic and environmental sustainability of the Harbor area by locating new housing close to employment.

SUSTAINABLE Living

All buildings at Ponte Vista will be designed and built to the City's Green Building Code and LEED (Leadership in Energy and Environmental Design) standards. In addition, Ponte Vista will seek opportunities to design and build to the highest LEED standards wherever possible.

Sustainability informs both large and small decisions in the design and building phases. For example, during construction, efforts will be made to reduce waste. Low-flow water faucets will be standard in all units, as will Energy Star appliances. Landscape

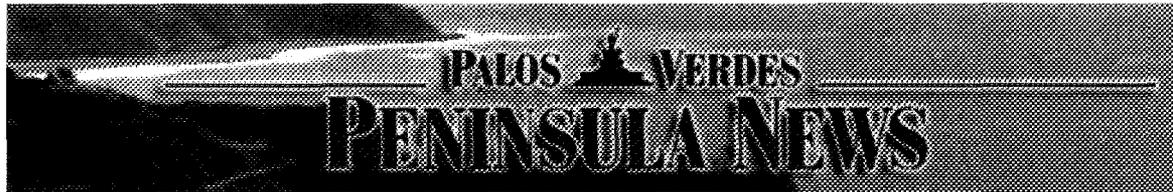
elements are designed to support sustainable elements of the project: planting mature trees to shade people and buildings, and using plantings as natural buffers between roads and buildings. The result will be a community of energy-efficient homes with lush landscaping that supports a clean and healthy environment.

LANDSCAPING AND **Open Space**

Water conservation is a central element of the sustainable design practices at Ponte Vista. Our landscaping team designed the project with drought-resistant landscaping to reduce water use, as well as irrigation systems using recycled grey water through *purple pipes* when made available through future City improvements. Our engineering and landscaping teams use the natural grading of the site to capture and direct rainwater. Rainwater runoff will be directed to *bioswales* and other possible natural water filtration systems to clean local groundwater. This rainwater capturing system also prevents flooding, and will be a model for other developments on how to design with the health of the environment in mind.

Outdoor recreation is an important part of the overall health of the community; Ponte Vista will feature a number of small parks and playgrounds for residents. There will also be walking and biking trails, allowing the community to enjoy the landscape features and views from Ponte Vista.

PV News article regarding *Ponte Vista* EIR



Print Page

DEIR released for latest plan for former Navy site

By Mary Scott, Peninsula News
Thursday, November 15, 2012 11:37 AM PST

SAN PEDRO — While more than 200 vacant duplexes at a former U.S. Navy site on Western Avenue in San Pedro deteriorate, planners have tried to get the city of Los Angeles to approve various incarnations of a residential development proposed for the property. But San Pedro residents, as well as their neighbors in Rancho Palos Verdes, have contested the plans over the years, saying the Ponte Vista project is just too big.

Last Thursday, the city of Los Angeles released the draft environmental impact report for the latest incarnation of the project. The scaled-down project is proposed for the former naval housing site, empty since 1997, on Western Avenue, across from Green Hills Memorial Park, at the San Pedro-RPV border.

The revised plan calls for 1,135 units (the same number proposed in 2010) of mixed housing types: 40 percent of the property will be devoted to single-family homes (143), while the remainder of the property is slated for single- and multilevel condominiums, townhomes and luxury apartments. None are offered as affordable senior housing units. It also features more than 6 acres of open space (playgrounds, pocket parks, and hiking and biking trails), swimming pools and a recreation center, and "green" elements such as water conservation features, rainwater collection and drought-tolerant landscaping, as well as improvements to Western Avenue and traffic improvements for about 20 nearby intersections.

"We listened to the community and understand that traffic is a top concern. That is why we undertook a completely new traffic study and went above and beyond in the analysis to ensure the proposed improvements will address the issues we've heard," said David Shender, a traffic engineer with Linscott, Law and Greenspan, an engineering firm helping with the Ponte Vista project.

The project originally suggested 2,300 units, offering 575 of those units for senior housing. That plan would have added 4,300 residents. Residents complained about the influx of traffic and overcrowding the project would bring.

"We agreed with many in the community who told us that the previous project was not in keeping with the neighborhood," said Dennis Cavallari, Ponte Vista's project manager. "So, the first thing we did was to scrap the old plans and completely start from scratch."

The new proposal is said to be "on par" with The Gardens, an adjacent residential development.

The new DEIR includes other options, one of which is a plan for 830 units.

The RPV city staff will review the DEIR and update the City Council at its Dec. 4 meeting during staff's Border Issues Status Report.

The city of Los Angeles will take public comment on the DEIR until Monday, Jan. 7, 2013.

"The community has been waiting for over a decade for a thoughtful development at Ponte Vista," Cavallari said. "We are eager to move forward with a residential project that fits the unique character of San Pedro and the Harbor area."

Residents interested in viewing Ponte Vista's DEIR can do so at <http://cityplanning.lacity.org/eir/PonteVistaProj2/DEIR/DEIR%20Ponte%20Vista%20Project.html>.

msscott@pvnews.com



A 1,135-unit residential project, Ponte Vista, is proposed for this site on Western Avenue in San Pedro. The site was owned by the U.S. Navy and was used as military housing. The more than 200 duplexes on the property have sat vacant since 1997. (File Photo)

RHE Planning Commission agenda and Staff report
for Brickwalk, LLC project



PLANNING COMMISSION AGENDA

October 15, 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 (10/1/12)
5. AUDIENCE ITEMS
6. CONSENT CALENDAR - None
7. BUSINESS ITEMS - None
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 (10/2/12)
 - B. City Council Actions (10/9/12)
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

OCT 15 2012

ITEM NO. 8A

DATE: OCTOBER 15, 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

This item was last heard on September 4, 2012. At that time, the Planning Commission opened the public hearing, took public testimony including a presentation by the project applicant, discussed the issues and continued the public hearing to tonight's meeting to allow staff and the applicant to prepare further information.

DISCUSSION

The Planning Commission directed staff to prepare further information on a variety of issues including traffic, geotechnical and fiscal issues for this meeting. Staff has been working with the

applicant over the past several weeks to compile this information and has received a few items which are presently being reviewed by our consultant team. Rather than provide the Commission with piecemeal information, staff will present all of the requested information at a future meeting, perhaps by November.

One requested item by the Commission was a presentation of all proposed traffic impacts and mitigation measures. Richard Barretto of Linscott, Law and Greenspan Associates (LLG) will be in attendance to provide said presentation. Unfortunately, our traffic engineer has a prior commitment to another City, so he will not be able to answer questions on the City's behalf; however, our traffic engineer is in support of the required traffic improvements that are required of the project.

Any other Commission or public questions would also be appreciated at this meeting, so that staff can prepare responses in advance of the next meeting for the project. Staff would like to continue this item, tentatively, to the meeting of November 19, 2012, which incidentally is the same week as Thanksgiving on Thursday, November 22nd.

RECOMMENDATION

The Public Hearing for this item remains open. Staff recommends that the Planning Commission:

1. Continues to take Public Testimony;
2. Discusses the issues; and
3. Continue the Public Hearing to the November 19, 2012 meeting.

Exhibits

Attached

1. Planning Commission minute excerpt from 9/4/12

Pa01-07 pm2

MINUTES EXCERPT

REGULAR PLANNING COMMISSION MEETING

SEPTEMBER 4, 2012

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.

Principal Planner Cutler gave a brief Staff Report, per written materials.

COMMISSIONER BAYER moved, seconded by COMMISSIONER SCHMITZ,

TO OPEN THE PUBLIC HEARING.

There being no objection, CHAIRWOMAN HUFF so ordered.

Stephen Jordan (The Auric Group, PO Box 831, Manhattan Beach) came forward and gave an overview presentation.

Ted Wolfe (Petra Geotechnical, 18610 Caballero Court, Tarzana, representing the applicant) came forward and gave a geological presentation.

Dan Bolton (Bolton Engineering, 25834 Narbonne Avenue, Lomita, representing the applicant) came forward and gave a civil engineering presentation.

Medinah Adal (300 West Ocean Boulevard, Long Beach, representing the applicant) came forward and gave an architectural presentation.

CHAIRWOMAN HUFF asked whether a Rancho Palos Verdes consultant has looked at the project. Mr. Wolfe responded that the geotechnical engineer for Rancho Palos Verdes has done a secondary review and given his approval.

COMMISSIONER SCHMITZ asked whether the slide took out all of the fill from the '60s and '70s, and Mr. Wolfe responded that the majority of it is fill, but the loose soils below it also failed.

COMMISSIONER SCOTT asked about the projected costs to even attempt to get ready to build, and Mr. Jordan responded that it's such a desirable location in this community and there will be a strong demand for the housing, although the project does present a challenge. He does not have the numbers ready but can provide them to Staff.

COMMISSIONER BAYER expressed her concern with the history of starts and stops and problems with financing projects in the city and that adequate financing would be very important knowledge. COMMISSIONER SCOTT added that it's critical the city not wind up with a big hole in the ground. Mr. Jordan then spoke positively about the housing market, the economy and the highly desirable location and special community.

Craig Stevens came forward, representing the partnership, and stated that the abandoned project at Hawthorne Boulevard/Rolling Hills Road is a Sunrise development, and Sunrise has several projects that they went belly-up on. However, in upper-end neighborhoods there is a lot of demand for housing right now. Costs kept changing, and the applicant is looking to understand what it's going to cost, who will give a loan for it and what the cost will be to move dirt and put caissons and crossbeams in. \$2M or \$3M was estimated previously, but costs have gotten higher as the project design has changed to work with the City.

COMMISSIONER REIN raised the issue of drains behind and under the multi-owner residential project, whether they could be easily accessed and serviced and whether there is a groundwater problem on the site. Mr. Wolfe responded that there is not per se a groundwater condition on the site, but the issue is with surface water that percolates down. The pipes will catch the water during wet years, and to go even further, there will be horizontal drains 150 feet deep into the slope to pick up water before it even reaches the excavations. COMMISSIONER REIN pointed out that a drainage problem would impact a large number of individuals, and how long these drains last and whether they are serviceable without disrupting residents would be key issues. Mr. Wolfe responded that in most cases standard drains are not maintained. They are basically gravity drains discharged into approved storm drain facilities. The horizontal drains could simply be serviced with a Roto-Rooter type situation every five to seven years on a limited basis only where the outlets are. There's not a lot to it. They are designed for a long life. Mr. Bolton added that he designs drains similar to this and observe their installation on a weekly basis. They are very common and represent a canary in a coal mine. The only time you see water coming out of those drains is during a very significant rain event. They would be dry all the time and water would only represent a sign that there is something wrong with the infrastructure at the site, giving the owners an opportunity to fix it prior to creating another problem.

COMMISSIONER REIN asked further about situations where people leave sprinklers on and cause landslides. Mr. Wolfe responded that that situation can't recur. The calculations assume saturated conditions.

COMMISSIONER REIN then asked about the factor of safety for the slope as designed now, and Mr. Wolfe responded that it is a factor safety of 1.5, which means resisting forces are 50% greater than driving forces on the slope, and that's Code standard for Southern California.

COMMISSIONER REIN then asked about the Indian Peak slope, and Mr. Wolfe responded that it will be constructed at a 2:1 slope.

COMMISSIONER REIN then asked about the still occupied commercial buildings and other possible alternatives to dealing with the landslide area and the 1.3 million yards of earth movement going on for months. Mr. Jordan responded that any alternative solution is a temporary solution. This is a short-term impact but a long-term fix for the landslide area.

COMMISSIONER REIN pointed out that the core problem is the incredible cost to the developer. It may not pay for itself, as commercial real estate in the area is a problem. Mr. Jordan responded that the mixed use will provide the revenue to offset the costs. COMMISSIONER REIN pointed out that it won't work if it doesn't turn a profit and again asked whether there are any alternatives that could be used to mitigate the costs. Mr. Jordan responded that this is the first step to get the project moving forward.

Marilyn Forsythe (31 Cypress Way) came forward as a resident of the Terraces. Ms. Forsythe pointed out that when you include the 655-683 Deep Valley Drive project to the cumulative projects already approved for construction on Deep Valley Drive, in less than half a mile on a narrow, curving street with businesses, office buildings, a library and a post office and add a large amount of commercial and residential space, the traffic and parking become issues and may destroy the ambiance that draws people to Rolling Hills Estates in the first place.

Kit Fox (Administrative Analyst with the City of Rancho Palos Verdes) came forward and discussed the comment letter as part of the final EIR addressing a number of issues. RPV has not yet had time to digest the responses given to RPV's comments, which are technical in nature. Also, there are some additional items that RPV's geologist would like to see. RPV has a nature preserve, and there's some discussion about a 900-foot distance, and there may be some confusion regarding that. Also, there have been some changes in responsibility for different segments and intersections that RHE had maintained for many years, and those responsibilities have reverted back to RPV, and RPV's engineer is interested in looking at those.

COMMISSIONER SCOTT asked Mr. Fox about the tiebacks that run into the hill into RPV's property. Mr. Fox agreed that is one of the concerns. COMMISSIONER SCOTT then asked for any history or policy on approving those types of tiebacks, and Mr. Fox responded that RPV is not at a stage yet where it's permitting anything but assumes at some point there would be a coordinated permitting between the two public works departments and the county to address those issues to everyone's satisfaction. COMMISSIONER REIN pointed out that this would stabilize RPV's property, and Mr. Fox responded that RPV can certainly see the benefit of anything done on this property to enhance the stability of Indian Peak Road and stabilize the landslide.

Craig Knickerbocker (827 Deep Valley Drive) came forward as an owner of existing property next door and condos that have been approved but not yet built. Mr. Knickerbocker would love to see some nice homes and a nice development on that slope. However, great geologists have given previous assurances about stable property that did not hold true (e.g., the crack in his driveway, the Trump golf course, several homes in Palos Verdes Estates). Mr. Knickerbocker would be a big advocate of second and third geologist reviews. Mr. Knickerbocker also expressed concern about his medical building and the doctors' practices, should this fail and the buildings that are precariously high above his building that could come down. Also, almost any time of the year there is groundwater bubbling up when trenches are dug. The grading routes are also a concern with kids and moms running back and forth across the street all day long.

The City has powers to force mitigation for public safety and public welfare. The owner should clean up that property, whether they build on it or not. The finances will probably never work, but there should be some plan that could at least stabilize the hillside and get the plastic out of there or a grading bond that they have to finish it. The caissons and the depths were all wrong on the Sunrise project, so a lot of backup consulting is needed.

Cat Spydell (50 Ranchview Road) came forward as a long-time resident and pointed out the problem with keeping retail in the mall (even offering one year free). Also, to get an occupancy permit PVDN and Hawthorne Boulevard has to be widened into seven lanes, and there are plans for a triangle in the crosswalk because a pedestrian can't make it across the street all in one go. There are already a lot of empty condos and retail space. Fixing the landslide and taking out old buildings is good, but maybe it's too much for the small community. Maybe a little less so the roads don't have to be widened all the way down at Hawthorne and PVDN.

Donna Tarr (63 Ranchview) came forward and stated that she was blind-sided by this item and happened to see it yesterday. This is a major project that will have major impacts on the community, and there should be a better way for the City to communicate with the residents. COMMISSIONER BAYER clarified that anything the Commission does is advisory to City Council. Ms. Tarr further commented that the draft EIR process took place in the middle of the summer when people were not around to really study something like this, and there's only a handful of the 8,000 residents present at this meeting. Ms. Tarr is concerned about the design of two-story condos and the view from the back window. New condos were built at Crenshaw and Silver Spur. None of the 78 condos sold (*Readers, please note that the actual number of condos is 18*), and they all went to auction. Ms. Tarr further suggested making the cliff more scenic by planting wildflowers or shrubbery for the time being.

CHAIRWOMAN HUFF, COMMISSIONER SCOTT and Planning Director Wahba pointed out the notifications in the *Peninsula News*, the billboard advertising at major intersections in the city, the notifications to the homeowner's association representatives and the LISTSERV on the City's website. Planning Director Wahba further clarified that the City has been working on this project for many, many years, and any decision is a recommendation to City Council. There will be more Planning Commission meetings, and City Council will advertise a whole series of other public hearings.

Jim Forsythe (31 Cypress Way) came forward as a resident of the Terraces and stated that he has a homeowner's association of roughly 1,000 residents, and there was absolutely no communication about this project. Mr. Forsythe then pointed out the groundwater problem in Portuguese Bend. There is a stream that comes down and is being fed by an underground stream, and that stream has to be at least halfway up the hill at its source. There is underground water coming out year-round. In addition, there was a heavy rainstorm and water was pouring out of the canyon on Island View (housing tract), and RPV said it was a normal underground stream, so it appears that there is groundwater in Palos Verdes. Mr. Forsythe and Mr. Wolfe then discussed drains. Mr. Wolfe commented that there will be water. Mr. Forsythe then discussed the retaining wall behind the mixed use shops and stabilization of Crenshaw and Indian Peak and the possibility of leaving the earth out and keeping a relatively flat surface.

Jennifer Ise (RPV resident) came forward and spoke regarding her concerns of traffic congestion and the glut of condos, office space and retail space on the hill. Further

development might drive down property values and add to the problem. Also, widening the roads and intersections all adds up to changing the character of the peninsula. Ms. Ise supports fixing the landslide but questions what alternatives exist, and possibly something smaller scale can be considered and incorporate preservation of open space and the natural environment.

COMMISSIONER SCOTT again clarified that the Commission is not voting on the EIR at this meeting, and the community will have more chances to look at this. Staff and the applicant will also have a chance to answer questions presented tonight. There has been a lot of discussion about tiebacks, but there is no section in the EIR on those. How are Crenshaw and Indian Peak holding up where they intersect? Also, more specification is needed on mitigation measures, including graphics. There needs to be a discussion about the parking deficiency (e.g., surface public parking as part of 6 or 7 or 13 spaces overuse and 104-space shortfall on the office building today). Clarification is needed regarding landscaped walls. More is needed on the export of dirt (200,000 yards at Chandler may not be something they're interested in). More is needed about tiebacks going into RPV. There is a reference to demolition of 2,000 square feet in the Brickwalk building, but there's no mention of the square footage being demolished in the 655 Deep Valley Drive office buildings across from the library.

COMMISSIONER BAYER appreciated Mr. Knickerbocker's significant concerns and would like to see his concerns addressed. His historical knowledge is quite valuable, and although there is great respect for the opinion received, there is value in second and third opinions. Planning Director Wahba pointed out that there have been a number of peer reviews.

COMMISSIONER BAYER further commented that she would like more information on the impact on Mr. Knickerbocker's building and the other buildings in front and what will happen when they tear down the buildings on top. What safety precautions are in place? There will be a lot of tear-down, a lot of importing and exporting and great potential for land movement during the immediate construction. Planning Director Wahba pointed out that there are a number of requirements through Building & Safety; however, that we will work with the applicant to get more information.

COMMISSIONER BAYER asked whether the traffic impact mitigation is different than the current proposals already going forward, and Planning Director Wahba responded that there is an overlap between the projects. COMMISSIONER BAYER asked for clarification on that and to take into consideration the views of other residents in the community about seven lanes and the traffic impact. Also, there is an issue with the backyard opening on to a terrace and then a giant retaining wall behind it. Planning Director Wahba suggested some more cross-sections from the applicant to help understand how those retaining walls relate to the buildings.

COMMISSIONER BAYER further commented that the height of the buildings is a concern. Also, a Variance has been requested for front setback requirements, and having looked at other places on Silver Spur and where the setback is less, she would prefer to have more green space than setback. Planning Director Wahba pointed out that in the Peninsula Village overlay zone it was desirable to have zero front setback to engage the street, but with condos turning their back to the street it would be advantageous to have that greenback separation.

COMMISSIONER SCHMITZ commented that her understanding is that in order to take care of the landslide the only alternative that will work is this development because it's what will pay for it. It has to be this large because in order to fix the landslide this is what it's going to take to pay for it. This needs to happen with this dollar cost. Also, she would like to see more about the parking deficiency and agreed with Mr. Knickerbocker's concerns to guarantee tenant safety. She agrees with the idea of bringing mixed use into the city, but she lives here because she sees green space and it's a quiet, rural community.

COMMISSIONER REIN commented that members of the public have made some very good points. The geotechnical challenges of this site are daunting, and the City needs every assurance that this project will hold up geotechnically, both during and after the construction to guarantee potential homeowners will be able to retain the value of their property and not be adversely affected by earthwork issues in the future. This is a very cutting-edge, high-density project embedded deep into the hill, and all issues must be resolved.

COMMISSIONER SOUTHWELL commented that this project is important because there's a potential significant public benefit out of it to stabilize the hill and remove the slide area, making the unique characteristics of the project fit the unique circumstances of the slide area. This project is a reasonable approach. With the geotechnical and economic risks involved a lot of sensitivity would need to go into the risk analysis, and it's a formidable task to take on. A huge potential downside would be if the project gets approved, proceeds and then defaults in the middle. Therefore, it should proceed in phasing, with the first phase bonded where the public benefit is taking place. That way, if there were a default the public interest would be protected and the city would be left with a safe area for the public. It would drive up the costs somewhat but be minimized. COMMISSIONER SOUTHWELL stated that he can't get behind the project unless there was a financial assurance like that. The public would benefit first, and at some point the benefits would go to the owners. Traffic and parking problems are also issues, but those can wait until later.

CHAIRWOMAN HUFF agreed that the amount of work that's gone into this is impressive and expressed her appreciation. The safety issues are of utmost concern, especially for the residents and business owners in the immediately vicinity.

COMMISSIONER BAYER moved, seconded by COMMISSIONER SCHMITZ,

TO CONTINUE PLANNING APPLICATION NO. PA 01-07 TO THE PLANNING COMMISSION MEETING OF OCTOBER 15.

AYES: Scott, Schmitz, Rein, Bayer, Southwell, Chairwoman Huff
NOES: None
ABSTAIN: None
ABSENT: Conway

Comments on DEIR for San Pedro Community Plan Update



CITY OF **RANCHO PALOS VERDES**
CITY MANAGER'S OFFICE
ADMINISTRATION

9 October 2012

VIA ELECTRONIC & 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: Comments Regarding the Proposed Draft Environmental Impact Report (Case No. ENV-2009-1558-EIR) for the San Pedro Community Plan Update

Dear Ms. ^{DEBBIE}~~Lawrence~~:

The City of Rancho Palos Verdes appreciates the opportunity to comment upon the Draft Environmental Impact Report (DEIR) for the above-mentioned project. We also appreciate that our request for a 15-day extension on the public comment period was granted. As you may recall, the City previously commented upon the scope of the DEIR for this project on 12 February 2008. We have reviewed the Notice of Completion/Availability and the DEIR, and offer the following comments:

1. The discussion of Project Implementation in the DEIR (Section 3.4) includes the description of proposed land use changes (pp. 3-12 to 3-25). Of particular interest to the City of Rancho Palos Verdes are the proposed land use designations for two (2) of the subareas identified on Figure 3-4 and in Table 3-2:
 - a. Subarea 10 is a 76.02-acre area located at the northeast corner of Gaffey Street and Westmont Drive, which includes the existing Rancho LPG (formerly AmeriGas and Petrolane) facility. The plan calls for the existing land use designations of "Heavy Manufacturing" and "Light Manufacturing" in this subarea to be replaced with a single designation of "Heavy Industrial." How will this proposed change affect future operations and limit the expansion and/or modification of the current Rancho LPG facility?
 - b. Subarea 260 is a 15.69-acre area that includes the existing commercial centers surrounding the intersection of Western Avenue and 25th Street. The plan calls for the existing land use designations of "Neighborhood Office Commercial" and "Low Residential" in this subarea to be replaced

with a single designation of "Community Commercial." We understand that the intent of this proposed change is to encourage the re-development of this subarea into a mixed-use, pedestrian-oriented community commercial center serving the southernmost portion of the San Pedro community. The intersection of Western Avenue and 25th Street is located along one of the major transportation corridors providing access to the City of Rancho Palos Verdes (25th Street becomes Palos Verdes Drive South a mile or so to the west of this intersection). We understand that site-specific re-development proposals within this subarea would be subject to additional CEQA review in the future. However, we remain concerned that the environmental impacts of the higher density/intensity of future development envisioned in this subarea—particularly Transportation/Traffic impacts—have not been adequately addressed in the DEIR.

2. The discussion of Safety/Risk of Upset in the DEIR (Section 4.7. p. 4.7-6) states:

The transport of hazardous materials through the CPA is regulated by the State Department of Transportation (Caltrans) and California Highway Patrol (CHP). The CPA is situated at the southern terminus of I-110 and adjacent to the Port of Los Angeles. There is a heightened risk of a hazardous material leak or spill in the CPA due to the volume of traffic and the nature of the materials that are be routinely transported from the Port of Los Angeles through I-110.

Although this statement is correct, it is incomplete in that neglects to address the transportation of hazardous materials via other modes, most notably by rail. We understand that much of the transport of butane and propane at the above-mentioned Rancho LPG facility occurs by rail tank car.

Elsewhere in this section (p. 4.7-8), the DEIR notes that although oil fields may pose a hazard to nearby residences, "there are no oil wells or state-designated oil fields within the CPA." Again, although this statement is technically correct, it fails to acknowledge the presence of the Rancho LPG facility in the CPA, which stores materials that are by-products of oil refining from nearby facilities located just outside of the CPA boundary.

Based upon the foregoing comments, the City of Rancho Palos Verdes respectfully suggests that the assessment that environment impacts regarding the use, storage and transportation of hazardous materials and the creation of reasonably foreseeable upset and accident conditions are less than significant (pp. 4.7-20 to 4.7-25) should be reassessed. Also, we note that the location of

Crestwood Street Elementary School in Rancho Palos Verdes is depicted incorrectly on Figure 4.7-2 (p. 4.7-27).

3. The discussion of Transportation/Traffic in the DEIR (Section 4.13, p. 4.13-27) states:

Development proposals that involve large areas that are not expected to be fully implemented until 2030 or beyond (such as Community Plans) are not analyzed effectively by detailed intersection volume/capacity analyses. In cases such as these, roadway segment level of service analyses are sufficient as a means to determine service capacity and projected deficiencies of the roadway network in the community.

As depicted in Table 4.13-13 (p. 4.13-42), the implementation of the proposed plan and Transportation Improvement and Mitigation Program (TIMP) results in a net increase of seven (7) roadway segments within the community plan area that will operate at Level of Service (LOS) E or F by 2030, as compared to existing traffic conditions. The DEIR identified these impacts as significant and unavoidable. Our detailed review of the TIMP and traffic modeling tables reveals that the LOS for six (6) additional segments of Western Avenue—all wholly or partially within Rancho Palos Verdes—will deteriorate to LOS E or F, as will the LOS for two (2) additional segments of 25th Street between Western Avenue and our City boundary. This amounts to one-third (1/3) of the segments that will experience significantly reduced LOS (compared to existing conditions) under the proposed plan. We are concerned that these impacts may disproportionately affect the Rancho Palos Verdes residents who use these roadway segments, and question the factors that may be contributing to these impacts, including:

- The density assumptions modeled for the *Ponte Vista* project in the adjacent Wilmington-Harbor City community plan area, which are merely described as “moderate” in the TIMP (p. 34);
- The proposed changes in land use designations within Subarea 260 at the intersection of Western Avenue and 25th Street, as described above; and,
- The necessity to eliminate an eastbound travel lane on 25th Street to accommodate a Class II bike lane.

The DEIR offers Mitigation Measure 4.13-1 (p. 4.13-43) to address the deterioration of LOS and related metrics (i.e., VMT, VHT, average speed and weighted average V/C ratio) within the community plan area, to wit:

Daily Breeze article regarding City Council
Review of Rancho LPG facility

Debbie Lawrence
9 October 2012
Page 4

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.

The City of Rancho Palos Verdes respectfully suggests that this proposed mitigation measure is inadequate to address the impact of this project upon our residents, and should be augmented by additional mitigation measures and modifications to the proposed plan.

4. The discussion of Alternatives to the Proposed Plan in the DEIR (Section 6.2.3, p. 6-9) dismisses as infeasible any alternative that would reduce building heights and/or floor-area ratios (FAR) to address significant and unavoidable environmental impacts of the plan. Notwithstanding this, the City of Rancho Palos Verdes respectfully requests that the proposed plan be revised to:
 - Reduce the proposed density/intensity of development to be allowed within Subarea 260; and,
 - Provide a Class II bike lane on 25th Street without eliminating an eastbound travel lane between Mermaid Drive and Western Avenue.

Again, thank you for the opportunity to comment upon the DEIR for this important project. Please note the City reserves the right to submit additional comments on the draft community plan itself at a future date. 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

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

Rancho Palos Verdes to step up monitoring of butane storage tanks in San

Pedro

By Donna Littlejohn Staff Writer Daily Breeze

Posted:

DailyBreeze.com

Rancho Palos Verdes officials agreed this week to step up - slightly - the city's monitoring of two butane storage tanks in neighboring San Pedro.

In a unanimous vote, City Council members agreed to make the city a "more active participant" in reaching out to the city of Los Angeles and other agencies that have jurisdiction over the Rancho LPG facility at 2110 N. Gaffey St.

"I think the council sees it as a public safety concern that's shared by our residents and the residents in San Pedro," said Kit Fox, the city's senior administrative analyst. "A lot of speakers made the point that public safety issues really don't observe city boundaries and that our citizens could be affected as well."

The action moves the city out of its more passive or "status quo" position regarding the issue.

The option that was adopted calls on the city of Rancho Palos Verdes to reconsider its former position and to become more active in reaching out to agencies that have jurisdiction over the plant.

Despite the plant's clean record and frequent inspections, critics have long believed that the tanks' presence near homes and a school pose an extreme danger and are, in effect, a disaster waiting to happen.

They have been taking their message to government officials and consulting with attorneys in an effort to force the facility to move.

Established in 1973 by Petrolane and later operated by Amerigas, the facility is now owned by Plains LPG, which has a long-term lease for the land.

The Rancho Palos Verdes staff report presented to council members at Tuesday night's meeting states that "it seems very unlikely that the facility will be shutting down and/or going away any time soon."

The facility stores 25.3 million gallons of butane and propane in two large, refrigerated, double-walled storage tanks and a series of smaller horizontal tanks scattered on the 18-acre private property.

According to company representatives, the operation is frequently inspected and audited, with nearly a dozen local, state and federal regulatory agencies now overseeing the plant.

But when a gas line exploded in San Bruno in 2010, members of the San Pedro Homeowners' Coalition renewed their call for the tanks to be moved, saying the stored materials were far too volatile and could be set off by anything from an earthquake to a terrorist attack.

Los Angeles school board member Richard Vladovic also has expressed concerns about the facility, which is less than a mile from Taper Avenue Elementary School in north San Pedro.

Two years ago, the San Pedro Neighborhood Council spent \$10,000 of its annual budget to commission a risk assessment study. The findings indicated that devastating impacts could reach an area in a 6.8-mile radius. The report also noted, however, that such a worst-case scenario would be unlikely to happen.

http://www.dailybreeze.com/news/ci_21796319/rancho-palos-verdes-step-up-monitoring-butane-storage

Another risk assessment report reached less alarming conclusions.

In adopting a more proactive stance, the neighboring city of Rancho Palos Verdes took a middle road. More aggressive options council members considered included those that would have put the municipality in more of a leading position to push for further investigation or perhaps even legal action.

donna.littlejohn@dailybreeze.com

Daily Breeze articles regarding leak at Rancho LPG facility

Butane leak at Rancho LPG storage facility in San Pedro may be source of odor

By Donna Littlejohn, Staff Writer Daily Breeze

Posted:

DailyBreeze.com

DailyBreeze.com

Air quality officials on Friday were investigating what appears to have been a butane leak from the Rancho LPG storage facility in San Pedro.

Odors were reported to the South Coast Air Quality Management District on Thursday afternoon.

"We have received at least 37 complaints as of late yesterday," AQMD spokesman Sam Atwood said Friday. "It included four different schools so we sent inspectors out and were able to verify odors in several of the locations."

Complaints came from "all over," Atwood said, including Harbor City, Lomita, San Pedro and Rancho Palos Verdes.

Before the AQMD can issue a violation, Atwood said inspectors must verify that odors reported at some half-dozen of the spots can be traced back to the facility.

Investigators were carrying out that task on Friday, he said, and it was still unclear whether a violation would be issued.

There were no reports of anyone needing medical attention due to the odors, he said.

The Rancho LPG facility at 2110 N. Gaffey St. stores 25.3 million gallons of butane and propane in two large, double-walled storage tanks.

Established in 1973 by Petrolane and later operated by Amerigas, the facility now is owned by Plains LPG, which has a long-term lease on the land.

While the plant has a clean record and undergoes frequent safety inspections, it has been the focus of concern for years.

Several community groups recently have renewed a push for the facility to move, saying that it is located too close to homes and schools.

Earlier this week, the Rancho Palos Verdes City Council unanimously voted to step up its participation in monitoring the plant, which falls under the jurisdiction of several agencies. donna.littlejohn@dailybreeze.com
Follow Donna Littlejohn on Twitter at <http://twitter.com/donnalittlejohn>

Foul odor in South Bay leads to violation for Rancho LPG in San Pedro

By Donna Littlejohn, Staff Writer Daily Breeze

Posted:

DailyBreeze.com

DailyBreeze.com

An air quality violation has been issued to the Rancho LPG storage facility in San Pedro for an Oct. 17 leak that spread foul odors throughout the South Bay.

It is still not clear if the leak was of propane or butane -- both materials are stored at the facility at 2110 N. Gaffey St. -- and an investigation continues into the cause of the incident, an air quality spokesman said Friday.

"We issued a violation (to the company) for what we call a public nuisance due to foul odors," said Sam Atwood, a spokesman for the South Coast Air Quality Management District.

The facility owners, Plains LPG, could not be reached for comment.

A violation is issued when the agency receives complaints from a "considerable number of people" and the source can be traced to a facility by an AQMD inspector, Atwood said.

"We ended up getting 37 complaints from a pretty wide area, including San Pedro, Carson, Torrance, Harbor City, Wilmington, Lomita and Rancho Palos Verdes," he said.

The agency also received complaints that day from four schools: Eshelman Elementary, Fleming Middle and Narbonne High schools in Lomita; and Hickory Elementary School in Torrance.

"We did take some air samples and they were mostly the kinds of levels you'd expect to see anywhere around Southern California," Atwood said. "There were a couple of compounds that were somewhat elevated, but they were not at levels that would be considered toxic in relation to state health or safety standards."

Some levels were sufficient, however, to have caused symptoms such as nausea and headaches, he said.

The complaints reported "foul odors of a various nature, including natural gas, propane, rotten eggs and suffer," Atwood said.

When the AQMD investigation concludes, the agency and company will then enter into negotiations for an out-of-court settlement, reached in "well over" 90 percent of cases, Atwood said.

"First they have to fix whatever problem caused the violation and we have to be satisfied that this is not something that's going to occur again," he said. "If the problem is with improper maintenance, we have to be satisfied that it's been remedied."

Established in 1976 by Petrolane and later operated by Amerigas, the facility is now owned by Plains LPG, which has a long-term lease on the land. The facility stores 25.3 million gallons of butane and propane in two large, double-walled storage tanks on the site.

The facility has come under fire through the years by community groups and others who believe it needs to be moved away from homes and schools.

When a gas line exploded in San Bruno in 2010, members of the San Pedro Homeowners United group renewed a call for the tanks to be moved, citing the potential danger that could come from earthquakes and terrorist attacks.

http://www.dailybreeze.com/news/ci_21918160/foul-odor-south-bay-leads-violation-rancho-lpg

Currently, the plant is the subject of frequent safety inspections by several government agencies.

donna.littlejohn@dailybreeze.com

Follow Donna Littlejohn on Twitter at twitter.com/donnalittlejohn

Letter to Councilman Buscaino regarding Rancho LPG facility



ANTHONY M. MISETICH, MAYOR

BRIAN CAMPBELL, MAYOR PRO TEM

November 7, 2012

SUSAN BROOKS, COUNCILWOMAN
JERRY V. DUHOVIC, COUNCILMAN
JIM KNIGHT, COUNCILMAN

Councilman Joe Buscaino, 15th District
City of Los Angeles
200 N. Spring St., Rm. 425
Los Angeles, CA 90012

SUBJECT: Liquid Bulk Storage in the Los Angeles Harbor Area and the Rancho LPG Butane Storage Facility

JOE :

Dear ~~Councilman~~ Buscaino:

As you are aware, residents in San Pedro and Rancho Palos Verdes have been concerned for many years about the Rancho LPG (formerly AmeriGas and Petrolane) butane storage facility at North Gaffey Street and Westmont Drive. In the past two (2) years, these concerns have returned to the forefront in the aftermath of the catastrophic gas pipeline failure in the Bay Area community of San Bruno in September 2010. In January 2011, the Rancho Palos Verdes City Council formally expressed its concerns about this facility in a letter from then-Rancho Palos Verdes Mayor Tom Long to your 15th District predecessor, Janice Hahn (see enclosures).

My City Council colleagues and I applaud your leadership in convening a special meeting of the Los Angeles City Council's Public Safety Committee to receive testimony regarding liquid bulk storage facilities in the harbor area this past June. We understand that the Committee subsequently instructed the City of Los Angeles' Chief Legislative Analyst (CLA) to convene meetings with various City departments to improve safety and hazard mitigation measures for liquid bulk storage facilities, and to develop a comprehensive map or list of such facilities. We anxiously await the results of the CLA's efforts in this regard. We also support your recent motions (see enclosures) to:

- Direct the Department of City Planning to report on the permitted uses of the Rancho LPG property at the time of its original development; and what use restrictions a change in the property's current zoning would have upon its operations; and,
- Direct the Port of Los Angeles to report on the feasibility of annexing or purchasing the Rancho LPG property to place it under the Board of Harbor Commissioners' jurisdiction; and to explain (if applicable) why such action may not be possible under the Los Angeles City Charter, the Tidelands Trust Act or the California Coastal Act.

On October 18, 2012, there were widespread reports of odors emanating from the Rancho LPG facility (see enclosed *Daily Breeze* article of October 20, 2012). The South Coast Air

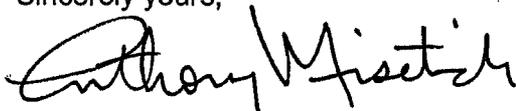
Councilman Joe Buscaino
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Page 2

Quality Management District (AQMD) reportedly received nearly forty (40) complaints about this odor. The *Daily Breeze* subsequently reported on November 3, 2012 (see enclosures), that the Rancho LPG facility operator had been issued a notice of violation by the AQMD as a result of the October 18th incident, and that an investigation is underway. My City Council colleagues and I strongly encourage you to follow up with the AQMD on the results of this investigation, including the full public disclosure of its source, cause, remediation and penalties.

At its meeting on October 16, 2012, the Rancho Palos Verdes City Council unanimously agreed to "step up" its monitoring of issues related to the Rancho LPG facility, and to reach out to the other cities on the Palos Verdes Peninsula in this regard. This letter is a first step in this effort, and you will note that copies of this letter and enclosures have been provided to officials in the cities of Lomita, Palos Verdes Estates, Rolling Hills and Rolling Hills Estates.

Again, I thank you for your leadership in addressing this critical public safety issue, which potentially affects all of our constituents. 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. If you have questions or need additional information, please contact Senior Administrative Analyst Kit Fox at (310) 544-5226 or kitf@rpv.com.

Sincerely yours,



Anthony M. Missetich
Mayor

enclosures

cc: Rancho Palos Verdes City Council
Carolyn Lehr, Rancho Palos Verdes City Manager
Mayor James Gazeley and the Lomita City Council
Michael Rock, Lomita City Manager
Mayor George F. Bird, Jr., and the Palos Verdes Estates City Council
Judy Smith, Palos Verdes Estates City Manager
Mayor James Black and the Rolling Hills City Council
Anton Dahlerbruch, Rolling Hills City Manager
Mayor Susan Seamans and the Rolling Hills Estates City Council
Doug Prichard, Rolling Hills Estates City Manager
Kit Fox, Senior Administrative Analyst



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.

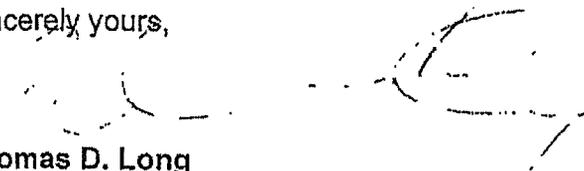
Councilwoman Janice Hahn
January 6, 2011
Page 2

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

12-0664

CITY OF LOS ANGELES

MOTION

Residents and neighbors surrounding the Rancho LPG facility located San Pedro have expressed various concerns regarding the safety and legality of this facility. This particular liquid bulk tank facility was built in 1973, and is located on private property outside the Port of Los Angeles. It includes two 12.5 million gallon refrigerated tanks containing butane, a liquefied petroleum gas which is a by-product of the refining process. Within the past decade, there have been various city reviews of the storage facility, dating back to 2004, and have involved the Planning Department, City Attorney, Harbor Department, Fire Department, the City Administrative Office (CAO) as well as the Chief Legislative Analyst (CLA).

Aside from the Rancho LPG facility in San Pedro, there are a variety of other liquid bulk storage facilities both above and below ground in the Harbor area, which have also raised concerns among nearby residents. It is imperative that the City ensure that any potential threats are thoroughly explored and mitigated.

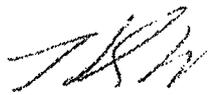
The first step toward this is to request information from all the regulatory and enforcement agencies at the local, state and federal level, including, but not limited to, the following: U.S. Department of Homeland Security, U.S. Department of Transportation, U.S. Environmental Protection Agency (EPA), U.S. Department of Occupational Safety and Health Administration, Cal/EPA, California Emergency Management Agency, California Department of Toxic Substances Control, the South Coast Air Quality Management District, the Los Angeles County Fire Department, the City of Los Angeles Fire Department, the Los Angeles Police Department, the City of Los Angeles Bureau of Sanitation Industrial Waste Management Division, City of Los Angeles Building and Safety Department, City of Los Angeles Emergency Management Department, and the Los Angeles City Attorney, among others.

I THEREFORE MOVE that the Public Safety Committee hold a special meeting in the Harbor Area and request the pertinent regulatory and enforcement agencies at the local, state, and federal level to provide a presentation regarding the permitting and safety requirements for liquid bulk storage facilities.

Presented by 
JOE BUSCAINO
Councilmember, 15th District

Seconded by 
JAN PERRY
Councilmember, 9th District


MITCHELL ENGLANDER
Councilmember, 12th District



ORIGINAL



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CALIFORNIA

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City Clerk

HOLLY L. WOLCOTT
Executive Officer



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MAYOR

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CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

SHANNON HOPPE
Council and Public Services
Division

www.cityclerk.lacounty.org

When making inquiries relative to
this matter, please refer to the
Council File No. 11-1813, S1

~~July 31, 2012~~

Geary F. Miller, Chief Legislative Analyst
Room 255, City Hall

Dear Mr. Miller:

At its special meeting held June 27, 2012, the Public Safety Committee considered Motions (Buscaino – Perry – Englander) and (Perry – Krekorian) relative to permitting and safety requirements for liquid bulk storage facilities located in San Pedro. At that time, Committee instructed you to:

1. Convene meetings with the Fire Department, Building and Safety, Harbor Department, City Attorney, Planning, Emergency Management, Bureau of Sanitation, and any other City departments as needed, and to report to the Public Safety Committee with recommendations to improve safety and hazard mitigation measures of liquid bulk facilities. Recommendations can include, but should not be limited to:
 - a.  Enlisting the assistance of an independent consultant to examine the risks associated with liquid bulk storage facilities in the Harbor area.
 - b.  Recommendations for any new amendments to local, state or federal requirements that pertain to liquid bulk storage facilities.
2. Develop a comprehensive list and/or map of all such facilities in Harbor area, including those on Port property.

Please submit your report to the Public Safety Committee, in care of the City Clerk's Office, City Hall, Room 395.

Sincerely,

John A. White, Legislative Assistant
Public Safety Committee
213-978-1072

11-1813_rpt_pa_7-24-2012

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MOTION

Residents and neighbors surrounding the Rancho LPG facility located in San Pedro have expressed various concerns regarding the safety and legality of this facility. This particular liquid bulk tank facility was built in 1973, and is located on private property outside the Port of Los Angeles. It includes two 12.5 million gallon refrigerated tanks containing butane, a liquefied petroleum gas which is a by-product of the refining process. Within the past decade, there have been various city reviews of the storage facility, dating back to 2004, and have involved the Planning Department, City Attorney, Harbor Department, Fire Department, the City Administrative Office (CAO) as well as the Chief Legislative Analyst (CLA).

Aside from the Rancho LPG facility in San Pedro, there are a variety of other liquid bulk storage facilities both above and below ground in the Harbor area, which have also raised concerns among nearby residents. It is imperative that the City ensure that any potential threats are thoroughly explored and mitigated.

Concerned about the potential risks posed to local residents by a breach of a Liquid Bulk Storage (LBS) and Liquid Petroleum Gas (LPG) facility in the event of an accident, residents have expressed interest in knowing how the land at Parcel 7412026006, on which the Rancho LPG facility is located, was originally zoned, and what options a change in zoning for the parcel would mean for continued operations of a LBS facility.

I THEREFORE MOVE that the Department of City Planning be instructed to report on the original zoning designation of Parcel 7412026006 and what industrial activities were authorized at that site when it was constructed and what industrial activities are currently authorized.

I FURTHER MOVE that the Department of City Planning be instructed to report what restrictions, if any, a change in zoning at Parcel 7412026006 would have on the operations of the Rancho LPG facility and what effect zoning changes would have on other LBS/LPG facilities located in the City of Los Angeles.

Presented By Joe Buscaino
JOE BUSCAINO
Councilmember, 15th District

Seconded By Ed Reyes

OCT 12 2012

11-1813-S4
CD15

CITY OF LOS ANGELES

MOTION

OCT 23 2012

Residents and neighbors surrounding the Rancho LPG facility located in San Pedro have expressed various concerns regarding the safety and legality of this facility. This particular liquid bulk tank facility was built in 1973, and is located on private property outside the Port of Los Angeles. It includes two 12.5 million gallon refrigerated tanks containing butane, a liquefied petroleum gas which is a by-product of the refining process. Within the past decade, there have been various city reviews of the storage facility, dating back to 2004, and have involved the Planning Department, City Attorney, Harbor Department, Fire Department, the City Administrative Office (CAO) as well as the Chief Legislative Analyst (CLA).

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Concerned about the potential risks posed to local residents by a breach of a Liquid Bulk Storage (LBS) and Liquid Petroleum Gas (LPG) facility in the event of an accident, residents have expressed interest in knowing how the land at Parcel 7412026006, on which the Rancho LPG facility is located, could be annexed by the Harbor Department and bring the inspection and direction of safety protocols of the site under the jurisdiction of the Port of Los Angeles and the Board of Harbor Commissioners.

I THEREFORE MOVE that the Port of Los Angeles be instructed to report on the feasibility of annexing or purchasing Parcel 7412026006 and placing it under the jurisdiction of the Board of Harbor Commissioners.

I FURTHER MOVE that in the event Parcel 7412026006 cannot be purchased or annexed that the Port of Los Angeles report as to why such a move is not possible under the restrictions of, but not limited to, the City Charter, the Tidelands Trust Act, or the California Coastal Commission.

Presented By Joe Buscaino
JOE BUSCAINO
Councilmember, 15th District

Seconded By Len [Signature]

ORIGINAL

[Handwritten mark]

RECEIVED FROM Noel Weiss
AND MADE A PART OF THE RECORD AT THE
COUNCIL MEETING OF Oct. 30, 2012
OFFICE OF THE CITY CLERK
CARLA MORREALE, CITY CLERK

Public Comments

Butane leak at Rancho LPG storage facility in San Pedro may be source of

odor

By Donna Littlejohn, Staff Writer Daily Breeze

Posted:

DailyBreeze.com

DailyBreeze.com

Air quality officials on Friday were investigating what appears to have been a butane leak from the Rancho LPG storage facility in San Pedro.

Odors were reported to the South Coast Air Quality Management District on Thursday afternoon.

"We have received at least 37 complaints as of late yesterday," AQMD spokesman Sam Atwood said Friday. "It included four different schools so we sent inspectors out and were able to verify odors in several of the locations."

Complaints came from "all over," Atwood said, including Harbor City, Lomita, San Pedro and Rancho Palos Verdes.

Before the AQMD can issue a violation, Atwood said inspectors must verify that odors reported at some half-dozen of the spots can be traced back to the facility.

Investigators were carrying out that task on Friday, he said, and it was still unclear whether a violation would be issued.

There were no reports of anyone needing medical attention due to the odors, he said.

The Rancho LPG facility at 2110 N. Gaffey St. stores 25.3 million gallons of butane and propane in two large, double-walled storage tanks.

Established in 1973 by Petrolane and later operated by Amerigas, the facility now is owned by Plains LPG, which has a long-term lease on the land.

While the plant has a clean record and undergoes frequent safety inspections, it has been the focus of concern for years.

Several community groups recently have renewed a push for the facility to move, saying that it is located too close to homes and schools.

Earlier this week, the Rancho Palos Verdes City Council unanimously voted to step up its participation in monitoring the plant, which falls under the jurisdiction of several agencies. donna.littlejohn@dailybreeze.com
Follow Donna Littlejohn on Twitter at <http://twitter.com/donnalittlejohn>

Foul odor in South Bay leads to violation for Rancho LPG in San Pedro

By Donna Littlejohn, Staff Writer Daily Breeze

Posted:

DailyBreeze.com

DailyBreeze.com

An air quality violation has been issued to the Rancho LPG storage facility in San Pedro for an Oct. 17 leak that spread foul odors throughout the South Bay.

It is still not clear if the leak was of propane or butane -- both materials are stored at the facility at 2110 N. Gaffey St. -- and an investigation continues into the cause of the incident, an air quality spokesman said Friday.

"We issued a violation (to the company) for what we call a public nuisance due to foul odors," said Sam Atwood, a spokesman for the South Coast Air Quality Management District.

The facility owners, Plains LPG, could not be reached for comment.

A violation is issued when the agency receives complaints from a "considerable number of people" and the source can be traced to a facility by an AQMD inspector, Atwood said.

"We ended up getting 37 complaints from a pretty wide area, including San Pedro, Carson, Torrance, Harbor City, Wilmington, Lomita and Rancho Palos Verdes," he said.

The agency also received complaints that day from four schools: Eshelman Elementary, Fleming Middle and Narbonne High schools in Lomita; and Hickory Elementary School in Torrance.

"We did take some air samples and they were mostly the kinds of levels you'd expect to see anywhere around Southern California," Atwood said. "There were a couple of compounds that were somewhat elevated, but they were not at levels that would be considered toxic in relation to state health or safety standards."

Some levels were sufficient, however, to have caused symptoms such as nausea and headaches, he said.

The complaints reported "foul odors of a various nature, including natural gas, propane, rotten eggs and suffer," Atwood said.

When the AQMD investigation concludes, the agency and company will then enter into negotiations for an out-of-court settlement, reached in "well over" 90 percent of cases, Atwood said.

"First they have to fix whatever problem caused the violation and we have to be satisfied that this is not something that's going to occur again," he said. "If the problem is with improper maintenance, we have to be satisfied that it's been remedied."

Established in 1976 by Petrolane and later operated by Amerigas, the facility is now owned by Plains LPG, which has a long-term lease on the land. The facility stores 25.3 million gallons of butane and propane in two large, double-walled storage tanks on the site.

The facility has come under fire through the years by community groups and others who believe it needs to be moved away from homes and schools.

When a gas line exploded in San Bruno in 2010, members of the San Pedro Homeowners United group renewed a call for the tanks to be moved, citing the potential danger that could come from earthquakes and terrorist attacks.

http://www.dailybreeze.com/news/ci_21918160/foul-odor-south-bay-leads-violation-rancho-lpg

Currently, the plant is the subject of frequent safety inspections by several government agencies.

donna.littlejohn@dailybreeze.com

Follow Donna Littlejohn on Twitter at twitter.com/donnalittlejohn

Councilman Buscaino's motion regarding Rancho LPG insurance requirements

11-1813-57
CD15

NOV 13 2012

TRAFFIC & TRANSPORTATION COURTESY

MOTION

Residents and neighbors surrounding the Rancho LPG facility located in San Pedro have expressed various concerns regarding the safety and legality of this facility. This particular liquid bulk tank facility was built in 1973, and is located on private property outside the Port of Los Angeles. It includes two 12.5 million gallon refrigerated tanks containing butane, a liquefied petroleum gas which is a by-product of the refining process. Within the past decade, there have been various city reviews of the storage facility, dating back to 2004, and have involved the Planning Department, City Attorney, Harbor Department, Fire Department, the City Administrative Office (CAO) as well as the Chief Legislative Analyst (CLA).

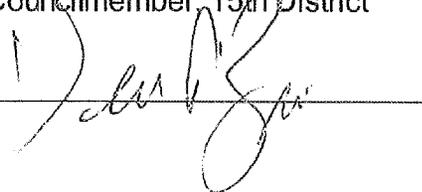
Aside from the Rancho LPG facility in San Pedro, there are a variety of other liquid bulk storage facilities both above and below ground in the Harbor area, which have also raised concerns among nearby residents. It is imperative that the City ensure that any potential threats are thoroughly explored and mitigated.

Residents have expressed interest in knowing what existing City, County, State, and or Federal safety regulations and laws are in place to ensure that LPG and LBS facilities are being monitored, what safety standards are in place that must be followed, and if there is any room for improvement on existing laws and regulations. In particular, they are interested to know if there are any existing requirements, by City, County, State, or Federal statute, that specify the amount of liability coverage the owner/operator of a LBS/LPG facility must carry to be in compliance with the law.

I THEREFORE MOVE that the City Attorney be instructed to report on existing City, County, State, and Federal laws and regulations concerning insurance requirements of LPG and LBS facilities, and report on the required liability coverage that operators of said facilities must carry to remain in compliance and stay in operation.

I FURTHER MOVE that the City Attorney report on any suggestions, based on their findings, of ways to improve City laws on liability coverage requirements for LBS/LPG facilities, as well as any recommended change to County, State, and Federal laws and regulations that the City would consider lobbying to that respective level of government.

Presented By 
JOE BUSCAINO
Councilmember, 15th District

Seconded By 

NOV 13 2012



ORIGINAL

E-mails and correspondence regarding Rancho LPG facility

Kit Fox

From: Janet Gunter [arriane5@aol.com]
Sent: Wednesday, October 17, 2012 10:07 AM
To: Susan Brooks; Brian Campbell; Jim Knight; Jerry Duhovic; Anthony Misetich; Kit Fox
Cc: jody.james@sbcglobal.net; chateau4us@att.net; det310@juno.com; connie@rutter.us; carl.southwell@gmail.com; cary@carybrazeman.com; noelweiss@ca.rr.com; igornla@cox.net; marciesmiller@sbcglobal.net; bonbon31@earthlink.net; overbid2002@yahoo.com
Subject: Rancho LPG & RPV City Council Mtg last night

Dear RPV Council Members:

It is difficult to put into words the gratitude that the warriors in this long fight to protect our community feel toward you. A little "voice" in my head prior to coming last night told me to bring that letter from Michigan Tech which vividly points out the manipulation that Rancho LPG has been using to "spin" any scrutiny of their facility away from it's very terrifying reality. I had never seen the document that was in your packet last night before....(apparently, it had been taken from Councilman Buscaino's website) that had been provided by Rancho. That document, in and of itself, was riddled with multiple inaccuracies (to be kind) meant to diffuse the true harm of that site and assure RPV, and everyone else, that their LPG operation poses no threat. The consistent & multiple reference to the support and concurrence of Rancho's consultant's report by "Michigan Tech University"....was intentional in that offering of assurance. And, simply put....it was a lie. Not only did this consultant act without the University's knowledge or approval but Mr. Crowl, is a lab chemical professor, who never visited the site and built his entire analysis only on the information provided by the EPA (which was provided to them by the operators...Petrolane, Amerigas & Rancho LPG). Crowl has no expertise whatsoever in civil engineering or seismic studies. This is evident in his assumption in analysis that if there is a total tank rupture and collapse...the impound basin (in USGS identified landslide area) will still remain **intact**???. Plus, understanding that butane expands more than 230x its volume when exposed to air temperature makes the concept of that basin as a safeguard...absurd. There are sooo many more very obvious flaws associated with this debacle that it is painful to think that after **so many years**, the public is still forced to fight for sane government action to remove the threat. I distributed a few of Professor Bea's personal emails to illustrate that Bea, who currently is regarded as the premiere authority on these very issues related to safety by our government, seriously questions why this hazard is being allowed to exist without **proper investigation and proof** that it is "safe". Working so closely with those cities who have faced the grim consequences of death and destruction resulting from ignorance and disregard of hazards, Bea is particularly wise to the process that has abandoned the rights of normal citizens to safety. This Professor's opinion speaks volumes to the import that should be placed on the jeopardy at this facility **before** the catastrophe. What it all boils down to is the political proclivity to place profits over people. We are so hopeful that your City Council will provide the leadership to restore common sense and safety to our area. Thank you again for your concern and dedication to getting to the bottom of this issue. Please feel free to contact any of us for information. There are several "experts" engaged in this issue with us who would be more than happy to assist you.

Best to you all,
 Janet Gunter

Kit Fox

From: Janet Gunter [arriane5@aol.com]

Sent: Thursday, October 25, 2012 7:14 PM

To: connie@rutter.us; det310@juno.com; igornia@cox.net; dwgkaw@hotmail.com; chateau4us@att.net; carl.southwell@gmail.com; MrEnvirlaw@sbcglobal.net; noelweiss@ca.rr.com; Susan Brooks; Kit Fox; Jim Knight; Brian Campbell; Jerry Duhovic; Anthony Misetich; dakotahpat@sbcglobal.net; konnica@ca.rr.com; fbmjet@aol.com; cary@carybrazeman.com

Subject: Interesting..things just never seem to change...perfect records because no one ever reports!

fyi

http://articles.latimes.com/1990-02-11/local/me-1121_1_human-error

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Mobil Refinery Explosion Laid to Human Error : Industry: Documents reveal alarm and safety devices were not working on Nov. 24, 1987, and that plant personnel knew it.

February 11, 1990 | GEORGE STEIN | TIMES STAFF WRITER

Newly obtained information about a devastating blast at Mobil's Torrance refinery reveals that human error caused an explosion that has triggered two years of legal, political and regulatory battles for the nation's fifth-largest industrial corporation.

A federal safety report says that in the days before the accident, Mobil failed to follow its own written procedures, which call for alarms to be working during refinery operation. Had those procedures been followed, the federal report says, "the incident would have been avoided."

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FROM THE ARCHIVES

Release of Vapors Injures 3 at Mobil
June 14, 1990

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Although Mobil long had maintained that "malfunctioning instrumentation" caused the blast, the company conceded that human error was a factor after being questioned about the federal documents by The Times.

Since the accident on Nov. 24, 1987, which caused \$17 million in damage and injured 10, Mobil has declined to release details of the explosion and the results of various investigations into the cause of the blast.

The Times obtained Mobil memos and the federal safety report, as well as other documents, months after filing requests with the U.S. Occupational Safety and Health Administration and the city of Torrance under the federal Freedom of Information Act and the California Public Records Act. The documents were gathered as part of the city and OSHA's investigation into the explosion.

The explosion was triggered by an undetected buildup of hazardous hydrofluoric acid, which is used to boost the octane of unleaded gasoline refined at the plant. The acid overflowed into a tank and mixed with another chemical, causing the blast.

A confidential Mobil memo that is included in the newly available documents says that three alarm systems and monitoring devices designed to warn refinery workers of an unsafe buildup of hydrofluoric acid were inoperable on the day the accident occurred. Moreover, Mobil officials knew that the systems were not working. Instead, supervisors at the facility were relying on periodic chemical tests and a separate alarm system to monitor hydrofluoric acid levels. However, what they did not know at the time was that the backup alarm system was not hooked up, the company memo states.

The explosion sent a fireball 1,500 feet into the air, knocked out windows in nearby houses and sent shock waves for miles. Six passers-by and four refinery workers have alleged that they suffered injuries, including broken eardrums, back injuries and, in one case, lung damage from breathing acid fumes.

In the wake of the accident, Mobil spent millions to improve training and plant safety and asserts that the public should not worry about any recurrence.

But trust between the oil company and local officials evaporated after the accident and safety issues raised by the explosion remain an urgent part of the public agenda in Torrance. City officials are vocal in worrying that a similar or worse accident could occur.

Those issues are coming to a head in confrontations involving Mobil, the South Coast Air Quality Management District and Torrance residents, who will vote March 6 on a ballot measure that could force Mobil to spend up to \$100 million to restructure its refinery operations. Mobil has said it is prepared to spend more than \$500,000 to defeat the measure.

Refinery manager Wyman Robb, saying in a recent interview that the accident "is old stuff" not worth dredging up, declined to answer questions about the role that human error played in the explosion.

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"If we have to deal with it in court, we have to deal with it in court. I don't think we necessarily have to deal with it . . . with the public right now."

Reading from a prepared statement, he added: "Any allegation that Mobil knew that the (unit that exploded) was unsafe and went ahead to operate it is absurd. Safety is, and has been, our top priority."

"Obviously mistakes were made, such as equipment failure and human error," said Mobil spokesman Jim Carbonetti in a separate recent statement. "We have learned from these mistakes and have invested millions of dollars to improve our operations to make certain it does not happen again."

Despite Mobil's assurances, the new information about the central role of human error in the accident is already providing ammunition to those arguing that hydrogen fluoride--which in its liquid form is hydrofluoric acid--should be banned from the Mobil facility and from three other refineries in Los Angeles County. They argue that the plants should be converted to use sulfuric acid instead.

Torrance Mayor Katy Geissert said the new information strengthens her resolve to pursue a city lawsuit filed against Mobil last April that seeks increased regulatory power over the refinery. The documents, she said, show "strong evidence" that "the potential for human error is so great that the further use of hydrofluoric acid" may no longer be acceptable at the refinery.

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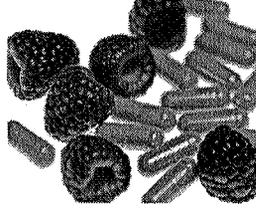
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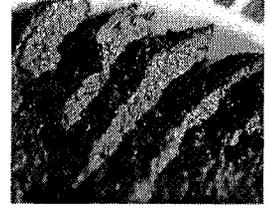
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Mobil Refinery Explosion Laid to Human Error : Industry: Documents reveal alarm and safety devices were not working on Nov. 24, 1987, and that plant personnel knew it.

February 11, 1990 | GEORGE STEIN | TIMES STAFF WRITER

"You eliminate hydrofluoric acid at the Mobil refinery and you eliminate the possibility of stupid acts and honest mistakes killing our residents," said Councilman Dan Walker, sponsor of the March 6 ballot measure.

Hydrofluoric acid, which is more toxic than hydrogen cyanide gas, has the potential of forming a lethal, ground-hugging cloud. The explosion and fire released an estimated 12 gallons of hydrofluoric acid.

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FROM THE ARCHIVES

Release of Vapors Injures 3 at Mobil
June 14, 1990

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- Industrial Accidents -- Los Angeles County

In addition to local concern, the Southern California Air Quality Management District staff has pending a recommendation that the bulk use of hydrofluoric acid at the four refineries be banned.

Mobil, whose Torrance refinery produces 12% of all gasoline consumed in Southern California, says that it would cost \$100 million to convert to sulfuric acid.

The unit that exploded performs alkylation, a process discovered in the 1930s that uses hydrofluoric acid as a catalyst to combine petroleum gases to produce high-octane unleaded gasoline.

The explosion took place some distance from the main part of the alkylation unit and the blast did not rupture any of the tanks containing large amounts of hydrofluoric acid. Mobil typically has about 29,000 gallons of the substance on hand. It is used only for the alkylation process, with the bulk of it circulating through the unit, rather than staying in storage.

The tank that exploded is part of a four-stage section whose job is to separate acid from propane, a by-product of the alkylation reaction.

That is done first by gravity; the acid is heavier than propane and mixes poorly with it. The acid settles in a barrel-like boot about the size of a 55-gallon drum.

The explosion occurred when the acid overflowed the boot and into a tank, known as the KOH treater, which was filled with either sodium hydroxide or potassium hydroxide. It has not been disclosed which of the two chemicals was in the KOH treater, although they are equally hazardous when mixed with hydrofluoric acid.

A trail of trouble led up to the explosion.

Ten days before the explosion, there were problems with the acid level in the boot and the instruments that measure it, according to a Mobil memo.

Four days before the explosion, the KOH treater overheated seriously, according to an OSHA report.

According to a transcript of an interview with Torrance investigators, Mobil instrument technician Steve Bowling said: "The paint was peeling off (the KOH treater). . . . They knew that something was not right. . . . There's not supposed to be heat there at all."

Mobil found out that the drain valve in the acid boot "had been blocked inappropriately, allowing some acid to reach the KOH treater," said a memo by refinery manager Robb. He wrote without elaboration that "corrective follow-up was taken." The memo does not say whether the alarms were working at that time.

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The day before the explosion, a Mobil memo said that the acid boot alarms were still out of order and told operators to check the acid boot levels twice a shift. The memo emphasized that it would be safer to bypass the KOH treater "if you have any doubts about where the acid level is."

The memo ended: "Work safely."

The day of the accident, Mobil put the KOH treater on line at 2:30 a.m.

A number of things were unusual. Three devices that could signal or prevent an accident were not working in the acid-removal system.

The automatic level controller for hydrofluoric acid in the boot--which works on the same principle as the float in a household toilet--"did not appear to be working," said a Robb memo. Alarms connected to the controller also were not working properly. Operators "were controlling the level of hydrofluoric acid manually," he wrote.

In addition, Robb wrote that an instrument used to check the acid visually--called a sight glass--was "inoperable."

A Mobil work order for instrument technicians that day says that the automatic level controller and the acid level alarms connected to it needed repair.

In response to that work order, Bowling, a 5 1/2-year veteran at Mobil, checked the system about 10 a.m. He couldn't fix the alarms and told that to the unit operators.

In the interview, Torrance Police Detective Gary Hilton twice asked Bowling about Mobil's apparent lack of response to learning he was unable to fix the alarms:

"If you told them at 10 in the morning, why didn't they do something about it?" Hilton asked.

"Well, I don't know why, . . ." Bowling said.

In addition to the decision to restart the alkylation unit with three alarm and safety devices not working, Mobil also decided not to run the acid through an intermediary treatment station called the alumina tower.

Had the acid been run through the alumina tower, the overflow of acid might have been detected before it reached the explosive contents of the KOH treater because the tower has its own set of alarms. OSHA and the Torrance Fire Department criticized Mobil for bypassing the tower.

The reasons Mobil bypassed the tower have never been explained publicly.

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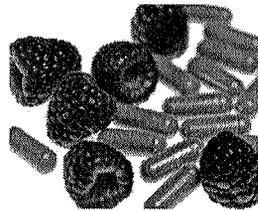
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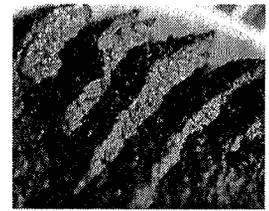
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Mobil Refinery Explosion Laid to Human Error : Industry: Documents reveal alarm and safety devices were not working on Nov. 24, 1987, and that plant personnel knew it.

February 11, 1990 | GEORGE STEIN | TIMES STAFF WRITER

With the sight glass inoperable, the automatic acid-level controller shut off, its high- and low-level alarms known to be malfunctioning and the alumina tower bypassed, all that Mobil had to warn of a potential explosion was periodic chemical sampling and one last set of acid-level alarms, according to a Robb memo and other documents.

The last chemical test was done 1 1/2 hours before the explosion and Robb's memo says it detected no problems.

The alarms had been tested and Mobil believed they were working, Robb wrote later.

But Mobil found out after the explosion that the alarm system was not connected to the acid boot, Robb's memo said.

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No one has explained why Mobil's test failed to disclose that the alarms were not connected.

However, OSHA Regional Administrator Frank Strasheim in a recent interview criticized Mobil's test as "not valid" because it did not tell the difference between a device that was hooked up and one that was not. John Hermanson, a former OSHA district director who released documents to The Times, said Mobil was "dumb" not to ensure that the alarm was working when other safety devices were known to be out of order.

Despite Mobil's assertions that employees believed the alarm system was working when they decided to proceed, an OSHA investigative report says that a signal light in the refinery control room should have alerted Mobil that the alarm was not working properly.

At 5:53 p.m., the KOH treater blew up.

Los Angeles Times

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It started a raging fire visible for miles. The blast destroyed a water gun at the alkylation unit that could have been used to fight the fire or drench acid fumes. Flaming debris fell across Crenshaw Boulevard. A quarter-mile away, the shock wave blew out windows in 21 homes.

Mobil, which had a contractor working on the water line to the alkylation unit, "did not have water for 20 minutes," said OSHA, which criticized the oil company for failing to put down emergency hose lines.

Employees ran in--some without safety suits--to turn off valves. That sealed the section from its supply of acid and stemmed the flow of flammables to the fire, which burned itself out the next morning.

Six months later, OSHA issued five citations for serious violations of federal safety regulations. A serious violation is a hazard with a substantial probability of causing death or serious injury and which the employer knew about or should have known about.

The five citations said that Mobil should have had its alarms and controller working, that its operating procedures were inadequate, that relief valves on the KOH treater were the wrong size, that firefighting equipment had been inadequate, and that employees trying to close valves after the explosion should have worn protective suits.

Mobil did not dispute four of the citations and paid a \$4,000 fine. OSHA dropped the fifth citation last April, after Mobil successfully argued that no relief valve could have prevented the explosion.

In rebuilding the alkylation unit, Mobil rewired the existing alarms on the acid boot for more reliability and added another acid-level alarm. Procedures now require operators to check the instrument readings against the sight glass. Mobil also installed an automatic shunt system, in case of another acid overflow, to keep acid-laden propane away from the KOH treater. The oil company plans to install an underground tank protected against explosion to dump large amounts of hydrofluoric acid in the event of another emergency.

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Since the accident, the refinery also has improved training; last year it installed a computer-assisted learning program specially tailored to the Torrance alkylation unit.

One of the scenarios includes an overflow from the acid boot.

ANATOMY OF MOBIL REFINERY BLAST

The alkylation unit--where the explosion took place--comes after crude oil has been distilled, purified of contaminants and "cracked" into lighter components. Using hazardous hydrofluoric acid as a catalyst, the alkylation process combines hydrocarbons to volatile to use in gasoline to form a high-octane gasoline component. Two byproducts--isobutane and propane--are reclaimed and used elsewhere in the refinery; the hydrofluoric acid is recycled. The explosion took place where propane is separated from hydrofluoric acid.

The explosion occurred away from the main part of the alkylation unit--where most of the hydrofluoric acid is stored and used. It blew apart a tank in a four-stage unit that removes the acid from propane.

Most of the acid is first separated from the propane by gravity. The acid collects in a barrel-like "boot," (1) which hangs below a larger horizontal storage tank.

Acid from the boot is drained for reuse, while partially cleansed propane goes on the the second stage, a distillation process (2) that removes most of the remaining acid.

A chemical process using aluminum oxide further purifies propane in the third state--the alumina tower (3).

The final stage removes what is supposed to be only trace amounts of acid in a steel tank, known as the KOH treater (4), filled with highly reactive sodium hydroxide or potassium hydroxide.

WHAT WENT WRONG Acid overflowed the boot unnoticed and reached the KOH treater, which detonated like a bomb.

WHY IT HAPPENED A. Sight glass on acid boot inoperable. B. Automatic controller on acid boot was not working; alarms connected to controller were not working. C. Mobil fails to hook up remaining alarm system on acid boot; relies on false readings from unconnected alarm. D. Alumina tower and its alarms had been bypassed.

SOURCES: Mobil, OSHA, Torrance Fire Department

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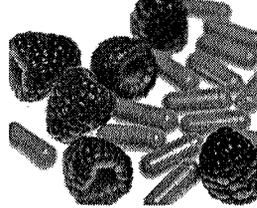
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Kit Fox

From: kathleen dwgkaw [dwgkaw@hotmail.com]

Sent: Friday, October 26, 2012 4:44 PM

To: janet gunter; Connie Rutter; chuck hart; John Miller; chateau4us@att.net; carl.southwell@gmail.com; mrenvirlaw@sbcglobal.net; noelweiss@ca.rr.com; Susan Brooks; Kit Fox; Jim Knight; Brian Campbell; Jerry Duhovic; Anthony Misetich; dakotahpat@sbcglobal.net; konnica@ca.rr.com; Frank Andersen; cary@carybrazeman.com

Subject: RE: Interesting..things just never seem to change...perfect records because no one ever reports!

Here we have another example of business as usual in the post-truth era.

Kathleen

To: connie@rutter.us; det310@juno.com; igornla@cox.net; dwgkaw@hotmail.com; chateau4us@att.net; carl.southwell@gmail.com; MrEnvirlaw@sbcglobal.net; noelweiss@ca.rr.com; susan.brooks@rpv.com; kitf@rpv.com; jim.knight@rpv.com; brian.campbell@rpv.com; jerry.duhovic@rpv.com; anthony.misetich@rpv.com; dakotahpat@sbcglobal.net; konnica@ca.rr.com; fbmjet@aol.com; cary@carybrazeman.com

Subject: Interesting..things just never seem to change...perfect records because no one ever reports!

From: arriane5@aol.com

Date: Thu, 25 Oct 2012 22:14:14 -0400

fyi

http://articles.latimes.com/1990-02-11/local/me-1121_1_human-error

Kit Fox

From: Janet Gunter [arriane5@aol.com]
Sent: Tuesday, October 30, 2012 9:02 PM
To: Brian Campbell; Susan Brooks; Jim Knight; Jerry Duhovic; Anthony Misetich; Kit Fox
Cc: chateau4us@att.net; det310@juno.com; connie@rutter.us; cary@thecorporatetoryteller.com; MrEnvirlaw@sbcglobal.net; noelweiss@ca.rr.com

Subject: Fwd: Daily Breeze Article on Palos Verdes Council action on Rancho tanks

Ms. Gandrizzi is the secretary to Bill Fujioka (CEO) at the County of LA. Their office was contacted weeks ago on this issue and sent a copy of the DVD on Rancho along with other informational items. The question to the County CEO goes to the fiscal liability of LA County to your municipalities and all other relative costs incurred by a potential disaster at Rancho. Ms. Gandrizzi told me that "someone" would contact me today with an answer as to the official position of the County on this matter. As I thought about it all....I decided that the concern of the nationally recognized "expert" on disasters of this nature in the USA regarding Rancho should be revealed to the County *before* they gave their formal stance. I therefore, sent the email below from Professor Bea...and another that will follow this one...to Ms. Gandrizzi. I have heard nothing from their office today. Supervisor Knabe appears to be MIA on this issue as his representative, Rebekah Kim, has chosen to dismiss the issue. I think all of these folks need to start paying more attention. I hope your council agrees. This is not a small issue and one that has deadly potential.

Thank you for your recognition of the import of this situation,
 Janet G

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

From: Janet Gunter <arriane5@aol.com>
 To: gandrizzi <gandrizzi@ceo.lacounty.gov>
 Sent: Mon, Oct 29, 2012 4:56 pm
 Subject: Fwd: Daily Breeze Article on Palos Verdes Council action on Rancho tanks

Gwen....Just had the thought that you/Mr. Fujioka should see a few of the emails that I have received from Professor Bob Bea from UC Berkeley on Rancho. Professor Bea is the premiere expert hired by the government to investigate the "why" of cataclysmic engineering failures. I am attaching a few links to who he is for your review with the last email that I have received from him...and another to come.

<http://www.sfgate.com/news/article/Engineer-Robert-Bea-a-student-of-disaster-3186034.php>

<http://www.msnbc.msn.com/id/37279113/ns/nbcnightlynews/t/deepwater-horizon-rig-what-went-wrong/#.UI8XdWdSTIo>

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

From: Robert Bea <bearams@gmail.com>
 To: Janet Gunter <arriane5@aol.com>
 Sent: Fri, Oct 19, 2012 8:08 am
 Subject: Re: Daily Breeze Article on Palos Verdes Council action on Rancho tanks

thanks for helping keep me informed about the Rancho developments.

this is a good sign. however, the 'neutrality' of proposed 'monitoring actions' is not a good sign....."watching it fail".

i do not understand why the efforts of you and your neighbors have not been effective in impelling the local and state governments to take appropriate actions to determine accurately the public safety risk and alternatives that could be employed to help make those risks acceptable to the affected public/s. it seems as though all of the groups represented...with the exception of the affected public/sare determined to 'monitor the situation'....without doing what is really necessary to manage the situation in a positive way.

i am continuing to give the Rancho challenge thought.....my work on the PG&E San Bruno and BP Deepwater Horizon Macondo disasters are both 'heating up' in preparations for the trials scheduled for this coming January.

thanks again,

bob bea

On Thu, Oct 18, 2012 at 5:33 PM, Janet Gunter <arriane5@aol.com> wrote:

http://www.dailybreeze.com/news/ci_21796319/rancho-palos-verdes-step-up-monitoring-butane-storage

--

Robert Bea
Professor Emeritus
University of California Berkeley
Email: bea@ce.berkeley.edu

Risk Assessment & Management Services
60 Shuey Drive
Moraga, CA 94556
925-631-1587 (office)
925-699-3503 (cell)
Email: BeaRAMS@gmail.com

Kit Fox

From: Janet Gunter [arriane5@aol.com]
Sent: Tuesday, October 30, 2012 9:06 PM
To: Brian Campbell; Susan Brooks; Jim Knight; Jerry Duhovic; Anthony Misetich; Kit Fox; chateau4us@att.net
Cc: det310@juno.com; connie@rutter.us; MrEnvirlaw@sbcglobal.net; noelweiss@ca.rr.com; cary@thecorporatestoryteller.com; jody.james@sbcglobal.net
Subject: Fwd: Link to article in City Watch LA today re: LPG situation
 2nd email to Gandrizzi fyi

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

From: Janet Gunter <arriane5@aol.com>
 To: gandrizzi <gandrizzi@ceo.lacounty.gov>
 Sent: Mon, Oct 29, 2012 5:03 pm
 Subject: Fwd: Link to article in City Watch LA today re: LPG situation

Please read these mails. The jeopardy of risk from this facility is only getting more probable with time. Certainly, Prof. Bea's concern should give the credibility to our issue here that it deserves. We are not hysterical....the greatest worry for Prof. Bea is the issue of "domino effect"...his consideration of the huge blast potential of LPG accompanied by the multitude of ignition and fuel resources of oil terminals and chemical facilities that are on the threshold of Rancho. This is a deadly combination.

thanks,
 Janet

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

From: Robert G Bea <bea@ce.berkeley.edu>
 To: Janet Gunter <arriane5@aol.com>
 Sent: Fri, Aug 3, 2012 2:46 pm
 Subject: Re: Link to article in City Watch LA today re: LPG situation

very good summary Janet.

i had a 'mild stroke' July 22nd. major effect was loss of left eye vision. still undergoing tests to determine short and long term prognosis. no signs the circulation system 'trash' reached my brain.

perhaps the San Bruno trial will provide opportunities to raise the flags about Rancho and about the prices of ignoring infrastructure risk assessment and management...industry and government. we will stay alert for the opportunities...San Bruno is a perfect analog for a future Rancho disaster....lack of any realistic assessment of the SYSTEM RISKS...denial by industry....more denial by government.....public not informed....you know the rest.

bob bea

On 8/3/12 11:13 AM, Janet Gunter wrote:

http://citywatchla.com/component/content/article/317-8box-right/3555-where-theres-smoke-theres-fire-and-possibly-a-catastrophe?utm_source=General+CityWatch+List&utm_campaign=f17bf8d350-CW10628_2_2012&utm_medium=email

--

Professor Emeritus Robert Bea, PhD, PE
Department of Civil & Environmental Engineering
University of California Berkeley
Email: bea@ce.berkeley.edu

Home Office
Risk Assessment & Management Services
60 Shuey Drive
Moraga, California 94556
Telephone 925-631-1587
Cell 925-699-3503
Email: BeaRAMS@gmail.com

11-1813-S4
CD15

MOTION

OCT 23 2012

Residents and neighbors surrounding the Rancho LPG facility located in San Pedro have expressed various concerns regarding the safety and legality of this facility. This particular liquid bulk tank facility was built in 1973, and is located on private property outside the Port of Los Angeles. It includes two 12.5 million gallon refrigerated tanks containing butane, a liquefied petroleum gas which is a by-product of the refining process. Within the past decade, there have been various city reviews of the storage facility, dating back to 2004, and have involved the Planning Department, City Attorney, Harbor Department, Fire Department, the City Administrative Office (CAO) as well as the Chief Legislative Analyst (CLA).

Aside from the Rancho LPG facility in San Pedro, there are a variety of other liquid bulk storage facilities both above and below ground in the Harbor area, which have also raised concerns among nearby residents. It is imperative that the City ensure that any potential threats are thoroughly explored and mitigated.

Concerned about the potential risks posed to local residents by a breach of a Liquid Bulk Storage (LBS) and Liquid Petroleum Gas (LPG) facility in the event of an accident, residents have expressed interest in knowing how the land at Parcel 7412026006, on which the Rancho LPG facility is located, could be annexed by the Harbor Department and bring the inspection and direction of safety protocols of the site under the jurisdiction of the Port of Los Angeles and the Board of Harbor Commissioners.

I THEREFORE MOVE that the Port of Los Angeles be instructed to report on the feasibility of annexing or purchasing Parcel 7412026006 and placing it under the jurisdiction of the Board of Harbor Commissioners.

I FURTHER MOVE that in the event Parcel 7412026006 cannot be purchased or annexed that the Port of Los Angeles report as to why such a move is not possible under the restrictions of, but not limited to, the City Charter, the Tidelands Trust Act, or the California Coastal Commission.

Presented By

Joe Buscaino

JOE BUSCAINO

Councilmember, 15th District

Seconded By

Carla Morreale

ORIGINAL

[Handwritten signature]
10/23/12

RECEIVED FROM Noel Weiss
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When making inquiries relative to
this matter, please refer to the
Council File No. 11-1813, S1

July 31, 2012

Gerry F. Miller, Chief Legislative Analyst
Room 255, City Hall

Dear Mr. Miller:

At its special meeting held June 27, 2012, the Public Safety Committee considered Motions (Buscaino – Perry – Englander) and (Perry – Krekorian) relative to permitting and safety requirements for liquid bulk storage facilities located in San Pedro. At that time, Committee instructed you to:

1. Convene meetings with the Fire Department, Building and Safety, Harbor Department, City Attorney, Planning, Emergency Management, Bureau of Sanitation, and any other City departments as needed, and to report to the Public Safety Committee with recommendations to improve safety and hazard mitigation measures of liquid bulk facilities. Recommendations can include, but should not be limited to:
 - a. Enlisting the assistance of an independent consultant to examine the risks associated with liquid bulk storage facilities in the Harbor area.
 - b. Recommendations for any new amendments to local, state or federal requirements that pertain to liquid bulk storage facilities.
2. Develop a comprehensive list and/or map of all such facilities in Harbor area, including those on Port property.

Please submit your report to the Public Safety Committee, in care of the City Clerk's Office, City Hall, Room 395.

Sincerely,

John A. White, Legislative Assistant
Public Safety Committee
213-978-1072

11-1813_rpt_ps_7-24-2012

Expert Assessment of the Washington Gas Proposal

Ronald P. Koopman, Ph.D., P.E.
Hazard Analysis Consulting
4673 Almond Circle
Livermore, CA 94550
925-443-5324
rpkoopman@comcast.net
January 16, 2006

Hyattsville Community Development Corporation
c/o Stuart Eisenberg
4904 40th Place
Hyattsville, MD 20782

Subject: An Assessment of the Washington Gas proposal to build an LNG storage facility at Chillum Road in West Hyattsville, MD.

The above mentioned report has been revised and is provided to the Hyattsville Community Development Corporation for use as it sees fit, including presentation to the County Zoning Hearing Examiner, the County District Council, and the circuit court, as needed. The author has extensive experience in the area of LNG safety research and analysis, starting in 1977. His resume and publications list are also attached. Any questions on the content of the analysis can be directed to the author at the address listed above.

Sincerely,

Ronald P. Koopman, Ph.D., P.E.
Hazard Analysis Consulting

An Assessment of the Washington Gas proposal to build an LNG storage facility at Chillum Road in West Hyattsville, MD.

By

Ronald P. Koopman, Ph.D., P.E.
Hazard Analysis Consulting
4573 Almond Circle
Livermore, California 94550
925-443-5324

December 5, 2005, revised January 14, 2006

Liquefied natural gas (LNG) import, transport and storage facilities exist worldwide and the industry has an excellent safety record. In these days of growing energy shortages in the US, LNG provides a way to satisfy our increasing demand for clean burning natural gas. That said, LNG is still a unique and very hazardous material. The recommendation from the scientific community studying LNG hazards and from the various government agencies responsible for public safety has been to build LNG facilities in remote areas in order to provide an exclusion zone between the facility and the public. This recommendation has been made each time LNG safety issues have been revisited for the last sixty years, ever since the Cleveland LNG disaster that killed 130 people in 1944.

The proposed Chillum Road LNG facility is too close to people to satisfy this simple and fundamental requirement. In this case the responsibility for making this decision does not rest with the various Federal agencies that have sponsored LNG safety research and have recommended a safety exclusion zone. It rests with the county Office of the Zoning Hearing Examiner. This is a heavy and technologically complex responsibility for a local zoning authority to bear. *This document will attempt to summarize what is known about LNG safety and make it available to the Zoning Hearing Examiner.*

LNG Hazards

LNG is liquefied natural gas. In order to liquefy natural gas it is cooled to a temperature below -260°F and stored in insulated tanks. This results in a 600 fold reduction in the volume of the gas and makes storage and transportation more cost effective. LNG has the same hazards as those of natural gas and in addition there are the effects of low temperature and the 600 fold concentration in volume. LNG is highly flammable and explosive when vaporized, mixed with air to within its flammability limits, and confined in a room or building or some other structure. *If LNG is spilled, it rapidly vaporizes to cold natural gas, increasing by 600 fold in volume, and mixes with air, cooling the air, and forming a cold vapor cloud that is denser than air and can travel downwind for substantial distances, until it encounters an ignition source or dissipates.* Natural gas at ambient temperature is lighter than air and it rises and dissipates more rapidly when released. *However, because LNG cools the air as it vaporizes and mixes with air, the*

flammable vapor cloud remains denser than air as it moves downwind. This behavior is well documented both by large scale experiment and model calculations. If the LNG vapor cloud enters a confining structure and is ignited, it will explode. In the Cleveland disaster, LNG flowed from a ruptured tank and entered the sewer system where it vaporized and exploded. Vapor clouds also entered buildings and exploded, in addition to fueling a huge fire in the vicinity of the spill. This type of accident is highly unlikely today because modern tanks are built with materials that do not fracture easily at LNG temperatures and the newest tanks have strong reinforced concrete outer walls to withstand earthquakes, attacks or accidents and to act as secondary containers if in-tank equipment fails or inner tank failure occurs. They generally also have earthen berms surrounding them with a volume large enough to contain the tank contents if necessary. For these reasons, an accident or attack releasing the entire tank contents is considered highly unlikely and most hazard analysis is focused on process equipment failures.

Exclusion Zones

Without detailed information on the design of the LNG storage tank and the associated process equipment it is difficult to determine the potential hazards. It will be important to get that information and a formal hazard analysis before approving this or any other hazardous material facility. If it is assumed that this facility will be similar to other LNG storage facilities currently undergoing licensing review, rough estimates of hazard exclusion zones can be made. Using the Code of Federal Regulations (Title 49 CFR193), the National Fire Protection Association guidelines for LNG facilities (NFPA 59A) and analyses performed for licensing of other LNG storage tanks as a guide, several failure scenarios are identified.

For these scenarios, two types of exclusion zones are considered. Assuming the LNG is ignited at the source, the thermal exclusion zone extends to a distance where the thermal radiation from a fire falls below 1,600 Btu/ft²-hr, a threshold level where the fire is hazardous to persons outdoors with bare skin after 30 seconds of exposure. The vapor cloud exclusion zone is the maximum distance an unignited LNG vapor cloud can travel and still be flammable. People and property in this zone would be burned if the vapor cloud were ignited. Both of these exclusion zones are important. The vapor cloud can kill those exposed if it is ignited and there are many ignition sources available in an urban environment. A pool fire will burn those exposed to thermal radiation levels higher than 1,600 Btu/ft²-hr. Since no specific design information is available for this proposed facility, the following scenarios are based on the hazard analysis done for the proposed Long Beach LNG Import Project:

1. Rupture of the in-tank pump discharge header resulting in the flow of LNG at 7,500 gpm for 10 minutes (75,000 gal spilled) into the outer concrete tank which acts as an impound area. If ignition occurs, a large fire will erupt from the top of the containment structure and the thermal exclusion zone will extend for about 800 ft. This assumes that the proposed outer tank is a state-of-the-art reinforced concrete structure similar to that proposed for Long Beach (160,000 m³, 255 ft

diameter, 176 ft tall). *If it is a simple carbon steel structure or a less capable tank of whatever design, the risk and consequences could be higher and the thermal exclusion zone could be longer.*

2. Process equipment rupture resulting in LNG release of 9,600 gpm for 10 min (96,000 gal spilled) into the process area sump. *If ignition occurs, a large fire will erupt from the process area sump and the thermal exclusion zone will extend for about 850 ft. If ignition does not occur, the vapor cloud exclusion zone could extend downwind for as much as 1700 ft.* Anything within this zone would be burned if ignition occurred and buildings would burn or could explode if the cloud entered them before reaching an ignition source. Details of this scenario depend on process equipment design and can be clarified when that design information is available.
3. Tank damage from an attack with explosives or from an airplane crash would result in larger releases but these events are extremely unlikely to occur. *If they did, these releases could produce a thermal exclusion zone of 3000 ft.* A reinforced concrete outer tank would resist these events except for the extreme worst case. A lesser tank would be more vulnerable.
4. Tank damage or failure of both the inner and outer tank resulting in release of the LNG in a short time into the bermed area *could occur as a result of a very large earthquake, Tsunami, or other natural phenomena* or an attack with a truck load of explosives, exceeding the design criteria of the tank. Tanks in areas prone to *earthquakes, Tsunami,* or other natural phenomena are usually designed to withstand all but the most severe and unlikely of these events. Attack scenarios are considered extremely unlikely but the real probability is unknown. *If any of these events were to happen, and the vapor cloud was not ignited at the source, the exclusion area could extend for 4 miles downwind.* A reinforced concrete outer tank would resist these events except for the extreme worst cases. A lesser tank would be more vulnerable.

Summary

The report written following the Cleveland disaster in 1944 recommended that no facility that "may be explosive or inflammable or which may present any hazard which would endanger life and property in its vicinity, should be built in a residential, semi-residential, business or congested factory district ."

More recently, in 1978, the General Accounting Office released a Report to Congress recommending that "all new, large liquid energy gas (includes LNG) storage facilities be built in remote areas."

In 2004, Sandia National Laboratory revisited LNG hazards and concluded that the most significant impacts to public safety and property from an accidental spill exist within approximately 250 m (762 ft) of the spill and for an intentional release, within about 500 m (1524 ft) of the spill. This study was focused on spills from ships onto water and had to define exclusion zones for protection of people and property along the transit route, but is also good guidance for public impact anywhere.

The best guidance for public safety is still that from the GAO Report to Congress. Large scale hazardous material facilities, including LNG import and storage facilities, should be built in remote areas. The population density and proximity of public facilities and houses make the Washington Gas proposal to build an LNG storage facility at Chillum Road in West Hyattsville, MD a bad idea. It is important to the safety of the citizens of this area that the county Office of the Zoning Hearing Examiner recognize this and have the courage to make this difficult decision.

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2. Report of the Technical Consultants Board of Inquiry for the Mayor of Cleveland on the East Ohio Gas Company Fire, Cleveland, Ohio, July 1945.
3. Report to Congress by the Comptroller General of the United States, US General Accounting Office, *Liquefied Energy Gases Safety*, EMD-78-28, July 31, 1978.
4. *Guidance on Risk Analysis and Safety Implications of a Large Liquefied Natural Gas (LNG) Spill Over Water*, Sandia Report, SAND2004-6258, December 2004.
5. Code of Federal Regulations, Title 49, Volume 3, Chapter I, Part 193 Liquefied Natural Gas Facilities: Federal Safety Standards, Subpart B Siting Requirements
6. American National Standards Institute (ANSI), National Fire Protection Association guidelines for LNG facilities (NFPA 59A)
7. Draft Environmental Impact Statement/Environmental Impact Report, *Long Beach LNG Import Project*, October 2005.

PRIVATE CONSULTING EXPERIENCE

I currently provide hazard analysis consulting on liquefied natural gas and other liquefied gases. The analysis tasks involve document review, document preparation, scientific assessment, atmospheric dispersion model calculations, combustion calculations, legal testimony, and professional advice.

My private consulting clients and work include:

Sandia National Laboratory – Provided document review for *Guidance on Risk Analysis and Safety Implications of a Large Liquefied Natural Gas Spill Over Water*, November 2004. Provide information from and connection to DOE sponsored LNG research program of the 1980's, including the spill test facility at the Nevada Test Site. Provide guidance and advice on LNG fire testing.

BHP Billiton – Provide guidance on safety analysis and safety issues associated with proposed Cabrillo Port deepwater LNG port.

Malcolm Pirnie – Provided review of LNG terminal safety analysis information.

City of Vallejo – Participated on team of independent consultants to review LNG terminal proposed for Mare Island. Provided safety analysis expertise including modeling of worst case LNG releases from tanker ships and terminal storage and off-loading facilities. Made presentations to the Vallejo Safety Committee and the city council. Contributed to report presenting work, *Liquefied Natural Gas in Vallejo: Health and Safety Issues*, January 16, 2003.

US Department of Justice – Provided expert witness testimony on the consequences of a bomb or RPG attack on LPG storage tanks in the city of Elk Grove, CA. Contributed to *Special Report, Consequences of an Adversarial Attack on a Large Propane Storage Facility*, September, 1999, for the FBI.

Law firms – Provided expert witness testimony on the nature and possible consequences of an accidental release of HF and isobutene from a refinery in Texas City, TX. Provided expert opinion and documentation on the consequences of LPG releases from the storage tanks in Elk Grove, CA.

EXPERIENCE AT LAWRENCE LIVERMORE NATIONAL LABORATORY

Retired in 2003.

Manager of Special Projects, Chemical & Biological National Security Program, 1999 - 2003

Responsible for managing biosensor projects sponsored by DoD, DOE, USDA, managing the Bioforensic Demonstration and Application Program, and commercializing the handheld biosensor, HANAA.

AVLIS Plant Project Nuclear and Safety Analysis Manager, AVLIS Project, 1995 - 1999

Responsible for managing nuclear criticality safety, integrated safety analysis, and radiation safety groups associated with design, NRC licensing and deployment of a uranium enrichment plant using the Atomic Vapor Laser Isotope Separation (AVLIS) technology.

Associate Energy Program Leader, Energy Program, 1990-1995

Responsible for program development including the Zinc/Air Battery project, the Molten Salt Mixed Waste Destruction project, the Energy Economic Modeling project, the Environmental Technologies Program and organization of a review of weapons plutonium disposition issues and options.

Liquefied Gaseous Fuels Program Leader, LGF Program, 1984-1990

Managed and conducted research on the atmospheric dispersion and combustion of large-scale, denser-than-air, hazardous gas releases. Conducted large-scale field experimental programs with liquefied natural gas (LNG), ammonia, nitrogen tetroxide, and hydrogen fluoride. Managed a research group (J-Group) of more than 20 people and a research program involving international collaboration with the chemical and petroleum industry, in particular with Gas Research Institute, The Fertilizer Institute, AMOCO and Mobil, and with Federal agencies including DOT, DoD, EPA. Responsible for the development of state-of-the-art dense gas dispersion models including FEM3, a unique three dimensional finite element model. Responsible for the conceptual design of the DOE Spill Test Facility and for oversight of Bechtel on the final design and construction at Nevada Test Site. Provided testimony to the US Congress and the California State Assembly on transportation and use of hazardous materials.

Fluid Dynamics Group Leader, LGF Program, 1978-1984

Conducted experiments involving large-scale releases of liquefied natural gas (LNG) and other hazardous gases at China Lake, CA, and the Nevada Test Site. Responsible for design and construction of a unique radio telemetry based data acquisition system and for unique instrumentation for measurement of gas dispersion and combustion, including field deployable multiband infrared gas sensors. Broadened the program from liquefied natural gas to include other hazardous chemicals such as ammonia, nitrogen tetroxide, and hydrogen fluoride.

Physicist, Physics Division and, Nuclear Test Department, 1972-1978

Did experimental low energy nuclear physics research using protons and neutrons coupled with nuclear reaction model calculations to investigate the systematic de-excitation of even-even nuclei by gamma ray cascade. Did criticality safety analysis using Monte Carlo neutron and gamma-ray transport codes.

Shift Supervisor/Reactor Physicist, Livermore Pool-Type Reactor, 1968-1972

Responsible for shift operations and safety at the LLNL research reactor.

Engineer, Space Power Program, 1967-1968

Helped design exotic nuclear reactors for use in space.

EDUCATION

- Ph.D., Applied Science, University of California, Davis, 1977
- M.S., Nuclear Engineering, University of Michigan, 1967
- B.S., Mechanical Engineering, University of Michigan, 1965

MEMBERSHIPS

- American Physical Society
- American Nuclear Society
- American Chemical Society
- Registered Professional Engineer, State of California
- Past Chairman, Joint Army-Navy-NASA-Air Force (JANNAF) Panel on Atmospheric Hazards and Modeling
- Past member, Editorial Board, Institution of Chemical Engineers journal, *Process Safety and Environmental Protection*
- Past member, FBI Scientific Working Group on Microbial Forensics

EXPERT WITNESS TESTIMONY

- Mary L. Greene et al. v. Marathon Petroleum Co. et al., November 5, 1990; regarding hydrofluoric acid accident at Marathon Texas City refinery on October 30, 1987.
- United States of America v. Kevin Patterson, et al., May 14, 2002; regarding conspiracy to blow up the Suburban Propane storage tanks, Elk Grove, California.

PUBLICATIONS

Over 60 publications, invited talks, and papers. List available upon request.

Weather: TORRANCE, CA | Now: 72°F | High: 70°F | Low: 62°F | 5-Day Forecast

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10. Things To Do This Weekend

Butane leak at Rancho LPG storage facility in San Pedro may be source of odor

By Donna Littlejohn, Staff Writer
Posted: 10/19/2012 09:38:07 PM PDT
Updated: 10/19/2012 09:39:00 PM PDT

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Air quality officials on Friday were investigating what appears to have been a butane leak from the Rancho LPG storage facility in San Pedro.

Odors were reported to the South Coast Air Quality Management District on Thursday afternoon.

"We have received at least 37 complaints as of late yesterday," AQMD spokesman Sam Atwood said Friday. "It included four different schools so we sent inspectors out and were able to verify odors in several of the locations."

Complaints came from "all over," Atwood said, including Harbor City, Lomita, San Pedro and Rancho Palos Verdes.

Before the AQMD can issue a violation, Atwood said inspectors must verify that odors reported at some half-dozen of the spots can be traced back to the facility.

Investigators were carrying out that task on Friday, he said, and it was still unclear whether a violation would be issued.

There were no reports of anyone needing medical attention due to the odors, he said.

The Rancho LPG facility at 2110 N. Gaffey St. stores 25.3 million gallons of butane and propane in two large, double-walled storage tanks.

Established in 1973 by Petrolane and later operated by Amerigas, the facility now is owned by Plains LPG, which has a long-term lease on the land.

While the plant has a clean record and undergoes frequent safety inspections, it has been the focus of concern for years.

Several community groups recently have renewed a push for

the facility to move, saying that it is located too close to homes and schools.

Earlier this week, the Rancho Palos Verdes City Council unanimously voted to step up its participation in monitoring the plant, which falls under the jurisdiction of several agencies.

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CONTRA COSTA COUNTY CODE

Chapter 450-8 - RISK MANAGEMENT

Sections:

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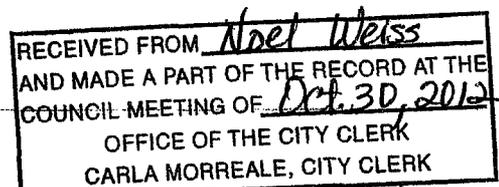
450-8.032 - Construction.

450-8.002 - Background and findings.

The board of supervisors of Contra Costa County finds as follows:

(a) Recent incidents in Contra Costa County at industrial chemical, petrochemical, and oil industry facilities have prompted the consideration of reviews, inspections, and audits that supplement existing federal and state safety programs and the imposition of additional safety measures to protect public health and safety from accidental releases.

(b) Section 112(r)(7) of the Clean Air Act (42 U.S.C.A. Section 7412(4)) required the Federal Environmental Protection Agency ("EPA") to promulgate the rule known as the "Risk Management Program," which is intended to prevent accidental releases of



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regulated substances, as defined in the federal program, and reduce the severity of those releases that do occur. All facilities subject to this federal regulation must prepare a risk management plan (RMP) based on a risk management program established at the facility, that includes a hazard assessment of the facility, an accidental release prevention program, and an emergency response program (40 CFR Section 68). The facility must submit the Federal RMP to the EPA by June 21, 1999 (40 CFR Section 68-150-68.185). The federal RMP will be available to state and local government and the public.

(c) The California Health and Safety Code Article 2 (Section 25531 et seq.) of Chapter 6.95 was amended effective January 1, 1997 to implement the federal EPA's risk management program rule with certain state-specific amendments. The state's risk management program is known as the California Accidental Release Prevention (CalARP) Program.

(d) The county recognizes that regulatory requirements alone will not guarantee public health and safety, and that the public is a key stakeholder in chemical accident prevention, preparedness, and response at the local level. Preventing accidental releases of regulated substances is the shared responsibility of industry, government and the public. The first steps toward accident prevention are identifying the hazards and assessing the risks. Once information about chemical hazards in the community is openly shared, industry, government, and the community can work together towards reducing the risk to public health and safety.

(e) The success of a safety program is dependent upon the cooperation of industrial chemical and oil refining facilities within Contra Costa County. The public must be assured that measures necessary to prevent incidents are being implemented, including changes or actions required by the department or the stationary source that are necessary to comply with this chapter.

(Ord. 98-48 § 2).

450-8.004 - Purpose and goals.

(a) The purpose of this chapter is to impose regulations which improve industrial safety by:

- (1) Requiring the conduct of process hazard analyses for covered processes handling hazardous materials not covered by the federal or state accidental release prevention programs;
- (2) Requiring the review of action items resulting from process hazard analyses and requiring completion of those action items selected by the stationary source for implementation within a reasonable time frame;
- (3) Requiring the review of accidental release prevention efforts of stationary sources and providing for the conduct of investigations and analyses for the determination of the root cause for certain incidents;

- (4) Providing review, inspection, auditing and safety requirements that are more stringent than those required in existing law and regulations;
- (5) Providing for public input into the safety plan and safety program and public review of any inspection and audit results;
- (6) Facilitating cooperation between industry, the county, and the public in the prevention and reduction of incidents at stationary sources;
- (7) Expanding the application of certain provisions of the federal and state accidental release prevention programs to processes not covered by the federal or state accidental release prevention programs;
- (8) Verifying that an approved security and vulnerability study is performed, and that the recommendations are addressed within a reasonable time frame;
- (9) Requiring the development and implementation of a written human factors program; and
- (10) Preventing and reducing the number, frequency, and severity of accidental releases in the county.

(Ords. 2006-22 § 2, 98-48 § 2).

450-8.006 - Authority.

The ordinance codified in this chapter is adopted by the county pursuant to its police power for the purposes of protecting public health and safety by prevention of accidental releases of hazardous materials and to assure protection of the environment.

(Ord. 98-48 § 2).

450-8.008 - Administration.

The department is charged with the responsibility of administering and enforcing this chapter.

(Ord. 98-48 § 2).

450-8.010 - Applicability.

(a) This chapter shall apply to stationary sources except that:

(b) The following are exempt from the provisions of this chapter except Sections 450-8.016(c) and (e), and 450-8.018(f) and (g):

(1) Storage tanks containing a nonregulated substance, except for storage tanks that contain a material that has a flashpoint above one hundred forty-one degrees Fahrenheit and below two hundred degrees Fahrenheit in accordance with the definition of combustible liquid in 49 CFR 173.120(b);

(2) Drum storage of: (A) a nonregulated substance; (B) less than ten thousand pounds of a hazard category B material located such that the drums could reasonably be expected to be involved in a single release; and (C) a hazard category A material, located such that the drums could reasonably be expected to be involved in a single release, at less than the quantity specified as the threshold planning quantity on the extremely hazardous substances list (Appendix A to 40 CFR Chapter I, Subchapter J, Part 355, as amended from time to time) or five hundred pounds, whichever is less;

(3) Activities in process plant laboratories or laboratories that are under the supervision of a technically qualified individual as defined in Section 720.3(ee) of 40 CFR. This exemption does not apply to specialty chemical production; manufacture, processing or use of substances in pilot plant scale operations; and activities conducted outside the laboratory;

(4) Utilities, except for fuel gas and natural gas systems to the battery limits of a process unit; and

(5) Any waste tanks, containers or other devices subject to the federal and state hazardous waste laws, including the Resource Conservation and Recovery Act (RCRA), 40 CFR Chapter I, Subchapter I, commencing with Part 260, the California Hazardous Waste Control Law, California Health and Safety Code, commencing with Section 25100 and the California Code of Regulations, Title 22 Division 4.5 Environmental Health Standards for the Management of Hazardous Waste.

(Ords. 2006-22 § 3, 98-48 § 2).

450-8.012 - Inspection.

The department shall be allowed reasonable access to any part of the stationary source subject to the requirements of this chapter, Sections 450-8.016 and 450-8.018 and to supporting documentation retained by the source for the purpose of determining compliance with this chapter.

(Ord. 98-48 § 2).

450-8.014 - Definitions.

For purposes of this chapter, the definitions set forth in this section shall apply. Words used in this chapter not defined in this section shall have the meanings ascribed to them in the Clean Air Act Regulations (40 CFR Section 68.3) and in California Health and Safety Code Article 2 (Section 25531 et seq.) of Chapter 6.95, unless the context indicates otherwise.

(a) "Covered process" means any process at a stationary source.

(b) "Department" means the Contra Costa County health services director and any director authorized deputies.

(c) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

(d) "Hazard category A materials" are substances which meet the hazard category A material definition as set forth in Section 84-63.1016 of this code.

(e) "Hazard category B materials" are substances which meet the hazard category B material definition as set forth in Section 84-63.1016 of this code.

(f) "Industry codes, standards, and guidelines" means the edition of the codes, standards, and guidelines in effect at the time of original design or construction for the design, construction, alteration, maintenance or repair of process units, industrial equipment, or other industrial facilities, structures or buildings published by, but not limited to, the American Petroleum Institute (API), the American Chemistry Council (ACC), the American Society of Mechanical Engineers (ASME) or the American National Standards Institute (ANSI), and meets recognized and generally accepted good engineering practices (RAGAGEP).

(g) "Inherently safer systems" means "inherently safer design strategies" as discussed in the latest edition of the Center for Chemical Process Safety Publication "Inherently Safer Chemical Processes," and means feasible alternative equipment, processes, materials, layouts, and procedures meant to eliminate, minimize, or reduce the risk of a major chemical accident or release by modifying a process rather than adding external layers of protection. Examples include, but are not limited to, substitution of materials with lower vapor pressure, lower flammability, or lower toxicity; isolation of hazardous processes; and use of processes which operate at lower temperatures and/or pressures.

(h) "Major chemical accident or release" means an incident that meets the definition of a level 3 or level 2 incident in the community warning system incident level classification system defined in the hazardous materials incident notification policy, as determined by the department; or results in the release of a regulated substance and meets one or more of the following criteria:

(1) Results in one or more fatalities;

(2) Results in greater than twenty-four hours of hospital treatment of three or more persons;

(3) Causes on- and/or off-site property damage (including clean-up and restoration activities) initially estimated at five hundred thousand dollars or more. On-site estimates shall be performed by the stationary source. Off-site estimates shall be performed by appropriate agencies and compiled by the department;

(4) Results in a vapor cloud of flammables and/or combustibles that is more than five thousand pounds.

(i) "Regulated substance" means (1) any chemical substance which satisfies the provisions of California Health and Safety Code Section 25532(g), as amended from time

to time, or (2) a substance which satisfies the provisions of hazard categories A or B in Section 84-63.1016 of this code. Mixtures containing less than one percent of a regulated substance shall not be considered in the determination of the presence of a regulated material.

(j) "Risk management program" means the documentation, development, implementation, and integration of management systems by the facility to comply with the regulations set forth in 40 CFR, Part 68 and the California Health and Safety Code, Article 2, commencing with Section 25531.

(k) "RMP" means the risk management plan required to be submitted pursuant to the requirements of the 40 CFR Section 68.150-68.185 and the California Health and Safety Code Article 2 (Section 25531 et seq.) of Chapter 6.95.

(l) "Root cause" means prime reasons, such as failures of some management systems, that allow faulty design, inadequate training, or improper changes, which lead to an unsafe act or condition, and result in an incident. If root causes were removed, the particular incident would not have occurred.

(m) "Safety plan" means the safety plan required to be submitted to the department pursuant to the requirements of Section 450-8.016 of this chapter.

(n) "Safety program" means the documentation, development, implementation, and integration of management systems by the stationary source to comply with the safety requirements set forth in Section 450-8.016 of this chapter.

(o) "Stationary source" or "source" means a facility which includes at least one process as defined in 40 CFR 68.10 that is subject to federal risk management program level 3 requirements and whose primary North American Industry Classification System code (NAICS) is 324 (Petroleum and Coal Products Manufacturing) or 325 (Chemical Manufacturing).

(p) "California accidental release prevention program" means the documentation, development, implementation, and integration of management systems by a facility to comply with the regulations set forth in California Code of Regulations, Title 19, Division 2, Chapter 4.5.

(q) "Catastrophic release" means a major uncontrolled emission, fire, or explosion, involving one or more highly hazardous chemicals, that presents serious danger to employees in the workplace and/or the public. As used in this section, "highly hazardous chemical" has the meaning ascribed to it in 29 CFR 1910.119(b) as of May 21, 2003.

(r) "Human factors" means a discipline concerned with designing machines, operations, and work environments so that they match human capabilities, limitations, and needs. "Human factors" can be further referred to as environmental, organizational, and job factors, and human and individual characteristics that influence behavior at work in a way that can affect health and safety.

(s) "Human systems" means the systems, such as written and unwritten policies, procedures, and practices, in effect to minimize the existence/persistence of latent conditions at the stationary source. It also includes the broad area of safety culture of a stationary source to the extent that it influences the actions of individuals or groups of individuals.

(Ords. 2006-22 § 4, 98-48 § 2).

450-8.016 - Stationary source safety requirements.

The stationary source shall submit a safety plan to the department within one year of the effective date of the ordinance codified in this chapter or within three years of the date a facility becomes a stationary source, that complies with the provisions of this section and that includes the safety elements listed in subsection (a) of this section. In addition, the stationary source shall comply with the safety requirements set forth in subsections (a) through (e) of this section and shall include a description of the manner of compliance with these subsections in the safety plan. A new covered process at an existing stationary source shall comply with subsections (a) through (e) of this section prior to initial startup.

(a) Safety Program Elements. All covered processes shall be subject to the safety program elements listed below. The safety plan shall include a description of the manner in which these safety program elements listed below shall be applied to the covered process. These safety program elements shall be implemented in conformance with the California accidental release prevention program and the safety plan shall follow Chapters 5, 7, 8 and 9 of the Contra Costa County health services department CalARP program guidance document.

(1) Process Safety Information.

(A) The stationary source shall complete a compilation of written process safety information before conducting any process hazard analysis as required by this chapter. The compilation of written process safety information is to enable the stationary source and the employees involved in operating the covered process to identify and understand the hazards posed by the covered process. This process safety information shall include information pertaining to the hazards of the regulated substances used or produced by the process, information pertaining to the technology of the process, information pertaining to the equipment in the process, and information pertaining to the hazards of the regulated substances in the process.

(i) This information shall consist of at least the following: toxicity information; permissible exposure limits; physical data; reactivity data; corrosivity data; thermal and chemical stability data; and hazardous effects of inadvertent mixing of different materials that could foreseeably occur.

(ii) Material safety data sheets meeting the requirements of Section 5189, Title 8 of California Code of Regulations may be used to comply with this requirement to the extent they contain the information required by this subsection.

(iii) Information pertaining to the technology of the process shall include at least the following: a block flow diagram or simplified process flow diagram; process chemistry; maximum intended inventory; safe upper and lower limits for such items as temperatures, pressures, flows or compositions; and, an evaluation of the consequences of deviations. Where the original technical information no longer exists, such information may be developed in conjunction with the process hazard analysis in sufficient detail to support the analysis.

(iv) Information pertaining to the equipment in the process shall include: materials of construction; piping and instrument diagrams (P&ID's); electrical classification; relief system design and design basis; ventilation system design; design codes and standards employed; material and energy balances for processes built after the compliance date of the ordinance codified in this chapter; and safety systems (e.g., interlocks, detection or suppression systems).

(B) The stationary source shall document that equipment complies with recognized and generally accepted good engineering practices.

(C) For existing equipment designed and constructed in accordance with codes, standards, or practices that are no longer in general use, the stationary source shall determine and document that the equipment is designed, maintained, inspected, tested, and operating in a safe manner.

(2) Operating Procedures.

(A) The stationary source shall develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information and shall address at least the following elements:

(i) Steps for each operating phase: initial startup; normal operations; temporary operations; emergency shutdown, including the conditions under which emergency shutdown is required, and the assignment of shutdown responsibility to qualified operators to ensure that emergency shutdown is executed in a safe and timely manner; emergency operations; normal shutdown; and, startup following a turnaround, or after an emergency shutdown.

(ii) Operating limits: consequences of deviation; and steps required to correct or avoid deviation.

(B) Safety and Health Considerations. Properties of, and hazards presented by, the chemicals used in the process; precautions necessary to prevent exposure, including engineering controls, administrative controls, and personal protective equipment; control measures to be taken if physical contact or airborne exposure occurs; quality control for

raw materials and control of hazardous chemical inventory levels; and, any special or unique hazards.

(C) Safety systems and their functions.

(D) Operating procedures shall be readily accessible to employees who work in or maintain a process.

(E) The operating procedures shall be reviewed as often as necessary to assure that they reflect current operating practice, including changes that result from changes in process chemicals, technology, and equipment, and changes to stationary sources. The stationary source shall certify annually that these operating procedures are current and accurate.

(F) The stationary source shall develop and implement safe work practices to provide for the control of hazards during operations such as lockout/tagout; confined space entry; opening process equipment or piping; and control over entrance into a stationary source by maintenance, contractor, laboratory, or other support personnel. These safe work practices shall apply to employees and contractor employees.

(3) Employee Participation.

(A) The stationary source shall develop a written plan of action regarding the implementation of the employee participation required by this chapter.

(B) The stationary source shall consult with employees and their representatives on the conduct and development of process hazards analyses and on the development of the other elements of the safety program in this chapter.

(C) The stationary source shall provide to employees and their representatives access to process hazard analyses and to all other information required to be developed under this chapter.

(4) Training. For each employee in such covered process:

(A) Initial Training. Each employee presently involved in operating a covered process, and each employee before being involved in operating a newly assigned covered process, shall be trained in an overview of the process and in the operating procedures as specified in subsection (a)(2)(A) of this section. The training shall include emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks. In lieu of initial training for those employees already involved in operating a process, an owner or operator may certify in writing that the employee has the required knowledge, skills, and abilities to safely carry out the duties and responsibilities as specified in the operating procedures.

(B) Refresher Training. Refresher training shall be provided at least every three years, and more often if necessary, to each employee involved in operating a covered process to assure that the employee understands and adheres to the current operating procedures of the covered process. The stationary source, in consultation with the employees involved in operating the process, shall determine the appropriate frequency of refresher training.

(C) Training Documentation. The stationary source shall ascertain that each employee involved in operating a process has received and understood the training required by this section. The stationary source shall prepare a record which contains the identity of the employee, the date of training, and the means used to verify that the employee understood the training.

(5) Mechanical Integrity, Including the Use of Industry Codes, Standards, and Guidelines.

(A) Application. Subsections (a)(5)(B) through (a)(5)(F) of this section apply to the following process equipment: pressure vessels and storage tanks; piping subsystems (including piping components such as valves); relief and vent systems and devices; emergency shutdown systems; controls (including monitoring devices and sensors, alarms, and interlocks) and pumps.

(B) Written Procedures. The stationary source shall establish and implement written procedures to maintain the on-going integrity of process equipment.

(C) Training for Process Maintenance Activities. The stationary source shall train each employee involved in maintaining the on-going integrity of process equipment in an overview of that process and its hazards and in the procedures applicable to the employee's job tasks to assure that the employee can perform the job tasks in a safe manner.

(D) Inspection and Testing.

(1) Inspections and tests shall be performed on process equipment. Inspection and testing procedures shall follow recognized and generally accepted good engineering practices. The frequency of inspections and tests of process equipment shall be consistent with applicable manufacturers' recommendations and good engineering practices, and more frequently if determined to be necessary by prior operating experience. The stationary source shall document each inspection and test that has been performed on process equipment. The documentation shall identify the date of the inspection or test, the name of the person who performed the inspection or test, the serial number or other identifier of the equipment on which the inspection or test was performed, a description of the inspection or test performed, and the results of the inspection or test.

(E) Equipment Deficiencies. The stationary source shall correct deficiencies in equipment that are outside acceptable limits (defined by the process safety information in subsection (a)(1) of this section) before further use or in a safe and timely manner when necessary means are taken to assure safe operation.

(F) Quality Assurance. In the construction of new plants and equipment, the stationary source shall assure that equipment as it is fabricated is suitable for the process application for which they will be used. Appropriate checks and inspections shall be performed to assure that equipment is installed properly and consistent with design specifications and the manufacturer's instructions. The stationary source shall assure that maintenance materials, spare parts and equipment are suitable for the process application for which they will be used.

(6) Management of Change.

(A) The stationary source shall establish and implement written procedures to manage changes (except for "replacements in kind") to process chemicals, technology, equipment, and procedures; and changes to stationary sources that affect a covered process.

(B) The procedures shall assure that the following considerations are addressed prior to any change: the technical basis for the proposed change; impact of change on safety and health; modifications to operating procedures; necessary time period for the change; and authorization requirements for the proposed change.

(C) Employees involved in operating a process and maintenance and contract employees whose job tasks will be affected by a change in the process shall be informed of, and trained in, the change prior to startup of the process or affected part of the process.

(D) If a change covered by this section results in a change in the process safety information required by subsection (a)(1) of this section, such information shall be updated accordingly.

(E) If a change covered by this section results in a change in the operating procedures or practices required by subsection (a)(2) of this section, such procedures or practices shall be updated accordingly.

(7) Pre-Startup Reviews.

(A) The stationary source shall perform a pre-startup safety review for new stationary sources and for modified stationary sources when the modification is significant enough to require a change in the process safety information.

(B) The pre-startup safety review shall confirm that prior to the introduction of regulated substances to a covered process: construction and equipment is in accordance with design specifications; safety, operating, maintenance, and emergency procedures are in place and are adequate; for new covered processes, a process hazard analysis has been performed and recommendations have been resolved or implemented before startup; and modified covered processes meet the requirements contained in management of change, subsection (a)(6) of this section; and training of each employee involved in operating a process has been completed.

(8) Compliance Audits.

(A) The stationary source shall certify that they have evaluated compliance with the provisions of this section at least every three years to verify that the procedures and practices developed under this chapter are adequate and are being followed.

(B) The compliance audit shall be conducted by at least one person knowledgeable in the process.

(C) A report of the findings of the audit shall be developed.

(D) The stationary source shall promptly determine and document an appropriate response to each of the findings of the compliance audit, and document that deficiencies have been corrected.

(E) The stationary source shall retain the two most recent compliance audit reports.

(9) Incident Investigation.

(A) The stationary source shall investigate each incident which resulted in, or could reasonably have resulted in a catastrophic release of a regulated substance.

(B) An incident investigation shall be initiated as promptly as possible, but not later than forty-eight hours following the incident.

(C) An incident investigation team shall be established and consist of at least one person knowledgeable in the covered process involved, including a contract employee if the incident involved work of the contractor, and other persons with appropriate knowledge and experience to thoroughly investigate and analyze the incident.

(D) A report shall be prepared at the conclusion of the investigation which includes at a minimum: date of incident; date investigation began; a description of the incident; the factors that contributed to the incident; and recommendations resulting from the investigation. The written summary shall indicate whether the cause of the incident and/or recommendations resulting from the investigation are specific only to the process or equipment involved in the incident, or are applicable to other processes or equipment at the stationary source. The incident investigation report shall be made available to the department upon request.

(E) The stationary source shall establish a system to promptly address and resolve the incident report findings and recommendations. Resolutions and corrective actions shall be documented.

(F) The report shall be reviewed with all affected personnel whose job tasks are relevant to the incident findings including contract employees where applicable.

(G) Incident investigation reports shall be retained for five years.

(10) Hot Work.

(A) The stationary source shall issue a hot work permit for hot work operations conducted on or near a covered process.

(B) The permit shall document that the fire prevention and protection requirements in Section 5189 of Title 8 of California Code Regulations have been implemented prior to beginning the hot work operations; it shall indicate the date(s) authorized for hot work; and identify the object on which hot work is to be performed. The permit shall be kept on file until completion of the hot work operations.

(11) Contractors.

(A) Application. This section applies to contractors performing maintenance or repair, turnaround, major renovation, or specialty work on or adjacent to a covered process. It does not apply to contractors providing incidental services which do not influence process safety, such as janitorial work, food and drink services, laundry, delivery or other supply services.

(B) Stationary Source Responsibilities.

(i) The stationary source, when selecting a contractor, shall obtain and evaluate information regarding the contract owner or operator's safety performance and programs.

(ii) The stationary source shall inform contract owner or operator of the known potential fire, explosion, or toxic release hazards related to the contractor's work and the process.

(iii) The stationary source shall explain to the contract owner or operator the applicable provisions of the emergency response program subsection (a)(12) of this section.

(iv) The stationary source shall develop and implement safe work practices consistent with subsection (a)(2) of this section to control the entrance, presence, and exit of the contract owner or operator and contract employees in covered process areas.

(v) The stationary source shall periodically evaluate the performance of the contract owner or operator in fulfilling their obligations as specified in subsection (a)(11)(C) of this section.

(C) Contract Owner or Operator Responsibilities.

(i) The contract owner or operator shall assure that each contract employee is trained in the work practices necessary to safely perform his/her job.

(ii) The contract owner or operator shall assure that each contract employee is instructed in the known potential fire, explosion, or toxic release hazards related to his/her job and the process, and the applicable provisions of the emergency action plan.

(iii) The contract owner or operator shall document that each contract employee has received and understood the training required by this section. The contract owner or operator shall prepare a record which contains the identity of the contract employee, the date of training, and the means used to verify that the employee understood the training.

(iv) The contract owner or operator shall assure that each contract employee follows the safety rules of the stationary source including the safe work practices required by subsection (a)(2) of this section.

(v) The contract owner or operator shall advise the stationary source of any unique hazards presented by the contract owner or operator's work, or of any hazards found by the contract owner or operator's work.

(12) Emergency Response Program.

(A) The stationary source shall develop and implement an emergency response program for the purpose of protecting public health and the environment. Such program shall include the following elements:

(i) An emergency response plan, which shall be maintained at the stationary source and contain at least the following elements: procedures for informing the public and local emergency response agencies about accidental releases, emergency planning, and emergency response; documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposures; and procedures and measures for emergency response after an accidental release of a regulated substance;

(ii) Procedures for the use of emergency response equipment and for its inspection, testing, and maintenance, including documentation of inspection, testing, and maintenance;

(iii) Training for all employees in relevant procedures and the incident command system; and

(iv) Procedures to review and update, as appropriate, the emergency response plan to reflect changes at the stationary source and ensure that employees are informed of changes.

(B) A written plan that complies with other federal contingency plan regulations or is consistent with the approach in the National Response Team's Integrated Contingency Plan Guidance ("One Plan") and that, among other matters, includes the elements provided in subsection (a)(12)(A) of this section, shall satisfy the requirements of this section if the stationary source also complies with subsection (a)(12)(C) of this section.

(C) The emergency response plan developed under this section shall be coordinated with the community emergency response plan developed under 42 U.S.C. Section 11003. Upon request of the local emergency planning committee or emergency response officials, the stationary source shall promptly provide to the local emergency response officials information necessary for developing and implementing the community emergency response plan.

(D) The stationary source whose employees will not respond to accidental releases of regulated substances need not comply with subsections (a)(12)(A) through (a)(12)(C) of this section provided that they meet the following:

(i) For stationary sources with any regulated toxic substance held in a process above the threshold quantity, the stationary source is included in the community emergency response plan developed under Section 11003 of Title 42 of the United States Code (USC); or

(ii) For stationary sources with only regulated flammable substances held in a process above the threshold quantity the stationary source has coordinated response actions with the local fire department; and

(iii) Appropriate mechanisms are in place to notify emergency responders when there is a need for a response.

(13) Safety Program Management.

(A) The owner or operator of a stationary source subject to this chapter shall develop a management system to oversee the implementation of the safety program elements.

(B) The owner or operator shall assign a qualified person or position that has the overall responsibility for the development, implementation, and integration of the safety program elements.

(C) When responsibility for implementing individual requirements of this chapter is assigned to persons other than the person identified under subsection (a)(13)(B) of this section, the names or positions of these people shall be documented and the lines of authority defined through an organization chart or similar document.

(b) Human Factors Program.

(1) Stationary sources shall develop a written human factors program that follows the human factors guidance document developed or adopted by the department. The program shall be developed within one year following the issuance of the Contra Costa County guidance documents, the effective date of the ordinance codified in this section, or as otherwise allowed by this chapter, whichever is later. The human factors program shall address:

(A) The inclusion of human factors in the process hazards analysis process;

(B) The consideration of human systems as causal factors in the incident investigation process for major chemical accidents or releases or for an incident that could reasonably have resulted in a major chemical accident or release;

(C) The training of employees in the human factors program;

(D) Operating procedures;

(E) Maintenance safe work practice procedures and maintenance procedures for specialized equipment, piping, and instruments, no later than June 30, 2011; and

(F) The requirement to conduct a management of change prior to staffing changes for changes in permanent staffing levels/reorganization in operations, maintenance, health and safety, or emergency response. This requirement shall also apply to stationary sources using contractors in permanent positions in operations and maintenance. Prior to conducting the management of change, the stationary source shall ensure that the job function descriptions are current and accurate for the positions under consideration. Staffing changes that last longer than ninety days are considered permanent. Temporary

changes associated with strike preparations shall also be subject to this requirement. Employees and their representatives shall be consulted in the management of change.

(2) Employees and their representatives shall participate in the development of the written human factors program.

(3) The program shall include, but not be limited to, issues such as staffing, shiftwork and overtime.

(4) A description of the human factors program subsections (b)(1) through (b)(3) of this section shall be included in the safety plan prepared by the stationary source.

(c) Root Cause Analysis and Incident Investigation.

(1) Stationary sources shall conduct a root cause analysis for each major chemical accident or release which occurs after the effective date of the ordinance codified in this chapter. Stationary sources shall periodically update the department on facts related to the release or incident, and the status of a root cause analysis conducted pursuant to this section, at meetings scheduled by the department in cooperation with the stationary source. To the maximum extent feasible, the department and the stationary source shall coordinate these meetings with other agencies with jurisdiction over the stationary source. Within thirty days of completing a root cause analysis performed pursuant to this section, the stationary source shall submit to the department a final report containing that analysis, including recommendations to be implemented to mitigate against the release or incident reoccurring, if any, and a schedule for completion of resulting recommendations. The department may require the stationary source to submit written, periodic update reports at a frequency not to exceed every thirty days until the final report is submitted. The methodology of the root cause analysis shall be one of the methodologies recognized by the Center for Chemical Process Safety or shall be reviewed by the department to determine substantial equivalency.

(2) The department may elect to do its own independent root cause analysis or incident investigation for a major chemical accident or release. If the department elects to conduct a root cause analysis or incident investigation the stationary source shall cooperate with the department by providing the following access and information in a manner consistent with the safety of department and stationary source personnel and without placing undue burdens on the operation of the stationary source:

(i) Allow the department to investigate the accident site and directly related facilities such as control rooms, physical evidence and where practicable the external and internal inspection of equipment;

(ii) Provide the department with pertinent documentation; and

(iii) Allow the department to conduct independent interviews of stationary source employees, subject to all rights of the stationary source and employees to be represented by legal counsel and/or management and union representatives during such interviews. If in the course of the department's root cause analysis or incident investigation access is required to areas of the stationary source which in the judgment of the stationary source

requires personnel entering the area to use protective equipment and/or have specialized training the department shall provide its personnel with such equipment and training. To the maximum extent feasible, the department shall coordinate any root cause analysis or incident investigation it conducts with investigations conducted by other agencies with jurisdiction over the stationary source to minimize the adverse impacts on the stationary source and/or its employees.

(3) No part of the conclusions, findings or recommendations of the root cause analysis conducted by the department or stationary source, or incident investigation conducted by the department, relating to any major chemical accident or release or the investigation thereof shall be admitted as evidence or used in any action or suit for damages arising out of any matter mentioned in such report.

(d) Process Hazard Analysis/Action Items.

(1) Process hazard analyses will be conducted for each of the covered processes according to one of the following methods: What-If, Checklist, What-If/Checklist, Hazard and Operability Study (HAZOP), Failure Mode and Effects Analysis (FMEA), fault tree analysis or an appropriate equivalent methodology approved by the department prior to conducting the process hazard analysis. The process hazard analysis shall be appropriate to the complexity of the covered process and shall identify, evaluate, and control the hazards involved in the covered process. The process hazard analysis shall address: the hazards of the process; the identification of any previous incident which had a likely potential for catastrophic consequences; engineering and administrative control applicable to the hazards and their interrelationships such as appropriate application of detection methodologies to provide early warning of releases (acceptable detection methods might include process monitoring and control instrumentation with alarms, and detection hardware such as hydrocarbon sensors); consequences of failure of engineering and administrative controls; covered process and stationary source siting; human factors; and a qualitative evaluation of a range of the possible safety and health effects of failure of controls. PHAs should also include consideration of external events except for seismic analyses, which are only required when criteria listed in subsection (d)(2) of this section are satisfied. All process hazard analyses shall be performed by a team with expertise in engineering and process operations, and the team shall include at least one employee who has experience and knowledge specific to the process being evaluated. Also, one member of the team must be knowledgeable in the specific process hazard analysis methodology being used.

(2) The process hazard analyses shall be conducted within one year of the effective date of the ordinance codified in this chapter and no later than the submittal date of the safety plan. Previously completed process hazard analyses that comply with the California Code of Regulations, Title 8, Section 5189, and/or the California Code of Regulations, Title 19, Section 2760.2 are acceptable for the purposes of this chapter. Process hazard analyses shall be updated and revalidated at least once every five years after completion of the initial process hazard analysis. Updated and revalidated process hazard analyses completed to comply with the California Code of Regulations, Title 8, Section 5189, and/or the California Code of Regulations, Title 19, Section 2760 are acceptable for meeting the update and revalidation requirement. Seismic events shall be considered for

processes containing a substance defined in the California Code of Regulations, Title 19, Chapter 4.51, Section 2770.5, if the distance to the nearest public receptor for a worst case release scenario specified by the California Code of Regulations, Title 19, Chapter 4.5, Section 2750.3 is within the distance to a toxic or flammable endpoint as defined in California Code of Regulations, Title 19, Chapter 4.5, Section 2750.2(a).

(3) For all covered processes, the stationary source shall consider the use of inherently safer systems in the development and analysis of mitigation items resulting from a process hazard analysis and in the design and review of new processes and facilities. The stationary source shall select and implement inherently safer systems to the greatest extent feasible. If a stationary source concludes that an inherently safer system is not feasible, the basis for this conclusion shall be documented in meaningful detail.

(4) For all covered processes, the stationary source shall document the decision made to implement or not implement all process hazard analysis recommended action items and the results of recommendations for additional study. The stationary source shall complete recommended actions from the initial PHA's and from PHA revalidations, identified by the process hazard analysis and selected for implementation by the stationary source as follows: all actions not requiring a process shutdown shall be completed within one year after submittal of the safety plan; all actions requiring a process shutdown shall be completed during the first regularly scheduled turnaround of the applicable process subsequent to one year after submittal of the safety plan unless the stationary source demonstrates to the satisfaction of the department that such a schedule is infeasible. For recommended actions not selected for implementation, the stationary source shall include the justification for not implementing the recommended action. For all covered processes, the stationary source shall retain documentation of closure, and any associated justifications, of actions identified by the process hazard analysis. The stationary source shall communicate the actions to operating, maintenance, and other employees whose work assignments are in the process and who may be affected by the recommendations or actions.

(e) Accident History.

(1) The stationary source shall include an accident history in the safety plan of all major chemical accidents or releases from June 1, 1992, through the date of safety plan submittal to the department. For each major chemical accident or release the stationary source shall report the following information, to the extent known:

Date, time and approximate duration of the release;

Chemicals released;

Estimated quantity released in pounds;

Type of release event and its source;

Weather conditions at the time of the release;

On-site impacts;

Known off-site impacts;

Initiating event and contributing factors;

Root cause(s);

Whether off-site responders were notified; and

Operational or process changes that resulted from the investigation of the release.

(2) The stationary source shall annually submit a report of the accident history to the department. The first report shall be due two years after the effective date of the ordinance codified in this chapter, and subsequent reports shall be due by June 30th of each year.

(f) Certification. The owner or operator shall submit in the safety plan a single certification that, to the best of the signer's knowledge, information, and belief formed after reasonable inquiry, the information submitted is true, accurate, and complete.

(g) Security and Vulnerability Assessment. Each stationary source shall perform and document a security and vulnerability assessment as defined in the Contra Costa County CalARP program guidance document, by June 30, 2007, and at least once every five years after the initial assessment, or as prescribed by federal regulation. The stationary source shall document its process for assuring that recommendations are addressed.

(h) Safety Culture Assessment. The stationary source shall conduct a safety culture assessment. The assessment shall be based upon a method listed in the Contra Costa County CalARP program guidance document or shall be reviewed by the department to determine substantial equivalency. The initial assessment shall be performed by one year following the revisions to the Industrial Safety Ordinance guidance document that addresses the safety culture assessment, and at least once every five years thereafter. The safety culture assessment will be reviewed during the audit and inspection of the stationary source. The department may perform its own safety culture assessment after a major chemical accident or release or the occurrence of any incident that could reasonably have led to a major chemical accident or release, or based on department audit results of the stationary source.

(Ords. 2006-22 § 5, 2000-20 § 1, 98-48 § 2).

450-8.018 - Review, audit and inspection.

(a) Upon submission of a safety plan by the stationary source, the department shall review the safety plan to determine if all the elements required by Section 450-8.016 of this chapter are included and complete. The department shall provide to the stationary source a written notice of deficiencies, if any. The stationary source shall have sixty calendar days from receipt of the notice of deficiencies to make any corrections. The stationary source may request, in writing, a one-time thirty-day calendar day extension to correct deficiencies. By the end of the sixty calendar days or any extension period, the

stationary source shall resubmit the revised safety plan to the department. After the department determines that the safety plan is complete, the department shall schedule a public meeting on the stationary source's safety plan to explain its contents to the public and take public comments. Public comments on the safety plan shall be taken by the department for a period of forty-five days after the safety plan is made available to the public. The department shall schedule a public meeting on the stationary source's safety plan during the forty-five day comment period. The public meetings shall be held in the affected community on evenings or weekends. The department shall respond in writing to all written comments received during the forty-five day comment period and to all oral comments received and not addressed at the public meeting. The department shall make portions of the safety plan, which are not protected trade secret information, available to the public for the public meeting.

(b) (1) The department shall, within one year of the submission of the stationary source's safety plan, conduct an initial audit and inspection of the stationary source's safety program to determine compliance with this chapter. Based upon the department's review of the safety plan and the audit and inspection of the stationary source, the department may require modifications or additions to the safety plan submitted by the stationary source, or safety program to bring the safety plan or safety program into compliance with the requirements of this chapter. Any determination that modifications or additions to the safety plan or safety program are required shall be in writing, collectively referred to as the "preliminary determination." The preliminary determination shall explain the basis for the modifications or additions required to bring the safety plan or safety program into compliance with the requirements of this chapter and provide a timetable for resolution of the recommendations. The preliminary determination shall be mailed to the stationary source.

(2) The stationary source shall respond in writing to the preliminary determination issued by the department. The response shall state that the stationary source will incorporate into the safety plan or safety program the revisions contained in the preliminary determination or shall state that the stationary source rejects the revisions; in whole or in part. For each rejected revision, the stationary source shall explain the basis for rejecting such revision. Such explanation may include substitute revisions.

(3) The stationary source's written response to the department's preliminary determination shall be received by the department within ninety days of the issuance of the preliminary determination or such shorter time as the department specifies in the preliminary determination as being necessary to protect public health and safety. Prior to the written response being due and upon written request from the stationary source, the department may provide, in writing, additional time for the response to be received.

(4) After receiving the written response from the stationary source, the department shall issue a public notice pursuant to the department's public participation policy and make portions of the safety plan, the preliminary determination and the stationary source's responses, which are not protected trade secret information, available for public review. Public comments on the safety plan shall be taken by the department for a period of forty-five days after the safety plan, the preliminary determination and the stationary source's responses are made available to the public. The department shall schedule a public

meeting on the stationary source's safety plan during the forty-five day comment period. The public meetings shall be held in the affected community on evenings or weekends. The department shall respond in writing to all written comments received during the forty-five day comment period and to all oral comments received and not addressed at the public meeting.

(c) Based upon the department's preliminary determination, review of the stationary source's responses and review of public comments on the safety plan, the preliminary determination and the stationary source's responses, the department may require modifications or additions to the safety plan submitted by the stationary source or safety program to bring the safety plan or safety program into compliance with the requirements of this chapter. Any determination that modifications or additions to the safety plan or safety program are required, and any determination that no modifications or additions to the safety plan or safety program are required shall be in writing (collectively referred to as "final determination"), shall be mailed to the stationary source and shall be made available to the public. The department may not include in a final determination any requirements to a safety plan or safety program that would cause a violation of, or conflict with, any state or federal law or regulation or a violation of any permit or order issued by any state or federal agency.

(d) Within thirty days of the department's final determination, the stationary source and/or any person may appeal the final determination to the board of supervisors pursuant to Chapter 14-4 of this code by a verified written notice of appeal filed with the clerk of the board of supervisors and payment of the applicable appeal fee. The appeal must be limited to issues raised during the public comment period. The notice shall state the grounds for any such appeal, including (i) the reasoning that the appeal is necessary because the stationary source is in compliance with this chapter, or (ii) the reasoning that the appeal is necessary to bring the stationary source into compliance with this chapter. In acting on the appeal, the board shall have the same authority over the final determination as the department. The board may require modifications or additions to the safety plan or safety program to bring the safety plan or safety program into compliance with the requirements of this chapter. The board may not include in its decision on the final determination any requirements to a safety plan or safety program that would cause a violation of, or conflict with, any state or federal law or regulation or a violation of any permit or order issued by any state or federal agency. The decision of the board of supervisors shall be final with respect to the final determination.

(e) The safety plan shall be valid for a period of three years from the date of receipt by the department and shall be reviewed and updated by the stationary source every three years pursuant to the requirements of this chapter. Any revisions to the safety plan as a result of the review and update shall be submitted to the department and shall be subject to the provisions of this section.

(f) The department may, within thirty days of a major chemical accident or release, initiate a safety inspection to review and audit the stationary source's compliance with the provisions of Section 450-8.016 of this chapter. The department shall review and audit the stationary source's compliance with the provisions of Section 450-8.016 of this chapter at least once every three years. The department may audit the stationary source

based upon any of the following criteria: accident history of the stationary source, accident history of other stationary sources in the same industry, quantity of regulated substances present at the stationary source, location of the stationary source and its proximity to the public and environmental receptors, the presence of specific regulated substances, the hazards identified in the safety plan, a plan for providing neutral and random oversight, or a complaint from the stationary source's employee(s) or their representative. The stationary source shall allow the department to conduct these inspections and audits. The department, at its option, may select an outside consultant to assist in conducting such inspection.

(g) Within thirty days of a major chemical accident or release the department may commence an incident safety inspection with respect to the process involved in the incident pursuant to the provisions of Section 450-8.016(c) of this chapter.

(h) (1) Based upon the department's audit, safety inspection or an incident inspection, the department may require modifications or additions to the safety plan submitted by the stationary source or safety program to bring the safety plan or safety program into compliance with the requirements of this chapter. Any determination by the department shall be in writing and shall be mailed to the stationary source (referred to as the "notice of findings"). The stationary source shall have sixty calendar days from receipt of the notice of findings to make any corrections. The stationary source may request, in writing, a one-time thirty-day calendar day extension to make corrections. The department may not include in its notice of findings requirements to a safety plan or safety program that would cause a violation of, or conflict with, any state or federal law or regulation or a violation of any permit or order issued by any state or federal agency. The notice of findings made by the department will be available to the public.

(2) Within thirty days of the department's notice of findings, the stationary source and/or any person may appeal the notice of findings to the board of supervisors pursuant to Chapter 14-4 of this code by a verified written notice of appeal filed with the clerk of the board of supervisors and payment of the applicable appeal fee. The appeal must state the grounds for any such appeal, including (i) the reasoning that the appeal is necessary because the stationary source is in compliance with this chapter, or (ii) the reasoning that the appeal is necessary to bring the stationary source into compliance with this chapter. In acting on the appeal, the board shall have the same authority over the notice of findings as the department. The board may require modifications or additions to the safety plan or safety program to bring the safety plan or safety program into compliance with the requirements of this chapter. The board may not include in its decision on the notice of findings any requirements to a safety plan or safety program that would cause a violation of, or conflict with, any state or federal law or regulation or a violation of any permit or order issued by any state or federal agency. The decision of the board of supervisors shall be final with respect to the notice of findings.

(i) Nothing in this section shall preclude, limit, or interfere in any way with the authority of the county to exercise its enforcement, investigatory, and information gathering authorities under any other provision of law nor shall anything in the chapter effect or diminish the rights of the stationary source to claim legal privileges such as attorney

client privilege and/or work product with respect to information and/or documents required to be submitted to or reviewed by the department.

(Ords. 2006-22 § 6, 98-48 § 2).

450-8.020 - Trade secret.

The disclosure of any trade secret information required by this chapter shall be governed by California Health and Safety Code Section 25538, as amended from time to time, or as otherwise protected or required by law.

(Ord. 98-48 § 2).

450-8.022 - Hazardous materials ombudsperson.

The department shall continue to employ an ombudsperson for hazardous materials programs. The ombudsperson will serve as a single point of contact for people who live or work in Contra Costa County regarding environmental health concerns, questions, and complaints about hazardous materials programs. The ombudsperson will be empowered to identify and solve problems and make recommendations to the department. The ombudsperson's role will be one of investigating concerns and complaints, facilitating their resolution and assisting people in gathering information about programs, procedures, or issues. The ombudsperson may retain appropriate technical experts in order to fulfill technical assistance requests from members of the public. The cost of experts may be funded through programs established by the U.S. EPA or other appropriate entities.

(Ords. 2000-20 § 2, 98-48 § 2).

450-8.024 - Public information bank.

The department shall collect and provide ready access, including the use of electronic accessibility as reasonably available, to public documents which are relevant to the goals of this chapter, including at a minimum, business plan inventories and emergency response plans, risk management plans, safety plans, and department incident reports. This section shall not apply to trade secret information or other information protected from disclosure under federal or state law. The public information bank shall be completed by December 31, 2000.

(Ord. 98-48 § 2).

450-8.026 - Fees.

The department may, upon a majority vote of the board of supervisors, adopt a schedule of fees to be collected from each stationary source subject to the requirements of this chapter. Any review, inspection, audit fee schedule shall be set in an amount sufficient to pay only those costs reasonably necessary to carry out the requirements of this chapter, including costs of staff and/or consultant time or public hearings and

administrative overhead. The fee schedule shall include the cost of the ombudsperson position.

(Ord. 98-48 § 2).

450-8.028 - Penalties.

Regardless of the availability of other civil or administrative remedies and procedures for enforcing this chapter, every act or condition prohibited or declared unlawful by this chapter, and every knowing or wilful failure or omission to act as required herein, is a violation of this code and shall be punishable and/or subject to enforcement pursuant to the provisions of Chapter 14-67 of the County Ordinance Code specifically including but not limited to Article 14-6.4 (public nuisance), and Article 14-8 (criminal enforcement), as misdemeanors or infractions.

(Ord. 98-48 § 2).

450-8.030 - Annual performance review and evaluation.

(a) The department shall annually: (1) review its activities to implement this chapter, and (2) evaluate the effectiveness of this chapter in achieving its purpose and goals pursuant to Section 450-8.004 of this chapter.

(b) An annual performance review and evaluation report shall be prepared by the department based upon the previous fiscal year's activities and shall be submitted to the board of supervisors on or before October 31, 2000 and each year thereafter. The report shall contain:

(1) A brief description of how the department is meeting the requirements of this chapter as follows: (i) effectiveness of the department's program to ensure stationary source compliance with this chapter; (ii) effectiveness of the procedures for records management; (iii) number and type of audits and inspections conducted by the department pursuant to this chapter; (iv) number of root cause analyses and/or incident investigations conducted by the department; (v) the department's process for public participation; (vi) effectiveness of the public information bank, including status of electronic accessibility; (vii) effectiveness of the hazardous materials ombudsperson; (viii) other required program elements necessary to implement and manage this chapter.

(2) A listing of all stationary sources covered by this chapter, including for each: (i) the status of the stationary source's safety plan and program; (ii) a summary of all stationary source safety plan updates and a listing of where the safety plans are publicly available; (iii) the annual accident history report submitted by the stationary source pursuant to Section 450-8.016(e)(2) of this chapter; (iv) a summary, including the status, of any root cause analyses conducted or being conducted by the stationary source and required by this chapter, including the status of implementation of recommendations; (v) a summary, including the status, of any audits, inspections, root cause analyses and/or incident investigations conducted or being conducted by the department pursuant to this chapter, including the status of implementation of recommendations; (vi) description of inherently safer systems implemented by the stationary source; and (vii) legal enforcement actions

initiated by the department, including administrative, civil, and criminal actions pursuant to this chapter.

(3) Total penalties assessed as a result of enforcement of this chapter.

(4) Total fees, service charges, and other assessments collected specifically for the support of this chapter.

(5) Total personnel and personnel years utilized by the jurisdiction to directly implement or administer this chapter.

(6) Comments from interested parties regarding the effectiveness of the local program that raise public safety issues.

(7) The impact of the chapter in improving industrial safety.

(c) The department shall provide a copy of the annual performance audit submission required by Title 19 Chapter 4.5 Section 2780.5 of the California Code of Regulations to the board of supervisors on or before October 31st of each year.

(Ords. 2006-22 § 7, 98-48 § 2).

450-8.032 - Construction.

Notwithstanding any other provision of this code and for the purposes of this chapter wherever it provides that the department shall act, such direction in all instances shall be deemed and is directory, discretionary and permissive and not mandatory.

NOTE: County Ordinance Chapter 450-8 expands on the California Accidental Release Prevention (CalARP) Program for facilities meeting the following:

- The facility is within an unincorporated area of the County
- The facility is either a petroleum refinery or chemical plant
- The facility is required to submit a Risk Management Plan (RMP) to the U.S. EPA and Contra Costa County Health Service (CCHS)
- The facility has at least one Program 3 process

The seven facilities currently subject to the County's Industrial Safety Ordinance (ISO) include: Air Products (within the Shell Refinery), Air Products (within the Tesoro Refinery), ConocoPhillips Rodeo Refinery, Air Liquide-Rodeo Hydrogen Plant, General Chemical West: Bay Point Works, Shell Oil Martinez Refinery and Tesoro Golden Eagle Refinery. The City of Richmond has adopted an Industrial Safety Ordinance (Municipal Code Chapter 6.43, RISO) that is almost identical (except for the 2006 amendment) to the County's Industrial Safety Ordinance. The two facilities located in the City of Richmond that are subject to this ordinance include: Chevron Richmond Refinery and General Chemical West: Richmond Works.

Kit Fox

From: Lacombe [chateau4us@att.net]
Sent: Thursday, November 01, 2012 11:21 AM
To: Jerry Duhovic; Brian Campbell; Jim Knight; susanbrooks01@yahoo.com; 'Anthony M. Missetich'; Kit Fox
Subject: Rancho Update

There was an article in the Daily Breeze on Oct. 18th about complaints about an odor coming from Rancho.

The incident happened Oct. 17th. There were no warning sirens of a leak, no public address through the LAPD system, and no mention of it on the Rancho website. There was obviously a leak and Rancho did nothing to warn the public. Gaffey St. and Westmont were open that whole day. What if this was worse?

AQMD sent out inspectors to the area to investigate. I had a nice long talk with Ed Pupka yesterday who is the Senior Enforcement Manager at the AQMD regarding Rancho. Rancho was the source of the complaints. There were 37 complaints initially and he said he would find out if more were filed after the Daily Breeze article at my request. The AQMD was issued 2 notices of violations one for violating the AQMD public nuisance rule and one for violating the CA Health and Safety code. Fines were issued, but I didn't bother asking how much because it really doesn't matter.

I asked him if there was any way the AQMD could initiate the nuisance abatement program with the planning department. I sent him all the info for the links to the planning dept. website and to the RPV website to view the City Council Meeting on Oct. 16th. He said that he understands why the community would want Rancho gone and he said he would bring that up with the AQMD lawyers to find out what can be done.

He also wasn't aware that Rancho does not have a plan to get any liquid that goes into the basin back into any safe container. Thank you Jim Knight for this brilliant question.

Thank you for raising this issue in such a timely manner.

Jeanne Lacombe

PS My husband noticed the odor too, but did not report it. I have a feeling many more also noticed the smell but did not report it either. Maybe some even reported it to the LAPD and not the AQMD. Maybe something to find out.

Kit Fox

From: Janet Gunter [arriane5@aol.com]

Sent: Saturday, November 03, 2012 9:23 AM

To: Susan Brooks; Jim Knight; Brian Campbell; Jerry Duhovic; Anthony Misetich; Kit Fox

Subject: Fwd: The rail car accident....now obvious leaks from an antiquated system...what's next?...we know...

http://www.dailybreeze.com/news/ci_21918160/foul-odor-south-bay-leads-violation-rancho-lpg

Foul odor in South Bay leads to violation for Rancho LPG in San Pedro

By Donna Littlejohn, Staff Writer Daily Breeze
Posted:

DailyBreeze.com

An air quality violation has been issued to the Rancho LPG storage facility in San Pedro for an Oct. 17 leak that spread foul odors throughout the South Bay.

It is still not clear if the leak was of propane or butane -- both materials are stored at the facility at 2110 N. Gaffey St. -- and an investigation continues into the cause of the incident, an air quality spokesman said Friday.

"We issued a violation (to the company) for what we call a public nuisance due to foul odors," said Sam Atwood, a spokesman for the South Coast Air Quality Management District.

The facility owners, Plains LPG, could not be reached for comment.

A violation is issued when the agency receives complaints from a "considerable number of people" and the source can be traced to a facility by an AQMD inspector, Atwood said.

"We ended up getting 37 complaints from a pretty wide area, including San Pedro, Carson, Torrance, Harbor City, Wilmington, Lomita and Rancho Palos Verdes," he said.

The agency also received complaints that day from four schools: Eshelman Elementary, Fleming Middle and Narbonne High schools in Lomita; and Hickory Elementary School in Torrance.

"We did take some air samples and they were mostly the kinds of levels you'd expect to see anywhere around Southern California," Atwood said. "There were a couple of compounds that were somewhat elevated, but they were not at levels that would be considered toxic in relation to state health or safety standards."

Some levels were sufficient, however, to have caused symptoms such as nausea and headaches, he said.

The complaints reported "foul odors of a various nature, including natural gas, propane, rotten eggs and suffer," Atwood said.

When the AQMD investigation concludes, the agency and company will then enter into negotiations for an out-of-court settlement, reached in "well over" 90 percent of cases, Atwood said.

"First they have to fix whatever problem caused the violation and we have to be satisfied that this is not something that's going to occur again," he said. "If the problem is with improper maintenance, we have to be satisfied that it's been remedied."

Established in 1976 by Petrolane and later operated by Amerigas, the facility is now owned by Plains LPG, which has a long-term lease on the land. The facility stores 25.3 million gallons of butane and propane in two large, double-walled storage tanks on the site.

The facility has come under fire through the years by community groups and others who believe it needs to be moved away from homes and schools.

When a gas line exploded in San Bruno in 2010, members of the San Pedro Homeowners United group renewed a call for the tanks to be moved, citing the potential danger that could come from earthquakes and terrorist attacks.

Currently, the plant is the subject of frequent safety inspections by several government agencies.

donna.littlejohn@dailybreeze.com

Follow Donna Littlejohn on Twitter at twitter.com/donnalittlejohn

Kit Fox

From: Janet Gunter [arriane5@aol.com]
Sent: Tuesday, November 06, 2012 9:53 AM
To: connie@rutter.us; det310@juno.com; mrenvirlaw@sbcglobal.net; jody.james@sbcglobal.net; chateau4us@att.net; noelweiss@ca.rr.com; Susan Brooks; Brian Campbell; Jim Knight; Jerry Duhovic; Anthony Missetich; Kit Fox; igornla@cox.net; dwgkaw@hotmail.com; stanley.mosler@cox.net; burling102@aol.com; marciesmiller@sbcglobal.net; pmwarren@cox.net; roamerbill@yahoo.com; carriescoville@yahoo.com; john@nrcwater.com; bonbon31@earthlink.net; cary@carybrazeman.com; fivegrants@msn.com; grgrysmth@aol.com
Cc: lucchej@slc.ca.gov; michael_davies@feinstein.senate.gov; michael.picker@gov.ca.gov; sally.magnanidag@doj.ca.gov; brian.hembacher@doj.ca.gov; gandrizzi@ceo.lacounty.gov; jynthiaperry@aol.com; laura.richardsonmc@mail.house.gov; lawanda.reynolds@mail.house.gov; mandm8602@att.net; drivera@prodigy.net; guillermovillagran@sbcglobal.net; nikitennant@asm.ca.gov

Subject: Official notice: PLAINS WILL NOT BUILD CRUDE TERMINAL ON PIER 400!!! (paragraph 1)
<http://www.noodles.com/viewNoodl/16487439/plains-all-american-pipeline-lp/plains-all-american-pipeline-lp-reports-third-quarter-201>

This is great news on the issue of the hazardous tanks at Rancho and its future . But, we have seen an effort lately to include the "Plains" owned Rancho LPG facility within the boundaries of the Port of LA as a means to gain control over the facility. Call me cynical...but, I believe that this is an effort to find a means for Plains to recoup some of their investment in Rancho through the **buy out** of the company "in the name of safety for our community". All of this could come through the benevolence of public trust money from the port. I would venture to guess that there has been a substantial amount of money crossing hands during this political election time in an attempt to realize this goal. While we understand that this opportunity could, in fact, have some effectiveness.. our homeowners have been skeptical at the very least and have no trust whatsoever in any integrity coming from the Port of LA. What this boils down to is simply that this Fortune 500 company, Plains All American Pipeline, made a bad business decision. They gambled on the restoration of a LPG pipeline to their *future* new crude oil terminal with the anticipation of a greatly increased profitability in transporting the commodity once again by sea. I don't believe that the public should be interested in paying for that bad decision. I believe that this facility should be exposed for the real hazard that it represents BEFORE the disaster strikes...and that the government & its political leadership should finally step up to remove this known threat immediately at "no further cost" to the long and wrongly jeopardized public.

Janet G

Plains All American Pipeline LP

11/05/2012 | Press release

Plains All American Pipeline, L.P. Reports Third-Quarter 2012 Results

distributed by noodls on 11/05/2012 16:23

Plains All American Pipeline, L.P. Reports Third-Quarter 2012 Results

Plains All American Pipeline, L.P. (NYSE: PAA) today reported net income attributable to Plains for the third quarter of 2012 of \$165 million, or \$0.27 per diluted limited partner unit. These results include the impact of non-cash asset impairment charges totaling \$125 million, primarily related to the Partnership's determination not to proceed with the development of the Pier 400 terminal project in California. Such results compare to net income attributable to Plains of \$281 million, or \$0.74 per diluted limited partner unit for the third quarter of 2011. The Partnership reported earnings before interest, taxes, depreciation and amortization ("EBITDA") of \$470 million for the third quarter of 2012, compared to reported EBITDA of \$421 million for the third quarter of 2011.

The Partnership's reported results include the impact of items that affect comparability between reporting periods. The impact of items impacting comparability are excluded from adjusted results, as detailed in the table below. Accordingly, the Partnership's third-quarter 2012 adjusted net income attributable to Plains, adjusted net income per diluted limited partner unit and adjusted EBITDA were \$322 million, \$0.73 and \$502 million, respectively. The comparable amounts for the third quarter of 2011 were \$274 million, \$0.71 and \$414 million. (See the section of this release entitled "Non-GAAP Financial Measures" and the attached tables for discussion of EBITDA and other non-GAAP financial measures and their reconciliation to the most directly comparable GAAP measures.)

"Continuing a multi-quarter trend, PAA delivered strong adjusted results for the third quarter of 2012," said Greg L. Armstrong, Chairman and CEO of Plains All American. "The environment for crude oil production growth in North America remains very favorable and we continue to experience strong demand for our assets and services. As a result, we have increased our midpoint guidance for adjusted EBITDA to slightly over \$2 billion for the full year of 2012, representing a 7% increase over our previous guidance midpoint for 2012.

"We are also expanding our asset base to meet the growing needs of our customers. Thus far in 2012, we have invested approximately \$2.5 billion in organic growth projects and acquisitions and expect to incrementally invest over \$1 billion in organic growth projects through the end of 2013. These investments provide meaningful visibility for increased baseline cash flow and distributions to unitholders."

Armstrong added, "In addition to delivering solid operating and financial results, we ended the quarter with a strong balance sheet, credit metrics favorable to our targets and approximately \$2.4 billion of committed liquidity. As a result, we are well positioned to finance our growth while maintaining a solid financial position."

The following table summarizes selected items that the Partnership believes impact comparability of financial results between reporting periods (amounts in millions, except per unit amounts):

	Three Months Ended		Nine Months Ended	
	September 30,		September 30,	
	2012	2011	2012	2011
Selected Items Impacting Comparability - Income / (Loss) (1) (2):				
Gains/(losses) from derivative activities net of inventory valuation adjustments (3)	\$ (31)	\$ 30	\$ (18)	\$ 71
Asset impairments (4)	(125)	-	(125)	-

Equity compensation expense (5)	(12)	(6)	(50)	(40)
Net loss on early repayment of senior notes	-	-	-	(23)
Net gain/(loss) on foreign currency revaluation	11	(17)	(6)	(17)
Significant acquisition-related expenses	-	-	(13)	(4)
Other (6)	-	-	1	2
Selected items impacting comparability of net income attributable to Plains	\$ (157)	\$ 7	\$ (211)	\$ (11)
Impact to basic net income per limited partner unit	\$ (0.46)	\$ 0.02	\$ (0.64)	\$ (0.03)
Impact to diluted net income per limited partner unit	\$ (0.46)	\$ 0.03	\$ (0.63)	\$ (0.03)

(1) Per-unit amounts are presented as adjusted for the two-for-one unit split effected on October 1, 2012.

(2) Certain of our non-GAAP financial measures may not be impacted by each of the selected items impacting comparability.

(3) Includes mark-to-market gains and losses resulting from derivative instruments that are related to underlying activities in future periods or the reversal of mark-to-market gains and losses from the prior period net of inventory valuation adjustments.

(4) Asset impairments are reflected in "Depreciation and amortization" on our Consolidated Statements of Operations and do not impact the comparability of EBITDA.

(5) Equity compensation expense for the three and nine months ended September 30, 2012 and 2011 excludes the portion of equity compensation expense represented by grants under our Long-term Incentive Plans ("LTIPs") that, pursuant to the terms of the grant, will be settled in cash only and have no impact on diluted units.

(6) Includes other immaterial selected items impacting comparability, as well as the noncontrolling interests' portion of selected items.

The following tables present certain selected financial information by segment for the third quarter (amounts in millions):

	Three Months Ended			Three Months Ended		
	September 30, 2012			September 30, 2011		
	Transportation	Facilities	Supply and Logistics	Transportation	Facilities	Supply and Logistics
Revenues (1)	\$ 364	\$ 262	\$ 9,049	\$ 300	\$ 191	\$ 8,545
Purchases and related costs (1)	(36)	(29)	(8,776)	(34)	(45)	(8,259)
Field operating costs (excluding equity compensation expense) (1)	(119)	(72)	(101)	(97)	(38)	(84)
Equity compensation expense - operations	(3)	-	(1)	(1)	-	-
Segment G&A expenses (excluding equity compensation expense) (2)	(23)	(16)	(24)	(16)	(11)	(20)

Equity compensation expense - general and administrative	(8)	(5)	(5)	(4)	(2)	(3)
Equity earnings in unconsolidated entities	9	-	-	4	-	-
Reported segment profit	\$ 184	\$ 140	\$ 142	\$ 152	\$ 95	\$ 179
Selected items impacting comparability of segment profit (3)	6	2	27	3	1	(18)
Segment profit excluding selected items impacting comparability	\$ 190	\$ 142	\$ 169	\$ 155	\$ 96	\$ 161
Maintenance capital	\$ 26	\$ 17	\$ 4	\$ 17	\$ 6	\$ 2
	Nine Months Ended			Nine Months Ended		
	September 30, 2012			September 30, 2011		
			Supply and			Supply and
	Transportation	Facilities	Logistics	Transportation	Facilities	Logistics
Revenues (1)	\$ 1,043	\$ 785	\$ 27,368	\$ 864	\$ 516	\$ 24,567
Purchases and related costs (1)	(100)	(168)	(26,414)	(88)	(88)	(23,794)
Field operating costs (excluding equity compensation expense) (1)	(343)	(204)	(308)	(293)	(122)	(225)
Equity compensation expense - operations	(12)	(2)	(2)	(6)	(1)	(1)
Segment G&A expenses (excluding equity compensation expense) (2)	(73)	(48)	(77)	(49)	(35)	(67)
Equity compensation expense - general and administrative	(24)	(19)	(23)	(21)	(11)	(16)
Equity earnings in unconsolidated entities	25	-	-	9	-	-
Reported segment profit	\$ 516	\$ 344	\$ 544	\$ 416	\$ 259	\$ 464
Selected items impacting comparability of segment profit (3)	27	18	43	18	14	(50)
Segment profit excluding selected items impacting comparability	\$ 543	\$ 362	\$ 587	\$ 434	\$ 273	\$ 414
Maintenance capital	\$ 78	\$ 34	\$ 11	\$ 52	\$ 16	\$ 9

(1) Includes intersegment amounts.

Segment general and administrative expenses (G&A) reflect direct costs attributable to each segment and an allocation of other expenses to the segments based on the business activities that existed at that time. The proportional allocations by segment require judgment by management and will continue to be based on the business activities that exist during each period. Includes acquisition-related expenses for both the 2012 and 2011 periods.

- (3) Certain of our non-GAAP financial measures may not be impacted by each of the selected items impacting comparability.
-

Adjusted Transportation segment profit in the third quarter of 2012 increased by 23% over comparable 2011 results. This increase was primarily driven by higher revenues from acquisitions completed late in 2011 and early in 2012, organic growth capacity expansions, increased pipeline volumes and higher average pipeline tariffs. These increases in revenue were partially offset by higher operating and general and administrative expenses, commensurate with the growth of the business.

Adjusted Facilities segment profit in the third quarter of 2012 increased 48% over comparable 2011 results. This increased profitability is primarily related to capacity additions from the BP NGL acquisition and recently completed organic growth projects.

Adjusted Supply and Logistics segment profit in the third quarter of 2012 increased 5% over comparable 2011 results. This increase was primarily due to favorable crude oil market conditions and increased crude oil lease gathering and NGL sales volumes.

The Partnership's basic weighted average units outstanding for the third quarter of 2012 was 329 million units (331 million diluted) as compared to 299 million units (300 million diluted) in last year's third quarter. At the end of the third quarter, the Partnership had approximately 331.6 million units outstanding. These amounts have been adjusted for the two-for-one unit split effected on October 1, 2012. The Partnership had long-term debt of approximately \$5.8 billion and a long-term debt-to-total capitalization ratio of 46% at the end of the third quarter.

The Partnership has declared a quarterly distribution of \$0.5425 per unit (\$2.17 per unit on an annualized basis) payable November 14, 2012, on its outstanding limited partner units. This distribution represents an increase of approximately 9.0% over the quarterly distribution paid in November 2011 and an increase of approximately 1.9% over the quarterly distribution paid in August 2012.

The Partnership will hold a conference call at 9:00 AM (Central) on November 6, 2012 (see details below). Prior to this conference call, the Partnership will furnish a current report on Form 8-K, which will include material in this press release and financial and operational guidance for the fourth-quarter and full-year 2012 as well as preliminary financial guidance for 2013. A copy of the Form 8-K will be available on the Partnership's website at www.paalp.com.

Non-GAAP Financial Measures

To supplement our financial information presented in accordance with GAAP, management uses additional measures that are known as "non-GAAP financial measures" in its evaluation of past performance and prospects for the future. These measures include adjusted EBITDA and implied distributable cash flow ("DCF"). Management believes that the presentation of such additional financial measures provides useful information to investors regarding our performance and results of operations because these measures, when used in conjunction with related GAAP financial measures, (i) provide additional information about our core operating performance and ability to generate and distribute cash flow, (ii) provide investors with the financial analytical framework upon which management bases financial, operational, compensation and planning decisions and (iii) present measurements that investors, rating agencies and debt holders have indicated are useful in assessing us and our results of operations. These measures may exclude, for example, (i) charges for obligations that are expected to be settled with the issuance of equity instruments, (ii) the mark-to-market of derivative instruments that are related to underlying activities in another period (or the reversal of such adjustments from a prior period), (iii) items that are not indicative of our core operating results and business outlook and/or (iv) other items that we believe should be excluded in understanding our core operating performance. We have defined all such items as "Selected Items Impacting Comparability." These additional financial measures are reconciled from the most directly comparable measures as reported in accordance with GAAP, and should be viewed in addition to, and not in lieu of, our consolidated financial statements and footnotes.

Although we present selected items that we consider in evaluating our performance, you should also be aware that the items presented do not represent all items that affect comparability between the periods presented. Variations in our operating results are also caused by changes in volumes, prices, exchange rates, mechanical interruptions, acquisitions and numerous other factors. A full analysis of these types of variations are not separately identified in this release, but will be discussed, as applicable, in management's discussion and analysis of operating results in our Quarterly Report on Form 10-Q.

Conference Call

The Partnership will host a conference call at 9:00 AM (Central) on Tuesday, November 6, 2012 to discuss the following items:

1. The Partnership's third-quarter 2012 performance;
2. The status of major expansion projects;
3. Capitalization and liquidity;
4. Financial and operating guidance for the fourth-quarter and full-year 2012;
5. Preliminary 2013 adjusted EBITDA guidance and growth capital investments; and
6. The Partnership's outlook for the future.

Webcast Instructions

To access the Internet webcast, please go to the Partnership's website at www.paalp.com, choose "Investor Relations," and then choose "Conference Calls." Following the live webcast, the call will be archived for a period of sixty (60) days on the Partnership's website.

Alternatively, you may access the live conference call by dialing toll free (800) 230-1085. International callers should dial (612) 332-0226. No password is required. You may access the slide presentation accompanying the conference call a few minutes prior to the call under the Conference Call Summaries portion of the Conference Calls tab of the Investor Relations section of PAA's website at www.paalp.com.

Telephonic Replay Instructions

To listen to a telephonic replay of the conference call, please dial (800) 475-6701, or, for international callers, (320) 365-3844, and replay access code 260375. The replay will be available beginning Tuesday, November 6, 2012, at approximately 11:00 AM (Central) and continue until 11:59 PM (Central) Thursday, December 6, 2012.

Forward Looking Statements

Except for the historical information contained herein, the matters discussed in this release are forward-looking statements that involve certain risks and uncertainties that could cause actual results to differ materially from results anticipated in the forward-looking statements. These risks and uncertainties include, among other things, the successful integration and future performance of acquired assets or businesses and the risks associated with operating in lines of business that are distinct and separate from our historical operations; failure to implement or capitalize, or delays in implementing or capitalizing, on planned internal growth projects; unanticipated changes in crude oil market structure, grade differentials and volatility (or lack thereof); maintenance of our credit rating and ability to receive open credit from our suppliers and trade counterparties; continued creditworthiness of, and performance by, our counterparties, including financial institutions and trading companies with which we do business; the effectiveness of our risk management activities; environmental liabilities or events that are not covered by an indemnity, insurance or existing reserves; abrupt or severe declines or interruptions in outer continental shelf production located offshore California and transported on our pipeline systems; shortages or cost increases of supplies, materials or labor; the availability of adequate third-party production volumes for transportation and marketing in the areas in which we operate and other factors that could cause declines in volumes shipped on our pipelines by us and third-party shippers, such as declines in production from existing oil and gas reserves or failure to develop additional oil and gas reserves; fluctuations in refinery capacity in areas supplied by our mainlines and other factors affecting demand for various grades of crude oil, refined products and natural gas and resulting changes in pricing conditions or transportation throughput requirements; the

availability of, and our ability to consummate, acquisition or combination opportunities; our ability to obtain debt or equity financing on satisfactory terms to fund additional acquisitions, expansion projects, working capital requirements and the repayment or refinancing of indebtedness; the impact of current and future laws, rulings, governmental regulations, accounting standards and statements and related interpretations; the effects of competition; interruptions in service on third-party pipelines; increased costs or lack of availability of insurance; fluctuations in the debt and equity markets, including the price of our units at the time of vesting under our long-term incentive plans; the currency exchange rate of the Canadian dollar; weather interference with business operations or project construction; risks related to the development and operation of natural gas storage facilities; factors affecting demand for natural gas and natural gas storage services and rates; general economic, market or business conditions and the amplification of other risks caused by volatile financial markets, capital constraints and pervasive liquidity concerns; and other factors and uncertainties inherent in the transportation, storage, terminalling and marketing of crude oil and refined products, as well as in the storage of natural gas and the processing, transportation, fractionation, storage and marketing of natural gas liquids discussed in the Partnership's filings with the Securities and Exchange Commission.

Plains All American Pipeline, L.P. is a publicly traded master limited partnership engaged in the transportation, storage, terminalling and marketing of crude oil and refined products, as well as in the processing, transportation, fractionation, storage and marketing of natural gas liquids. Through its general partner interest and majority equity ownership position in PAA Natural Gas Storage, L.P. (NYSE: PNG), PAA owns and operates natural gas storage facilities. PAA is headquartered in Houston, Texas.

PLAINS ALL AMERICAN PIPELINE, L.P. AND SUBSIDIARIES

FINANCIAL SUMMARY (unaudited)

CONSOLIDATED STATEMENTS OF OPERATIONS (1)

(in millions, except per unit data)

	Three Months Ended		Nine Months Ended	
	September 30,		September 30,	
	2012	2011	2012	2011
REVENUES	\$ 9,354	\$ 8,837	\$ 28,358	\$ 25,390
COSTS AND EXPENSES				
Purchases and related costs	8,524	8,142	25,855	23,423
Field operating costs	292	217	860	638
General and administrative expenses	81	56	264	199
Depreciation and amortization (2)	210	65	356	191
Total costs and expenses	9,107	8,480	27,335	24,451
OPERATING INCOME	247	357	1,023	939
OTHER INCOME/(EXPENSE)				
Equity earnings in unconsolidated entities	9	4	25	9
Interest expense	(74)	(62)	(214)	(190)
Other income/(expense), net	4	(5)	6	(24)
INCOME BEFORE TAX	186	294	840	734
Current income tax expense	(10)	(7)	(32)	(25)
Deferred income tax (expense)/benefit	(3)	1	(11)	(3)
NET INCOME	173	288	797	706

Less: Net income attributable to noncontrolling interests	(8)	(7)	(23)	(18)
NET INCOME ATTRIBUTABLE TO PLAINS	\$ 165	\$ 281	\$ 774	\$ 688
NET INCOME ATTRIBUTABLE TO PLAINS:				
LIMITED PARTNERS	\$ 89	\$ 221	\$ 554	\$ 520
GENERAL PARTNER	\$ 76	\$ 60	\$ 220	\$ 168
BASIC NET INCOME PER LIMITED PARTNER UNIT	\$ 0.27	\$ 0.74	\$ 1.71	\$ 1.77
DILUTED NET INCOME PER LIMITED PARTNER UNIT	\$ 0.27	\$ 0.74	\$ 1.70	\$ 1.76
BASIC WEIGHTED AVERAGE UNITS OUTSTANDING	329	299	322	294
DILUTED WEIGHTED AVERAGE UNITS OUTSTANDING	331	300	325	296

(1) Unit and per-unit amounts are presented as adjusted for the two-for-one unit split effected on October 1, 2012.

(2) For both the three and nine months ended September 30, 2012, includes impairment losses of approximately \$125 million, primarily related to the Pier 400 terminal project.

PLAINS ALL AMERICAN PIPELINE, L.P. AND SUBSIDIARIES

FINANCIAL SUMMARY (unaudited)

	Three Months Ended		Nine Months Ended	
	September 30,		September 30,	
OPERATING DATA (1)	2012	2011	2012	2011
Transportation activities (average daily volumes in thousands of barrels):				
Crude Oil Pipelines				
All American	38	38	31	36
Basin	474	443	495	432
Capline	159	121	144	165
Line 63/Line 2000	131	126	126	114
Salt Lake City Area Systems (2)	146	142	141	139
Permian Basin Area Systems (2)	451	408	450	402
Mid-Continent Area Systems (2)	257	217	247	217
Manito	51	65	59	66
Rainbow	142	96	147	132
Rangeland	57	60	60	57
Other	1,141	1,096	1,140	1,063
NGL Pipelines	264	-	163	-
Refined Products Pipelines	112	104	114	99
Tariff activities total	3,423	2,916	3,317	2,922
Trucking	107	109	103	104
Transportation activities total	3,530	3,025	3,420	3,026

Facilities activities (average monthly volumes):

Crude oil, refined products and NGL storage (average monthly capacity in millions of barrels)	94	71	88	69
Natural gas storage (average monthly capacity in billions of cubic feet)	89	75	82	69
NGL fractionation (average throughput in thousands of barrels per day)	100	16	73	14
Facilities activities total (average monthly capacity in millions of barrels) (3)	111	84	104	81
Supply and Logistics activities (average daily volumes in thousands of barrels):				
Crude oil lease gathering purchases	811	748	808	731
NGL sales	179	77	155	97
Waterborne cargos	5	27	3	28
Supply and Logistics activities total	995	852	966	856

Volumes associated with acquisitions represent total volumes for the number of days or (1) months we actually owned the assets divided by the number of days or months in the period.

(2) The aggregate of multiple systems in the respective areas.

Facilities total is calculated as the sum of: (i) crude oil, refined products and NGL storage capacity; (ii) natural gas storage capacity divided by 6 to account for the 6:1 (3) mcf of gas to crude Btu equivalent ratio and further divided by 1,000 to convert to monthly volumes in millions; and (iii) NGL fractionation volumes multiplied by the number of days in the period and divided by the number of months in the period.

PLAINS ALL AMERICAN PIPELINE, L.P. AND SUBSIDIARIES

FINANCIAL SUMMARY (unaudited)

CONDENSED CONSOLIDATED BALANCE SHEET DATA

(in millions)

	September 30, 2012	December 31, 2011
ASSETS		
Current assets	\$ 4,813	\$ 4,351
Property and equipment, net	9,348	7,740
Goodwill	2,119	1,854
Linefill and base gas	714	564
Long-term inventory	287	135
Investments in unconsolidated entities	289	191
Other, net	617	546
Total assets	\$ 18,187	\$ 15,381
LIABILITIES AND PARTNERS' CAPITAL		

Current liabilities	\$ 4,886	\$ 4,511
Senior notes, net of unamortized discount	5,511	4,262
Long-term debt under credit facilities and other	300	258
Other long-term liabilities and deferred credits	565	376
Total liabilities	11,262	9,407
Partners' capital excluding noncontrolling interests	6,420	5,450
Noncontrolling interests	505	524
Total partners' capital	6,925	5,974
Total liabilities and partners' capital	\$ 18,187	\$ 15,381

PLAINS ALL AMERICAN PIPELINE, L.P. AND SUBSIDIARIES

FINANCIAL SUMMARY (unaudited)

CREDIT RATIOS

(in millions)

	September 30, December 31,	
	2012	2011
Short-term debt	\$ 834	\$ 679
Long-term debt	5,811	4,520
Total debt	\$ 6,645	\$ 5,199
Long-term debt	5,811	4,520
Partners' capital	6,925	5,974
Total book capitalization	\$ 12,736	\$ 10,494
Total book capitalization, including short-term debt	\$ 13,570	\$ 11,173
Long-term debt-to-total book capitalization	46 %	43 %
Total debt-to-total book capitalization, including short-term debt	49 %	47 %

PLAINS ALL AMERICAN PIPELINE, L.P. AND SUBSIDIARIES

FINANCIAL SUMMARY (unaudited)

COMPUTATION OF BASIC AND DILUTED EARNINGS PER LIMITED PARTNER UNIT (1)

(in millions, except per unit data)

	Three Months Ended		Nine Months Ended	
	September 30,		September 30,	
	2012	2011	2012	2011
Numerator for Basic and Diluted Net Income per Limited Partner Unit:				
Net income attributable to Plains	\$ 165	\$ 281	\$ 774	\$ 688
Less: General partner's incentive distribution (2)	(74)	(55)	(208)	(158)
Less: General partner 2% ownership (2)	(2)	(5)	(12)	(10)
Net income available to limited partners	89	221	554	520

Less: Undistributed earnings allocated and distributions to participating securities (2)	(1)	-	(3)	-
Net income available to limited partners in accordance with application of the two-class method for MLPs	\$ 88	\$ 221	\$ 551	\$ 520
Denominator for Basic and Diluted Net Income per Limited Partner Unit:				
Basic weighted average number of limited partner units outstanding	329	299	322	294
Effect of dilutive securities: Weighted average LTIP units (3)	2	1	3	2
Diluted weighted average number of limited partner units outstanding	331	300	325	296
Basic net income per limited partner unit	\$ 0.27	\$ 0.74	\$ 1.71	\$ 1.77
Diluted net income per limited partner unit	\$ 0.27	\$ 0.74	\$ 1.70	\$ 1.76

- (1) Unit and per-unit amounts are presented as adjusted for the two-for-one unit split effected on October 1, 2012.

- (2) We calculate net income available to limited partners based on the distributions pertaining to the current period's net income. After adjusting for the appropriate period's distributions, the remaining undistributed earnings or excess distributions over earnings, if any, are allocated to the general partner, limited partners and participating securities in accordance with the contractual terms of the partnership agreement and as further prescribed under the two-class method.

- (3) Our LTIP awards that contemplate the issuance of common units are considered dilutive unless (i) vesting occurs only upon the satisfaction of a performance condition and (ii) that performance condition has yet to be satisfied. LTIP awards that are deemed to be dilutive are reduced by a hypothetical unit repurchase based on the remaining unamortized fair value, as prescribed by the treasury stock method in guidance issued by the FASB.

PLAINS ALL AMERICAN PIPELINE, L.P. AND SUBSIDIARIES

FINANCIAL SUMMARY (unaudited)

FINANCIAL DATA RECONCILIATIONS

(in millions)	Three Months Ended		Nine Months Ended	
	September 30,		September 30,	
	2012	2011	2012	2011
Net income to earnings before interest, taxes, depreciation and amortization ("EBITDA") and excluding selected items impacting comparability ("Adjusted EBITDA") reconciliations				
Net Income	\$ 173	\$ 288	\$ 797	\$ 706
Add: Interest expense	74	62	214	190
Add: Income tax expense	13	6	43	28
Add: Depreciation and amortization	210	65	356	191
EBITDA	\$ 470	\$ 421	\$ 1,410	\$ 1,115

Selected items impacting comparability of EBITDA (1)	32	(7)	87	13
Adjusted EBITDA	\$ 502	\$ 414	\$ 1,497	\$ 1,128

(1) Certain of our non-GAAP financial measures may not be impacted by each of the selected items impacting comparability.

	Three Months Ended		Nine Months Ended	
	September 30,		September 30,	
	2012	2011	2012	2011
Adjusted EBITDA to Implied Distributable Cash Flow ("DCF")				
Adjusted EBITDA	\$ 502	\$ 414	\$ 1,497	\$ 1,128
Interest expense	(74)	(62)	(214)	(190)
Maintenance capital	(47)	(25)	(123)	(77)
Current income tax expense	(10)	(7)	(32)	(25)
Equity earnings in unconsolidated entities, net of distributions	1	2	2	7
Distributions to noncontrolling interests (1)	(12)	(12)	(36)	(35)
Other	-	-	-	(1)
Implied DCF	\$ 360	\$ 310	\$ 1,094	\$ 807

(1) Includes distributions that pertain to the current quarter's net income and are to be paid in the subsequent quarter.

	Three Months Ended		Nine Months Ended	
	September 30,		September 30,	
	2012	2011	2012	2011
Cash flow from operating activities reconciliation				
EBITDA	\$ 470	\$ 421	\$ 1,410	\$ 1,115
Current income tax expense	(10)	(7)	(32)	(25)
Interest expense	(74)	(62)	(214)	(190)
Net change in assets and liabilities, net of acquisitions	125	418	(366)	796
Other items to reconcile to cash flows from operating activities:				
Equity compensation expense	22	10	82	56
Net cash provided by operating activities	\$ 533	\$ 780	\$ 880	\$ 1,752

PLAINS ALL AMERICAN PIPELINE, L.P. AND SUBSIDIARIES

FINANCIAL SUMMARY (unaudited)

FINANCIAL DATA RECONCILIATIONS (1)

(in millions, except per unit data) (continued)

	Three Months Ended		Nine Months Ended	
	September 30,		September 30,	
	2012	2011	2012	2011

Basic Adjusted Net Income per Limited Partner Unit

Net income attributable to Plains	\$ 165	\$ 281	\$ 774	\$ 688
Selected items impacting comparability of net income attributable to Plains	157	(7)	211	11
Adjusted net income attributable to Plains	322	274	985	699
Less: General partner's incentive distribution (2)	(74)	(55)	(208)	(158)
Less: General partner 2% ownership (2)	(5)	(5)	(16)	(10)
Adjusted net income available to limited partners	243	214	761	531
Less: Undistributed earnings allocated and distributions to participating securities (2)	(2)	-	(5)	-
Adjusted limited partners' net income	\$ 241	\$ 214	\$ 756	\$ 531
Basic weighted average number of limited partner units outstanding	329	299	322	294
Basic adjusted net income per limited partner unit	\$ 0.73	\$ 0.72	\$ 2.35	\$ 1.80
Diluted Adjusted Net Income per Limited Partner Unit				
Net income attributable to Plains	\$ 165	\$ 281	\$ 774	\$ 688
Selected items impacting comparability of net income attributable to Plains	157	(7)	211	11
Adjusted net income attributable to Plains	322	274	985	699
Less: General partner's incentive distribution (2)	(74)	(55)	(208)	(158)
Less: General partner 2% ownership (2)	(5)	(5)	(16)	(10)
Adjusted net income available to limited partners	243	214	761	531
Less: Undistributed earnings allocated and distributions to participating securities (2)	(1)	-	(3)	-
Adjusted limited partners' net income	\$ 242	\$ 214	\$ 758	\$ 531
Diluted weighted average number of limited partner units outstanding	331	300	325	296
Diluted adjusted net income per limited partner unit	\$ 0.73	\$ 0.71	\$ 2.33	\$ 1.79

(1) Unit and per-unit amounts are presented as adjusted for the two-for-one unit split effected on October 1, 2012.

(2) We calculate adjusted net income available to limited partners based on the distributions pertaining to the current period's net income. After adjusting for the appropriate period's distributions, the remaining undistributed earnings or excess distributions over earnings, if any, are allocated to the general partner, limited partners and participating securities in accordance with the contractual terms of the partnership agreement and as further prescribed under the two-class method.

Plains All American Pipeline, L.P.
Roy I. Lamoreaux, 713-646-4222 - 800-564-3036
Director, Investor Relations
or
Al Swanson, 800-564-3036
Executive Vice President, CFO

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Kit Fox

From: Noel Weiss [noelweiss@ca.rr.com]
Sent: Tuesday, November 06, 2012 11:22 AM
To: connie@rutter.us; det310@juno.com; mrenvirlaw@sbcglobal.net; jody.james@sbcglobal.net; chateau4us@att.net; Susan Brooks; Brian Campbell; Jim Knight; Jerry Duhovic; Anthony Missetich; Kit Fox; igornla@cox.net; dwgkaw@hotmail.com; stanley.mosler@cox.net; burling102@aol.com; marciesmiller@sbcglobal.net; pmwarren@cox.net; roamerbill@yahoo.com; carriescoville@yahoo.com; john@nrcwater.com; bonbon31@earthlink.net; cary@carybrazeman.com; fivegrants@msn.com; grgrysmth@aol.com; Janet Gunter
Cc: lucchej@slc.ca.gov; michael_davies@feinstein.senate.gov; michael.picker@gov.ca.gov; sally.magnanidag@doj.ca.gov; brian.hembacher@doj.ca.gov; gandrizzi@ceo.lacounty.gov; jynthiaperry@aol.com; guillermovillagran@sbcglobal.net; nikitennant@asm.ca.gov; dlrivera@prodigy.net
Subject: Re: Official notice: PLAINS WILL NOT BUILD CRUDE TERMINAL ON PIER 400!!! (paragraph 1)
Attachments: Central San Pedro N.C. - January, 2012 Motion To Revoke Rail Sp.pdf

Janet:

This represents a write-off by Plains of \$125 Million. . . . A very significant write-off

As I indicated to the Rancho Palos Verdes City Council last week, it is imperative that the surrounding Cities coalesce around the clear need to force responsible action on this matter at all levels of government. . . City of Los Angeles (including the Port of Los Angeles). . . County of Los Angeles. . . . State of California. . . US Government (Congress; the EPA; the Dept. of Transportation). . . .

On the City Level, the following specific acts are needed:

1. The City Attorney of Los Angeles must resign from representing both the Port and the City. . . The Port can get its own counsel. It is a clear and classic conflict of interest for the LA City Attorney to represent both entities in light of the fact that the Port has permitted the use of its rail-spur to Rancho (Plains) at a rental so low it probably constitutes an illegal gift of public funds (an indirect unlawful public subsidy to Rancho's operations – giving the taxpaying citizens a right of action under Code of Civil Procedure Section 526a to 'restrain and prohibit the unlawful 'expenditure' of public funds in this manner). . and should there be an accident which causes the City to have to expend countless dollars on emergency procedures (including fire and police), the City would have a claim against the Port. . . So in this case, the City Attorney is representing both debtor (the Port) and creditor (the City). . . An ethically impossible position for the City Attorney to be in. . . Plus, both 'clients' (the Port and the City) are denied unbridled, competent, legal advice. . . ;

2. The Port needs to pull the rail spur permit immediately and not re-issue it until (a) Rancho provides adequate insurance coverage (thanks again to the City of Rancho Palos Verdes for asking Rancho to provide details of its insurance coverage. . . Rancho voluntarily promised to do so at the City Council Meeting on October 16th. . . Please Rancho City Council, take all steps needed to 'encourage' Rancho to abide by this promise (including directing the City Attorney to draft a letter to Rancho confirming the promise and requesting the information be provided *post-haste*); (b) a clear, competent, and properly insured (secured) indemnity to the Port to cover its exposure to the City of Los Angeles in the event an accident should occur (Rancho should not be able to hide behind the fact that it is 'regulated', particularly when the regulatory regime is less than adequate (the City of Los Angeles or the County of Los Angeles can and should adopt a risk management law similar to the one passed by Contra Costa County back in the late 90's. . . That law includes an ombudsman component, along with provisions for competent 'openness and transparency'. . . Both very, very important to the populations of the surrounding Cities. . .

3. The Surrounding Cities (working together) can discuss and hopefully come to agreement on the following state legislative program to further empower the people and protect them against the (currently) uninsured consequence of an accident (which, by the way, creates a 'socialization' of the loss and risk to the people when under our capitalist system, the losses are to be privatized along with the gains (our country got into the financial mess it is in because Wall Street was allowed to 'privatize' the gains on the

backs of the people of Main Street (the bailout represented a classic 'socialization' of the losses)):

a. Adopt an amendment to the 'Public Trust Doctrine' (in this case the Tidelands Law) to require that conditions protective of the tidelands and the citizens be put into place, including insurance (and perhaps a less overlapping regulatory regime). . . Keep in mind, there is a clear 'opportunity cost' here being incurred by the people because (i) any damage to property will not be covered by insurance currently in place by homeowners and businesses, and (ii) therefore, no one is going to spend hundreds of millions of dollars on property improvements (including improvements to the Port's commercial enterprises) only to confront the specter of a uninsured loss. . . Therefore, it would be in the broader public interest if as part of state Tidelands legislation, this issue was confronted squarely. . . . by asking Rancho the question the Palos Verdes City Council asked: How are the people going to be protected in the event of an accident? Where is your insurance. . . Whether it is the Coastal Commission, or the State Lands Commission, there needs to be a coherence and completeness of oversight. . .

b. Looking at state legislation or action under the State Lands Commission which requires the Port to not give away valuable land use entitlement rights, like the rail spur, unless the public is adequately protected;

3. The City of Los Angeles can expand the boundaries of the Port to include Rancho's property within the Port's jurisdiction. This would remove the currently convenient argument that there is nothing the City can do because the property is not owned by the Port. . . . At a minimum, bringing Rancho's property within the boundaries of the Port would trigger the need to review and modify (and perhaps create a new) Risk Management Plan (RMP) for this property. . . This is precisely what public needs and the Rancho Palos Verdes City Council recognized. . . . An truly independent evaluation of the danger to which the public is exposed (and currently not insured against). . . . Again, keeping in mind the idea that 'insurance' is a proxy for risk. . . If the risk is as low as Rancho says it is, then it should be easy for Rancho to procure insurance to cover that risk. . . If not, and Rancho cannot procure insurance, then from a public policy standpoint, we need a vigorous debate on whether Rancho should be allowed to 'socialize' the risk of loss in this manner (after all, we have a 'free market' capitalist system, right? That means privatizing the losses as well as privatizing the gains.. . To the extent that there are other public, conflicting public policy considerations, this is the reason why we have governments. . . To seriously, thoughtfully, competently, and fairly discuss the benefits and detriments of a given course of action, and to fairly reconcile the conflicting economic and political interests in a manner consistent with our core social values. . . . and then adopt laws and policies consistent with those values. . . . So, we need a Risk Management Plan. . . Putting the facility within the boundaries of the Port of Los Angeles will accomplish that objective. Also to be noted is the fact that the revocable permit can be revoked on 30 days notice. . . at will. . . without any reason. . . . Rancho would therefore be stuck. . . . It would have to fully cooperate. . . and provide the openness and transparency needed. . . including an expert evaluation of the condition of the tanks. . . a key factor in evaluating the risks to the public from the operation of this facility. . . . So having the surrounding cities come together and collectively insist that the City of Los Angeles undertake this action has tremendous potential to push the ball forward here. . . . Perhaps it is time the Port revisited its Master Plan. . . .

County Action:

4. At the same time, the Cities need to come together and insist that the County take a more aggressive role here. . . This is a proper role of the County. . and again, having the County of LA pass a law similar to the Ordinance passed by Contra Costa County is not an unreasonable request. . . The failure of the Board of Supervisors to do their job here is, given the risks involved, a clear breach of their fiduciary duties to the public. . . These County Supervisors are not elected to ignore problems; and continuing to ignore the issue is beyond reckless. . . It is unreasonable and unconscionable. . . . Should there be an accident, and people injured and property destroyed, and costs incurred, it is not something which a political leader would want on her or his head. . . Particularly when taking responsible action is both appropriate and a clearly available option and alternative;

Federal Action:

5. The same coalition of cities, while they are putting collective pressure on the City of Los Angeles and the County of Los Angeles, can put pressure on Congresswoman Janice Hahn (who, it is assumed will be elected today) to convene a meeting and hearing of her Port Caucus in San Pedro to discuss the Rancho issue and related Port Security issues. . . . Her co-chair of the Caucus is Congressman Ted Poe, a Republican from Houston (where Rancho has its offices. . . very convenient. . . very good. . . .) It is relevant because I am assuming here that no where in the USA is there such a hazard where 25 million gallons of butane is so concentrated, so near populated areas. . . . Out of those hearings can come a clear list of alternatives which need to be undertaken by the Federal Government. . . For example, the rail cars are covered by the Department of

Transportation. . . If I owned a truck and drove it across state lines, I would have to maintain insurance. . . What's the deal with the rail cars. . . What is the protocol concerning their loading and transport? Do we know? Federal requirements with respect to adequate insurance requirements can and should be imposed. . . Same with Port operations (another reason to bring Rancho within the Port's jurisdiction). . . . Assuming we are confronted with a lack of adequate insurance (which should be in the \$1.5 Billion to \$3 Billion category), then, like with National Flood Insurance, National Deposit Insurance, National Crop Insurance (all 'loss socialization policies undertaken in our 'free market' capitalist system. . . needed to shore up the weak spots which exist in any economic system. . . just like anti-trust laws which bar monopolies (capitalism's excess because concentrated economic power is as bad (and contrary to our core 'individual social values') as concentrated political power. . .). . . the Federal Government can collect a fee from national port operations and create a pool of funds to provide the requisite insurance coverage. . . for the benefit of the nation as a whole (again, like Flood, Deposit, or Crop insurance). . . . As part of that insurance coverage, the Federal government could require the kind of strict controls needed (which would include an indemnity from Rancho) thus offering the community the kind of protections needed. . . . If Rancho cannot meet the requirements, it would have to downsize or cease operations. . . . Again, this is would be consistent with the Port's policy of removing the kind of risk posed by Rancho's operations (the storage of huge, concentrated amounts of clearly hazardous liquid gas – butane). . . .

An aggressive push on these five core areas (which are overlapping. . . but not necessarily duplicative) would work to draw out these issues. . . . Rancho was quite clear in its presentation to the RPV City Council that it has insurance and that it would provide that insurance to RPV's City Attorney. . . . Neither our LA City Council, nor our LA City Attorney, or our Mayor, nor our City Controller (who can commission a study of the cost to the City of having to respond to an accident. . . LA County can do the same thing. . . .) has demonstrated anything approaching the kind of leadership and competence required in this circumstance. . . There's been a lot of pandering. . . a lot of pretense. . . a lot of deflection. . . . but nothing in the way of a concrete course of action, measurable by some clear metrics. . . . So again, RPV City Council, please make sure Rancho follows-up on its promise (a 'marker' of Rancho's ability to follow-through on its promises).

Which is why I again want to express my appreciation to the Rancho Palos Verdes City Council. . . who, I hope, will continue to provide a the energy and boost needed to move this discussion forward to the point of concrete action. . . . which I suggest take the form of a committed effort to lead a coalition of the surrounding Cities to insist that Rancho be made to be more accountable as indicated above. . . via insurance. . . via the passage of a prudent 'risk management' ordinance (akin to the Contra Costa Ordinance). . . via more aggressive congressional oversight of this issue. . . via more aggressive oversight by the County of Los Angeles (who can also pass a risk management ordinance. . . . via more aggressive action by the Port (such as cancelling the rail spur permit (again, something the Port can do under the terms of the permit, and do so 'at will' (without excuse) and without legal liability. . . as per the attached Port Community Advisory Committee Report dated January 10, 2012. . . something all of the surrounding Cities can and should support. . so the issue can be meaningfully taken up by the LA City Council and re-visited by the Board of Harbor Commissioners)..

Noel
(310) 822-0239

From: Janet Gunter

Sent: Tuesday, November 06, 2012 9:53 AM

To: connie@rutter.us ; det310@juno.com ; mrenvirlaw@sbcglobal.net ; jody.james@sbcglobal.net ; chateau4us@att.net ; noelweiss@ca.rr.com ; susan.brooks@rpv.com ; brian.campbell@rpv.com ; jim.knight@rpv.com ; jerry.duhovic@rpv.com ; anthony.misetich@rpv.com ; kitf@rpv.com ; igornla@cox.net ; dwgkaw@hotmail.com ; stanley.mosler@cox.net ; burling102@aol.com ; marciesmiller@sbcglobal.net ; pmwarren@cox.net ; roamerbill@yahoo.com ; carriescoville@yahoo.com ; john@nrcwater.com ; bonbon31@earthlink.net ; cary@carybrazeman.com ; fivegrants@msn.com ; grgrysmth@aol.com

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Subject: Official notice: PLAINS WILL NOT BUILD CRUDE TERMINAL ON PIER 400!!! (paragraph 1)

<http://www.noodls.com/viewNoodl/16487439/plains-all-american-pipeline-lp/plains-all-american-pipeline-lp-reports-third-quarter-201>

This is great news on the issue of the hazardous tanks at Rancho and its future . But, we have seen an effort lately to include the "Plains" owned Rancho LPG facility within the boundaries of the Port of LA as a means to gain control over the facility. Call me cynical...but, I believe that this is an effort to find a means for Plains to recoup some of their investment in Rancho through the **buy out** of the company "in the name of safety for our community". All of this could come through the benevolence of public trust money from the port. I would venture to guess that there has been a substantial amount of money crossing hands during this political election time in an attempt to realize this goal. While we understand that this opportunity could, in fact, have some effectiveness.. our homeowners have been skeptical at the very least and have no trust whatsoever in any integrity coming from the Port of LA. What this boils down to is simply that this Fortune 500 company, Plains All American Pipeline, made a bad business decision. They gambled on the restoration of a LPG pipeline to their *future* new crude oil terminal with the anticipation of a greatly increased profitability in transporting the commodity once again by sea. I don't believe that the public should be interested in paying for that bad decision. I believe that this facility should be exposed for the real hazard that it represents BEFORE the disaster strikes...and that the government & its political leadership should finally step up to remove this known threat immediately at "no further cost" to the long and wrongly jeopardized public.

Janet G

Central San Pedro Neighborhood Council

January 10, 2012

Port Community Advisory Committee Report

There was no PCAC meeting in December. The following motion was approved at the November PCAC meeting:

Motion on Rancho LPG Facility

Whereas, the PCAC has previously urged the City and the Port to relocate the Amerigas/Rancho Liquid Propane Gas (LPG) facility in San Pedro; and

Whereas, the Facility is served by rail tank cars, truck tank cars, and pipeline and stores and distributes liquid propane, butane and other commodities; and

Whereas, substantial numbers of people in the Harbor area are concerned about the risk of hazard due to the facility's aging infrastructure, possibility of earthquake or natural disaster due to its location in an identified seismically active area and adjacent tsunami zone, and a potential target for terrorism in a port city acknowledged as a likely target site; and

Whereas, the facility has from time to time changed its business operations, and there is concern by many people that there has been inadequate environmental and risk analyses of those changes; and

Whereas, over time, the Los Angeles Harbor Department has become increasingly involved in the operations conducted at the Facility, such as by assisting in the transport of product by rail through the Port across Port rail lines, including a portion of the rail line spur accommodating the rail transportation of the commodities pursuant to Revocable Permit No. 10-05 dated February 2011, which appears to allow reasonable inquiry into the rail movements on the parcel subject to the permit; and

Whereas, rail tank cars containing unknown products from other manufacturers and sources other than the Rancho Facility also traverse and are stored on tracks owned by the Port and the railroads; and

Whereas, truck tank vehicles containing unknown products from sources other than the Rancho Facility also travel through our communities, and because they do not originate from Port terminals, are not subject to, for example, the Wilmington truck route plan; and

Whereas, among the data that is available and should be provided to the Port and the community about the rail tank cars and truck tank vehicles is information such as routing, quantity, storage elsewhere in the Port while awaiting further transport, product identification criteria, Fire Department and Hazmat notification procedures, etc.;

NOW THEREFORE, be it resolved that the PCAC recommends that the Board of Harbor Commissioners direct the Port of LA to revoke Permit No. 10-05 and work with the community and Rancho to perform a Risk Management Plan for the API Storage Tanks, ASME pressure vessels and rail cars at the facility in accordance with 40CFR68 as well as the transport of product to and from the facility by pipeline, by rail tank car and by truck tank vehicles; and

BE IT FURTHER RESOLVED, that the PCAC recommends that the Board of Harbor Commissioners direct staff to work with the community and affected tenants and others to perform a risk analysis of transport of products to and through the Port and nearby communities by pipeline, by rail tank car and by truck tank vehicles; and

BE IT FURTHER RESOLVED, that the Board establish a working group of persons to assist in examining the risks associated with the operation of the facility and transport of products by rail and truck, including representatives of the Los Angeles Fire Department, United States Geological Service, Environmental Protection Agency (EPA), university research community, local organizations and the PCAC.

Kit Fox

From: Councilwoman Susan Brooks [subrooks08@gmail.com]
Sent: Thursday, November 15, 2012 1:09 PM
To: Cat Spydell
Cc: Kit Fox; Carolyn Lehr
Subject: Re: Information regarding butane tanks in San Pedro

On Thu, Nov 8, 2012 at 10:09 AM, Cat Spydell <catspydell@gmail.com> wrote:

Dear Councilwoman Brooks,

I have attached the enclosed letter regarding some information about a potential expert to help in the ongoing research and quest for safety re: the butane tanks in San Pedro. Please don't hesitate to contact me if you have questions.

Thank you,

Cat Spydell

Thanks for your email, Cat. I do remember meeting you at the RHE Traffic Meeting and yes, I am interested in speaking or meeting with Mr. Tarr. As we compile information, the potential for further 'leaks' or damaging scenarios prevails. Let's try to set up an appointment in early December. Weekday mornings are good for me.

Enjoy your Thanksgiving.

Susan

--
**Susan Brooks, Councilwoman
Rancho Palos Verdes, CA**



Kit Fox

From: Cat Spydell [catspydell@gmail.com]
Sent: Thursday, November 15, 2012 4:24 PM
To: Susan Brooks <Subrooks08@gmail.com>
Cc: Kit Fox; Carolyn Lehr
Subject: Re: Information regarding butane tanks in San Pedro

Thanks for getting back to me,

I will talk to Jim Tarr and get a couple of potential dates from him and I will get back to you, I am sure he can arrange a morning the first week of December. Thanks for your time! I appreciate your caring about this issue.

Cat

On Thu, Nov 15, 2012 at 1:09 PM, Councilwoman Susan Brooks <subrooks08@gmail.com> wrote:

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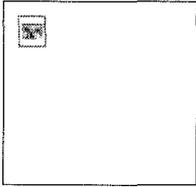
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Enjoy your Thanksgiving.

Susan

--

Susan Brooks, Councilwoman
Rancho Palos Verdes, CA



--

Cat Spydell's novel ***The Time Traveler's Apprentice at Hollywood High*** is available now on **Amazon!**

Find out about Cat's upcoming fantasy novel on Facebook: <https://www.facebook.com/pages/The-Fairies-of-Feyllan/165439070245078>

Kit Fox

From: Janet Gunter [arriane5@aol.com]
Sent: Friday, November 16, 2012 11:51 AM
To: Kit Fox
Subject: LA Council Motion on Rancho....Kit...pls distribute...sorry, didn't know that I should be doing this all along!

Council File: 11-1813-S7

**Title**

Liquid Bulk Storage (LBS) / Liquid Petroleum Gas (LPG) Facilities / Rancho LPG Facility / Insurance Requirements / Operators Liability Coverage

Date Received / Introduced

11/13/2012

Last Change Date

11/13/2012

Expiration Date

11/13/2014

Council District

15

Pending in Committee

Trade, Commerce and Tourism Committee

Mover

JOE BUSCAINO

Second

DENNIS ZINE

DateActivity 11/13/2012Motion referred to Trade, Commerce and Tourism Committee.

NOV

13 2012

MOTION

Residents and neighbors surrounding the Rancho LPG facility located in San Pedro have expressed various concerns regarding the safety and legality of this facility. This particular liquid bulk tank facility was built in 1973, and is located on private property outside the Port of Los Angeles. ~ includes two 12.5 million gallon refrigerated tanks containing butane, a liquefied petroleum gas which is a by-product of the refining process. Within the past decade, there have been various city reviews of the storage facility, dating back to 2004, and have involved the Planning Department, City Attorney, Harbor Department, Fire Department, the City Administrative Office (CAO) as well as the Chief Legislative Analyst (CLA).

Aside from the Rancho LPG facility in San Pedro, there are a variety of other liquid bulk storage facilities both above and below ground in the Harbor area, which have also raised concerns among nearby residents. It is imperative that the City ensure that any potential threats are thoroughly explored and mitigated.

Residents have expressed interest in knowing what existing City, County, State, and or Federal safety regulations and laws are in place to ensure that LPG and LBS facilities are being monitored, what safety standards are in place that must be followed, and if there is any room for improvement on existing laws and regulations. In particular, they are interested to know if there are any existing requirements, by City, County, State, or Federal statute, that specify the amount of liability coverage the owner/operator of a LBS/LPG facility must carry to be in compliance with the law.

I THEREFORE MOVE that the City Attorney be instructed to report on existing City, County, State, and Federal laws and regulations concerning insurance requirements of LPG and LBS facilities, and report on the required liability coverage that operators of said facilities must carry to remain in compliance and stay in operation.

I FURTHER MOVE that the City Attorney report on any suggestions, based on their findings, of ways to improve City laws on liability coverage requirements for LBS/LPG facilities, as well as any recommended change to County, State, and Federal laws and regulations that

11/19/2012

C-146

the City would consider lobbying to that respective level of government. 0,

Presented By ~~~~
~BUSCAINO
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Secoded By . \, A /, |

NOV 1 3 2012

Kit Fox

From: Janet Gunter [arriane5@aol.com]
Sent: Tuesday, November 20, 2012 9:24 AM
To: Kit Fox
Subject: Fwd: CityWatch 1093 for Tuesday, November 20, 2012
Pls distribute to everyone Kit. Thanks!

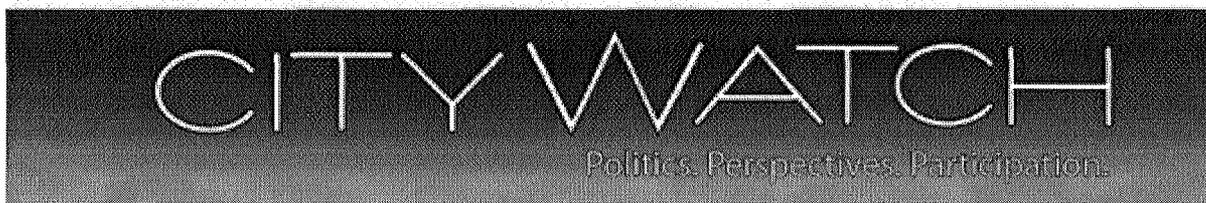
Paul Rosenberg's article on Rancho made City Watch

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

From: CityWatch <newsletter@citywatchla.com>
To: arriane5 <arriane5@aol.com>
Sent: Mon, Nov 19, 2012 9:47 pm
Subject: CityWatch 1093 for Tuesday, November 20, 2012

Here is the latest CityWatch brief for Tuesday, November 20, 2012

Is this email not displaying correctly?
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STILL GOLD

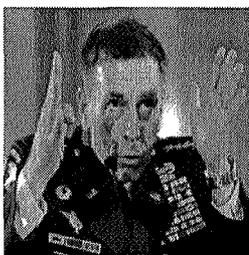


California: The Land of Milk and Honey Once More

Robert Scheer

November 19, 2012

THE GOLDEN STATE AS A BELLWETHER - What's the matter with California? It is a question once asked about Kansas when that state came to be viewed as a harbinger of a more conservative America. But now the trend is quite opposite, the right wing is in retreat and the Golden State is the progressive bellwether. How is it that the state that incubated the presidencies of Richard Nixon and Ronald Reagan is now so deep blue Democrat that Mitt Romney hardly bothered to campaign there? Why did voters, including huge majorities in the state's two wealthiest counties, approve a tax on high-income earners to increase funding for public education? The answer is that the shifting demographics of California, forerunners of an inevitable national trend, are producing an American electoral majority that is more culturally sophisticated, socially tolerant and supportive of a robust public sector than can be accommodated by the simplistic naysayers who now dominate the Republican Party. [Read More...](#)

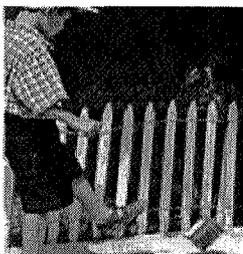


David Petraeus: A Phony Hero for a Phony War

Lucian K. Truscott IV

Nov 19, 2012

GUEST WORDS - FASTIDIOUSNESS is never a good sign in a general officer. Though strutting military peacocks go back to Alexander's time, our first was MacArthur, who seemed at times to care more about how much gold braid decorated the brim of his cap than he did about how many bodies he left on beachheads across the Pacific. Next came Westmoreland, with his starched fatigues in Vietnam. In our time, Gen. David H. Petraeus has set the bar high. Never has so much beribboned finery decorated a general's uniform since Al Haig passed through the sally ports of West Point on his way to the White House. [Read More...](#)



City Hall's Values: Screwing the Next Generations of Angelenos

Jack Humphreville

Nov 19, 2012

LA WATCHDOG - "The budget reflects our values." This statement was made by Council Member Paul Krekorian, the Chair of the City Council's powerful Budget and Finance Committee, to over 100 budget representatives of the City's

Neighborhood Councils who gathered at City Hall for the Mayor's Community Budget Day on Saturday morning. [Read More...](#)



LA's 9th District Race: Lackluster Hodge-Podge

Janet Denise Kelly

Nov 19, 2012

URBAN PERSPECTIVE - Now that the Presidential elections are over, the Los Angeles Council District 9 is back in focus. The 9th's competitive race is remarkably one of the best lackluster hodge-podge races the 9th is going to see in some time. The salad bowl mix of progressives, grassroots, conservatives, men, women, African Americans, Latinos, and Asian are akin to the open monologue of the former Arsenio Hall Show where you think of things that make you go "hmmm". [Read More...](#)

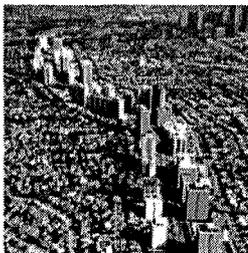


Surprise Move: Plains Pulls Out of Pier 400, Energizes Anti-Rancho Activists

Paul Rosenberg

Nov 19, 2012

RANDOM LENGTHS - In a surprise announcement folded into their third-quarter earnings report, Plains All American Pipeline revealed that they have abandoned their plans for a fuel terminal on Pier 400. The announcement came after years of planning, a prolonged environmental impact report process and intensive lobbying of local public opinion. [Read More...](#)



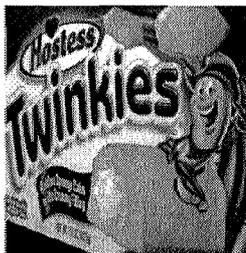
Good Density or Bad Density, That is the Question

Dick Platkin

Nov 19, 2012

WILSHIRE CORRIDOR, HOLLYWOOD UPDATE - The Update of the Hollywood Community Plan has been challenged by three lawsuits. As this litigation slowly works its way through the court system, the debate about increasing planned and

zoned density has not quieted down. Let us therefore revisit that debate as it applies to two Los Angeles neighborhoods with mass transit, Hollywood and the Wilshire Boulevard Corridor. [Read More...](#)

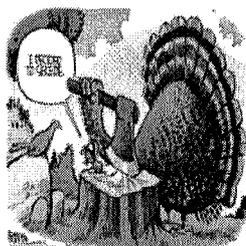


Requiem for the Twinkie

Mary Elizabeth Williams

Nov 19, 2012

JUST SAYIN' - Here's that abyss of chaos and destruction the Mayans warned us about, America. In a stunning bombshell, Hostess Brands announced Friday it was shuttering operations in its 33 plants and liquidating its wares. Chief executive Gregory Rayburn declared Hostess would be "promptly" laying off its 18,500 employees and "selling its assets to the highest bidders." [Read More...](#)



Justin Bieber and Other Thanksgiving Blessings

Will Durst

Nov 19, 2012

RAGING MODERATE - Seriously? Both political parties talking pre-emptive smack barely a week after the election. Partisan politics? Again? So soon? Not even time to catch our breath? For crum's sakes, give it a rest, you guys. Besides, shouldn't you be out on recess? After all, it's Thanksgiving. Yes. Already. The earliest Thanksgiving possible. That's what happens when November first is on a Thursday. Merchants are dancing the happy dance. Shoppers too. Retail workers, not so much. Black Friday Creep seems destined to devour Halloween. [Read More...](#)

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American Socialist Education: Mission Accomplished

Lisa Cerda

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Surprise Move: Plains Pulls Out of Pier 400, Energizes Anti-Rancho Activists

Paul Rosenberg 20 Nov 2012



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RANDOM LENGTHS - In a surprise announcement folded into their third-quarter earnings report, Plains All American Pipeline revealed that they have abandoned their plans for a fuel terminal on Pier 400.

The announcement came after years of planning, a prolonged environmental impact report process and intensive lobbying of local public opinion.

Roy I. Lamoreaux, director of investor relations, cited that the cost of abandoning the project made up the bulk of “noncash impairment charges totaling \$125 million,” in a conference call discussion of the report.

Sources said that the Port of Los Angeles was informed just a few days before Plains went public. It's assumed that Plains scrapped its plans for lack of a partner to replace Valero, who dropped out of their original agreement, though nothing that specific was mentioned in their public discussion.

The surprise announcement stirred speculation among activists trying to get the Plains-owned Rancho San Pedro LPG facility closed or relocated, but port officials have previously denied any connection between the two. Whether or not they know everything Plains has had in mind, several developments since our most recent report on the subject further erode Plains' legitimacy.

First, a still poorly-understood leak occurred at the Rancho facility on Oct. 17.

“We got 37 complaints, including four schools,” said Air Quality Management District spokesman Sam Atwood.

Complaints came from Torrance to Wilmington, San Pedro and Rancho Palos Verdes.

“Our inspectors did isolate it to Rancho holdings and issued a public nuisance violation,” he added.

Atwood did not expect further details to be released until after a settlement had been reached with Rancho, as it usually happens with such violations. The uncertainty shrouding the incident is indicative of the larger problem Rancho poses, community activists claim.

Second, at an Oct. 16 city council meeting, Rancho Palos Verdes decided to become more actively involved, though stopping short of taking a lead role in legal or regulatory actions. Plains did not acquit

itself well at this meeting, where they repeated their past pattern of presenting confused and misleading testimony.

Councilwoman Susan Brooks, got a taste of Plains unnecessary obfuscation when she asked if Rancho had insurance that would cover damage to the community—"lives, property, homes."

Rancho representative Ron Conrow replied, "it's a cascading, it's kinda pyramid type insurance and it's multi-tiered." Then he read from a prepared statement that Rancho was insured through Plains with "insurance that covers its entire asset footprint"—meaning Rancho's own property, not damage to the community.

A simple "no" would have sufficed.

Third, retired industry consultant Connie Rutter has gotten to the bottom of a key public safety dispute—the reason for Rancho's unrealistically optimistic claim that a worst-case explosion would only affect a half-mile radius (0.8 square miles), rather than the 3-mile radius (28 square miles) that Rutter has calculated. This vast discrepancy turns out to be the product of prolonged and intensive industry opposition to Environmental Protection Agency rule-making, which ultimately produced an industry-friendly regulatory standard—the EPA's "offset consequence analysis"—that bears no relationship to the laws of physics.

Fourth, on Aug. 29, former EPA Chief Christine Todd Whitman wrote a *New York Times* op-ed, "The Chemical Threat to America," addressing the broader context of regulatory failure that Rutter's research documents, calling attention to the public safety threats involved. He pointed out that, "Hundreds of chemical plants and other facilities maintain large stockpiles of dangerous substances and are in or near major American cities like New York, Los Angeles and Chicago."

Fifth, with months more of inaction, it now seems clear that Rancho's earlier announcement of a safety drill, originally supposed to take place in April, was nothing more than public relations ruse, intended to deflect public scrutiny.

Of all these developments, Rutter's research into the origins of the half-mile radius estimate arguably cuts the deepest, as it shows how special interest political gamesmanship on the macro level of American politics dovetails with the micro-level gamesmanship that got the deeply-flawed facility built in the first place, which *Los Angeles Times* reporter Larry Prior first uncovered back in 1977.

"It really all started with the Bhopal disaster" in 1984, Rutter told *Random Lengths*.

Congress generally finds it easier to pass new regulatory laws by amending existing laws as they come up for refunding or re-authorization, and this process figured into this story twice, Rutter explained. First was the 1986 Superfund Amendment Reauthorization Act, via a section called the Emergency Procedures and Community Right To Know Act.

"The first go-round all they talked about was toxics," Rutter said. "And their whole purpose in doing that—the community right to know—was to bring pressure on entities to bring the risk down, to reduce the risks."

The second go-round came with the 1990 re-authorization of the Clean Air Act, when flammables were covered as well, but it took six long years for the EPA to generate rules enforcing the new law—and three more years for those rules to become final.

“The first go-round they told them how to calculate their effect. Then they got sued. This was the [initial] EPA regulations that came out of the Clean Air Act,” Rutter said. “They were sued by the API [American Petroleum Institute], they were also sued by some other entities. All the suits had to do with 'Don't finger us! Point some place else!’”

“In May of '99, the EPA came out with their final rule,” Rutter continued, “in which they had settled with the API, and essentially said—this is my description—It doesn't really matter how you calculate.

You can either do the calculation which I did, which gives you three miles, which was in their [EPA's] guidance, which came out in April of '99—so this is all last-minute stuff—you can either use that guidance, or you can do air modeling. And if you do air modeling then you—if you've got an impound basin, you can calculate how much would be released within 10 minutes.”

In short, the model that Rancho is using is one that the industry as a whole was happy to accept in dropping its lawsuit. It has nothing to do with the laws of physics—particularly since LPGs vaporize quickly at normal temperatures, rapidly expanding beyond the bounds of a basin which might make sense for a stable liquid compound. “It's not very realistic,” Rutter said of such scenarios.

For example, in his testimony before the Rancho Palos Verdes City Council, another Rancho representative, Dan Kelly, said, “If you had a release you would have some vaporization and eventually that vapor cloud when it got to the proper concentration of air and gas and an ignition source would ignite and it would flash or blast and then you would have a fire that would go back to the impound basin or the pool [interruption] you would have a pool fire at our facility. And it would [pause] the vapors would no longer leave the facility they would burn before they left the facility.”

“For Dan to imply that the vapors won't leave the site before or after they're ignited is bogus, since, of course, they will,” Rutter said, when asked to comment. “They'll burn there of course, but they'll also burn off-site.”

The EPA standard has another problem, Rutter pointed out, “It's essentially unenforceable. If the EPA is not going to tell you exactly what model to use or what formula to use, then any number you tell them is OK.”

Things have gotten even worse, Rutter added, given how the threat of a terrorist attack has been used to try to beat back the public's right to know. At the same time that government has dragged its heels in protecting communities from that very threat, as Todd Whitman pointed out in her editorial.

This is why Rancho San Pedro is not “merely” a local problem, but a manifestation of failed national environmental protection law. This is why local activists hoped that our new congressional representatives—including Maxine Waters, whose district now comes close to the Ranch facility—will treat this problem with the seriousness it deserves.

"In the face of Katrina, in the face of San Bruno, in the face of what's happening on the East Coast [after Hurricane Sandy]... all this stuff everybody has known," homeowner activist Janet Gunter shakes her head. "Everybody keeps turning the other way, because it's far more difficult to deal with these realities than it is to ignore them."

(Paul Rosenberg is Senior Editor at Random Length News and an occasional contributor to CityWatch.)

-cw

CityWatch
Vol 10 Issue 93
Pub: Nov 20, 2012

Tags: [Paul Rosenberg](#) [Random Lengths](#) [Pier 400](#) [Rancho](#) [Port of Los Angeles](#) [San Pedro](#)

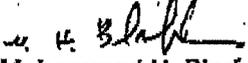
LADOT memorandum regarding traffic study for
Marymount College San Pedro Campus

CITY OF LOS ANGELES
INTER-DEPARTMENTAL MEMORANDUM

1600 Palos Verdes Dr North
DOT Case No. HRB 11-008

DATE: July 24, 2012

TO: Karen Hoo, City Planner
Department of City Planning

FROM: 
Mohammad H. Blorfroshan, Transportation Engineer
Department of Transportation

SUBJECT: Traffic assessment for the proposed Marymount College San Pedro Campus project at 1600 Palos Verdes Drive North [Department of City Planning Case No. ENV-2011-2478-EAF]

The Department of Transportation (DOT) has completed the traffic assessment of the proposed Marymount College San Pedro Campus Project at 1600 Palos Verdes Drive North. This traffic assessment is based on a traffic impact assessment prepared by KOA Corporation, received by DOT on May 18, 2012 with subsequent revisions through July 2012. After a careful review of the pertinent data, DOT has determined that the traffic study adequately describes the project-related impacts of the proposed development. Please note that while the project site is within the jurisdiction of the City of Los Angeles, the traffic study also evaluates potential traffic impacts associated with the project at study intersections in the cities of Rolling Hills Estates, Lomita, and Rancho Palos Verdes (RPV), as well as intersections under the jurisdictions of the California Department of Transportation (Caltrans).

Project Description

The project site currently has 86 dwelling units that serve as off-campus housing for students matriculating at the Marymount College RPV Campus. The project proposes to construct a private undergraduate and graduate campus, which at build out would accommodate 1,500 students, 800 of whom would be residents living on-campus, and house eight (8) faculty members (apartments). The project proposes the construction and/or renovation of a student union/dining hall, classrooms, studios, laboratories, faculty/staff offices, residence halls, and maintenance facility. Construction of the proposed project would be implemented through five phases (Phases I through V), and is anticipated to be completed and occupied by the year 2032. A summary description for each phase of the project is presented in Attachment A.

Discussion and Findings

The project is expected to create a net increase of 2,916 daily trips, a net increase of 156 a.m. peak hour trips and a net increase of 292 p.m. peak hour trips. The trip

Karen Hoo

2

July 24, 2012

generation estimates are based on rates and formulas published by the Institute of Transportation Engineers (ITE) Trip Generation, 8th Edition, 2008, and survey data conducted at the existing Marymount College RPV Campus. The attached table, **Attachment B**, lists the trip generation results.

DOT has determined that completion of the proposed project through Phase I will not result in significant impacts at any of the 17 intersections studied. However, DOT has determined that the completion of Phase II through V of the proposed project will result in a significant impact at six (6) of 17 study intersections, of which three (3) intersections are located in the City of Los Angeles, as shown in the summary of volume-to-capacity (V/C) ratios and levels of service (LOS) for the study intersections (**Attachment C**). The project study report has identified feasible improvements that would mitigate the traffic impact at all of these intersections to a less than significant level.

1. Anaheim Street, Gaffey Street, Palos Verdes Drive North and Vermont Avenue (Phase IV)
2. Anaheim Street and Figueroa Place (Phase II)
3. Anaheim Street and Figueroa Street (Phase IV)

In addition, pursuant to the analysis methodology of the cities of Rolling Hills Estates, Lomita, and Rancho Palos Verdes, as well as Caltrans, the development of the project and cumulative future projects is anticipated to result in significant impacts at three (3) intersections located within the respective jurisdictions. The project study report has identified feasible physical improvements that would mitigate the traffic impact at these locations to a less than significant level.

1. Palos Verdes Drive East and Palos Verdes Drive North (Phase II, City of Rolling Hills Estates)
2. Palos Verdes Drive North and Western Avenue (Phase II, City of Lomita/ Caltrans)
3. Miraleste Drive and Palos Verdes Drive East (Phase II, City of Rancho Palos Verdes)

Project Requirements

In response to the findings of the traffic study, DOT recommends that the following project requirements be adopted as conditions of project approval. Furthermore, these requirements must be completed and/or guaranteed prior to the issuance of any building permits for the proposed project.

A. Application Fee

The applicant must pay an application/review fee based on the size and nature of the project. The application/traffic study review fee of \$10,196.00 was submitted fully on May 18, 2012.

Karen Hoo

3

July 24, 2012

B. Highway Dedication and Physical Street Improvements

In order to mitigate projected traffic impacts to a less than significant level, the applicant is required to make the following improvements:

Palos Verdes Drive North and President Avenue (Phase III)

Design and install a new traffic signal. Prior to commencing the design work, the applicant shall work with DOT's Southern District Office to seek the final approval of the traffic signal warrants authorizing the installation of the traffic signal. The developer will be responsible for all costs associated with the design and construction of the new traffic signal and connection to ATSAC and ATCS Systems.

Anaheim Street, Gaffey Street, Palos Verdes Drive North and Vermont Avenue (Phase IV)

Widen the south side of Anaheim Street west of Vermont Avenue and re-stripe the eastbound approach to provide a right-turn only lane. The resulting lane configuration for the eastbound approach shall be one left-turn lane, one through lane, one shared through/right-turn lane and one right-turn only lane. Also, an advanced lane designation signage for eastbound Anaheim Street shall be designed and installed per DOT Design Standards.

Anaheim Street and Figueroa Place (Phase II)

Modify the traffic signal to provide a new eastbound left-turn signal phase. In addition, modify the traffic signal to provide a new southbound right-turn signal phase with loop detectors on Figueroa Place that will overlap with both the eastbound left-turn and through sufficiently long enough to accommodate the southbound right-turn volumes.

Anaheim Street and Figueroa Street (Phase IV)

Widen the north side of Anaheim Street east of Figueroa Street to provide a right-turn-only lane for westbound approach. The resulting lane configuration for the westbound approach shall be one left-turn lane, two through lanes, and one right-turn-only lane.

In addition to the above stated improvements, and in order to mitigate potential access and circulation impacts, the applicant may be required to make highway dedications and improvements. The applicant shall consult the Bureau of Engineering (BOE) for any additional highway dedication or street widening requirements.

C. Project Improvements Implementation

All improvements must be guaranteed before issuance of any building permit, through the BOE's B-Permit process, at the respective development phase the impact is triggered. Should any improvement not receive the required approval, be deemed infeasible at the time of reconciliation, or is guaranteed/built by another project prior to time of reconciliation, the City may substitute an

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alternative measure of equivalent effectiveness and cost including both physical street/signal improvements and incentive-based environmental transportation mitigations. Prior to setting the bond amount, BOE shall require that the developer's engineer or contractor contact DOT's B-Permit Coordinator at (213) 928-9691, to arrange a pre-design meeting to finalize the proposed design needed for the project.

D. Significant Impacts in Other Jurisdictions

The following significant impacts were found pursuant to the respective jurisdiction's analysis methodology. Hence, these significant impacts and their respective improvement measures are presented as information only. DOT has no authority to approve or disapprove these measures. Final approval rests with the appropriate jurisdictional authority.

Palos Verdes Drive East & Palos Verdes Drive North (Phase II, City of Rolling Hills Estates)

Re-stripe the westbound approach on Palos Verdes Drive North to install a second left-turn lane. The resulting lane configuration for the westbound approach shall be two left-turn lanes, two through lanes and one shared right-turn lane. Final review and approval by City of Rolling Hills Estates shall be required for this improvement.

Palos Verdes Drive North and Western Avenue (Phase II, City of Lomita/Caltrans)

Re-stripe the westbound approach on Palos Verdes Drive North to install a second left-turn lane. The resulting lane configuration for the westbound approach shall be two left-turn lanes, two through lanes, and one shared through/right-turn lane. Final review and approval by City of Lomita and Caltrans shall be required for this improvement.

Miraleste Drive and Palos Verdes Drive East (Phase II, City of Rancho Palos Verdes)

Design and install a new traffic signal. The traffic signal operation would include a protected left-turn phase in the southbound direction and a westbound right-turn overlap phase concurrent with the southbound left-turn phase. Prior to commencing the design work, the applicant shall work with the City of Rancho Palos Verdes to seek the final approval of the traffic signal warrants authorizing the installation of the traffic signal. The developer will be responsible for all costs associated with the design and construction of the new traffic signal.

E. Construction Impacts

DOT recommends that a construction work site traffic control plan be submitted to DOT's Southern District Office for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective

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devices, warning signs and access to abutting properties. DOT also recommends that construction related traffic be restricted to off-peak hours.

F. Site Access and Internal Circulation

This determination does not include approval of the project's driveways, internal circulation and parking scheme. Adverse traffic impacts could occur due to access and circulation issues. The applicant is advised to consult with DOT for driveway locations and specifications prior to the commencement of any architectural plans, as they may affect building design. Final DOT approval shall be obtained prior to issuance of any building permits. This should be accomplished by submitting detailed site/driveway plans, at a scale of at least 1" = 40', separately to DOT's WLA, Coastal and San Pedro Development Review Section at 7166 West Manchester Avenue, Los Angeles 90045 as soon as possible but prior to submittal of building plans for plan check to the Department of Building and Safety.

If you have any questions, please feel free to call Hu Huang of my staff or me at (213) 485-1062.

MB:hmh

Attachments

cc: Alison Becker, Gabriela Medina, Fifteenth Council District
Jay Kim, Sean Haeri, Tim Conger, John Varghese, Crystal Killian, DOT
David Weintraub, Marc Woerschling, DCP
Lawrence G. Cuaresma, BOE
Jonathan Louie, KOA Corporation

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ATTACHMENT A

KOA Corporation
April 13, 2012

Marymount College San Pedro Campus Project
Project Phasing Summary

Project Phase	Completion Year (Anticipated)	Description			Net Trip Generation						
		Resident Students	Commuter Students	Faculty/Staff Apartments	Daily	AM Peak Hour			PM Peak Hour		
						Total	In	Out	Total	In	Out
I	2017	620	0	0	523	41	5	36	47	25	22
II	2019	620	300	0	1,576	87	28	59	155	62	93
III	2022	775	475	0	2,321	130	43	87	230	89	141
IV	2027	800	650	0	2,760	150	55	95	278	102	176
V (Buildout)	2032	800	700	8	2,916	156	58	98	292	106	186

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 ATTACHMENT A (continued)
 Marymount College Project (San Pedro Campus)
 Trip Generation (Phase I*) - 2017

Land Use	Intensity	Unit	Daily	Weekday					
				AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
Off-Campus Housing [1]	-	Student	3.88	0.31	13%	87%	0.35	52%	48%
Apartment [2]	-	DU	6.65	0.51	20%	80%	0.62	65%	35%
Proposed Project									
Residence Halls for Students	620	Student	2,406	192	25	167	217	113	104
Limited Cars for Residents' Trip Reduction (56%) [3]			<u>-1,347</u>	<u>-108</u>	<u>-14</u>	<u>-94</u>	<u>-122</u>	<u>-63</u>	<u>-59</u>
Total Trip Generation (Proposed Project Uses)			1,059	84	12	72	95	50	45
Existing Uses									
Housing Facility [4]	.86	DU	536	43	7	36	48	25	23
Net Total Trip Generation			523	41	5	36	47	25	22

- * Marymount College would not conduct classes on the San Pedro Campus during Phase I.
- [1] The AM and PM peak hour trip rates are based on trip generation surveys conducted at the Palos Verdes Drive North residential facility on March 24, 2011. The daily rate is based on daily to AM+PM ratio for apartment use from the ITE Trip Generation book and multiplied by the AM plus PM rates.
 $[3.88 \text{ daily trip rate} = (6.65 / (0.51 + 0.62)) * (0.31 + 0.35)]$
- [2] Trip generation rates are from ITE Trip Generation, 8th Edition.
- [3] About 44% of the 620 San Pedro Campus residents would have a vehicle on campus based on a limited lottery system. The remaining 56% of residents would not have a vehicle on campus and therefore would not generate vehicle trips.
- [4] The AM and PM peak hour trips are based on raw trip generation survey data conducted at the Palos Verdes Drive North Facility on March 24, 2011. The daily trips are based on daily to AM+PM ratio for apartment use from ITE Trip Generation book and multiplied by the raw AM plus PM peak hour trips.
 $[536 \text{ daily trips} = (6.65 / (0.51 + 0.62)) * (43 + 48)]$

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 ATTACHMENT A (continued)
 Marymount College Project (San Pedro Campus)
 Trip Generation (Phase II) - 2019

Land Use	Intensity	Unit	Weekday						
			Daily	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
College [1]	-	Student	2.34	0.26	76%	24%	0.24	25%	75%
Off-Campus Housing [2]	-	Student	3.88	0.31	13%	87%	0.35	52%	48%
Apartment [3]	-	DU	6.65	0.31	20%	80%	0.62	65%	35%
Proposed Project									
College	920	Student	2,153	239	182	57	221	55	166
Internal Trip Reduction [4]	67%		-1,351	-161	-123	-38	-149	-37	-112
Subtotal			702	78	59	19	72	18	54
Resident Student Trip Reduction (65% AM) [5]			-51	-51	-38	-13	0	0	0
Total Non-Residential College Trips			651	27	21	6	72	18	54
Residence Halls for Students	620	Student	2,206	192	25	167	217	113	104
'Limited Cars for Residents' Trip Reduction (56%) [6]			-1,347	-108	-14	-94	-122	-63	-59
Subtotal			1,059	84	11	73	95	50	45
Internal Trip Reduction (77% AM, 62% PM) [7][8]			-657	-65	-8	-57	-59	-31	-28
Total Non-RPV Campus Trips			402	19	3	16	36	19	17
Trips to/from RPV Campus	620	Student	2,206	192	25	167	217	113	104
'Limited Cars for Residents' Trip Reduction (56%) [6]			-1,347	-108	-14	-94	-122	-63	-59
Total Trips to/from RPV Campus			1,059	84	11	73	95	50	45
Total Trip Generation (Proposed Project Uses)			2,112	130	35	95	203	87	116
Existing Uses									
Housing Facility [9]	86	DU	536	43	7	36	48	25	23
Net Total Trip Generation			1,576	87	28	59	155	62	93

- [1] Trip generation rates are based on trip surveys conducted at the Marymount College RPV Campus on March 22 and 30, 2011.
- [2] The AM and PM peak hour trip rates are based on trip generation surveys conducted at the Palos Verdes Drive North residential facility on March 24, 2011. The daily rate is based on daily to AM+PM ratio for apartment use from the ITE Trip Generation book and multiplied by the AM plus PM rates. (3.88 daily trip rate = (6.65 / (0.51+0.62))*(0.31+0.35))
- [3] Trip generation rates are from ITE Trip Generation, 8th Edition.
- [4] Based on percentage of students who will be living on the San Pedro Campus (620 resident students/920 total students).
- [5] Marymount College would schedule morning peak period classes on the San Pedro Campus primarily for resident students. There would typically be fewer classes scheduled during the morning peak period compared to the afternoon period. A trip reduction of 65% (about two-third) is assumed for the AM peak hour. The remaining trips are expected to be generated by faculty/staff/visitors and some commuter students.
- [6] Historically, fewer than half of the resident students have a vehicle on campus. The study assumes that no more than 44% of the San Pedro Campus student residents (273) would be permitted to have a vehicle on campus based on a lottery system. The remaining 56% of the residents (347) would not have a vehicle on campus and therefore would not generate vehicle trips.
- [7] Based on internal trip capture empirical rates for the apartment dormitory component for the Marymount College Facilities Expansion Project Traffic Impact Analysis, RBF Consulting, July 31, 2007. The empirical data showed that 77% of the vehicles during the AM peak and 62% of the vehicles during the PM peak are traveling to/from the RPV campus.
- [8] The internal trip reduction for the PM was assumed for daily.
- [9] The AM and PM peak hour trips are based on raw trip generation survey data conducted at the Palos Verdes Drive North Facility on March 24, 2011. The daily trips are based on daily to AM+PM ratio for apartment use from ITE Trip Generation book and multiplied by the raw AM plus PM peak hour trips. (536 daily trips = (6.65 / (0.51+0.62))*(43+48))

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 ATTACHMENT A (continued)
 Marymount College Project (San Pedro Campus)
 Trip Generation (Phase III) - 2022

Land Use	Intensity	Unit	Weekday						
			Daily	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
College [1]	-	Student	2.34	0.26	76%	24%	0.24	25%	75%
Off-Campus Housing [2]	-	Student	3.88	0.31	13%	87%	0.35	52%	48%
Apartment [3]	-	DU	6.65	0.51	20%	80%	0.62	65%	35%
Proposed Project									
College	1,250	Student	2,925	325	247	78	300	75	225
Internal Trip Reduction [4]	62%		-1,814	-202	-153	-49	-186	-47	-139
Subtotal			1,111	123	94	29	114	28	86
Resident Student Trip Reduction (65% AM) [5]			-80	-80	-61	-19	0	0	0
Total Non-Residential College Trips			1,031	43	33	10	114	28	86
Residence Halls for Students	775	Student	3,007	240	31	209	271	141	130
'Limited Cars for Residents' Trip Reduction (56%) [6]			-1,684	-134	-17	-117	-152	-79	-73
Subtotal			1,323	106	14	92	119	62	57
Internal Trip Reduction (77% AM, 62% PM) [7][8]			-800	-82	-11	-71	-74	-38	-36
Total Non-RPV Campus Trips			503	24	3	21	45	24	21
Trips to/from RPV Campus	775	Student	3,007	240	31	209	271	141	130
'Limited Cars for Residents' Trip Reduction (56%) [6]			-1,684	-134	-17	-117	-152	-79	-73
Total Trips to/from RPV Campus			1,323	106	14	92	119	62	57
Total Trip Generation (Proposed Project Uses)			2,857	173	50	123	278	114	164
Existing Uses									
Housing Facility [9]	86	DU	536	43	7	36	48	25	23
Net Total Trip Generation			2,321	130	43	87	230	89	141

- [1] Trip generation rates are based on trip surveys conducted at the Marymount College RPV Campus on March 22 and 30, 2011.
- [2] The AM and PM peak hour trip rates are based on trip generation surveys conducted at the Palos Verdes Drive North residential facility on March 24, 2011. The daily rate is based on daily to AM+PM ratio for apartment use from the ITE Trip Generation book and multiplied by the AM plus PM rates. [7.88 daily trip rate = (6.65 / (0.51+0.62))*(0.31+0.35)]
- [3] Trip generation rates are from ITE Trip Generation, 8th Edition.
- [4] Based on percentage of students who will be living on the San Pedro Campus (775 resident students/1,250 total students).
- [5] Marymount College would schedule morning peak period classes on the San Pedro Campus primarily for resident students. There would typically be fewer classes scheduled during the morning peak period compared to the afternoon period. A trip reduction of 65% (about two-third) is assumed for the AM peak hour. The remaining trips are expected to be generated by faculty/staff/visitors and some commuter students.
- [6] Historically, fewer than half of the resident students have a vehicle on campus. The study assumes that no more than 44% of the San Pedro Campus student residents (341) would be permitted to have a vehicle on campus based on a lottery system. The remaining 56% of the residents (434) would not have a vehicle on campus and therefore would not generate vehicle trips.
- [7] Based on internal trip capture empirical rates for the apartment dormitory component per the Marymount College Facilities Expansion Project Traffic Impact Analysis, RBF Consulting, July 31, 2007. The empirical data showed that 77% of the vehicles during the AM peak and 62% of the vehicles during the PM peak are traveling to/from the RPV campus.
- [8] The internal trip reduction for the PM was assumed for daily.
- [9] The AM and PM peak hour trips are based on raw trip generation survey data conducted at the Palos Verdes Drive North Facility on March 24, 2011. The daily trips are based on daily to AM+PM ratio for apartment use from ITE Trip Generation book and multiplied by the raw AM plus PM peak hour trips. [536 daily trips = (6.65 / (0.51+0.62))*(43+48)]

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 ATTACHMENT A (continued)
 Marymount College Project (San Pedro Campus)
 Trip Generation (Phase IV) - 2027

Land Use	Intensity	Unit	Weekday						
			Daily	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
College [1]	-	Student	234	0.26	76%	24%	0.24	25%	75%
Off-Campus Housing [2]	-	Student	388	0.31	13%	87%	0.35	52%	48%
Apartment [3]	-	DU	665	0.51	20%	80%	0.62	65%	35%
Proposed Project									
College	1,450	Student	3,393	377	287	90	348	87	261
Internal Trip Reduction [4]	55%		-1,872	-208	-158	-50	-192	-48	-144
Subtotal			1,521	169	129	40	156	39	117
Resident Student Trip Reduction (65% AM) [5]			-110	-110	-84	-26	0	0	0
Total Non-Residential College Trips			1,411	59	45	14	156	39	117
Residence Halls for Students	800	Student	3,104	248	32	216	280	146	134
'Limited Cars for Residents' Trip Reduction (56%) [6]			-1,738	-132	-18	-121	-157	-82	-75
Subtotal			1,366	109	14	95	123	64	59
Internal Trip Reduction (77% AM, 62% PM) [7][8]			-847	-84	-11	-73	-76	-40	-36
Total Non-RPV Campus Trips			519	25	3	22	47	24	23
Trips to/from RPV Campus	800	Student	3,104	248	32	216	280	146	134
'Limited Cars for Residents' Trip Reduction (56%) [6]			-1,738	-132	-18	-121	-157	-82	-75
Total Trips to/from RPV Campus			1,366	109	14	95	123	64	59
Total Trip Generation (Proposed Project Uses)			3,296	193	62	131	326	127	199
Existing Uses									
Housing Facility [9]	86	DU	536	43	7	36	48	25	23
Net Total Trip Generation			2,760	150	55	95	278	102	176

- [1] Trip generation rates are based on trip surveys conducted at the Marymount College RPV Campus on March 22 and 30, 2011.
- [2] The AM and PM peak hour trip rates are based on trip generation surveys conducted at the Palos Verdes Drive North residential facility on March 24, 2011. The daily rate is based on daily to AM+PM ratio for apartment use from the ITE Trip Generation book and multiplied by the AM plus PM rates. [3.88 daily trip rate = (6.65 / (0.51+0.62))*(0.31+0.35)]
- [3] Trip generation rates are from ITE Trip Generation, 8th Edition.
- [4] Based on percentage of students who will be living on the San Pedro Campus (800 resident students/1,450 total students).
- [5] Marymount College would schedule morning peak period classes on the San Pedro Campus primarily for resident students. There would typically be fewer classes scheduled during the morning peak period compared to the afternoon period. A trip reduction of 65% (about two-third) is assumed for the AM peak hour. The remaining trips are expected to be generated by faculty/staff/visitors and some commuter students.
- [6] Historically, fewer than half of the resident students have a vehicle on campus. The study assumes that no more than 44% of the San Pedro Campus student residents (352) would be permitted to have a vehicle on campus based on a lottery system. The remaining 56% of the residents (448) would not have a vehicle on campus and therefore would not generate vehicle trips.
- [7] Based on internal trip capture empirical rates for the apartment dormitory component per the Marymount College Facilities Expansion Project Traffic Impact Analysis, RBF Consulting, July 31, 2007. The empirical data showed that 77% of the vehicles during the AM peak and 62% of the vehicles during the PM peak are traveling to/from the RPV campus.
- [8] The internal trip reduction for the PM was assumed for daily.
- [9] The AM and PM peak hour trips are based on raw trip generation survey data conducted at the Palos Verdes Drive North Facility on March 24, 2011. The daily trips are based on daily to AM+PM ratio for apartment use from ITE Trip Generation book and multiplied by the raw AM plus PM peak hour trips. [536 daily trips = (6.65 / (0.51+0.62))*(43+48)]

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ATTACHMENT B

3. Project Traffic

Table 5 – Project Trip Generation (Build Out)

Land Use	Intensity	Unit	Daily	Weekday					
				AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
College [1]	-	Student	2.34	0.26	76%	24%	0.24	25%	75%
Off-Campus Housing [2]	-	Student	3.88	0.31	13%	87%	0.35	52%	48%
Apartment [3]	-	DU	6.65	0.51	20%	80%	0.62	65%	35%
Proposed Project									
College	1,500	Student	3,510	390	296	94	360	90	270
Internal Trip Reduction [4]	53%		-1,872	-208	-158	-50	-192	-48	-144
Subtotal			1,638	182	138	44	168	42	126
Resident Student Trip Reduction (65% AM) [5]			-118	-118	-90	-28	0	0	0
Total Non-Residential College Trips			1,520	64	48	16	168	42	126
Residence Halls for Students	800	Student	3,184	248	32	216	280	146	134
'Limited Cars for Residents' Trip Reduction (56%) [6]			-1,738	-132	-18	-121	-152	-82	-75
Subtotal			1,366	109	14	95	123	64	59
Internal Trip Reduction (77% AM, 62% PM) [7][8]			-87	-84	-11	-73	-76	-40	-36
Total Non-RPV Campus Trips			519	25	3	22	47	24	23
Trips to/from RPV Campus	800	Student	3,184	248	32	216	280	146	134
'Limited Cars for Residents' Trip Reduction (56%) [6]			-1,738	-132	-18	-121	-152	-82	-75
Total Trips to/from RPV Campus			1,366	109	14	95	123	64	59
Faculty Apartments	8	DU	53	4	1	3	5	3	2
Internal Trip Reduction (77% AM, 62% PM) [7]			-6	-3	-1	-2	-3	-2	-1
Total Faculty Apartment Trips			47	1	0	1	2	1	1
Total Trip Generation (Proposed Project Uses)			3,452	199	65	134	340	131	209
Existing Uses									
Housing Facility [9]	86	DU	536	43	7	36	48	25	23
Net Total Trip Generation			2,916	156	58	98	292	106	186

- [1] Trip generation rates are based on trip surveys conducted at the Marymount College RPV Campus on March 22 and 30, 2011.
- [2] The AM and PM peak hour trip rates are based on trip generation surveys conducted at the Palos Verdes Drive North residential facility on March 24, 2011. The daily rate is based on daily to AM+PM ratio for apartment use from the ITE Trip Generation book and multiplied by the AM plus PM rates. [3.88 daily trip rate = (6.65 / (0.51+0.62))*(0.31+0.35)]
- [3] Trip generation rates are from ITE Trip Generation, 8th Edition.
- [4] Based on percentage of students who will be living on the San Pedro Campus (800 resident students/1,500 total students).
- [5] Marymount College would schedule morning peak period classes on the San Pedro Campus primarily for resident students. There would typically be fewer classes scheduled during the morning peak period compared to the afternoon period. A trip reduction of 65% (about two-third) is assumed for the AM peak hour. The remaining trips are expected to be generated by faculty/staff and some commuter students.
- [6] Historically, fewer than half of the resident students have a vehicle on campus. The study assumes that no more than 44% of the San Pedro Campus student residents (352) would be permitted to have a vehicle on campus based on a lottery system. The remaining 56% of the residents (448) would not have a vehicle on campus and therefore would not generate vehicle trips.
- [7] Based on internal trip capture empirical rates for the apartment dormitory component per the Marymount College Facilities Expansion Project Traffic Impact Analysis, RBF Consulting, July 31, 2007. The empirical data showed that 77% of the vehicles during the AM peak and 62% of the vehicles during the PM peak are traveling to/from the RPV campus.
- [8] The internal trip reduction for the PM was assumed for daily.
- [9] The AM and PM peak hour trips are based on raw trip generation survey data conducted at the Palos Verdes Drive North Facility on March 24, 2011. The daily trips are based on daily to AM+PM ratio for apartment use from ITE Trip Generation book and multiplied by the raw AM plus PM peak hour trips. [536 daily trips = (6.65 / (0.51+0.62))*(43+48)]

7. Project Traffic Impacts and Mitigation Measures

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ATTACHMENT C

Table 9 - Determination of Project Impacts - Existing Plus Project

Study Intersections	City	Analysis Methodology	Existing				Existing plus Project (Phase V-Rollback)				Change in V/C or Delay (secs)			Significant Impact?
			AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		AM	PM	Peak	
			V/C or Delay (secs)	LOS	V/C or Delay (secs)	LOS	V/C or Delay (secs)	LOS	V/C or Delay (secs)	LOS	Hour	Hour	Hour	
1 Weesam Ave & Pacific Coast Hwy	Los Angeles	CMA	0.884	D	0.912	E	0.884	D	0.920	E	0.000	0.008	No	
2 Normandie Ave & Pacific Coast Hwy	Los Angeles	CMA	0.680	B	0.677	B	0.680	B	0.677	B	0.000	0.009	No	
3 Vermont Ave & Pacific Coast Hwy	Los Angeles	CMA	0.811	D	0.723	C	0.811	D	0.724	C	0.000	0.001	No	
4 Western Ave & Anaheim St	Los Angeles	CMA	0.541	A	0.466	A	0.541	A	0.465	A	0.001	0.009	No	
5 Palos Verdes Dr E & Palos Verdes Dr N	Rolling Hills Estates	ICU	0.734	C	0.701	C	0.734	C	0.729	C	0.040	0.028	Yes	
6 Western Ave & Palos Verdes Dr N	Los Angeles	HCM	0.917	D	0.872	D	0.917	D	0.892	D	0.032	0.020	No	
7 President Ave & Palos Verdes Dr N [a] [b]	Los Angeles	CMA	0.441	C	0.334	C	0.441	C	>100	F	-	-	N/A	
8 Gentry S/Vermont Ave & Anaheim St/ Palos Verdes Dr	Los Angeles	CMA	0.746	C	0.779	C	0.747	C	0.769	C	0.007	0.010	No	
9 Figueroa St & Anaheim St	Los Angeles	CMA	0.823	D	0.668	D	0.824	D	0.699	D	0.011	0.031	Yes	
10 Figueroa St & Anaheim St	Los Angeles	CMA	0.796	C	0.699	C	0.796	C	1.010	F	0.002	0.011	Yes	
11 Palos Verdes Dr E & Miraleste Dr [a]	Rancho Palos Verdes	HCM	76.3	F	>100	F	>100	F	>100	F	-	-	Yes	
12 Western Ave & Trudie Ort Capitol Dr	Rancho Palos Verdes	ICU	0.832	D	0.730	C	0.835	D	0.739	C	0.003	0.009	No	
13 Miralatte Dr & Via Colilita Ave [a]	Rancho Palos Verdes	HCM	18.4	C	18.5	C	19.0	C	20.8	C	0.6	2.3	Nb	
14 Western Ave & Crestwood St	Rancho Palos Verdes	ICU	0.685	B	0.698	B	0.688	B	0.712	C	0.003	0.014	No	
15 Minaret Dr & 1st St [a]	Rancho Palos Verdes	HCM	16.2	C	13.4	B	16.6	C	13.6	B	0.4	0.2	No	
16 Western Ave & 1st St	Los Angeles	CMA	0.881	D	0.851	D	0.882	D	0.858	D	0.001	0.007	No	
17 Palos Verdes Dr E & Crestwood St	Rancho Palos Verdes	ICU	0.423	A	0.349	A	0.428	A	0.404	A	0.053	0.055	No	

Notes:
CMA - Critical Movement Analysis Method (V/C), ICU - Intersection Capacity Utilization Method (V/C), HCM - Highway Capacity Manual Method (Delay)
[a] Stop controlled intersection.
[b] According to the LADOT Traffic Study Policies and Procedures, if the level of service is E or F in the "with Project" scenario based on the estimated delay, then the intersection should be evaluated for the potential installation of a new traffic signal. Thus, a traffic signal warrants analysis was conducted for this scenario. The analysis shows that the projected traffic volumes warrants a traffic signal.

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7. Project Traffic Impacts and Mitigation Measures

HRB11-008TA
ATTACHMENT C (continued)

Table 10 – Determination of Project Impacts – Future (2032) With Project

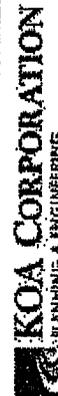
Study Intersections	City	Analysis Methodology	Future 2032 Without Project						Future With Project (Phase V-Buildout)						Change in V/C or Delay (secs)			Significant Impact?
			AM Peak Hour		PM Peak Hour		V/C or Delay (secs)		AM Peak Hour		PM Peak Hour		V/C or Delay (secs)		AM Peak Hour	PM Peak Hour	Peak Hour	
			Delay (secs)	LOS	Delay (secs)	LOS	Delay (secs)	LOS	Delay (secs)	LOS	Delay (secs)	LOS	Delay (secs)	LOS				
1 Western Ave & Pacific Coast Hwy	Los Angeles	CMA	1.063	F	1.141	F	1.084	F	1.148	F	0.601	0.607	No				No	
2 Normandie Ave & Pacific Coast Hwy	Los Angeles	CMA	0.835	D	0.835	D	0.835	D	0.836	D	0.800	0.801	No				No	
3 Vermont Ave & Pacific Coast Hwy	Los Angeles	CMA	0.945	E	0.874	D	0.945	E	0.873	D	0.800	0.801	No				No	
4 Western Ave & Anaheim St	Los Angeles	CMA	0.713	C	0.587	A	0.713	C	0.586	A	0.800	0.809	No				No	
5 Palms Verdes Dr E & Palms Verdes Dr N	Rolling Hills Estates	ICU	0.831	D	0.772	C	0.871	D	0.800	C	0.840	0.828	Yes				Yes	
6 Western Ave & Palms Verdes Dr N	Los Angeles	ICU	1.145	F	1.159	F	1.177	F	1.178	F	0.831	0.819	Yes				Yes	
7 President Ave & Palms Verdes Dr N [b]	Los Angeles	HCM	>100	F	41.5	F	>100	F	>100	F	0.894	0.882	N/A				N/A	
8 Gaffey St/Vermont Ave & Anaheim St/N. Palms Verdes Dr	Los Angeles	CMA	0.926	E	0.929	E	0.933	E	0.971	E	0.807	0.812	Yes				Yes	
9 Figueroa St & Anaheim St	Los Angeles	CMA	1.011	F	1.052	F	1.022	F	1.094	F	0.811	0.832	Yes				Yes	
10 Figueroa St & Anaheim St	Los Angeles	CMA	0.979	E	1.227	F	0.981	F	1.237	F	0.802	0.810	Yes				Yes	
11 Palms Verdes Dr E & Miraltes Dr [a]	Rancho Palms Verdes	HCM	>100	F	>100	F	>100	F	>100	F	0.803	0.809	No				No	
12 Western Ave & Treadle Dr/Capitol Dr	Rancho Palms Verdes	ICU	0.972	E	0.887	D	0.975	E	0.896	D	0.803	0.809	No				No	
13 Miraltes Dr & Via Caliente Ave [a]	Rancho Palms Verdes	HCM	23.2	C	20.4	C	23.2	C	21.6	C	1.0	1.2	No				No	
14 Western Ave & Crowswood St	Rancho Palms Verdes	ICU	0.783	C	0.886	D	0.786	C	0.920	D	0.803	0.814	No				No	
15 Miraltes Dr & 1st St [a]	Rancho Palms Verdes	HCM	24.9	C	17.1	C	26.1	C	17.2	C	1.2	0.6	No				No	
16 Western Ave & 1st St	Los Angeles	CMA	1.043	F	0.984	E	1.053	F	0.990	E	0.800	0.806	No				No	
17 Palms Verdes Dr E & Crest Rd	Rancho Palms Verdes	ICU	0.544	A	0.442	A	0.514	B	0.525	A	0.870	0.883	No				No	

Note:

CMA - Critical Movement Analysis Method (V/C), ICU - Intersection Capacity Method (V/C), HCM - Highway Capacity Manual Method (Delay)

[a] Stop controlled intersection.

[b] According to the LADOT Traffic Study Policies and Procedures, if the level of service is E or F in the "with Project" scenario based on the estimated delay, then the intersection should be evaluated for the potential installation of a new traffic signal. Thus, a traffic signal warrants analysis was conducted for this scenario. This analysis shows that the projected traffic volumes warrants a traffic signal.



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7. Project Traffic Impacts and Mitigation Measures

HRB11-0081A
ATTACHMENT C (continued)

Table 11 - Mitigation LOS Summary - Existing Plus Project

Study Intersections	City	Analysis Methodology	Existing Conditions						Existing Plus Project (Phase 1+2+3+4+5)						Significant Impact?	Change in V/C or Daily (feet)	Significant Impact?
			AM Peak Hour		PM Peak Hour		V/C or Delay (feet)		AM Peak Hour		PM Peak Hour		V/C or Delay (feet)				
			LOS	Delay (feet)	LOS	Delay (feet)	LOS	Delay (feet)	LOS	Delay (feet)	LOS	Delay (feet)	LOS	Delay (feet)			
5 Palms Verde Dr - E & Palms Verde Dr N	Los Angeles	ICU	7.21	7.21	C	0.79	>100	>100	>100	>100	C	0.79	>100	>100	>100	>100	No
7 Providence Ave & Palms Verde Dr N (B)	Los Angeles	ICU	7.21	7.21	C	0.79	>100	>100	>100	>100	C	0.79	>100	>100	>100	>100	No
9 Figueroa St & Anaheim St	Los Angeles	CMA	0.911	0.911	D	0.316	0.316	0.316	0.316	D	0.316	0.316	0.316	0.316	0.316	0.316	No
10 Figueroa St & Anaheim St	Los Angeles	CMA	0.911	0.911	D	0.316	0.316	0.316	0.316	D	0.316	0.316	0.316	0.316	0.316	0.316	No
11 Palms Verde Dr - E & Providence Dr N	Los Angeles	ICU	7.21	7.21	C	0.79	>100	>100	>100	>100	C	0.79	>100	>100	>100	>100	No

NOTE: CMA - Critical Network Analysis Method (V/C); ICU - Intersection Capacity Method (V/C); RCU - Highway Capacity Method (V/C)
 [B] Stop controlled intersection.
 [D] According to the LOSDT, traffic delay is calculated based on the unbuffered delay. This is the "lock" scenario. The analysis shows that the proposed intersection is not a lock signal.

Table 12 - Mitigation LOS Summary - Future (2032) With Project

Study Intersections	City	Analysis Methodology	Future 2032 Without Project						Future With Project (Phase 1+2+3+4+5)						Significant Impact?	Change in V/C or Daily (feet)	Significant Impact?
			AM Peak Hour		PM Peak Hour		V/C or Delay (feet)		AM Peak Hour		PM Peak Hour		V/C or Delay (feet)				
			LOS	Delay (feet)	LOS	Delay (feet)	LOS	Delay (feet)	LOS	Delay (feet)	LOS	Delay (feet)	LOS	Delay (feet)			
5 Palms Verde Dr - E & Palms Verde Dr N	Los Angeles	ICU	7.21	7.21	C	0.79	>100	>100	>100	>100	C	0.79	>100	>100	>100	>100	No
7 Providence Ave & Palms Verde Dr N (B)	Los Angeles	ICU	7.21	7.21	C	0.79	>100	>100	>100	>100	C	0.79	>100	>100	>100	>100	No
9 Figueroa St & Anaheim St	Los Angeles	CMA	0.911	0.911	D	0.316	0.316	0.316	0.316	D	0.316	0.316	0.316	0.316	0.316	0.316	No
10 Figueroa St & Anaheim St	Los Angeles	CMA	0.911	0.911	D	0.316	0.316	0.316	0.316	D	0.316	0.316	0.316	0.316	0.316	0.316	No
11 Palms Verde Dr - E & Providence Dr N	Los Angeles	ICU	7.21	7.21	C	0.79	>100	>100	>100	>100	C	0.79	>100	>100	>100	>100	No

NOTE: CMA - Critical Network Analysis Method (V/C); ICU - Intersection Capacity Method (V/C); RCU - Highway Capacity Method (V/C)
 [B] Stop controlled intersection.
 [D] According to the LOSDT, traffic delay is calculated based on the unbuffered delay. This is the "lock" scenario. The analysis shows that the proposed intersection is not a lock signal.



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ATTACHMENT C (continued)

8. Project Phasing

Table 15 – Summary of Significant Traffic Impacts (Phases I, II, III and IV)

Study Intersection	Scenario	City	Phase I	Phase II	Phase III	Phase IV
			Year 2017	Year 2019	Year 2022	Year 2027
1 Western Ave & Pacific Coast Hwy	Existing plus Project	Los Angeles	No	No	No	No
	Future with Project		No	No	No	No
2 Normandie Ave & Pacific Coast Hwy	Existing plus Project	Los Angeles	No	No	No	No
	Future with Project		No	No	No	No
3 Vermont Ave & Pacific Coast Hwy	Existing plus Project	Los Angeles	No	No	No	No
	Future with Project		No	No	No	No
4 Western Ave & Anaheim St	Existing plus Project	Los Angeles	No	No	No	No
	Future with Project		No	No	No	No
5 Palos Verdes Dr E & Palos Verdes Dr N	Existing plus Project	Rolling Hills Estates	No	Yes	Yes	Yes
	Future with Project		No	Yes	Yes	Yes
6 Western Ave & Palos Verdes Dr N	Existing plus Project	Lomita	No	No	No	No
	Future with Project		No	Yes	Yes	Yes
7 President Ave & Palos Verdes Dr N	Existing plus Project	Los Angeles	N/A	N/A	*	*
	Future with Project		N/A	N/A	*	*
8 Gaffey St/Vermont Ave & Anaheim St/N. Palos Verdes Dr	Existing plus Project	Los Angeles	No	No	No	No
	Future with Project		No	No	No	Yes
9 Figueroa Pl & Anaheim St	Existing plus Project	Los Angeles	No	No	Yes	Yes
	Future with Project		No	Yes	Yes	Yes
10 Figueroa St & Anaheim St	Existing plus Project	Los Angeles	No	No	No	Yes
	Future with Project		No	No	No	Yes
11 Palos Verdes Dr E & Miralessa Dr	Existing plus Project	Rancho Palos Verdes	No	Yes	Yes	Yes
	Future with Project		No	Yes	Yes	Yes
12 Western Ave & Trudie Dr/Capitol Dr	Existing plus Project	Rancho Palos Verdes	No	No	No	No
	Future with Project		No	No	No	No
13 Miralessa Dr & Via Colina Ave	Existing plus Project	Rancho Palos Verdes	No	No	No	No
	Future with Project		No	No	No	No
14 Western Ave & Crestwood St	Existing plus Project	Rancho Palos Verdes	No	No	No	No
	Future with Project		No	No	No	No
15 Miralessa Dr & 1st St [a]	Existing plus Project	Rancho Palos Verdes	No	No	No	No
	Future with Project		No	No	No	No
16 Western Ave & 1st St	Existing plus Project	Los Angeles	No	No	No	No
	Future with Project		No	No	No	No
17 Palos Verdes Dr E & Crest Rd	Existing plus Project	Rancho Palos Verdes	No	No	No	No
	Future with Project		No	No	No	No

* Installation of a traffic signal is warranted based on signal warrant analysis per LADOT's Manual of Policies and Procedures Traffic Signal Guidelines.

An analysis of traffic conditions with the proposed project phases and with implementation of the recommended mitigation measures identified in Section 7 of this report was also conducted. The intersection levels of service worksheets are provided in Appendix N. The traffic impact summary tables provided in Appendix M show the analysis results with the mitigation measures. The project traffic impacts at the study intersections are expected to be less than significant with implementation of the recommended mitigation measures.

Comments on MND for Marymount College San Pedro Campus



CITY OF RANCHO PALOS VERDES
CITY MANAGER'S OFFICE
ADMINISTRATION

17 October 2012

VIA ELECTRONIC & U.S. MAIL

Marc Woerschling
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 [Republished Notice of September 27, 2012]

Dear Mr. Woerschling:

The City of Rancho Palos Verdes is in receipt of the republished notice of 27 September 2012 for the above-mentioned Mitigated Negative Declaration (MND). We also thank you for faxing us a copy of the 24 July 2012 correspondence from the Los Angeles Department of Transportation (LADOT) that is referenced as Mitigation Measure XVI-10 in the MND (p. 5). Based upon this additional information, we now offer revised comments¹ on the MND.

As a bit of background, in May 2010 the City of Rancho Palos Verdes certified an Environmental Impact Report (EIR) for the Marymount College Facilities Expansion Project for the College's main campus in Rancho Palos Verdes. The analysis of traffic and circulation impacts in the EIR included the assessment of trips between the main campus and the College's existing residential community on Palos Verdes Drive North in San Pedro, in much the same way that the traffic impact analysis for the proposed MND for the Marymount College San Pedro Campus Project now does.

The EIR identified three (3) study intersections in Rancho Palos Verdes where the project resulted in or contributed to significant impacts: Palos Verdes Drive East and Miraleste Drive; Western Avenue and Trudie Drive/Capitol Drive; and Palos Verdes Drive East and Palos Verdes Drive South. The enclosed excerpt from the EIR Mitigation Monitoring and Reporting Program (MMRP) describes the mitigation measures required to reduce these impacts to less-than-significant levels (i.e., Mitigation Measures TR-2, TR-3 and TR-8, respectively).

In reviewing and comparing the EIR and the MND, the City has identified the following inconsistencies and issues that we believe should be addressed:

1. Both the EIR MMRP (Mitigation Measure TR-2) and the LADOT memorandum (Section D, p. 4) note that the signalization of the intersection of Palos Verdes Drive East and

¹ These comments are intended to replace our previous comments dated 17 September 2012, which were submitted in response to the original publication of this MND on 30 August 2012.

Miraleste Drive would be required reduce impacts to less-than-significant levels. Mitigation Measure TR-2 specifies that this is to occur by the completion of Phase II of the expansion of the main campus in Rancho Palos Verdes, which is currently conditioned to occur by June 2015. However, we note that the LADOT memorandum indicates that signalization of this intersection is not necessary until the completion of Phase II of the San Pedro Campus project, which is currently proposed to occur by 2019. While the City of Rancho Palos Verdes understands that the City of Los Angeles has no jurisdiction over this intersection, we believe that implementation of the traffic signal in the MND should assume the more conservative timing of Mitigation Measure TR-2 so as to avoid imposing conflicting or contradictory conditions upon the College.

2. The EIR MMRP (Mitigation Measure TR-3) identifies the need to restripe the eastbound approach to the intersection of Western Avenue and Trudie Drive/Capitol Drive to address the impacts of the expansion project on the main campus in Rancho Palos Verdes. By comparison, the summary of the impacts associated with the San Pedro Campus project that is attached to the LADOT memorandum (Attachment C, Table 15) does not identify any significant traffic impacts at this intersection. The City of Rancho Palos Verdes respectfully suggests that the traffic impacts of the proposed project upon this intersection should be re-assessed to ensure that the trip generation assumptions, significance thresholds and other factors employed in the EIR and the proposed MND are consistent with one another. The City of Rancho Palos Verdes would be happy to provide the City of Los Angeles with electronic copies with the EIR traffic study and technical appendices to assist in this analysis.
3. The EIR MMRP (Mitigation Measure TR-8) identifies the need for the College to make a "fair share" contribution to the reconfiguration of the intersection of Palos Verdes Drive East and Palos Verdes Drive South to address the cumulative impacts of the expansion project on the main campus in Rancho Palos Verdes. However, the traffic impact analysis of the San Pedro Campus project did not study this intersection at all. As we mentioned in our previous comments on this MND, the San Pedro Campus is but one of five (5) geographically dispersed facilities that make up this institution (see enclosed "Marymount College Campus Locator Map" from the College's website). While the traffic impact analysis in the MND focuses on the relationship between the San Pedro Campus and the main campus in Rancho Palos Verdes, it does little to acknowledge or address the relationship of these two (2) sites with the College's other facilities in the San Pedro area. For example, the MND does not appear to acknowledge or address the likelihood that trips between the San Pedro and main campuses would also include stops at the Waterfront Campus and arts center in downtown San Pedro and/or the Pacific View West residential community on West 24th Street. The City of Rancho Palos Verdes is concerned that the proposed improvements to the San Pedro Campus could result in additional trips between the main campus in Rancho Palos Verdes and the Waterfront and Pacific View West facilities in San Pedro that would have impacts upon the intersection of Palos Verdes Drive East and Palos Verdes Drive South that have not been adequately addressed in the MND. As such, we respectfully request that the impacts upon this intersection be analyzed in the MND as well.
4. As a part of the review of this proposal by the Northwest San Pedro Neighborhood Council (NWSPNC), the College agreed to perform analysis of eight (8) additional study intersections along Western Avenue and Gaffey Street. A copy of this December 2011

supplemental analysis (without appendices) is enclosed for your reference. This analysis concluded that the proposed project would have no significant impacts upon any of these additional intersections. We were surprised to see that none of this supplemental analysis is referenced in the LADOT memorandum. We also note that the trip generation assumptions used in the final traffic impact analysis approved by LADOT are more conservative than those applied to the supplemental analysis. Specifically:

- The supplemental analysis assumed a 75-percent resident student trip reduction during the AM peak hour, while the final analysis approved by LADOT assumed only a 65-percent reduction; and,
- The supplemental analysis assumed that only fifty percent (50%) of the 800-student resident population would make weekday trips to/from the main campus, while the final analysis approved by LADOT assumed 100-percent participation in these daily weekday trips.

The City of Rancho Palos Verdes is now concerned that the supplemental analysis presented to the NWSPNC did not accurately reflect the impacts of the proposed project upon these additional study intersections, particularly those intersections along Western Avenue that are partially or wholly within our jurisdiction. Therefore, we respectfully request that the eight (8) intersections analyzed in the December 2011 supplemental analysis are included in the final traffic impact analysis reviewed by LADOT, and that the more conservative trip generation assumptions used in the final analysis be applied to these additional intersections.

Thank you for the opportunity to comment upon the proposed MND for 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 kitf@rpv.com.

Sincerely,



Kit Fox, AICP
Senior Administrative Analyst

enclosures

cc: Mayor Misetich and Rancho Palos Verdes City Council
Carolyn Lehr, City Manager
Carolynn Petru, Deputy City Manager
Joel Rojas, Community Development Director
Ara Mhramian, Deputy Community Development Director
Nicole Jules, Senior Engineer

Mitigation Measure		Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
	<p>submitted for review and approval by the Community Development Director and City Engineer. The Revised Lighting Plan shall include:</p> <ul style="list-style-type: none"> ▪ Low-level bollards, not to exceed 42-inches in height, in place of the currently proposed pole-mounted lighting along the lower terrace of the eastern parking lot. ▪ Light standards adjacent to the privacy wall for the properties on San Ramon Drive shall not exceed the height of the privacy wall. ▪ Pole-mounted lighting shall not exceed 10-feet in height, except along the easterly boundary of the eastern parking lot, as noted above. ▪ The selected fixtures shall include reflectors, refractors, lenses, or louvers. ▪ The selected shielding accessories shall be the sharp cut-off type. ▪ Lighting fixtures with cut-off shields to prevent light spill and glare into adjacent areas. 	Grading Permit	Development Director and City Engineer	of Revised Lighting Plan		
AES-8	Ninety (90) days after the installation of lighting for each phase of the Project, the lighting equipment shall be tested and adjusted to ensure that the proper levels of light and glare have been achieved, to the satisfaction of the Community Development Director and City Engineer.	Sixty (60) Days After the Installation of Lighting For Each Phase	Community Development Director and City Engineer	Receipt of Field Test Results		
AES-9	Prior to the issuance of any Building Permit, the Applicant shall demonstrate to the satisfaction and approval of the Community Development Director and the Building Official that the Athletic Facility (south facing façade) use minimally reflective glass, based on manufacturers' guidelines. All other materials used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. The use of glass with over 25 percent reflectivity shall be prohibited on the exterior of all buildings on the Project site.	Prior to Any Building Permit	Community Development Director and Building Official	Approval of Building Plans		

TRAFFIC AND CIRCULATION

Construction Traffic						
TR-1	<p>Prior to issuance of any Demolition or Grading Permit, the Community Development Director shall review and approve the Construction Management Plan, which shall specify the following, at a minimum:</p> <ul style="list-style-type: none"> ▪ Demolition debris hauling and materials delivery shall be scheduled, as indicated below, to avoid the peak hour traffic period and minimize 	Prior to Any Demolition or Grading Permit	Community Development Director	Approval of Construction Management Plan		

Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
				Initials	Date
<p>obstruction of through traffic lanes adjacent to the site. If necessary, a flag person shall be retained to maintain safety adjacent to existing roadways:</p> <ul style="list-style-type: none"> - Weekdays: Hauling and deliveries shall be scheduled between 9:00 AM and 4:00 PM, with consideration given to reduce deliveries during the 11:30 AM to 1:30 PM lunch period. - Saturdays: Hauling and deliveries, if any, shall not occur during the peak hour period of 11:30 AM to 1:30 PM. <p>There shall be no idling or staging of equipment or accumulation of vehicles on Rancho Palos Verdes City streets. Staging of trucks for the hauling of all demolition debris shall be limited to the College campus.</p>					
Existing Plus Project Conditions					
<p>TR-2</p> <p>Prior to issuance of the last Certificate of Occupancy for the Phase II buildings (i.e., Library, Maintenance, or Athletic Facility), the Applicant shall implement the following improvement and may be eligible in the future for partial reimbursement from future projects that result in impacts on this intersection:</p> <ul style="list-style-type: none"> ▪ Palos Verdes Drive East/Miraleste Drive – Signalize the intersection. The intersection traffic signal shall be designed to include a westbound right-turn overlap, which would preclude u-turn movement from southbound to northbound Palos Verdes Drive East. 	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Verification of Signalization		
<p>TR-3</p> <p>Prior to issuance of the last Certificate of Occupancy for the Phase II buildings (i.e., Library, Maintenance, or Athletic Facility), the Applicant shall implement the following improvement, at the City's direction, and may be eligible for reimbursement from future projects that result in impacts on this intersection:</p> <ul style="list-style-type: none"> ▪ Western Avenue (SR-213)/Trudie Drive-Capitol Drive – Re-stripe the eastbound Trudie Drive approach from one shared left-turn/through lane and one de-facto right-turn lane to consist of one left-turn lane and one shared through/right-turn lane. The Project Applicant shall coordinate with the City of Rancho Palos Verdes, City of Los Angeles, and Caltrans regarding implementation of this mitigation. 	Prior to Any Certificate of Occupancy	Community Development Director and City Engineer	Verification of Modifications		
<p>TR-4</p> <p>The traffic impacts and corresponding mitigation measures assume the Marymount College student enrollment at a maximum of 793 weekday students (based on the formula allowing 750 full-time students, 20 part-time students, and a marginal difference of 3.0 percent), and 150 weekend students.</p>	Prior to Any Certificate of Occupancy	Community Development Director	Verification of Student Enrollment		



Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
				Initials	Date
<p>Additionally, it is assumed, Marymount College student enrollment as a maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program. Therefore, prior to issuance of any Certificate of Occupancy, student enrollment shall be limited to a maximum of 793 weekday students and 150 weekend students, including full- and part-time students, and maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program. The College shall submit to the City an Enrollment Report for each Term within an academic year for all Traditional and Non-Traditional Degree Programs and Summer Educational Programs no later than 30-days after a term has commenced.</p>	No Later Than 30 Days From Commencement of Term	Community Development Director	Approval of Annual Student Enrollment Report		
Parking Capacity					
<p>Prior to issuance of any Certificate of Occupancy, the Applicant shall institute, to the satisfaction of the Community Development Director and the Public Works Director, parking management strategies to reduce weekday College-related parking demand by the following values:</p> <ul style="list-style-type: none"> ▪ 11 percent or greater for student enrollment between 744 and 793; ▪ 6 percent or greater for student enrollment between 694 and 743; ▪ 0 percent or greater for student enrollment of 693 or less. <p>Potential parking management strategies may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▪ Provision of "carpool only" parking spaces; ▪ Implementation of parking pricing for campus parking permits; ▪ Utilization of remote parking; ▪ Provision of increased shuttle services; ▪ Offering financial incentives; and ▪ Implementation of restrictions on parking allowed by residents of the Palos Verdes North Facility. 	Prior to Any Certificate of Occupancy	Community Development Director and Public Works Director	Approval of Parking Management Strategies		
<p>A Parking Management Strategy Program shall be prepared and submitted by the Applicant for review and approval by the Community Development Director, by July 1st of every year. Said Program shall:</p> <ul style="list-style-type: none"> ▪ Document the prior-year's achieved parking demand reductions; 	Prior to Any Certificate of Occupancy	Community Development Director and Public Works Director	Approval of Parking Management Strategies		

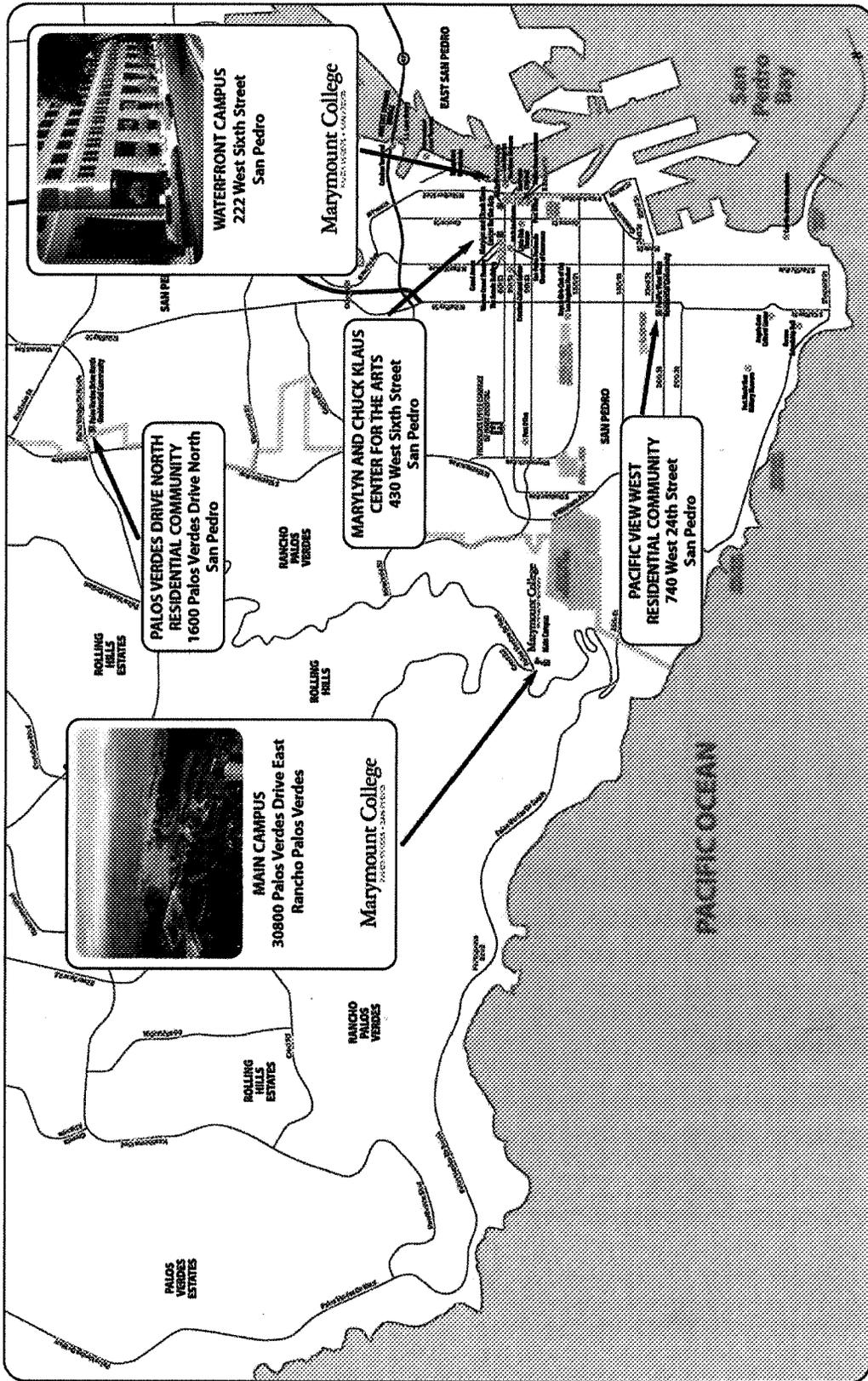


Marymount College Facilities Expansion Project
Environmental Impact Report

Mitigation Measure	Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
				Initials	Date
<p>TR-7</p> <ul style="list-style-type: none"> Identify strategies for use in the upcoming academic school year; and Be modified on an as needed basis, as deemed necessary by the Community Development Director. <p>The parking impacts and corresponding mitigation measures assume the Marymount College student enrollment as a maximum of 793 weekday students (based on the formula allowing 750 full-time students, 20 part-time students, and a marginal difference of 3.0 percent) and 150 weekend students. Additionally, it is assumed, Marymount College student enrollment as a maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program. Therefore, prior to issuance of any Certificate of Occupancy, student enrollment shall be limited to a maximum of 793 weekday students and 150 weekend students, including full- and part-time students, and maximum of 250 weekday students enrolled in the BA Program and a maximum of 793 weekday students minus current BA Program weekday students enrolled in the AA Program.</p>	<p>Prior to Any Certificate of Occupancy</p>	<p>Director</p> <p>Community Development Director and City Engineer</p>	<p>Program</p> <p>Annual Student Enrollment Report</p>		
<p>Cumulative (Forecast Year 2012) Conditions</p>					
<p>TR-8</p> <p>Prior to issuance of any Certificate of Occupancy, the Applicant shall make a proportionate share contribution to implement the following, in addition to improvements specified in Mitigation Measures TR-2 and TR-3:</p> <ul style="list-style-type: none"> Palos Verdes Drive East/Palos Verdes Drive South – Modify the intersection to provide a two-stage gap acceptance design for southbound left-turning vehicles. A raised median refuge area shall be constructed for vehicles to turn left from Palos Verdes Drive East to cross westbound Palos Verdes Drive South while waiting for a gap in eastbound traffic to complete the turn to eastbound Palos Verdes Drive South. Additionally, the existing raised median shall be narrowed to provide an acceleration lane along Palos Verdes Drive South to accommodate vehicles accelerating to join eastbound Palos Verdes Drive South traffic flow. Modifications to the Palos Verdes Drive East/Palos Verdes Drive South intersection shall be designed taking into account truck turning radius requirements and shall be to the satisfaction of the Public Works Director. Since the Palos Verdes Drive East/Palos Verdes Drive South intersection is impacted by the proposed Project for “Cumulative with proposed 	<p>Prior to Any Certificate of Occupancy</p>	<p>Community Development Director and City Engineer</p>	<p>Verification of Proportionate Share Contribution</p>		



Mitigation Measure		Monitoring Milestone	Monitoring Agency	Action Indicating Compliance	Verification of Compliance	
					Initials	Date
						Remarks
TR-9	<p>Project conditions," a proportionate share contribution by the Project Applicant is applicable.</p> <p>Prior to issuance of any Grading Plan, the Project Plans shall be revised to include wrought iron fencing along Palos Verdes Drive East at approximately 6.0 feet in height and 80 percent open to light and air, temporary retractable netting along the northern, southern and western sides of the athletic field at approximately 30.0 feet in height, and chain link fencing at 20.0 feet in height around the perimeter of the western tennis courts and 10.0 feet in height around the perimeter of the eastern tennis courts so that errant balls are sufficiently contained, to the satisfaction of the Community Development Director. The retractable net shall only be extended during activities involving field balls at the Athletic Field, subject to the limitations set forth in Mitigation Measure AES-5. The Applicant shall be responsible for retracting the net. The use of a landscape screen around and adjacent to the wrought iron fence along the perimeter of the Athletic Field shall be limited to a maximum height of 42 inches.</p>	Prior to Any Grading Plan	Community Development Director.	Approval of Project Plans		
AIR QUALITY						
Short-Term (Construction) Air Emissions						
AQ-1	<p>Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with South Coast Air Quality Management District Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures, as specified in the South Coast Air Quality Management District's Rules and Regulations. In addition, South Coast Air Quality Management District Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:</p> <ul style="list-style-type: none"> ▪ All active portions of the construction site shall be watered to prevent excessive amounts of dust; ▪ On-site vehicle speed shall be limited to 15 miles per hour (mph); ▪ All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized; ▪ All material excavated or graded shall be sufficiently watered to prevent 	Prior to Any Grading Permit	Director of Public Works and Building Official	Approval of Grading Plan, Building Plans, and Specifications		



TECHNICAL MEMORANDUM

To: Mr. Jim Krause
Non-Profit Ventures
4007 Coogan Circle
Culver City, CA 90232-3704

From: Mr. Jonathan Louie

Date: December 14, 2011

Subject: Supplemental Traffic Impact Study for Marymount College San Pedro Campus
[KOA Job Number JB11045]

INTRODUCTION

KOA Corporation prepared a Traffic Impact Study dated October 25th, 2011 for the proposed Marymount College San Pedro Campus Project located at 1600 Palos Verdes Drive North in the City of Los Angeles. That traffic study analyzed project traffic impacts at 17 study intersections. The San Pedro Northwest Neighborhood Council (hereinafter referred to as 'Neighborhood Council') has reviewed the traffic study for this project and has requested a supplemental analysis be prepared that evaluates traffic impacts at additional study intersections located to the south of the project site. In particular, the Neighborhood Council noted that eight additional signalized intersections located along Western Avenue and Gaffey Street should be analyzed for the weekday mid-afternoon and p.m. peak periods. KOA has prepared this technical memorandum summarizing the results and findings of the traffic impacts associated with the project at the eight additional intersections.

PROJECT DESCRIPTION

Marymount College is proposing to construct a sustainable private expanded undergraduate/graduate campus at the San Pedro Campus site. The proposed campus would accommodate 1,500 students, 800 of whom would be residents living on campus including eight (8) faculty apartments. The project site currently has 86 dwelling units that serve as off-campus housing for students matriculating at the Marymount College Rancho Palos Verdes (RPV) campus.

The San Pedro Campus will be a multi-phased project with a build out conditioned upon updated traffic studies to coincide with major phases of the build out. For the purpose of analyzing traffic impacts for this project, a 20-year build out horizon (Year 2031) is assumed.

SUPPLEMENTAL STUDY INTERSECTIONS

The intersections included as part of this supplemental analysis are:

1. Green Hills Drive and Western Avenue
2. Avenida Aprenda and Western Avenue

3. Westmont Drive/Delasonde Drive and Western Avenue
4. Toscanini Drive and Western Avenue
5. Caddington Drive and Western Avenue
6. Westmont Drive and Gaffey Street
7. Capitol Drive and Gaffey Street
8. Channel Street and Gaffey Street

The study intersections located on Western Avenue (#1 through #5) are located in the City of Rancho Palos Verdes. Intersections #6 through #8 are located in the City of Los Angeles.

ANALYSIS METHODOLOGY

The traffic impact analysis at the eight intersections was conducted for the following scenarios:

- Existing 2011
- Existing Plus Project
- Future 2031 Without Project
- Future 2031 With Project

The analysis methodology that was used in the original project traffic study was also used to analyze the eight study intersections. The Critical Movement Analysis (CMA) methodology was used to analyze intersections located in the City of Los Angeles. The intersections located in the City of Rancho Palos Verdes were analyzed using the Intersection Capacity Utilization (ICU) methodology.

According to LADOT, the three study intersections located within the City of Los Angeles are currently operating with ATSAC/ATCS. As such, a 0.10 reduction in volume-to-capacity ratio was assumed at these locations per LADOT traffic study policies and procedures.

EXISTING CONDITIONS

KOA conducted traffic counts at the study intersections on Tuesday, November 15th, 2011. The traffic counts were collected from 2:00 p.m. to 4:00 p.m. (mid-afternoon peak period) and from 4:00 p.m. to 6:00 p.m. The intersection traffic count sheets are included in Attachment A. The counts were utilized to determine existing mid-afternoon and p.m. peak-hour traffic conditions. The existing intersection turn volumes are shown in Figure 1 for the mid-afternoon peak hour and in Figure 2 for the p.m. peak hour.

In addition, KOA conducted fieldwork at each of the study intersections to identify their roadway characteristics including traffic control, approach lane configuration, parking restrictions and bus stop locations. The existing intersection lane configurations are shown in Attachment B.

The existing level of service conditions were calculated based on the traffic count levels and intersection geometrics and signal phasing characteristics. The level of service calculation worksheets are in Attachment E. As shown in Table I, the study intersections are currently operating at LOS D or better during both the mid-afternoon and p.m. peak hours, except for the intersection of Western Avenue and Caddington Drive which is currently operating at LOS E during the p.m. peak hour.

Table 1 – Existing Intersection Level of Service

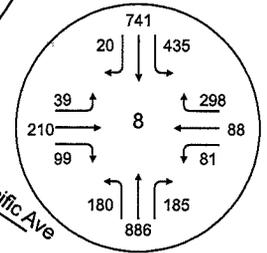
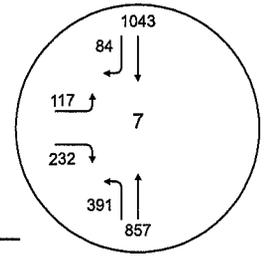
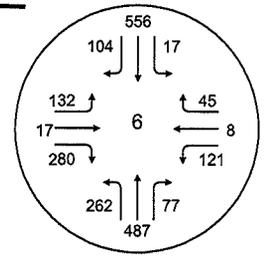
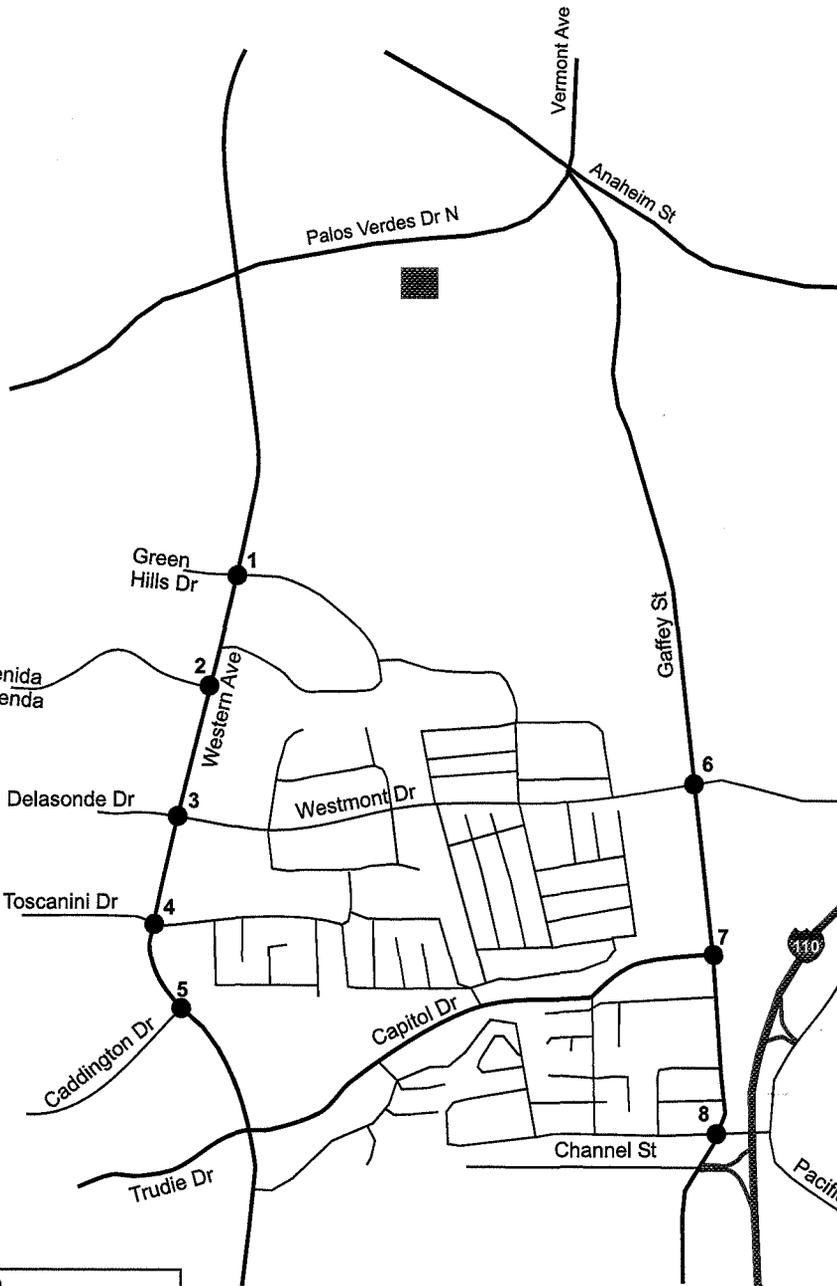
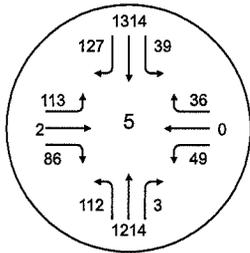
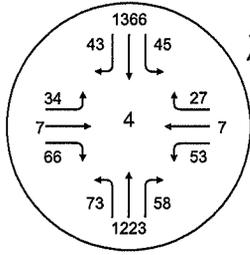
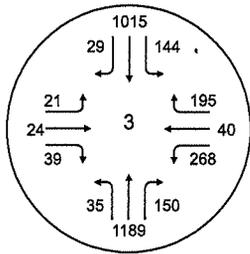
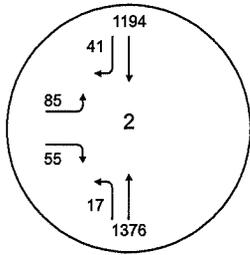
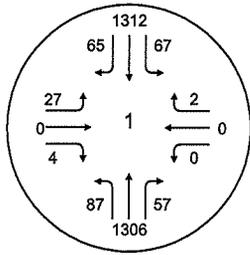
Study Intersections	City	Existing (2011)			
		Midday Afternoon Peak Hour		PM Peak Hour	
		V/C	LOS	V/C	LOS
1 Western Ave & Green Hills Dr	Rancho Palos Verdes	0.602	B	0.667	B
2 Western Ave & Avenida Aprenda	Rancho Palos Verdes	0.617	B	0.711	C
3 Western Ave & Delasonde Dr/Westmont Dr	Rancho Palos Verdes	0.828	D	0.843	D
4 Western Ave & Toscanini Dr	Rancho Palos Verdes	0.686	B	0.757	C
5 Western Ave & Caddington Dr	Rancho Palos Verdes	0.777	C	0.907	E
6 Gaffey St & Westmont Dr	Los Angeles	0.486	A	0.703	C
7 Gaffey St & Capitol Dr	Los Angeles	0.529	A	0.678	B
8 Gaffey St & Channel St	Los Angeles	0.509	A	0.661	B

PROJECT TRAFFIC

Project Trip Generation

The project's trip generation for the p.m. peak hour is discussed in detail in the October 25th, 2011 traffic study that was prepared for this project. Similar to the p.m. peak hour, the project trip generation for the mid-afternoon peak hour was also based on empirical trip rates derived from surveys conducted at the Marymount College RPV Campus and at the existing Palos Verdes Drive North residential facility site (proposed San Pedro Campus site), as well as trip rates from the Institute of Transportation Engineers (ITE) *Trip Generation, 8th Edition* book. In addition, trip generation reductions were applied to take into account trip discounts due to students living on campus and other trip reducing measures that will be implemented by the project. Table 2 shows the trip generation rates that were utilized, and the trip generation for the project. The empirical trip rates and trip generation discounts are discussed in the footnotes at the bottom of Table 2.

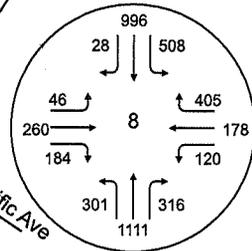
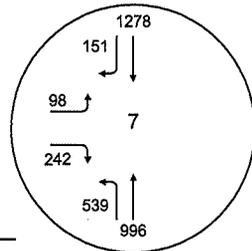
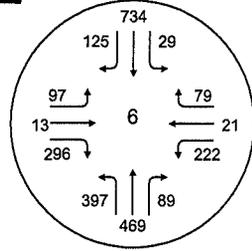
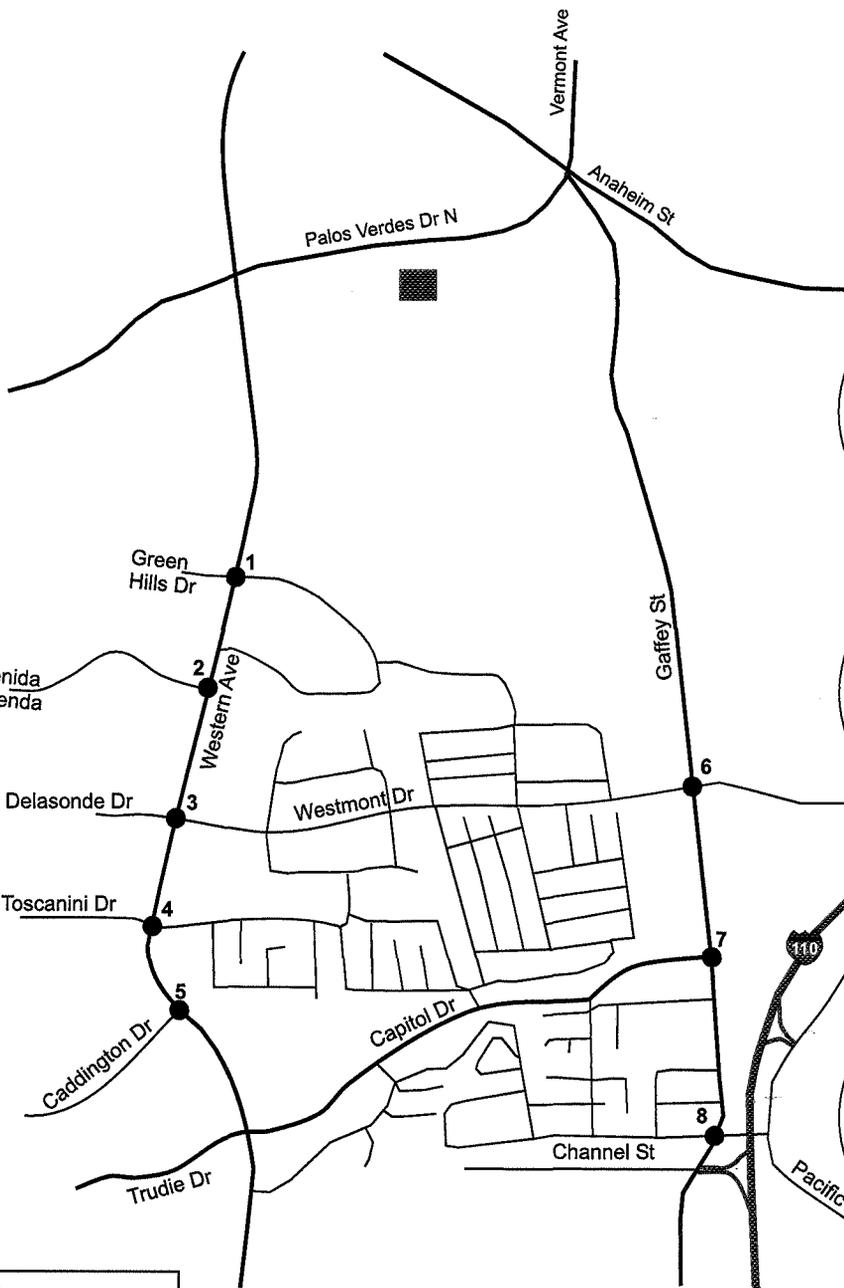
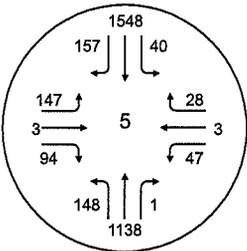
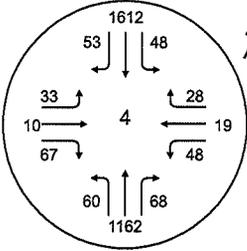
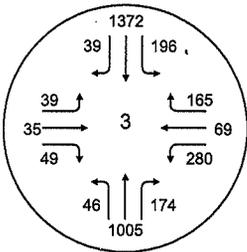
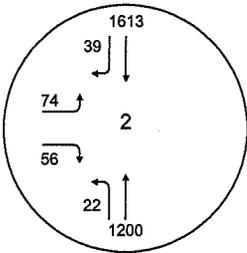
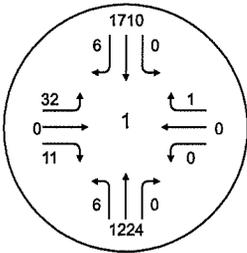
As shown in Table 2, the project upon build out is estimated to generate about 244 mid-afternoon peak hour trips (118 inbound trips and 126 outbound trips) and 279 p.m. peak hour trips (99 inbound trips and 180 outbound trips). The project site currently generates about 41 trips (21 inbound trips and 20 outbound trips) during the mid-afternoon peak hour and 48 trips (25 inbound trips and 23 outbound trips) during the p.m. peak hour. The project would generate an increase of 203 net trips (97 inbound trips and 106 outbound trips) during the mid-afternoon peak hour, and 231 net trips (74 inbound trips and 157 outbound trips) during the p.m. peak-hour.



LEGEND

- Project Location
- Study Intersections
- Intersection Turn Volume





LEGEND

- Project Location
- Study Intersections
- Intersection Turn Volume

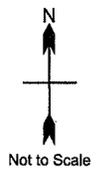


Table 2 - Project Trip Generation

Land Use	Intensity	Unit	Mid-Afternoon Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
			Trip Rates					
College [1]	-	Student	0.22	47%	53%	0.24	25%	75%
Off-Campus Housing [2]	-	Student	0.29	51%	49%	0.35	52%	48%
Apartment [3]	-	DU	0.62	65%	35%	0.62	65%	35%
Trip Generation								
Proposed Project								
College	1,500	Student	330	155	175	360	90	270
Internal Trip Reduction [4]	53%		-176	-83	-93	-192	-48	-144
Subtotal			154	72	82	168	42	126
Resident Student Trip Reduction (75% AM) [5]			0	0	0	0	0	0
Total Non-Residential College Trips			154	72	82	168	42	126
Residence Halls for Students	800	Student	232	118	114	280	146	134
'Limited Cars for Residents' Trip Reduction (56%) [6]			-130	-66	-64	-157	-82	-75
Subtotal			102	52	50	123	64	59
Internal Trip Reduction (64% Mid-afternoon, 62% PM) [7][8]			-65	-33	-32	-76	-40	-36
Total Non-RPV Campus Trips			37	19	18	47	24	23
Trips to/from RPV Campus [9]	400	Student	116	59	57	140	73	67
'Limited Cars for Residents' Trip Reduction (56%) [6]			-65	-33	-32	-78	-41	-37
Total Trips to/from RPV Campus			51	26	25	62	32	30
Faculty Apartments	8	DU	5	3	2	5	3	2
Internal Trip Reduction (64% Mid-afternoon, 62% PM) [7]			-3	-2	-1	-3	-2	-1
Total Faculty Apartment Trips			2	1	1	2	1	1
Total Trip Generation (Proposed Project Uses)			244	118	126	279	99	180
Existing Uses								
Housing Facility [10]	86	DU	41	21	20	48	25	23
Net Total Trip Generation			203	97	106	231	74	157

- [1] Trip generation rates are based on trip surveys conducted at the Marymount College RPV Campus on March 22 and 30, 2011.
- [2] The mid-afternoon and PM peak hour trip rates are based on trip generation surveys conducted at the Palos Verdes Drive North residential facility on November 15 and March 24, 2011, respectively.
- [3] Trip generation rates are from ITE Trip Generation, 8th Edition.
- [4] Based on percentage of students who will be living on the San Pedro Campus (800 resident students/1,500 total students).
- [5] Marymount College would schedule the morning peak period classes on the San Pedro Campus exclusively for resident students. A trip reduction of 75% is assumed for the AM peak hour as commuter students are not expected to generate vehicle trips during this period. Resident student trip reduction is not assumed for the mid-afternoon and PM peak hour periods.
- [6] About 44% of the 800 San Pedro Campus residents would have a vehicle on campus based on a limited lottery system. The remaining 56% of residents would not have a vehicle on campus and therefore would not generate vehicle trips.
- [7] Based on internal trip capture empirical rates for the apartment dormitory component per the Marymount College Facilities Expansion Project Traffic Impact Analysis, RBF Consulting, July 31, 2007. The empirical data showed that 64% of the vehicles during the mid-afternoon peak and 62% of the vehicles during the PM peak are traveling to/from the RPV campus.
- [8] The internal trip reduction for the PM was assumed for daily.
- [9] Based on information provided by Marymount College representative, about 400 of the 800 residents would take classes at the Marymount College RPV Campus on a typical weekday.
- [10] The mid-afternoon and PM peak hour trips are based on raw trip generation survey data conducted at the Palos Verdes Drive North Facility on November 15 and March 24, 2011, respectively.

Project Trip Distribution and Assignment

Trip distribution is the process of assigning the directions from which traffic will access a project site. Trip distribution is dependent upon the land use characteristics of the project and the general locations of other land uses to which project trips would originate or terminate. The project trip distribution was developed based on our knowledge of development trends in the area, local and sub-regional traffic routes, regional traffic flows, and license plate survey data. In addition, the project trip distribution was based on existing student and faculty/staff zip code information that was provided by Marymount College. Two trip distribution patterns were determined. The first distribution is for trips generated by the project but excludes those trips generated by resident students going to/from the RPV Campus. The second distribution is for trips generated by the resident students traveling to/from the RPV Campus. The trip distribution assumptions that were used in the October 25th, 2011 traffic study was also used for the analysis of the eight study intersections.

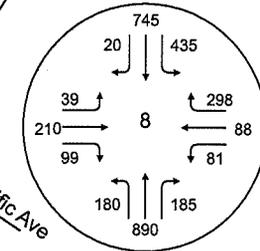
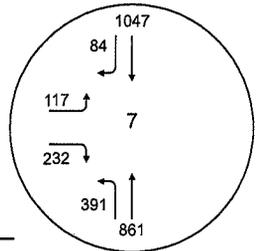
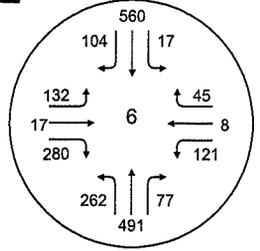
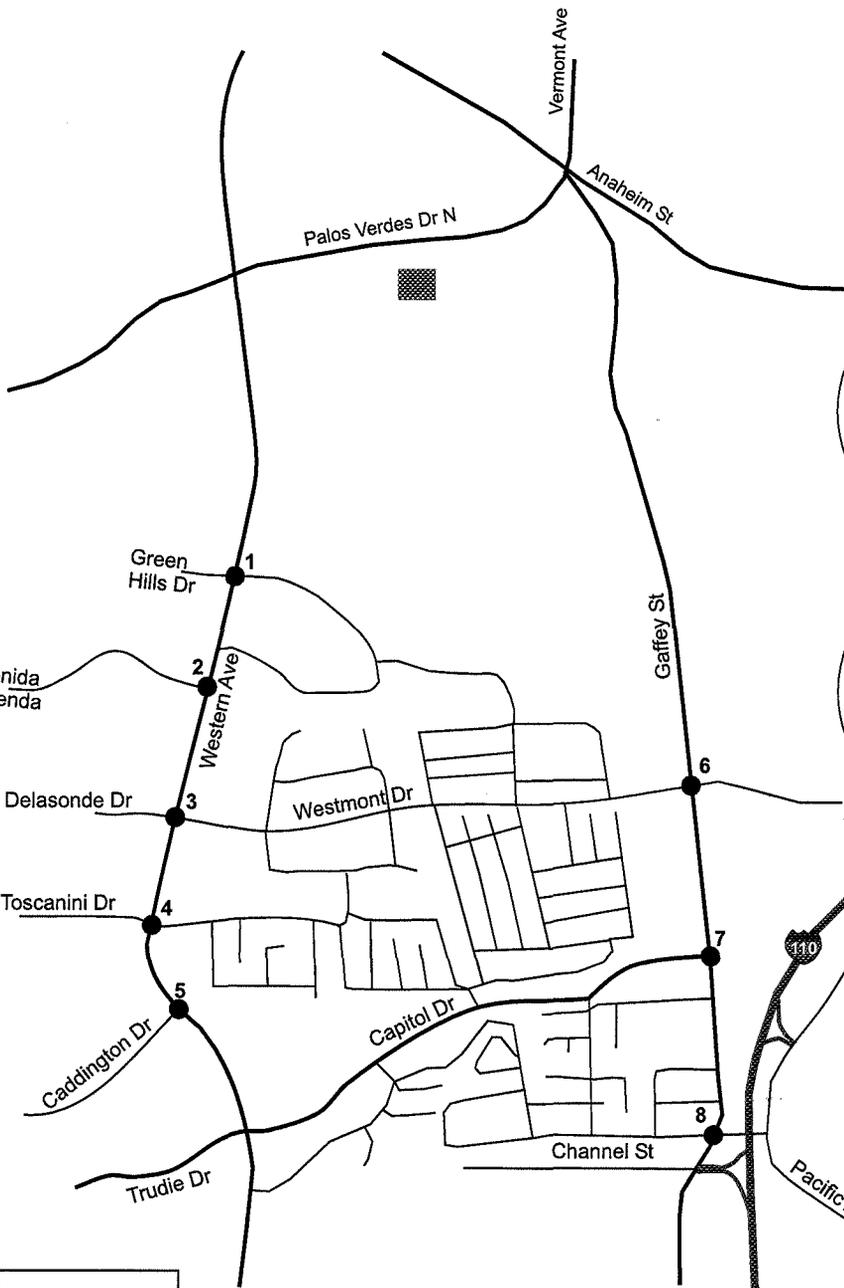
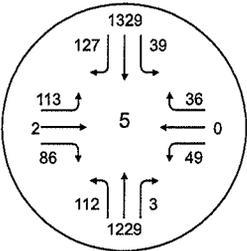
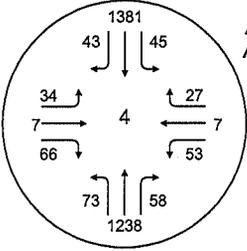
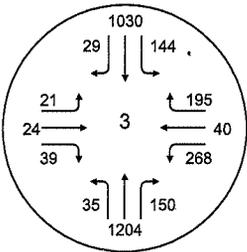
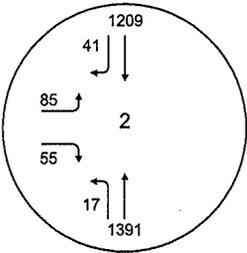
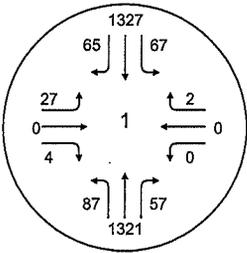
The project trips were assigned based on the trip distributions that were determined for the project. Attachment C illustrates the net project trips for the weekday mid-afternoon and p.m. peak hours.

EXISTING PLUS PROJECT TRAFFIC CONDITIONS

The estimated net project trips shown in Attachment C were superimposed onto the existing traffic volumes to estimate the existing plus project traffic volumes. Figures 3 and 4 show the existing plus project traffic volumes for the mid-afternoon and p.m. peak hours, respectively. The existing plus project level of service analysis results are summarized in Table 3. As shown in this table, the eight study intersections are projected to continue to operate at the same level of services during the mid-afternoon and p.m. peak hour periods as compared to the existing conditions. All of the study intersections are projected to operate at LOS D or better during both the mid-afternoon and p.m. peak hours, except for the intersection of Western Avenue and Caddington Drive which is projected to operate at LOS E during the p.m. peak hour. The level of service calculation worksheets are in Attachment E.

Table 3 – Existing Plus Project Intersection Level of Service

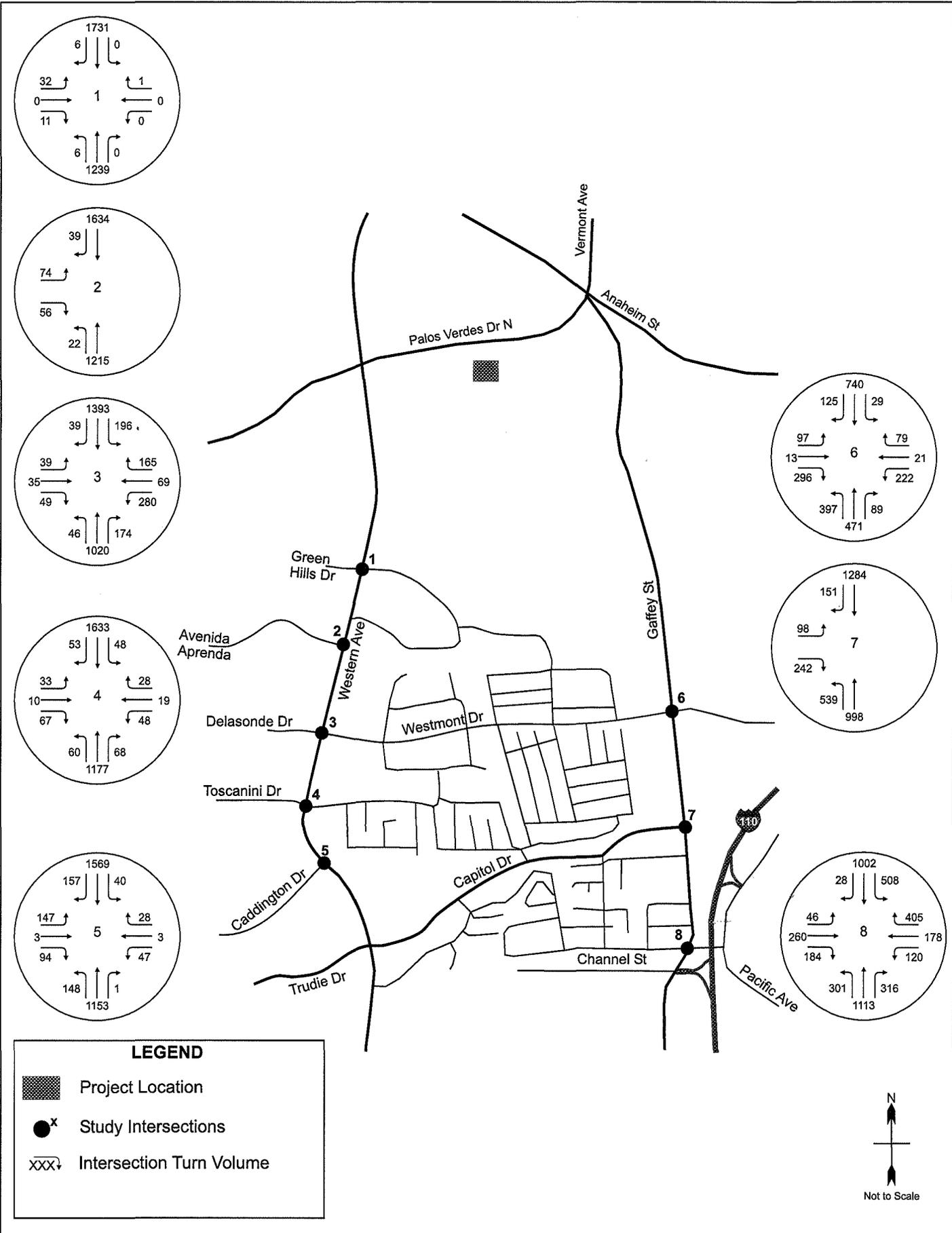
Study Intersections		City	Existing Plus Project			
			Midday Afternoon Peak Hour		PM Peak Hour	
			V/C	LOS	V/C	LOS
1	Western Ave & Green Hills Dr	Rancho Palos Verdes	0.606	B	0.673	B
2	Western Ave & Avenida Aprenda	Rancho Palos Verdes	0.622	B	0.718	C
3	Western Ave & Delasonde Dr/Westmont Dr	Rancho Palos Verdes	0.833	D	0.848	D
4	Western Ave & Toscanini Dr	Rancho Palos Verdes	0.691	B	0.763	C
5	Western Ave & Caddington Dr	Rancho Palos Verdes	0.781	C	0.914	E
6	Gaffey St & Westmont Dr	Los Angeles	0.488	A	0.705	C
7	Gaffey St & Capitol Dr	Los Angeles	0.530	A	0.680	B
8	Gaffey St & Channel St	Los Angeles	0.511	A	0.662	B



LEGEND

- Project Location
- Study Intersections
- Intersection Turn Volume





FUTURE WITHOUT PROJECT TRAFFIC CONDITIONS

Ambient Growth

For the analysis of background traffic for year 2031, a traffic growth factor of 7.1% for the 20-year period was utilized to provide for increases in traffic from the existing traffic volumes. This growth rate is based on the 2010 Los Angeles County Congestion Management Program (CMP) traffic growth projections for the study area and was also used for the October 25th, 2011 traffic study.

Area/Related Projects Growth

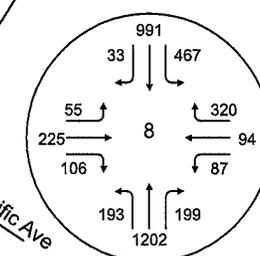
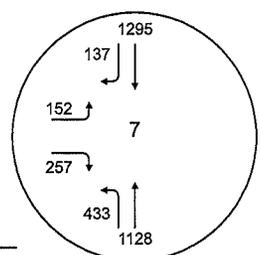
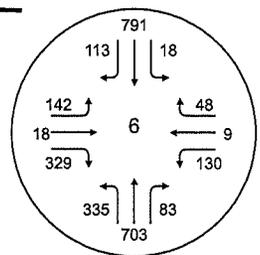
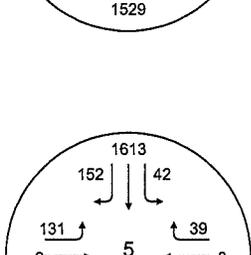
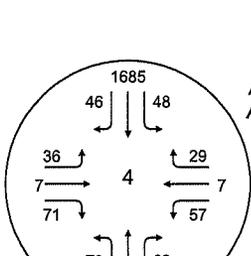
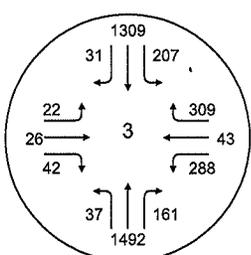
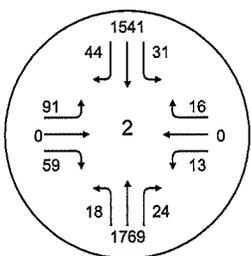
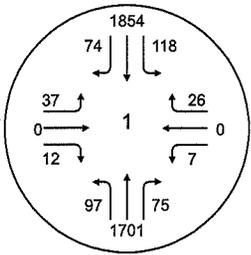
Based on discussions with staff from the cities of Los Angeles, Rancho Palos Verdes, Rolling Hills Estates and Lomita, 77 area/related projects were identified for this analysis. These area/related projects were considered to potentially contribute measurable traffic volumes to the study intersections during the future analysis periods. A description of the related projects and the trip generation of each are summarized in Attachment D.

It should be noted that the trip generation for the p.m. peak hour were obtained from LADOT and other traffic studies as well as based on trip generation rates from the ITE *Trip Generation* 8th Edition book. The trip generation for the mid-afternoon peak hour was not available from LADOT and other traffic studies. Also, the ITE *Trip Generation* book generally does not have trip rates for the mid-afternoon peak hour. Thus, the p.m. peak hour trip generation was assumed for the mid-afternoon peak hour, except for school projects in which the trip rate for the p.m. peak hour of generator from ITE *Trip Generation* was used. Attachment D illustrates the related project trip assignments at the study intersections during the mid-afternoon and p.m. peak hours.

Future Without Project Conditions

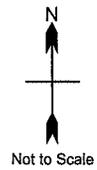
The future without project traffic volumes were determined by applying an overall ambient growth factor of 7.1% to the existing peak hour volumes and adding the area/related project traffic. The future without project traffic volumes are shown in Figures 5 and 6 for the mid-afternoon and p.m. peak hour periods, respectively. The future without project level of service analysis was conducted for the study intersections using the traffic volumes shown in Figures 5 and 6. The results are summarized in Table 4 and the level of service calculation worksheets are contained in Attachment E.

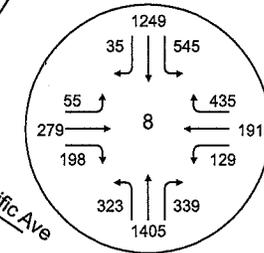
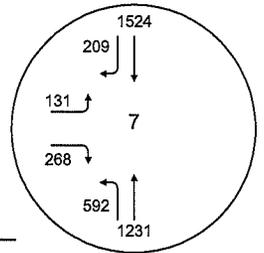
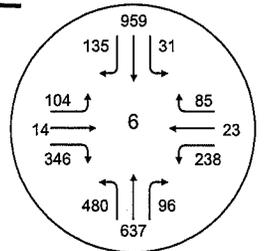
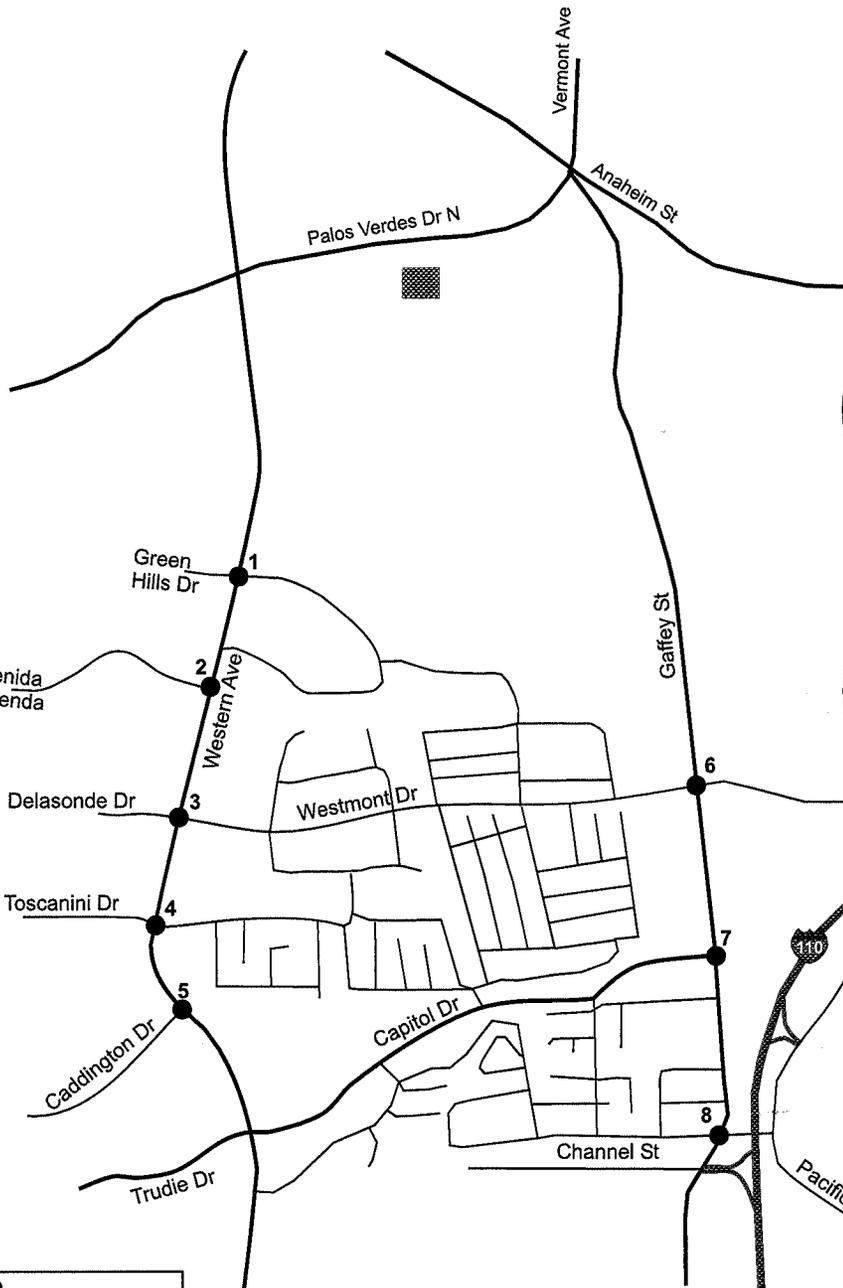
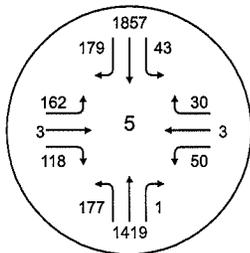
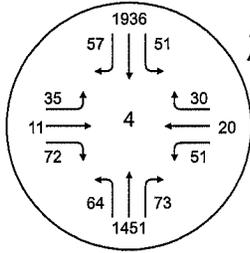
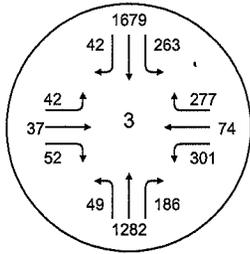
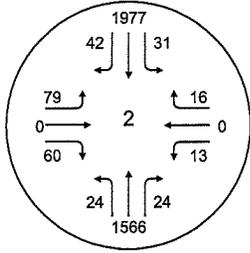
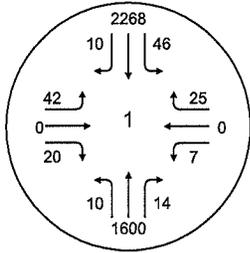
As shown in Table 4, the study intersections are projected to operate at LOS D or better during both the mid-afternoon and p.m. peak hours with the exception of the intersections of Western Avenue/Delasonde Drive/Westmont Drive and Western Avenue/Caddington Drive, which are projected to operate at LOS E or F during both study periods.



LEGEND

- Project Location
- Study Intersections
- Intersection Turn Volume





LEGEND

- Project Location
- Study Intersections
- Intersection Turn Volume

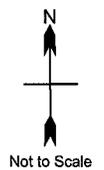


Table 4 – Future Without Project Intersection Level of Service

Study Intersections	City	Analysis Methodology	Midday Afternoon Peak Hour		PM Peak Hour	
			V/C	LOS	V/C	LOS
1 Western Ave & Green Hills Dr	Rancho Palos Verdes	ICU	0.807	D	0.865	D
2 Western Ave & Avenida Aprenda	Rancho Palos Verdes	ICU	0.781	C	0.841	D
3 Western Ave & Delasonde Dr/Westmont Dr	Rancho Palos Verdes	ICU	0.982	E	0.994	E
4 Western Ave & Toscanini Dr	Rancho Palos Verdes	ICU	0.797	C	0.869	D
5 Western Ave & Caddington Dr	Rancho Palos Verdes	ICU	0.922	E	1.055	F
6 Gaffey St & Westmont Dr	Los Angeles	CMA	0.650	B	0.873	D
7 Gaffey St & Capitol Dr	Los Angeles	CMA	0.676	B	0.829	D
8 Gaffey St & Channel St	Los Angeles	CMA	0.642	B	0.793	C

Note:

ICU - Intersection Capacity Utilization Method, CMA - Critical Movement Analysis Method

FUTURE WITH PROJECT TRAFFIC CONDITIONS

The estimated project trips were superimposed onto the future without project traffic forecasts to estimate the future with project traffic volumes. Figures 7 and 8 show the future with project traffic volumes for the mid-afternoon and p.m. peak hours, respectively. The future with project level of service analysis results are summarized in Table 5. The level of service calculation worksheets are contained in Attachment E.

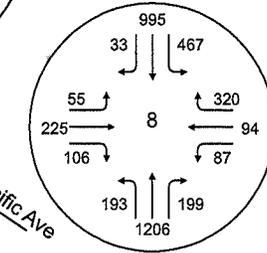
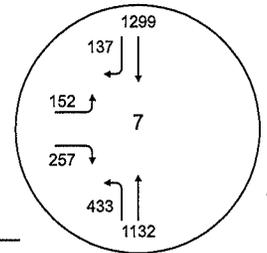
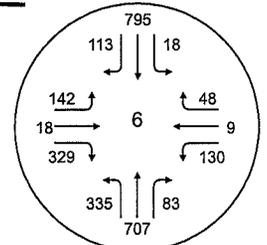
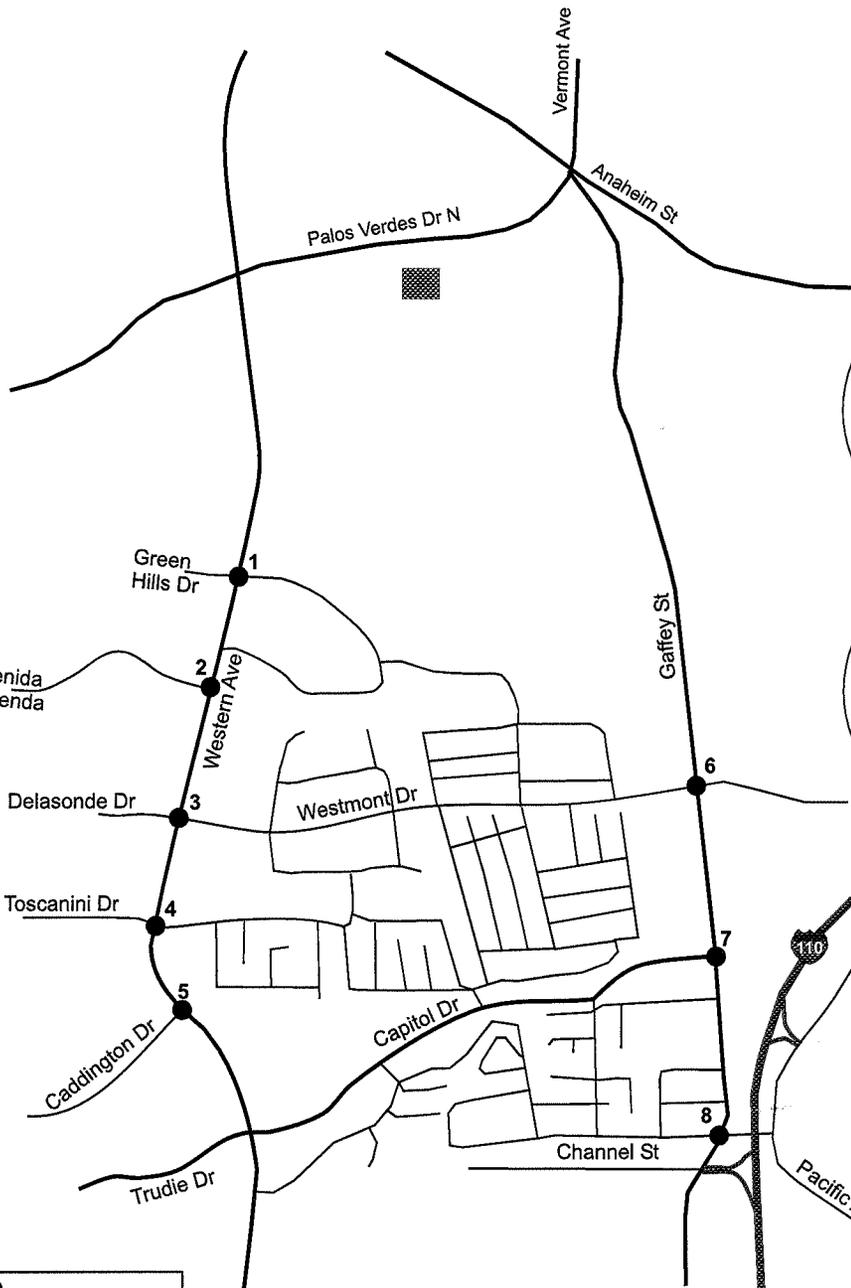
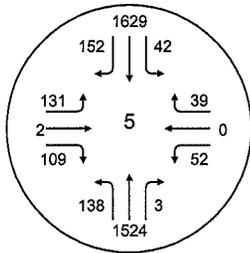
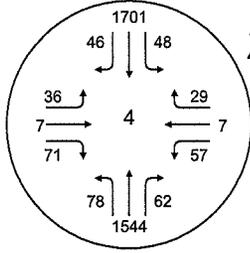
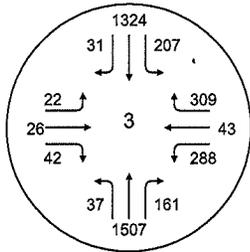
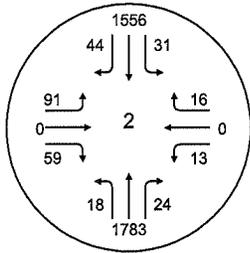
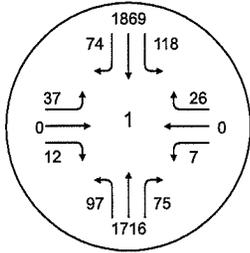
Table 5 – Future With Project Intersection Level of Service

Study Intersections	City	Analysis Methodology	Midday Afternoon Peak Hour		PM Peak Hour	
			V/C	LOS	V/C	LOS
1 Western Ave & Green Hills Dr	Rancho Palos Verdes	ICU	0.812	D	0.871	D
2 Western Ave & Avenida Aprenda	Rancho Palos Verdes	ICU	0.786	C	0.847	D
3 Western Ave & Delasonde Dr/Westmont Dr	Rancho Palos Verdes	ICU	0.987	E	0.998	E
4 Western Ave & Toscanini Dr	Rancho Palos Verdes	ICU	0.802	D	0.875	D
5 Western Ave & Caddington Dr	Rancho Palos Verdes	ICU	0.927	E	1.062	F
6 Gaffey St & Westmont Dr	Los Angeles	CMA	0.651	B	0.875	D
7 Gaffey St & Capitol Dr	Los Angeles	CMA	0.678	B	0.831	D
8 Gaffey St & Channel St	Los Angeles	CMA	0.644	B	0.793	C

Note:

ICU - Intersection Capacity Utilization Method, CMA - Critical Movement Analysis Method

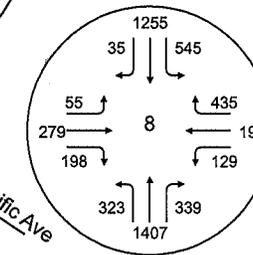
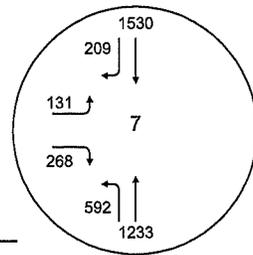
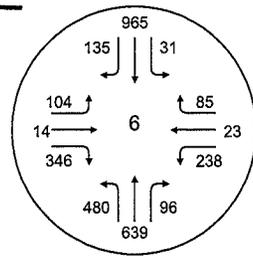
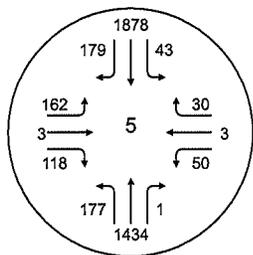
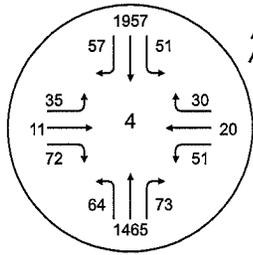
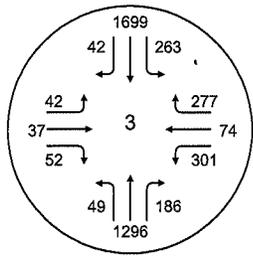
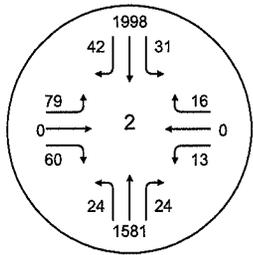
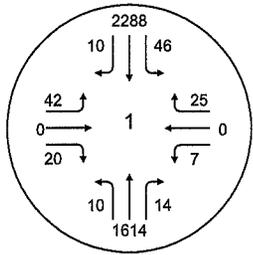
As shown in Table 5, the study intersections are projected to operate at LOS D or better during both study periods with the exception of the intersections of Western Avenue/Delasonde Drive/Westmont Drive and Western Avenue/Caddington Drive, which are projected to operate at LOS E or F during both study periods.



LEGEND

- Project Location
- Study Intersections
- Intersection Turn Volume





LEGEND

- Project Location
- Study Intersections
- Intersection Turn Volume



PROJECT TRAFFIC IMPACT

City of Los Angeles Significant Impact Criteria

LADOT has established specific thresholds for project traffic-related increases in the volume-to-capacity ratio (V/C) of a study intersection. The following increases in the peak-hour V/C ratio are considered “significant” impacts:

Level of Service	Final V/C*	Project Related V/C Increase
C	< 0.700 – 0.800	Equal to or greater than 0.040
D	< 0.800– 0.900	Equal to or greater than 0.020
E and F	0.901 or more	Equal to or greater than 0.010

* Final V/C is the V/C ratio at an intersection, considering impacts from the project, ambient growth and related projects growth, and without proposed traffic impact mitigations.

City of Rancho Palos Verdes

The County of Los Angeles thresholds of significance criteria was used to determine the project related traffic impact for the signalized study intersections in the City of Rancho Palos Verdes. The following increases in peak-hour V/C ratios are considered “significant” impacts:

Level of Service	Pre-Project V/C	Project Related V/C Increase
C	< 0.700 – 0.800	Equal to or greater than 0.040
D	< 0.800– 0.900	Equal to or greater than 0.020
E and F	0.901 or more	Equal to or greater than 0.010

Based on the results of the analysis and the established significant threshold criteria, the proposed project would not create a significant traffic impact at any of the eight study intersections under the ‘Existing Plus Project’ and ‘Future With Project’ scenarios, as summarized in Tables 6 and 7.

Table 6 - Intersection Level of Service Summary – Existing Plus Project

Study Intersections	City	Analysis Methodology	Existing (2011)						Existing Plus Project				Significant Impact ?
			Midday Afternoon Peak Hour		PM Peak Hour		Midday Afternoon Peak Hour		PM Peak Hour		Change in V/C		
			V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	Mid-Afternoon Peak Hour	PM Peak Hour	
1 Western Ave & Green Hills Dr	Rancho Palos Verdes	ICU	0.602	B	0.667	B	0.606	B	0.673	B	0.004	0.006	No
2 Western Ave & Avenida Aprenda	Rancho Palos Verdes	ICU	0.617	B	0.711	C	0.622	B	0.718	C	0.005	0.007	No
3 Western Ave & Delasonde Dr/Westmont Dr	Rancho Palos Verdes	ICU	0.828	D	0.843	D	0.833	D	0.848	D	0.005	0.005	No
4 Western Ave & Toscanini Dr	Rancho Palos Verdes	ICU	0.686	B	0.757	C	0.691	B	0.763	C	0.005	0.006	No
5 Western Ave & Caddington Dr	Rancho Palos Verdes	ICU	0.777	C	0.907	E	0.781	C	0.914	E	0.004	0.007	No
6 Gaffey St & Westmont Dr	Los Angeles	CMA	0.486	A	0.703	C	0.488	A	0.705	C	0.002	0.002	No
7 Gaffey St & Capitol Dr	Los Angeles	CMA	0.529	A	0.678	B	0.530	A	0.680	B	0.001	0.002	No
8 Gaffey St & Channel St	Los Angeles	CMA	0.509	A	0.661	B	0.511	A	0.662	B	0.002	0.001	No

Note:

ICU - Intersection Capacity Utilization Method; CMA - Critical Movement Analysis Method

Table 7 - Intersection Level of Service Summary – Future With Project

Study Intersections	City	Analysis Methodology	Future Without Project						Future With Project						Significant Impact ?
			Midday Afternoon Peak Hour			PM Peak Hour			Midday Afternoon Peak Hour			PM Peak Hour			
			V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	
1 Western Ave & Green Hills Dr	Rancho Palos Verdes	ICU	0.807	D	0.865	D	0.812	D	0.871	D	0.005	0.006	0.006	No	
2 Western Ave & Avenida Aprenda	Rancho Palos Verdes	ICU	0.781	C	0.841	D	0.786	C	0.847	D	0.005	0.006	0.006	No	
3 Western Ave & Delasonde Dr/Westmont Dr	Rancho Palos Verdes	ICU	0.982	E	0.994	E	0.987	E	0.998	E	0.005	0.004	0.004	No	
4 Western Ave & Toscanini Dr	Rancho Palos Verdes	ICU	0.797	C	0.869	D	0.802	D	0.875	D	0.005	0.006	0.006	No	
5 Western Ave & Caddington Dr	Rancho Palos Verdes	ICU	0.922	E	1.055	F	0.927	E	1.062	F	0.005	0.007	0.007	No	
6 Gaffey St & Westmont Dr	Los Angeles	CMA	0.650	B	0.873	D	0.651	B	0.875	D	0.001	0.002	0.002	No	
7 Gaffey St & Capitol Dr	Los Angeles	CMA	0.676	B	0.829	D	0.678	B	0.831	D	0.002	0.002	0.002	No	
8 Gaffey St & Channel St	Los Angeles	CMA	0.642	B	0.793	C	0.644	B	0.793	C	0.002	0.000	0.000	No	

Note:

ICU - Intersection Capacity Utilization Method, CMA - Critical Movement Analysis Method

SUMMARY AND CONCLUSIONS

- For existing conditions, all of the study intersections are operating at LOS D or better during both the weekday mid-afternoon and p.m. peak hour periods with the exception of the intersection of Western Avenue and Caddington Drive which is operating at LOS E during the p.m. peak hour.
- The proposed project is estimated to generate about 203 net trips (97 inbound trips and 106 outbound trips) during the mid-afternoon peak hour and 231 net trips (74 inbound trips and 157 outbound trips) during the p.m. peak-hour.
- For the Existing Plus Project conditions, all of the study intersections are also projected to operate at LOS D or better during both the weekday mid-afternoon and p.m. peak hour periods with the exception of the intersection of Western Avenue and Caddington Drive which is operating at LOS E during the p.m. peak hour.
- For the future (2031) conditions without and with development of the project, all of the study intersections are projected to operate at LOS D or better during both the mid-afternoon and p.m. peak hours with the exception of the intersections of Western Avenue/Delasonde Drive/Westmont Drive and Western Avenue/Caddington Drive, which are projected to operate at LOS E or F during both study periods.
- The proposed project would not result in a significant traffic impact at any of the eight study intersections.

Public hearing notice for Marymount College San Pedro Campus



RECEIVED

NOV 16 2012

DEPARTMENT OF CITY PLANNING

COMMUNITY DEVELOPMENT
DEPARTMENT

NOTICE OF PUBLIC HEARING

To Owners: Within a 100-Foot Radius
 Within a 500-Foot Radius
 Abutting a Proposed Development Site

And Occupants: Within a 100-Foot Radius
 Within a 500-Foot Radius
And: Others

This notice is sent to you because you own property or are currently an occupant residing near the site for which an application, as described below, has been filed with the Department of City Planning. All interested persons are invited to attend joint public hearing for two cases requesting approvals for the expansion of Marymount College at which you may listen, ask questions, or present testimony regarding the project.

Hearing By: Advisory Agency and Hearing Officer
Date: Wednesday, December 12, 2012
Time: 9:30 A.M.
Place: Los Angeles City Hall
200 North Spring Street, Room 1020
Los Angeles, CA 90012

Staff Contact: Dwayne Wyatt - for AA-2011-2479
Phone No.: (213) 473-9919 - PMLA

Marc Woersching - for CPC- 2011
(213) 978-1470 - 2480-CU

Case Nos: AA-2011-2479-PMLA &
CPC 2011-2480-CU
CEQA No.: ENV-2011-2478-MND
Incidental Cases: N/A
Related Cases: N/A
Council No.: 15
Plan Area: Wilmington-Harbor City
Specific Plan: N/A
Certified NC: Northwest San Pedro
GPLU: Low Residential
Zone: RD6-1XL

Applicant: Marymount College
Representative: James Krause

PROJECT LOCATION: 1600 W. Palos Verdes Drive North

PROPOSED PROJECT: A five phase, master planned, college campus with an ultimate seating capacity of 520 students, residential units for 800 persons, a student services building with a dining hall, 50 faculty and administrative offices, nine classrooms and 342 parking spaces.

REQUESTED ACTION: Approval of a Parcel Map to merge a strip of land along the south side of Palos Verdes Drive North into the main portion of the project site and a Commission Conditional Use Permit for an educational institution pursuant to Sec. 17.50 and Sec. 12.24U.6 of the Zone Code.

The purpose of the hearing is to obtain testimony from affected and/or interested persons regarding this project. The environmental document will be among the matters considered at the hearing. The decision maker will consider all the testimony presented at the hearing, written communication received prior to or at the hearing, and the merits of the project as it relates to existing land use and environmental.

EXHAUSTION OF ADMINISTRATIVE REMEDIES: If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on these matters delivered to the Department before the action on this matter will become a part of the administrative record. Note: This may not be the last hearing on this matter.

ADVICE TO PUBLIC: The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Los Angeles City Planning Department, Division of Land Section, 200 N. Spring Street, Room 720, Los Angeles, CA 90012 (attention: Dwayne Wyatt, Marc Woersching).

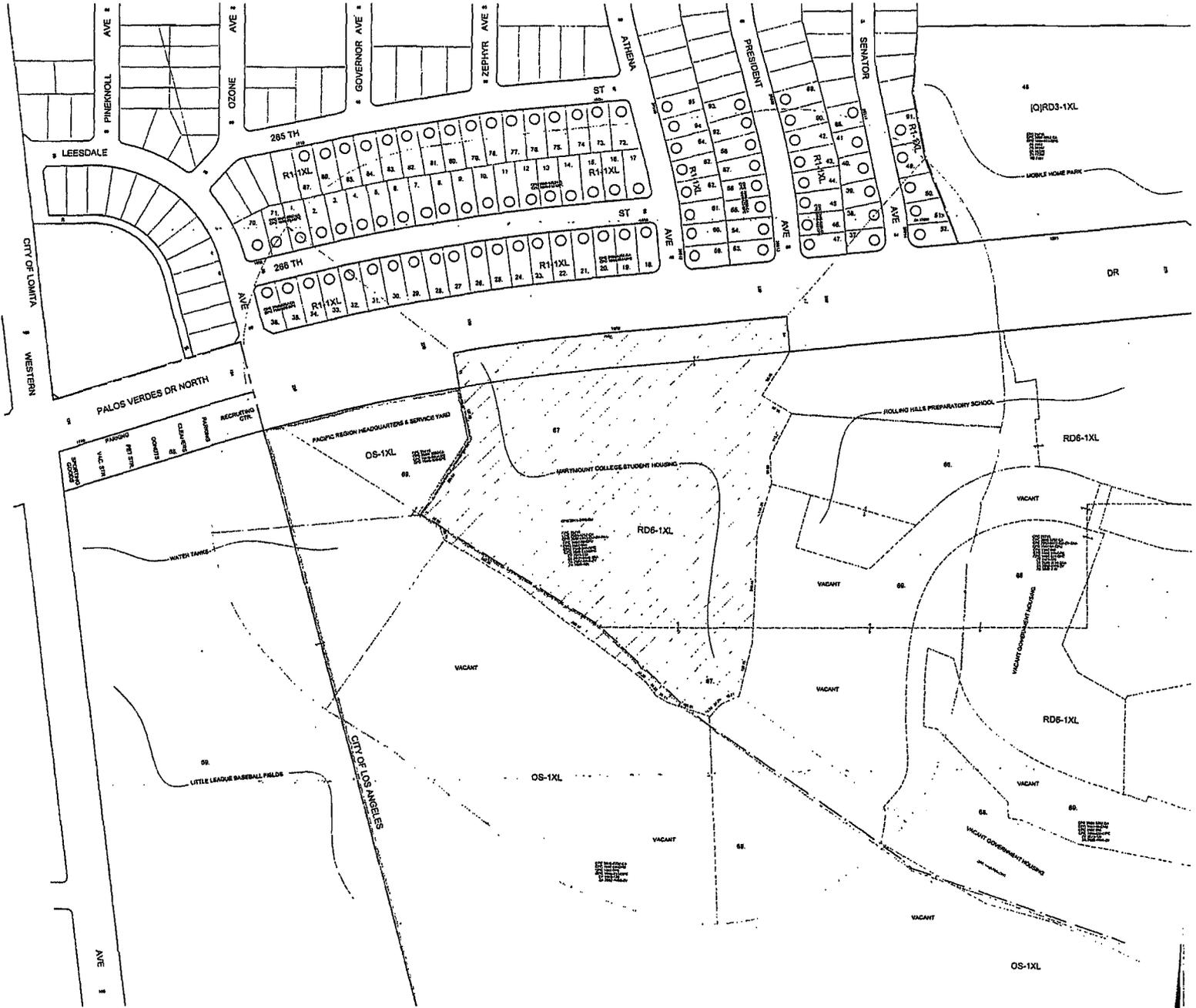
REVIEW OF FILES: Parcel Map AA-2011-2479-PMLA and CPC 2011-2480-CU, including the application and the environmental assessment, are available for public inspection at this location between the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday. Please call Dwayne Wyatt at (213) 473-9919 or Marc Woersching at (213) 978-1470 a day or two in advance to assure that the files will be available. The files are not available for review the day of the hearing.

ACCOMMODATIONS: 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. The hearing facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. *Como entidad cubierta bajo el Título II del Acto de los Americanos con Desabilidades, la Ciudad de Los Angeles no discrimina. La facilidad donde la junta se llevará a cabo y su estacionamiento son accesibles para sillas de ruedas. Traductores de Lengua de Muestra, dispositivos de oído, u otras ayudas auxiliares se pueden hacer disponibles si usted las pide en avance.*

Other services, such as translation between English and other languages, may also be provided upon request. *Otros servicios, como traducción de Inglés a otros idiomas, también pueden hacerse disponibles si usted los pide en avance.*

To ensure availability of services, please make your request no later than three working days (72 hours) prior to the hearing by calling the staff person referenced in this notice. *Para asegurar la disponibilidad de éstos servicios, por favor haga su petición al mínimo de tres días (72 horas) antes de la reunión, llamando a la persona del personal mencionada en este aviso.*

Puede obtener información en Español acerca de esta junta llamando al (213) 473-9984



LEGAL: SEE APPLICATION.

C.D. 15
 C.T. 2951.01
 P.A. WILMINGTON-HARBOR CITY

GC MAPPING SERVICE, INC.

3055 WEST VALLEY BOULEVARD
 ALHAMBRA CA 91803
 (626) 441-1080 FAX (626) 441-8850
 gcmapping@radiusmaps.com

**CONDITIONAL USE PERMIT
 PRELIMINARY PARCEL MAP**

11.04 NET AC.

CASE NO.
 DATE: 10-26-2012
 SCALE: 1" = 100'
 USES FIELD
 D.M. 030 B 183

T.B. PAGE: 793 GRID: J-6, J-

Response to comments for LACSD Clearwater Program EIR



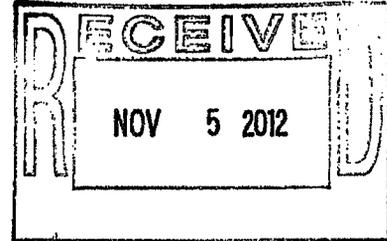
COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON CHAN
Chief Engineer and General Manager

November 1, 2012

Mr. Kit Fox
Senior Administrative Analyst
City of Rancho Palos Verdes
30940 Hawthorne Blvd.
Rancho Palos Verdes, CA 90275



Dear Mr. Fox:

Responses to Agency Comments on the Clearwater Program
Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS)

The County Sanitation Districts of Los Angeles County (Sanitation Districts) and the U.S. Army Corps of Engineers are preparing the final EIR/EIS for the Clearwater Program. Your agency provided comments on the draft EIR/EIS during the public review period. Section 15088(b) of the California Environmental Quality Act Guidelines requires lead agencies to "provide written proposed response to a public agency on comments by that public agency at least 10 days prior to certifying an environmental impact report." In accordance with this requirement, please find enclosed the responses to your agency's comments.

The Board of Directors of Sanitation District No. 2 is scheduled to consider certification of the Clearwater Program EIR at 1:30 p.m. on November 28, 2012, at the following address:

County Sanitation Districts of Los Angeles County
Board Room
1955 Workman Mill Road
Whittier, CA 90601

If you have any questions, please do not hesitate to contact the undersigned at (562) 908-4288, extension 2711.

Very truly yours,

Grace Robinson Chan

Steven W. Highter
Supervising Engineer
Facilities Planning Department

SWH:ddg

Enclosure

Document Number: 2392053

Commenter A10: City of Rancho Palos Verdes – Kit Fox, Senior Administrative Analyst

Commenter A10



9 April 2012

Steven W. Highter
Supervising Engineer, Planning Section
Sanitation Districts of Los Angeles County
1955 Workman Mill Rd.
Whittier, CA 90601

Dr. Aaron O. Allen
U.S. Army Corps of Engineers, Los Angeles District
Regulatory Division, Ventura Field Office
2151 Alessandro Dr., Ste. 110
Ventura, CA 93001

SUBJECT: Comments on the Draft Environmental Impact Statement/Environmental Impact Report (DEIS/EIR) for the Clearwater Program

Dear Mr. Highter and Dr. Allen:

The City of Rancho Palos Verdes appreciates the opportunity to comment upon the Draft Environmental Impact Statement/Environmental Impact Report (DEIS/EIR) for the above-mentioned project. The City respectfully offers the following comments on the content and analysis of the DEIS/EIR for the proposed project:

1. A small portion of the proposed tunnel alignment for Alternative 4 would appear to traverse the public right-of-way of Western Avenue within the jurisdiction of the City of Rancho Palos Verdes (i.e., roughly between Crestwood Street and Summerland Street). As such, Table 1-3 in Section 1.6 "Relationship to Existing Plans" should include a reference to the Rancho Palos Verdes General Plan, which may be reviewed on the City's website at the following link:

http://www.palosverdes.com/rpv/planning/General_Plan_EIR/index.cfm
2. The City has the following concerns regarding the construction of the proposed tunnel exit shaft at Royal Palms County Beach for Alternative 4:
 - a. The proposed shaft site is located quite close to a recent landslide at White Point in San Pedro (i.e., the City of Los Angeles). In addition, the

A10-1

A10-2

soils of the Palos Verdes Peninsula may be generally characterized as being susceptible to large-scale land movement, such as the on-going Portuguese Bend Landslide and the failure of a portion of the golf course at the Trump National Golf Club in 1999. Chapter 8 "Geology, Soils and Mineral Resources" should address not only the suitability and stability of the proposed shaft site at Royal Palms, but also the potential for the excavation of this shaft site to de-stabilize the White Point Landslide and/or other nearby coastal bluffs.

A10-2
cont.

- b. As a result of the White Point Landslide, West Paseo del Mar is currently closed to traffic just east of the proposed shaft site. With this closure, east-west neighborhood traffic in the *South Shores* area of San Pedro has been diverted inland to West 25th Street, which is a major arterial that provides access to the southerly portion of the City of Rancho Palos Verdes. Has the analysis in Chapter 18 "Transportation and Traffic (Terrestrial)" taken into account the impacts of diverted truck trips and other construction-related traffic on West 25th Street as a result of the closure of West Paseo del Mar?

A10-3

3. The City has the following concerns regarding the proposed tunneling activities related to Alternative 4:

- a. The proposed tunnel alignment would follow Western Avenue from Trudie Drive/Capitol Drive to the proposed exit shaft site at Royal Palms County Beach. Although most of this segment of the proposed tunnel would be located in San Pedro, a small portion would fall within the City of Rancho Palos Verdes. In recent years, the City of Rancho Palos Verdes has experienced failures of storm drains under Western Avenue, most dramatically in the case of a sinkhole that occurred near Delasonde Drive/Westmont Drive in 2005. Does Chapter 8 "Geology, Soils and Mineral Resources" address the potential impact of tunneling activities upon storm drains and similar, underground public infrastructure within the alignment of the proposed tunnel?

A10-4

- b. We note that Chapter 10 "Hazards and Hazardous Materials" discusses the close proximity of the tunneling activities for Alternative 4 to contaminated soils at the Defense Fuel Support Point (DFSP) on North Gaffey Street in San Pedro. The analysis of "risk of upset" from tunneling activities under Alternative 4 appears to be limited to the exposure of hazardous materials in the soil related to the operation of the tunnel boring machine. However, the City respectfully suggests that the DEIS/EIR should also analyze the "risk of upset" that tunneling activities might pose upon nearby industrial facilities, particularly the Rancho LPG butane storage facility at North Gaffey Street and Westmont Drive.

A10-5

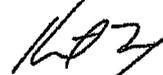
- c. Chapter 14 "Noise and Vibration (Terrestrial)" states that there are currently no Federal regulations or State environmental guidelines regarding vibration from tunneling operations. The analysis in the DEIS/EIR is based upon studies conducted for the construction of the Red Line subway in the City of Los Angeles, and concludes that there will be no significant groundborne vibration impacts in areas where the depth of the tunnel base is more than one hundred ten feet (110') below the ground surface. Within the City of Rancho Palos Verdes, most of the properties abutting the Western Avenue right-of-way in the vicinity of the proposed tunnel alignment are zoned and developed for non-residential use. However, there is a motel (America's Best Value Inn) located at 29601 Western Avenue, a 70-unit residential condominium (*Eastview Townhouse*) located at 29641 Western Avenue and a 116-bed residential care facility for the elderly (*Palos Verdes Villa*) located at 29661 Western Avenue. What is the depth of the proposed tunnel base in the vicinity of these properties (relative to ground surface), and how significant is the impact of groundborne vibration expected to be upon them?
4. Among the major goals of the Clearwater Program are the achievement of system redundancy and the ability to inspect (and possibly repair) the existing 8- and 12-foot-diameter tunnels connecting the Joint Water Pollution Control Plant (JWPCP) to the existing ocean outfalls. As you are aware, these existing tunnels traverse the *Eastview* area of the City of Rancho Palos Verdes. Do the Sanitation Districts have any sense yet of what will be involved in the future inspection and possible repair of these existing tunnels? Should the City expect that the staging of these future activities might occur in our *Eastview Park*, which is located on land leased from the Sanitation Districts? Can the expected impacts of these future activities somehow be included in the current DEIS/EIR?

A10-6

A10-7

Again, thank you for the opportunity to provide comments on 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.

Sincerely,



Kit Fox, AICP
Senior Administrative Analyst

cc: Mayor Anthony Misetich and City Council
Carolyn Lehr, City Manager
Carolynn Petru, Deputy City Manager

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Response to Comment A10-1

The comment requests that the City of Rancho Palos Verdes General Plan be added to Table 1-3 of the final EIR/EIS. Table 1-3 is revised in the final EIR/EIS to include the following rows at the end of the table, as requested:

City of Rancho Palos Verdes General Plan/Environmental Impact Report, 1975

The Infrastructure chapter of the City of Rancho Palos Verdes General Plan (City of Rancho Palos Verdes 2012) provides policies related to public infrastructure. The Disposal/Recovery Systems addresses sanitation, while the Transportation Systems discusses the vehicular networks. The general plan is currently being updated.

In addition, Section 25.1.1 is revised in the final EIR/EIS to include the city's general plan by adding the following references:

City of Rancho Palos Verdes, 1975. City of Rancho Palos Verdes General Plan/Environmental Impact Report. Adopted June 26. As amended through September 13, 1988.

City of Rancho Palos Verdes, 2012. General Plan Update. Available: <http://palosverdes.com/rpv/planning/content/General_Plan_Update.cfm>. Accessed: July 13, 2012.

No other revisions to the draft EIR/EIS are required in response to this comment.

Response to Comment A10-2

The comment expresses concerns regarding the proximity of the Royal Palms shaft site to the recent White Point landslide and the nature of the Palos Verdes Peninsula soils, which the comment characterizes as susceptible to large-scale land movement. The comment requests that Chapter 8 of the draft EIR/EIS discuss the suitability and stability of the Royal Palms shaft site and the potential for the project to de-stabilize the White Point landslide and/or other coastal bluffs.

The draft EIR/EIS discussed the potential for landslides at the Royal Palms shaft site (part of Alternative 4 [the recommended alternative]), in Section 8.4.6.2, Impact GEO-1, Shaft Site – Royal Palms. The draft EIR/EIS stated that the shaft would be constructed in Altimira Shale, which could contain weak layers, and that excavation could result in ground failure in the vicinity of the shaft. The draft EIR/EIS recognized this as a significant impact. Mitigation was included to reduce this impact to less than significant. Specifically, Mitigation Measure (MM) GEO-1 and MM GEO-6a require geotechnical investigation and site-specific recommendations for stabilization of slopes and shaft instability. The mitigation measures require that all recommendations be incorporated into the final design. In addition, MM GEO-6b requires construction monitoring at the shafts and along the onshore tunnel.

In addition, Appendix 8-A of the draft EIR/EIS included a letter report prepared by Fugro West that addressed the potential for Alternative 4 (the recommended alternative) to affect slope stability in the Royal Palms area. This report was prepared in response to the recent landslide activity on Paseo Del Mar near White Point State Beach. In summary, the report stated that the Monterey Formation throughout the peninsula can be folded and variable over short distances. Weak bentonitic layers contained within the formation have resulted in some of the landslides when the bedding plane is out of slope (i.e., slopes

downhill towards the ocean). In the vicinity of Royal Palms Beach, the bedding planes are sloped in a favorable inclination, which was confirmed during the excavation of the Sanitation Districts of Los Angeles County's (Sanitation Districts') 8- and 12-foot tunnels in 1938 and 1957, respectively. The report concluded that impacts on the stability of the existing slopes in the vicinity of the Alternative 4 alignment resulting from tunnel construction would be unlikely. Furthermore, the reinforced concrete tunnel may improve slope stability. The study recommended that (1) additional geotechnical investigation be conducted during final design and (2) the slopes be instrumented and monitored in advance of, and during, construction activities as a precautionary measure. Implementation of MM GEO-2, MM GEO-6a, and MM GEO-6b would fulfill these recommendations.

No revisions to the draft EIR/EIS are required in response to this comment.

Response to Comment A10-3

The comment asks whether the Chapter 18 traffic analysis took into account the impacts of additional traffic on 25th Street as a result of the recent closure of West Paseo Del Mar.

Since collection of the 2010 baseline traffic data in support of the traffic analysis presented in Chapter 18 of the draft EIR/EIS, Paseo Del Mar has been closed for an indeterminate period due to a landslide east of the Royal Palms shaft site. This closure of the roadway link between Western Avenue and Weymouth Avenue to motorized traffic has resulted in localized traffic patterns that differ from those that prevailed when the baseline traffic counts were collected. Therefore, to determine whether there would be differences in the impacts reported in the draft EIR/EIS if Paseo Del Mar were not re-opened by the time construction began for Alternative 4 (the recommended alternative), a new study was conducted. In May 2012, new baseline traffic counts were collected at five study intersections along key access routes to and from the Royal Palms shaft site: Gaffey Street and Interstate 110 ramps, Gaffey Street and 9th Street, Western Avenue and Paseo Del Mar, Western Avenue and 9th Street, and Western Avenue and 25th Street. (Note that the Western Avenue and 25th Street intersection was not previously analyzed in the draft EIR/EIS.) An analysis of the new data determined that the proposed project-related construction-period traffic under Alternative 4 (the recommended alternative) would not result in significant traffic impacts, even if West Paseo Del Mar were to remain closed. These findings are consistent with the original findings presented in the draft EIR/EIS.

The new 2012 study is referenced in Section 18.4.6.2 and included as Appendix 18-D in the final EIR/EIS. No other revisions to the draft EIR/EIS are required in response to this comment.

Response to Comment A10-4

The comment expresses concerns about the potential for tunneling to affect storm drains and other infrastructure in Rancho Palos Verdes, and asks whether the draft EIR/EIS addressed this issue.

The draft EIR/EIS discussed the potential for ground failure to affect people, structures, or property in Section 8.4.6.2. Impact GEO-6 addressed unstable earth conditions or changes in geologic substructure, and found that there was a potential for settlement during tunneling, and that this impact would be significant. Therefore, mitigation was included in the draft EIR/EIS to reduce this impact to less than significant. MM GEO-6a requires geological investigations to characterize the subsurface conditions and anticipated ground behavior, and that recommendations identified in the investigation be incorporated into the final design, along with contingency measures if excessive settlement were to occur. MM GEO-6b requires a detailed plan for construction monitoring to minimize potential ground surface settlement along the onshore tunnel.

In comparison to the January 2005 sinkhole in Western Avenue just north of Westmont Avenue, the proposed tunnel would be constructed with different material at much greater depths. For Alternative 4 (the recommended alternative) the proposed reinforced concrete tunnel would be constructed through a rock-like material along Western Avenue at depths ranging from 350 to 450 feet below ground surface. Conversely, the January 2005 sink hole resulted from the storm-related failure of an old corrugated metal storm drain constructed through much looser material at a depth of only 25 feet. Therefore, the circumstances are significantly different.

No revisions to the draft EIR/EIS are required in response to this comment.

Response to Comment A10-5

The comment suggests that the risk of upset on nearby industrial facilities be analyzed for tunneling activities, particularly the Rancho Liquefied Petroleum Gas (LPG) facility at North Gaffey Street and Westmont Drive.

Alternative 4 (the recommended alternative), would traverse under Gaffey Street between Anaheim Street and Capitol Drive. The two large Rancho LPG butane storage tanks are approximately 600 feet east of the recommended tunnel alignment (Alternative 4). At this location, the tunnel invert would be approximately 100 feet below the ground surface. Section 14.4.1.4 of the draft EIR/EIS specifically analyzed potential groundborne vibrations associated with tunnel construction and concluded that vibrations would not be perceivable beyond a distance of 110 feet through the soil. Furthermore, implementation of Mitigation Measure (MM) NOI-2a (rail maintenance plan) and MM NOI-2b (vibration control plan) would reduce vibration impacts to less than significant. Therefore, given the tunnel location and depth, construction and operation of the tunnel would not have an impact on the Rancho LPG facility, and an upset at the Rancho LPG facility would not have an impact on the tunnel.

No revisions to the draft EIR/EIS are required in response to this comment.

Response to Comment A10-6

The comment requests information on the depth of the proposed tunnel base relative to the ground surface and the potential for groundborne vibration impacts for three residential properties along Western Avenue.

The tunnel depth would be approximately 400 feet below the ground surface in the vicinity of the identified properties. Therefore, the impact of groundborne vibrations from the tunneling operation would be less than significant, as described in Section 14.4.6.2 of the draft EIR/EIS.

No revisions to the draft EIR/EIS are required in response to this comment.

Response to Comment A10-7

The comment asks what activities would be involved in the future inspection and possible repair of the existing tunnels, would the staging of these future activities occur in Eastview Park, and could the impacts of these future activities be included in the draft EIR/EIS.

The Sanitation Districts have attempted various methods of determining the condition of the existing tunnels (e.g., remote operated vehicle inspection) and will continue to explore additional options. Unfortunately, the information obtained thus far has been insufficient to make a determination. Because both tunnels flow full every day, it appears that the only means of conclusively assessing their condition

would be to dewater each and perform a physical inspection as described in the draft Master Facilities Plan and draft EIR/EIS. Implementation of Alternative 4 (the recommended alternative) would allow for such an inspection. The existing shaft at Eastview Park would be included in the overall tunnel inspection. Depending on the location and extent of any necessary tunnel/shaft repairs, a portion of the park may be temporarily used to stage the repair activities. Due to the unknown condition of the tunnels and, consequently, the highly speculative nature of the repair work, it was determined that the potential repair project is beyond the scope of the draft EIR/EIS for the Clearwater Program. However, if it were determined that repairs are required, the associated work would be subject to the California Environmental Quality Act, and appropriate documentation would be prepared at that time. Moreover, if staging activities at Eastview Park were necessary, the Sanitation Districts would coordinate closely with the city of Rancho Palos Verdes to ensure that any potential impacts would be minimized to the extent feasible.

No revisions to the draft EIR/EIS are required in response to this comment.