



## MEMORANDUM

**TO:** HONORABLE MAYOR & CITY COUNCIL MEMBERS  
**FROM:** CAROLYNN PETRU, AICP, DEPUTY CITY MANAGER   
**DATE:** AUGUST 4, 2015  
**SUBJECT:** BORDER ISSUES STATUS REPORT  
**REVIEWED BY:** DOUG WILLMORE, 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:

- An update on recent issues and events related to the Rancho LPG butane storage facility in Los Angeles (San Pedro);
- An update on the proposed 4-unit detached condominium project at 5883 Crest Road in Rolling Hills Estates; and,
- A final report on proposed upgrades to the Palos Verdes Reservoir in Rolling Hills Estates.

### 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://www.rpvca.gov/781/Border-Issues-Status-Report>

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**August 4, 2015**  
**Page 2**

**DISCUSSION**

Current Border Issues

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

In the past two (2) months, interested parties have continued to forward items regarding and related to the Rancho LPG facility via e-mail. Copies of these e-mails are attached to tonight's report. Staff will continue to monitor this project in future Border Issues reports.

*5883 Crest Road Condominium Project, Rolling Hills Estates*

On June 1, 2015, the Rolling Hills Estates Planning Commission conducted another public hearing to review a slightly-revised version of the proposed 4-unit detached condominium project at 5883 Crest Road, located at the northeast corner with Highridge Road (see attached Staff report). In December 2014, the Planning Commission had expressed a number of serious concerns with the proposed project, including the size, number and design of the proposed homes; the proposed site grading; and the justification for the requested General Plan Amendment, Zone Change and Zone Text Amendment. The Planning Commission acknowledged the modifications that had been recently made to the project, and appeared to be supportive of the requested land use and zoning changes from commercial to residential. However, the majority of the commissioners also supported directing the applicant to explore further revisions to the project, with (possibly) fewer units in a single, townhouse-style building (similar to the adjacent *Seaview Villas* neighborhood).

After an initial Planning Commission motion to continue the matter to allow for further redesign, the applicant indicated that she preferred for the commissioners to reject the project as currently proposed, and to forward that recommendation to the Rolling Hills Estates City Council for its consideration. The Planning Commission adopted a resolution recommending denial of the proposed project to the City Council on July 6, 2015. The City Council is then expected to consider this recommendation sometime later this summer. Staff will continue to monitor this project in future Border Issues reports.

*Palos Verdes Reservoir Upgrades Project, Rolling Hills Estates*

On June 1, 2015, Staff received the attached response to our April 10<sup>th</sup> comments on the draft Mitigated Negative Declaration (MND) to the Metropolitan Water District (MWD). The responses noted (among other things) that there is an existing back-up generator at the reservoir that will be retained as a part of the proposed upgrades. In addition, MWD's

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responses clarified that the maximum capacity of the upgraded reservoir will be reduced from 1,108 acre-feet to 740 acre-feet, which should reduce the threat of potential inundation for downstream properties in Rancho Palos Verdes.

The MWD Board of Directors is expected to certify the final MND for this project at its meeting on July 14, 2015. Therefore, Staff will remove this project from future Border Issues reports.

New Border Issues

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

Attachments:

- E-mails related to the Rancho LPG facility (miscellaneous dates) (Page 4)
- RHE Planning Commission resolution (dated 7/6/15) (page 42)
- RHE Planning Commission Staff report (dated 6/1/15) (page 56)
- MWD Response to Comments (dated 5/29/15) (page 132)
- MWD Notification of Board Meeting (dated 7/1/15) (page 137)

## Kit Fox

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**From:** Janet Gunter <arriane5@aol.com>  
**Sent:** Friday, June 05, 2015 8:43 AM  
**To:** det310@juno.com; MrEnvirlaw@sbcglobal.net; noelweiss@ca.rr.com; connie@rutter.us; marciesmiller@sbcglobal.net; igornla@cox.net; pmwarren@cox.net; burling102@aol.com; efsmith@cox.net; amartinez@earthjustice.org; dwgkaw@hotmail.com; jhwinkler@me.com; claudia.r.mcculloch@gmail.com; leneebilski@hotmail.com; lhermanpg@cox.net; pjwrome@yahoo.com; katyw@pacbell.net; jwebb@usc.edu; c.jjkondon@earthlink.net; rcraemer@aol.com; goarlene@cox.net; ruboyesen@aol.com; carl.southwell@gmail.com; fxfeeney@aol.com; irene@miraclegirlproductions.org; kaiephron@yahoo.com; Lonna@copss-ca.org; DarleneZavalney@aol.com; pedrolaurie@yahoo.com; sarahnvaldez@gmail.com; rreg55@hotmail.com; jdimon77@yahoo.com; jwilliamgibson@ca.rr.com; jnm4ej@yahoo.com; mr.rpulido@gmail.com; fmillarva@gmail.com; marguello@psr-la.org; cicoriae@aol.com; alsattler@igc.org; joegalliani@gmail.com; tina@1creative360.com; deartoni@yahoo.com; hvybags@cox.net; chateau4us@att.net; freddibernardo@sbcglobal.net; vdogregg@aol.com; guillermovillagran@sbcglobal.net; peter.burmeister@sbcglobal.net; mandm8602@att.net; dlrivera@prodigy.net  
**Cc:** heather.hutt@sen.ca.gov; sabiha\_khan@feinstein.senate.gov; j\_duck@feinstein.senate.gov; trevor\_daley@feinstein.senate.gov; trevor\_higgins@feinstein.senate.gov; Lara.Larramendi@mail.house.gov; lisa.pinto@mail.house.gov; jacob.haik@lacity.org; rob.wilcox@lacity.org; rgb251@berkeley.edu; lpryor@usc.edu; meshkati@usc.edu; ahricko@hsc.usc.edu; david.wulf@hq.dhs.gov; kevin.schmidt@ltg.ca.gov; abaker@sco.ca.gov; alan.gordon@treasurer.ca.gov; carlos.delaguerra@lacity.org; southers@price.usc.edu; gene\_seroka@portla.org; william\_mckenna@hsgac.senate.gov; mai@cpuc.ca.gov; Kit Fox; kgreeneross@sco.ca.gov; anthony.reyes@sen.ca.gov; harvey.morris@cpuc.ca.gov  
**Subject:** LA TIMES REPORTED STORY THIS MORNING ON PLAINS ALL AMERICAN PIPELINE/RANCHO LPG

Plains All American Pipeline is the parent company of the highly explosive Rancho LPG (in LA Harbor) storage facility. While this article reports that two decades ago the company went on a "buying spree" buying miles of aging (20 yr. old) pipelines....they ALSO bought in 2008 an antiquated 35 YEAR OLD butane and propane gas storage facility!! This thing has a 3 mile blast radius which incorporates in it....the Ports of LA and Long Beach!!! Anyone nervous? You should be!

<http://www.latimes.com/local/california/la-me-oil-spill-plains-20150605-story.html#page=1>

Janet Gunter  
(310) 251-7075

# Owner of ruptured oil pipeline has history of big spills, fines

By JACK DOLAN AND JULIE CART

JUNE 5, 2015

**N**early two decades ago, Plains All American Pipeline embarked on a buying spree across the United States and Canada, acquiring thousands of miles of aging pipeline.

The purchases turned Plains into one of North America's biggest energy pipeline companies. But it also left the firm with a patchwork of pipes, some in need of crucial maintenance.

Mechanical failures on the company's network have contributed to more than a dozen spills that have released nearly 2 million gallons of hazardous liquid in the U.S. and Canada since 2004. That does not include more than 100,000 gallons of oil spilled along the Santa Barbara County coast on May 19, about 20,000 gallons of which went into the Pacific Ocean, prompting a massive and ongoing cleanup.

Several beaches have been closed since the spill. More than 100 birds and 58 mammals, including sea lions and dolphins, have died from contact with the oil.

The spill occurred on a section of a 1,750-mile-long pipeline built in 1987 that carries heavy crude from offshore in the Pacific to the Gulf of Mexico in Texas. Plains bought it in 1998 at the start of its acquisition boom.

In preliminary findings released this week, the Pipeline and Hazardous Materials Safety Administration determined the section of pipe was severely corroded and had lost nearly half its wall thickness. One six-inch crack in a section of pipe had been repaired repeatedly, officials noted. A precise cause for the spill has yet to be identified.

Regulators have cited cracked joints, failed screws, faulty pins and an undersized storage tank as causes of previous spills that led to millions of dollars in fines against the company, according to court records and regulatory filings.

Plains, a publicly traded company that transports oil from wells to refineries, has a market value of \$18.8 billion and operates roughly 18,000 miles of pipeline in North America.

"They bought a bunch of companies with assets of varying quality," said Michael Wara, a

geochemist and an associate professor of law at Stanford University who specializes in energy and environmental law. "When you do that, you may not always fully understand what you're acquiring, and that creates risk."

Plains spokesman Roy Lamoreaux said the previous owners of the pipelines didn't always maintain them diligently, and the process of bringing newly acquired lines up to Plains' standards often takes years.

Many of the firms' larger spills "occurred during the transition period," Lamoreaux said. But he rejected the notion that the rapid expansion was excessively risky, saying the company performed rigorous "due diligence" before each purchase and invested the necessary "catch-up capital" to make the pipelines safe.

The U.S. Environmental Protection Agency sued the company in 2010 for a series of spills in Texas, Louisiana, Oklahoma and Kansas that discharged 273,420 gallons of crude. In all, the company was required to pay \$3.25 million in fines and spend \$41 million to upgrade more than 10,000 miles of pipe.

The largest of the spills cited in the lawsuit occurred in December 2004 in the tiny West Texas town of Iraan. The rupture, caused by a cracked weld joint, discharged roughly 189,000 gallons of oil. Some of that crude wound up in the nearby Pecos River, according to court documents.

The second-largest spill, in the East Texas city of Longview, occurred a month later. A faulty pressure relief pin and an undersized secondary relief tank were blamed for discharging about 50,000 gallons of oil, some of which reached the Sabine River, court documents show.

Those spills came months after Plains executives essentially doubled the size of the company by purchasing another large pipeline operator.

The EPA lawsuit represented the strongest enforcement action federal pipeline regulators could take. Within weeks of the filing, the company agreed to pay the fines and comply with a long list of safety requirements, including weekly aerial patrols of its pipelines to check for leaks.

Two more-recent spills by the company's Canadian subsidiary, Plains Midstream, cost the company \$1.2 million in combined fines from authorities.

The first occurred in 2011 near Little Buffalo, Canada, when a 30-year-old weld failed on a pipeline laid in 1966. Plains purchased that line in 2008.

The spill released more than a million gallons of crude and became the second-largest in the province of Alberta's history.

The oil flowed into marshlands near the community of Little Buffalo, where a beaver dam prevented it from going farther. A persistent odor from the oil forced a nearby school to close for several days.

Investigators found that, before the spill, the company's leak detection gauges produced readings 20 times the level that would indicate a problem, but the operator failed to report the issue to his supervisor and shut down the pipeline. Investigators noted that the company had "few written policies regarding leak detection," according to court records.

The second spill, into the Red Deer River near Sundre, in 2012, occurred when heavy flooding caused the pipeline to fail. Many residents were treated at a local hospital for respiratory complaints. A recreational reservoir downstream from the spill closed for three weeks.

In that case, a report from the Alberta Energy Regulator — the provincial agency that oversees the oil industry — found, among other things, that "Plains failed to complete inspections of the pipeline at the required frequency" that its own maintenance standards outlined. The regulator said the company also failed to inspect the pipeline "annually as required by the [federal] Pipeline Rules," and failed to take precautionary measures to prevent flood damage, despite warnings from provincial authorities.

Plains bought the Red Deer River line in 2006 as the company moved to become a player in Canada's fast-growing oil and gas market.

Last year, another pipe the company owns ruptured in the Atwater Village neighborhood of Los Angeles and sent oil shooting more than 20 feet in the air. It rained down on a nearby strip club, coating patrons and forcing the club's evacuation.

Investigators determined that a set of screws holding a valve in place failed, leading to the release of nearly 14,000 gallons of crude.

The mess took several days to clean up and caused more than \$3 million in damage to nearby businesses and roads, according to a report by the California state fire marshal.

Companies controlled by Plains All American have in the last decade reported 229 less serious safety and maintenance incidents on pipelines to federal regulators.

Plains Pipeline, the largest of the Plains operations, has reported 179 such incidents since 2006. Among more than 1,700 operators included in a database maintained by the Pipeline and Hazardous Materials Safety Administration, only four reported more incidents than Plains.

The company's infractions involved pump failure, equipment malfunction, pipeline corrosion and

operator error, records show. None of the incidents resulted in injuries, but they caused more than \$23 million in property damage — much of that to the company's own facilities — and spilled more than 688,000 gallons of hazardous liquid, records show.

In the wake of the Santa Barbara County spill, the company has issued daily email updates on its cleanup efforts.

"Plains deeply regrets that this unfortunate incident occurred, and we are sorry for the resulting impact to the environment and wildlife, as well as for any disruption caused to residents and visitors," the company has said repeatedly in news releases.

Maintaining pipelines is not complicated, said Richard B. Kuprewicz, president of pipeline consulting firm Accufacts Inc., based in Redmond, Wash.

"In 40 years of investigating pipeline incidents, I haven't seen one that wasn't preventable," Kuprewicz said. "There are no such things as accidents."

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## Kit Fox

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**From:** Janet Gunter <arriane5@aol.com>  
**Sent:** Sunday, June 07, 2015 9:55 PM  
**To:** Kit Fox; lhermanpg@cox.net; pjwrome@yahoo.com; katyw@pacbell.net;  
jwebb@usc.edu; c.jjkondon@earthlink.net; rcraemer@aol.com; goarlene@cox.net;  
leneebilski@hotmail.com; claudia.r.mcculloch@gmail.com; vdogregg@aol.com  
**Cc:** lisa.pinto@mail.house.gov  
**Subject:** Rancho LPG/Plains All American Pipeline's BS finally gets exposed for what it is! Where have we heard this?

<http://abcnews.go.com/US/wireStory/pipeline-firm-told-california-oil-spill-extremely-31595962>

## Kit Fox

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**From:** Judith Webb <jwebb@usc.edu>  
**Sent:** Tuesday, June 09, 2015 9:57 AM  
**To:** Janet Gunter; Kit Fox; lhermanpg@cox.net; pjwrome@yahoo.com; katiw@pacbell.net; c.jjkondon@earthlink.net; rcraemer@aol.com; goarlene@cox.net; leneebilski@hotmail.com; claudia.r.mcculloch@gmail.com; vdogregg@aol.com  
**Cc:** lisa.pinto@mail.house.gov  
**Subject:** Re: Rancho LPG/Plains All American Pipeline's BS finally gets exposed for what it is! Where have we heard this?

Janet-

All I can say is that I hope it finally goes somewhere this time. Perhaps the League should write a letter (maybe to the LA Times with copies to EPA, or whatever) enlightening the local communities to the ongoing problem in the Harbor area involving Rancho LPG/Plains. Santa Barbara ain't exactly another world...

Thanks again for your continued activism and update on Rancho. Good luck on finally moving forward on the local issue. The Rancho avoidance of issues directly "under their feet" in the Santa Barbara debacle vindicates and reinforces all you have been saying for years.

Judith

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**From:** Janet Gunter <arriane5@aol.com>  
**Sent:** Sunday, June 7, 2015 9:55 PM  
**To:** kitf@rpv.com; lhermanpg@cox.net; pjwrome@yahoo.com; katiw@pacbell.net; Judith Webb; c.jjkondon@earthlink.net; rcraemer@aol.com; goarlene@cox.net; leneebilski@hotmail.com; claudia.r.mcculloch@gmail.com; vdogregg@aol.com  
**Cc:** lisa.pinto@mail.house.gov  
**Subject:** Rancho LPG/Plains All American Pipeline's BS finally gets exposed for what it is! Where have we heard this?

<http://abcnews.go.com/US/wireStory/pipeline-firm-told-california-oil-spill-extremely-31595962>

## Kit Fox

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**From:** Janet Gunter <arriane5@aol.com>  
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**To:** jwebb@usc.edu; Kit Fox; lhermanpg@cox.net; pjwrome@yahoo.com; katiw@pacbell.net; c.jjkondon@earthlink.net; rcraemer@aol.com; goarlene@cox.net; leneebilski@hotmail.com; claudia.r.mcculloch@gmail.com; vdogregg@aol.com  
**Cc:** lisa.pinto@mail.house.gov  
**Subject:** Re: Rancho LPG/Plains All American Pipeline's BS finally gets exposed for what it is! Where have we heard this?

Thank you so much, Judith. The League's involvement in anyway would be most helpful. The extraordinarily high risks to public safety at Rancho LPG MUST be addressed "before" the catastrophe occurs. We have wasted so much time in addressing this already...and I fear how much time we really have left to respond.

All the best,  
Janet

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

From: Judith Webb <jwebb@usc.edu>  
To: Janet Gunter <arriane5@aol.com>; kitf <kitf@rpv.com>; lhermanpg <lhermanpg@cox.net>; pjwrome <pjwrome@yahoo.com>; katiw <katiw@pacbell.net>; c.jjkondon <c.jjkondon@earthlink.net>; rcraemer <rcraemer@aol.com>; goarlene <goarlene@cox.net>; leneebilski <leneebilski@hotmail.com>; claudia.r.mcculloch <claudia.r.mcculloch@gmail.com>; vdogregg <vdogregg@aol.com>  
Cc: lisa.pinto <lisa.pinto@mail.house.gov>  
Sent: Tue, Jun 9, 2015 9:56 am  
Subject: Re: Rancho LPG/Plains All American Pipeline's BS finally gets exposed for what it is! Where have we heard this?

Janet-

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Judith

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**From:** Janet Gunter <arriane5@aol.com>  
**Sent:** Sunday, June 7, 2015 9:55 PM  
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**Cc:** [lisa.pinto@mail.house.gov](mailto:lisa.pinto@mail.house.gov)  
**Subject:** Rancho LPG/Plains All American Pipeline's BS finally gets exposed for what it is! Where have we heard this?

<http://abcnews.go.com/US/wireStory/pipeline-firm-told-california-oil-spill-extremely-31595962>

## Kit Fox

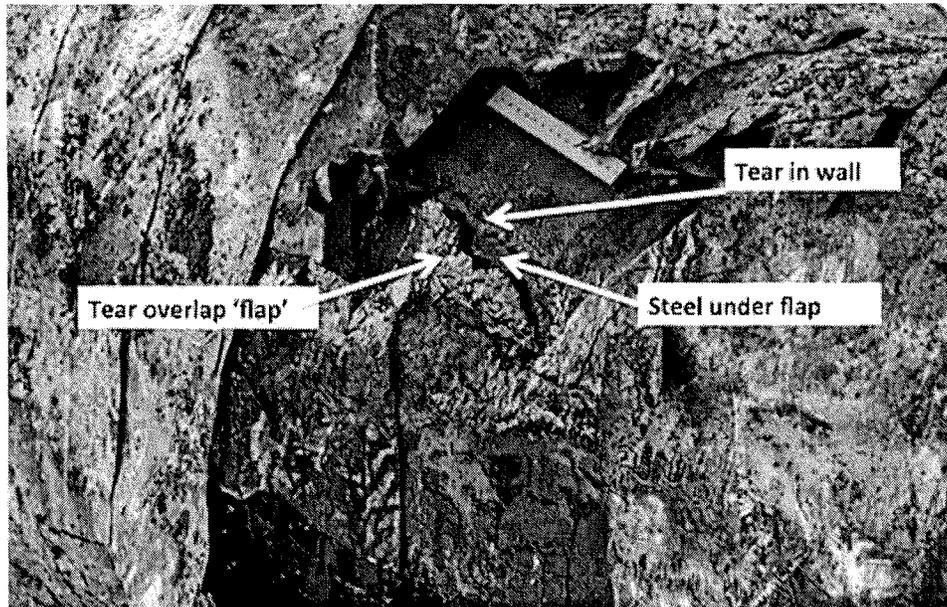
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**From:** Janet Gunter <arriane5@aol.com>  
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**To:** dwgkaw@hotmail.com; burling102@aol.com; pmwarren@cox.net; chateau4us@att.net; hvybags@cox.net; billharris2275@gmail.com; fbmjet@aol.com; dlrivera@prodigy.net; mandm8602@att.net; peter.burmeister@sbcglobal.net; Kit Fox; leneebilski@hotmail.com; claudia.r.mcculloch@gmail.com; lhermanpg@cox.net; pjwrome@yahoo.com; katyw@pacbell.net; jwebb@usc.edu; c.jjkondon@earthlink.net; rcraemer@aol.com; goarlene@cox.net; ahricko@usc.edu; meshkati@usc.edu; lpryor@usc.edu; jhwinkler@me.com; fxfeeney@aol.com; irene@miraclegirlproductions.org  
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**Subject:** Latest from risk expert Professor Bea (who has grave concerns re: Rancho LPG) on Plains/Rancho SB spill...fyi  
**Attachments:** Pipeline Photos Begin to Tell Story of Refugio Oil Spill.pdf

## Pipeline Photos Begin to Tell Story of Refugio Oil Spill

By Brandon Fastman ( Contact )

Thursday, June 11, 2015



Paul Wellman/S.B. Independent

The ruptured section of the Plains All American pipeline. Photo annotated by Robert Bea, a professor emeritus of civil engineering at UC Berkeley

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### Operating Line 901 was Risky Business, Says Disaster Investigator

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While there are still many questions to be answered about the human behavior that led to the continuing operation of an extremely corroded oil pipeline running through a highly sensitive environment adjacent to the Pacific Ocean, photos released by the pipeline operator are helping to fill in the picture on matters of a technical nature.

To ascertain exactly how, *The Santa Barbara Independent* caught up with Robert Bea, a professor emeritus of civil engineering at UC Berkeley sometimes dubbed the “master of disaster” because he has studied such iconic catastrophes as the Columbia space shuttle’s failed reentry, the Exxon Valdez spill, the BP Deepwater Horizon blowout, and the failing of the New Orleans levies after Hurricane Katrina.

The most pressing question is how a smart pig device that measures pipe safety data – or those who interpret the data – could detect 45 percent corrosion of the busted pipe just weeks before the spill when metallurgy tests afterwards revealed up to 82 percent reduction in pipe wall thickness. “Even a dumb pig would be able to detect this amount and extent of corrosion,” quipped Bea. But after studying photos of the ruptured pipe, Bea surmised that delaminated steel could have given a false impression of the pipe’s

diameter. In the accompanying photo annotated by Bea, he points out a delaminated flap extending under the rupture.

He also explained that the broken pipeline was buried in a low spot, which would collect winter rain. Factor in the heat of the pipeline (120 degrees Fahrenheit) and the fact that the ground in this area is already highly corrosive, said Bea, a former Shell executive who has lived in Bakersfield, and it's no surprise that this particular section broke. Such conditions would induce both internal and external corrosion, the latter less detectable by a pig.

By Bea's calculations, even if the pipeline were at 40 percent corrosion, loss of containment would be expected at 700 pounds per square inch (psi). Relative to atmospheric pressure, the normal operating pressure of the line was 650 psi. According to a corrective action order issued by the Pipeline and Hazardous Waste Materials Safety Administration, pipe operator Plains All-American reported a pressure of 700 psi immediately prior to the spill.

"The pressure spike is what probably precipitated the burst at the flap section," said Bea. "That it didn't burst earlier is a tribute to the steel, not appropriate risk management."

The location of the spill is also significant for environmental, social, and historical reasons that would not go unnoticed by a student of disasters. In such a pristine area so close to the 1969 Union Oil platform blowout that changed the course of environmental history, said Bea, "You need to be sure that your containment is very stringent. You cannot tolerate [even] a 45 percent loss and have appropriate management of likelihood of spilling that oil. That does not make sense."

Corrosion has long been an issue on the pipeline. According to the corrective action order, Plains excavated 13 and 41 sections of the pipe due to "anomalies" after inspections in 2007 and 2012. PHMSA investigators noticed "three repairs to the Affected Pipeline in the area near the Failure site that had been made due to external corrosion" after the 2012 inspection.

Although Line 901 was not extremely old – construction began in 1986 and went into service in 1991 – Bea pointed to a study of pipe failures in the Gulf of Mexico that he co-authored. Most of those failures happened at about ten years of age.

"I'll place a bet that when we finally get those results [from the 2012 inspection], we are going to see sections of that pipeline that should not have been allowed to be in operation until 2015," said Bea, noting a lack of diligence by the operator to responsibly manage risk and the weakness of government oversight.

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## Kit Fox

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**Subject:** PUBLIC NUISANCE FILED AGAINST PLAINS ALL AMERICAN BY TONGVA TRIBAL NATION  
**Attachments:** tongva letter w bea attach.pdf

MEDIA RELEASE  
JUNE 14, 2015

### **PUBLIC NUISANCE FILED AGAINST PLAINS ALL AMERICAN PIPELINE BY TONGVA TRIBAL NATION ON SANTA BARBARA OIL SPILL**

Today a Notice of Public Nuisance was filed against Plains All American Pipeline on the Santa Barbara oil spill by John Tommy Rosas, Tribal Administrator, for the Tongva Ancestral Tribal Nation.

The letter, written by the Tongva Nation's legal representative, Anthony Patchett, highlights the mismanagement of Plains operators citing a number of obvious mistakes made in due diligence that have led to dire consequences to the environment.

The letter also makes very direct references to the Plains All American Pipeline's subsidiary, Rancho LPG LLC, in the LA Harbor Area. This facility has been of grave concern to local residents for over 40 years due to the voluminous 25 million gallons of highly explosive butane and propane gases and the facility's close proximity to pre-existing homes and schools. The blast radius from only "one" of the Plains/Rancho butane storage tanks is (according to the EPA formula for worst case for flammables) **3.1 miles**, incorporating 5 communities and both ports of LA and Long Beach.

The Plains/Rancho 42 year old Liquefied Petroleum Gas tanks sit within a LA City documented "Earthquake Rupture Zone" (a convergence of multiple faults) whose magnitude quake potential is 7.3. The millions of gallons of explosive liquefied petroleum gas is stored in tanks built in 1973 to a seismic sub-standard of 5.5-6.0! The Plains/Rancho property is designated by the USGS as "landslide" and "liquefaction" areas.

\*Tongva Nuisance Letter attached.

Info:  
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Member: San Pedro Peninsula Homeowners United, INC  
(310) 251-7075

See: [www.hazardsbegone.com](http://www.hazardsbegone.com)  
Facebook page: Saving San Pedro



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Fax: 818-243-9157

"...and justice for all."

June 14, 2015

PLAINS ALL AMERICA PIPELINE, LP  
333 Clay Street  
Suite 1600  
Houston, Texas 77002

RE: OIL SPILL MAY 19, 2015 NOTICE OF PUBLIC NUISANCE

On behalf of John Tommy Rosas, Tribal Administrator, Tongva Ancestral Territorial Tribal Nation

#### STATEMENT OF FACTS

Due to your negligence on May 19, 2015 you created a disaster from your underground 10 mile long 24 inch wide pipeline known as Line 901 that ruptured and marred the coast of California. The pipeline runs along the edge of the Pacific Ocean. Up to 101,000 gallons of crude leaked during the spill. Two state beaches were closed, a fishing ban was enacted and wildlife experts say 161 birds were killed.

Oil floated out to sea creating a slick that stretched down the shoreline of California and entered the TONGVA/TATTN TRIBAL WATERS AND TRIBAL COASTAL AREAS INCLUDING wetlands of the Tongva Ancestral Territorial Tribal Nation INCLUDING in Marina del Rey.

Do you have a Risk Management Plan for your pipeline maintenance?

Why was there no automatic shut off valve for line 901?

Your conduct parallels your business practices at one of your other business entities, Rancho LPG in San Pedro, California. Two 40 year old steel buildings exposed to the elements storing 25 million gallons of butane adjacent to the San Pedro community without a Catastrophic Risk Assessment as suggested by Professor Robert Bea, the Master of Disaster, who wrote on April 20, 2015 to Ronald Conrow, Rancho LPG Holdings the following:

"During the past 45 years, I have been involved as an originator, contributor and reviewer of more than one hundred QRAs involving "High Risk Systems." This work has been associated with design, construction, maintenance, and operation of onshore and offshore industrial oil and gas explosion, production, transportation, and refining systems. Several of these QRAs were associated with oil and gas production and transportation facilities located onshore and offshore Southern California near the Rancho LPG facilities. I have written three books, contributed chapters in 4 other books, written several hundred referred technical papers and reports, and taught university undergraduate and graduate courses on system Risk Assessment and Management (SRAM) of engineered systems for more than 20 years. This work has been closely associated with my forensic engineering work as a primary investigator on more than 30 major accidents and disasters that have primarily involved oil and gas exploration, production, transportation, and refining systems. This work has been involved with more than 40 major national and international joint industry-government sponsored research projects that addressed SRAM of complex engineered systems."

"Deficiencies found in previous formal quantitative QRAs and PRAs: 1) omission of important categories of uncertainties, 2) systematic incorporation of optimistic human and organizational "biases", 3) assumptions integrated into the risk analysis that were not validated, 4) systematic underestimate in the consequences of major accidents, 5) omission of important interactions between infrastructure components and systems, and 6) application of inappropriate risk "acceptability" and "tolerability" criteria. All of these deficiencies in the existing formal QRAs that have been performed for the Rancho LPG facilities."

"The Equation for Disaster is:  $A+B=C$ . "A" are natural hazards like explosive hydrocarbons, corrosion, metal fatigue, earthquakes, tsunamis, hurricanes, and instability of the ground. "B" are human hazards including hubris, arrogance, greed, complacency, ignorance, and indolence. "C" are disasters sooner or later. At this point in my review of the documentation associated with the Rancho LPG facilities, I have detected plentiful evidence of the presence of ALL of the "B" human hazards in the "Equation for Disaster." In addition, there is ample valid evidence available to characterize the multiplicity of significant natural hazards at and in the vicinity of these facilities. I conclude it is time for Rancho LPG Holdings LLC to take effective actions to avoid the "C" results associated with the facilities it owns and operates."

Your lack of testing of line 901, prior corporate violations and apparent lack of a proper Catastrophic Risk Assessment are circumstantial evidence of your culpability in this disaster.

**ELEMENTS OF A PUBLIC NUISANCE**

1. Plains All America by acting or failing to act created a condition that is harmful to health and interferes with the comfortable enjoyment of life and property by discharging over 101,000 gallons of crude oil onto the beaches and wetlands of California.
2. That nuisance affects a substantial number of individuals similarly situated to the Plaintiff, such as residents and visitors.
3. The oil spill is a condition which would reasonably annoy and disturb an ordinary person.
4. That the seriousness of the harm outweighs the social utility of Plains All America conduct.
5. That John Tommy Rosas and the Tongva Ancestral Territorial Tribal Nation did not consent to Plains All America conduct.
6. That John Tommy Rosas and the Tongva Ancestral Territorial Tribal Nation suffered harm and injury to their TONGVA/TATTN TRIBAL WATERS AND TRIBAL COASTAL AREAS INCLUDING wetlands different from the type of harm suffered by the general public.
7. That Plains All America's conduct was a substantial factor in causing harm to John Tommy Rosas and the Tongva Ancestral Territorial Tribal Nation.



By Anthony G. Patchett

Attorney for John Tommy Rosas and the Tongva Ancestral Territorial Tribal Nation



TELEPHONE: (925) 631 1587

E-MAIL: bea@ce.berkeley.edu

CENTER FOR CATASTROPHIC RISK MANAGEMENT  
DEPARTMENT OF CIVIL & ENVIRONMENTAL ENGINEERING  
BERKELEY, CALIFORNIA 94720-1710

April 20, 2015

Mr. Ronald Conrow  
Rancho LPG Holdings, LLC  
2110 North Gaffey Street  
San Pedro, CA 90731



Re: Letter dated April 9, 2015 with responses regarding my statements contained in the YouTube video about the Rancho LPG Facility in San Pedro, CA

Dear Mr. Conrow:

I have reviewed the contents of your letter to me dated April 9, 2015 regarding my statements contained in the YouTube video about the Rancho LPG Facility in San Pedro, CA. This letter summarizes my responses to the four quotations I made in the YouTube video.

Before I address the four quotations, I would like to address several statements contained in your letter to me. First, you state:

“We are concerned not only about the inflammatory nature of this video, but the fact the claims portrayed in the video by you and other commenters are lacking proven scientific information required to quantify exactly how the events described in the video can even happen.”

The background I reviewed and analyzed that formed the foundation for my statements in this video came from documentation I have obtained since 2011 regarding the Rancho LPG Facility, surrounding facilities, and similar LPG facilities in other locations. This documentation included several qualitative and quantitative ‘risk analyses’ of the Rancho LPG Facility that addressed some of the major hazards that confront these facilities and the uncertainties associated with performance of these facilities given the different kinds of hazards. These hazards included effects on the facilities and surrounding communities and industrial facilities of intense earthquakes, ground instability (e.g. liquefaction during earthquakes, instability developed as a result of intense storm effects), tsunamis, terrorist activities, and those associated with operations and maintenance of the facilities (e.g. LPG transport into and out of the facilities). This background included several hundred documents.

After I completed review of the background documentation, in mid-2011, I advised Mr. Anthony Patchett that the primary conclusion I reached after analyzing the available background was:

“the only sensible way forward is to have an advanced, high quality, thorough, validated risk analysis performed...this would be similar to advanced analyses that are done for critical facilities such as nuclear power plants.”

Mr. Patchett commissioned a detailed review of the background documentation pertaining to Quantified Risk Analyses (QRA) of the Rancho LPG facilities by Mr. Philip Meyers of PEMY Consulting. Mr. Meyers issued a report at the end of December 2011 summarizing the results of his review. Mr. Meyers developed a series of detailed recommendations that addressed development of a comprehensive QRA for these facilities; thus, corroborating my primary conclusion.

The consequence of these developments is that your request for “proven scientific information required to quantify exactly how the events described in the video can even happen” does not exist at this time. The statements I made in the video represent my synthesis of the information and conclusions regarding the risks of major accidents associated with the existing Rancho LPG facilities.

In your letter you state: “you should be able to provide the technical information to support your claims and those of the other video commenters.” Your contention that I should be able to provide the technical information to support those of the other video commenters is not correct. Prior to release of the video, I was not able to review, validate, or comment on the comments and observations made by the other video commenters. Those individuals should be given the opportunity to respond as I am responding to the four comments I made during the video.

Further, in your letter you state: “However, if you support the claims contained in the video, it should be quite simple for you to produce quantitative validation required to defend the positions of you and the other video commenters. Later in this letter, I will provide the background for the four comments I made during the video. As I summarized in the foregoing paragraph, I will not “defend the positions... of the other video commenters.”

Finally, in your letter you state:

“The questions posed by Quest are straightforward (no gotcha questions) with the intention of scientifically explaining how an event can or cannot happen. The residents of San Pedro concerned about ‘public safety’ are deserving of facts based upon science and not rhetoric!”

I agree that the residents of San Pedro and the local, State, and Federal government agencies having responsibilities for these facilities are deserving of facts based on science not rhetoric. Unfortunately, based on the available background information I have reviewed which includes a QRA performed by Quest Consultants Inc., I do not think there is sufficient valid and validated information (qualitative and quantitative) to inform the residents of San Pedro and the responsible local, State, and Federal government agencies regarding the ‘public safety’ and risks of major accidents associated with the Rancho LPG facilities. I think it is incumbent upon Rancho LPG Holdings LLC to provide the residents of San Pedro and the responsible government agencies the scientifically based information on the ‘public safety’ and risks (likelihoods and consequences) associated with major accidents involving the Rancho LPG facility.

Next, I will address each of the four statements I made in the video as summarized in your letter to me and further detailed in the letter from Quest Consultants Inc. to you (dated April 7, 2015).

**Dr. Bea: “Rancho is a very volatile, explosive, flammable gas.”**

The commentary provided by Quest (page 2) properly characterizes the LPG contained in the name of your company: Rancho LPG Holdings LLC: Liquefied Petroleum Gas:

Clearly, the Rancho facility is not a gas, but the Rancho facility does store flammable liquefied gases (propane and butane in liquefied form). It would be beneficial to educate the listener that volatility only applies to liquids (or some solids that sublime like carbon dioxide) but not to gases. Other common materials are both volatile and flammable. Materials such as gasoline, diesel, kerosene, acetone, and ethyl alcohol, are all volatile liquids and are quite common and, once vaporized, will produce a flammable gas. If a material is flammable, it can be involved in an explosion. Thus, all the materials outlined above are also “explosive.”

**Dr. Bea: “It also has very high risk because of the population and community that surrounds it.”**

The commentary provided by Quest (page 3) properly defines the information that should be *but is not* available:

The statement is made in reference to Rancho being “high risk” due to the population around the facility. Since risk is a product of consequence and frequency, in order to make the statement above, Dr. Bea must have calculated both components of risk, as well as defined what “high” means in regard to risk. Since this exercise must have already been completed by Dr. Bea in order to make such a statement, it should be straight-forward to identify the following components that make Rancho a “high risk” facility.

My statement is based on the information contained in the series of ‘risk analyses’ documents I cited earlier in this document. My synthesis of that information led to my qualitative assessment of “high risk”. That assessment included an assessment of the likelihoods of major accidents due to the multiple categories of hazards I cited earlier (earthquakes, severe storms, ground instability, terrorist activities, and operating and maintenance activities) and the consequences (deaths, severe injuries, property and productivity damages, and direct and indirect monetary costs).

During the past 45 years, I have been involved as an originator, contributor and reviewer of more than one hundred QRAs involving ‘High Risk Systems.’ This work has been associated with design, construction, maintenance, and operation of onshore and offshore industrial oil and gas exploration, production, transportation, and refining systems. Several of these QRAs were associated with oil and gas production and transportation facilities located onshore and offshore Southern California near the Rancho LPG facilities. I have written three books, contributed chapters in 4 other books, written several hundred refereed technical papers and reports, and taught university undergraduate and graduate courses on System Risk Assessment and Management (SRAM) of engineered systems for more than 20 years. This work has been closely associated with my forensic engineering work as a primary investigator on more than 30 major accidents and disasters that have primarily involved oil and gas exploration, production, transportation, and refining systems. This work has been involved with more than 40 major national and international joint industry – government sponsored research projects that addressed SRAM of complex engineered systems.

The latest of these SRAM research projects was a 6-year duration project sponsored by the National Science Foundation. The goal of this project was to develop and validate advanced SRAM methods to address the complex, interconnected, interactive infrastructure systems (gas storage and transportation, power and water supply, marine, highway, and railway transportation, communications, flood protection) located in the California Delta. This research project addressed primary deficiencies found in previous formal quantitative QRAs and PRAs: 1) omission of important categories of uncertainties, 2) systematic incorporation of optimistic human and organizational ‘biases,’ 3) assumptions integrated into the risk analyses that were not validated, 4) systematic underestimate in the consequences of major accidents, 5) omission of important interactions between infrastructure components and systems, and 6) application of inappropriate risk ‘acceptability’ and ‘tolerability’ criteria. All of these deficiencies resulted in dramatic under-estimates of the infrastructure risks and inappropriate acceptance – tolerability of those risks. I have detected evidence of all of these deficiencies in the existing formal QRAs that have been performed for the Rancho LPG facilities.

This experience has provided me with an extensive ‘library’ of experience and knowledge about QRAs, PRAs (Probabilistic Risk Analyses), PSM (Process Safety Management), Safety Cases, and other relevant technologies that apply to understanding the risks posed by the Rancho LPG facilities. The combination of this previous experience together with the knowledge I developed from my review of the previous studies of the Rancho LPG facilities provided the basis for this and the other statements I made in the video.

**Dr. Bea: “(If) One of the tanks fails, within a three mile radius of that tank approximately half a million people live. That’s high risk.**

Based on the results contained in the previous Rancho LPG ‘risk analysis’ studies I reviewed, the three mile radius was the distance I estimated that there could be significant negative effects or consequences from the explosion of one of the Rancho vertical LPG storage tanks. That distance could be significantly greater if both of the vertical storage tanks failed during a single event or other nearby facilities (e.g. Rancho horizontal LPG storage tanks, adjacent refining facilities) were involved in a cascade or propagation of fires and explosions. I estimated the number of people who could live, work, and be present in this densely populated and industrial area during such an event. My qualitative assessment of the likelihood and consequences associated with such an event indicated the risks could be ‘High’.

**Dr. Bea: “A large amount of propane in storage tanks that can be affected by strong earthquakes, ignited, that’s a natural hazard, or (plus) human hazards: hubris, arrogance, greed, ignorance, and indolence is a disaster sooner or later.”**

The commentary provided by Quest (page 4) properly characterizes the storage tanks I referenced:

“The propane is stored in the horizontal pressure vessels, the butane is stored in horizontal pressure vessels and vertical refrigerated tanks.”

This commentary also defines the potential types of gas ignition as:

“flash fire, torch fire, pool fire, or vapor cloud explosion” and combinations of these types.

The Quest commentary further observes:

**The word hazard refers to “a chemical or physical condition that has the potential for causing damage to people, property, or the environment.” Thus, the fact that a flammable liquefied gas is stored on site presents a hazard. Using this rational, every car on the road or plane in the sky (or on the runway) presents a hazard. Is that correct Dr. Bea?**

Yes. I think these are correct statements. It is for these very reasons that the technology associated with SRAM has been developed. There are many important hazards that need to be properly recognized, evaluated and managed before there are major accidents that can have dramatic negative effects on people, property, productivity, environmental quality and the quality of life.

The Quest commentary requested that I address the “human hazards” I detailed in my quotation and how they are relevant to Rancho. These human hazards were part of the ‘equation’ (analytical expression) I developed to explain simply why and how major disasters have and continue to happen. I based this ‘Equation for Disaster’ on my detailed ‘Root Causes Analyses’ studies of more than 600 major accidents and my more than 30 forensic engineering investigations of major disasters that have included the failures of the flood protection system for the Greater New Orleans area during and following Hurricane Katrina, the BP Deepwater Horizon Maconodo well blowout in the Gulf of Mexico, and the PG&E San Bruno gas pipeline fires and explosions.

The Equation for Disaster is:  $A + B = C$ . ‘A’ are natural hazards like explosive hydrocarbons, corrosion, metal fatigue, earthquakes, tsunamis, hurricanes, and instability of the ground. ‘B’ are human hazards including hubris, arrogance, greed, complacency, ignorance, and indolence. ‘C’ are disasters sooner or later. The definitions of these human hazards in the Quest commentary (page 5) are appropriate.

At this point in my review of the documentation associated with the Rancho LPG facilities, I have detected plentiful evidence of the presence of ALL of the 'B' human hazards in the 'Equation for Disaster.' In addition, there is ample valid evidence available to characterize the multiplicity of significant natural hazards at and in the vicinity of these facilities. I conclude it is time for Rancho LPG Holdings LLC to take effective actions to avoid the 'C' results associated with the facilities it owns and operates.

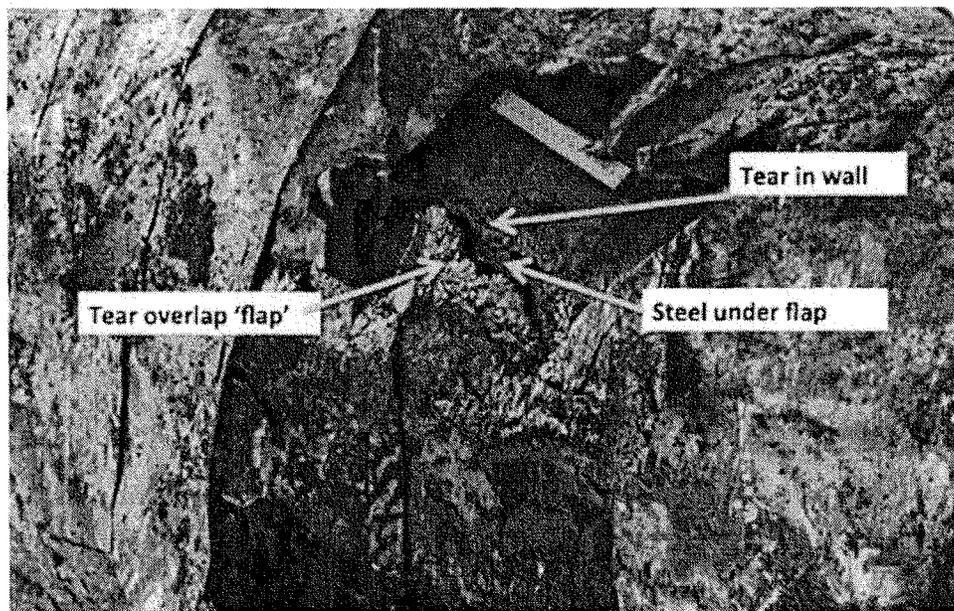
A handwritten signature in black ink, appearing to read 'R. Bea', written in a cursive style.

**Robert Bea, PhD, PE (retired)**  
**Professor Emeritus**  
**Center for Catastrophic Risk Management**  
**University of California Berkeley**

## Pipeline Photos Begin to Tell Story of Refugio Oil Spill

By Brandon Fastman ( Contact )

Thursday, June 11, 2015



Paul Wellman/S.B. Independent

The ruptured section of the Plains All American pipeline. Photo annotated by Robert Bea, a professor emeritus of civil engineering at UC Berkeley

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### Operating Line 901 was Risky Business, Says Disaster Investigator

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While there are still many questions to be answered about the human behavior that led to the continuing operation of an extremely corroded oil pipeline running through a highly sensitive environment adjacent to the Pacific Ocean, photos released by the pipeline operator are helping to fill in the picture on matters of a technical nature.

To ascertain exactly how, *The Santa Barbara Independent* caught up with Robert Bea, a professor emeritus of civil engineering at UC Berkeley sometimes dubbed the “master of disaster” because he has studied such iconic catastrophes as the Columbia space shuttle’s failed reentry, the Exxon Valdez spill, the BP Deepwater Horizon blowout, and the failing of the New Orleans levies after Hurricane Katrina.

The most pressing question is how a smart pig device that measures pipe safety data – or those who interpret the data – could detect 45 percent corrosion of the busted pipe just weeks before the spill when metallurgy tests afterwards revealed up to 82 percent reduction in pipe wall thickness. “Even a dumb pig would be able to detect this amount and extent of corrosion,” quipped Bea. But after studying photos of the ruptured pipe, Bea surmised that delaminated steel could have given a false impression of the pipe’s

diameter. In the accompanying photo annotated by Bea, he points out a delaminated flap extending under the rupture.

He also explained that the broken pipeline was buried in a low spot, which would collect winter rain. Factor in the heat of the pipeline (120 degrees Fahrenheit) and the fact that the ground in this area is already highly corrosive, said Bea, a former Shell executive who has lived in Bakersfield, and it's no surprise that this particular section broke. Such conditions would induce both internal and external corrosion, the latter less detectable by a pig.

By Bea's calculations, even if the pipeline were at 40 percent corrosion, loss of containment would be expected at 700 pounds per square inch (psi). Relative to atmospheric pressure, the normal operating pressure of the line was 650 psi. According to a corrective action order issued by the Pipeline and Hazardous Waste Materials Safety Administration, pipe operator Plains All-American reported a pressure of 700 psi immediately prior to the spill.

"The pressure spike is what probably precipitated the burst at the flap section," said Bea. "That it didn't burst earlier is a tribute to the steel, not appropriate risk management."

The location of the spill is also significant for environmental, social, and historical reasons that would not go unnoticed by a student of disasters. In such a pristine area so close to the 1969 Union Oil platform blowout that changed the course of environmental history, said Bea, "You need to be sure that your containment is very stringent. You cannot tolerate [even] a 45 percent loss and have appropriate management of likelihood of spilling that oil. That does not make sense."

Corrosion has long been an issue on the pipeline. According to the corrective action order, Plains excavated 13 and 41 sections of the pipe due to "anomalies" after inspections in 2007 and 2012. PHMSA investigators noticed "three repairs to the Affected Pipeline in the area near the Failure site that had been made due to external corrosion" after the 2012 inspection.

Although Line 901 was not extremely old – construction began in 1986 and went into service in 1991 – Bea pointed to a study of pipe failures in the Gulf of Mexico that he co-authored. Most of those failures happened at about ten years of age.

"I'll place a bet that when we finally get those results [from the 2012 inspection], we are going to see sections of that pipeline that should not have been allowed to be in operation until 2015," said Bea, noting a lack of diligence by the operator to responsibly manage risk and the weakness of government oversight.

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## Kit Fox

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**From:** Peter Warren <pmwarren@cox.net>  
**Sent:** Monday, June 15, 2015 1:34 PM  
**To:** Janet Gunter  
**Cc:** news@socalnews.com; news@citynews.ca; heather.hutt@sen.ca.gov; lisa.pinto@mail.house.gov; sabiha\_khan@feinstein.senate.gov; j\_duck@feinstein.senate.gov; trevor\_daley@feinstein.senate.gov; trevor\_higgins@feinstein.senate.gov; rob.wilcox@lacity.org; jacob.haik@lacity.org; abaker@sco.ca.gov; jennifer.lucchesi@slc.ca.gov; kevin.schmidt@ltg.ca.gov; aaron.wilensky@mail.house.gov; don.holmstrom@csb.gov; dan.tillema@csb.gov; jones@usgs.gov; carlos.delaguerra@lacity.org; attorneygeneral@doj.ca.gov; drljones@usgs.gov; Kit Fox; laura\_schiller@boxer.senate.gov  
**Subject:** Re: PUBLIC NUISANCE FILED AGAINST PLAINS ALL AMERICAN BY TONGVA TRIBAL NATION

Bravo.

Native Americans stand up for the rest of us.

We already owe them a great debt and, if this leads to some reaction from the City of LA, that would be a blessing.

May the goddess be with us.

peter

On Jun 15, 2015, at 12:45 PM, Janet Gunter <[arriane5@aol.com](mailto:arriane5@aol.com)> wrote:

MEDIA RELEASE  
JUNE 14, 2015

### **PUBLIC NUISANCE FILED AGAINST PLAINS ALL AMERICAN PIPELINE BY TONGVA TRIBAL NATION ON SANTA BARBARA OIL SPILL**

Today a Notice of Public Nuisance was filed against Plains All American Pipeline on the Santa Barbara oil spill by John Tommy Rosas, Tribal Administrator, for the Tongva Ancestral Tribal Nation.

The letter, written by the Tongva Nation's legal representative, Anthony Patchett, highlights the mismanagement of Plains operators citing a number of obvious mistakes made in due diligence that have led to dire consequences to the environment.

The letter also makes very direct references to the Plains All American Pipeline's subsidiary, Rancho LPG LLC, in the LA Harbor Area. This facility has been of grave concern to local residents for over 40 years due to the voluminous 25 million gallons of highly explosive butane and propane gases and the facility's close proximity to pre-existing homes and schools. The blast radius from only "one" of the Plains/Rancho butane storage tanks is (according to the EPA formula for worst case for flammables) **3.1 miles**, incorporating 5 communities and both ports of LA and Long Beach.

The Plains/Rancho 42 year old Liquefied Petroleum Gas tanks sit within a LA City documented "Earthquake Rupture Zone" (a convergence of multiple faults) whose magnitude quake potential is 7.3. The millions of gallons of explosive liquefied petroleum gas is stored in tanks built in 1973 to a seismic sub-standard of 5.5-6.0! The Plains/Rancho property is designated by the USGS as "landslide" and "liquefaction" areas.

\*Tongva Nuisance Letter attached.

Info:

Janet Gunter

Member: San Pedro Peninsula Homeowners United, INC  
(310) 251-7075

See: [www.hazardsbegone.com](http://www.hazardsbegone.com)

Facebook page: Saving San Pedro

<tongva letter w bea attach.pdf>

## Kit Fox

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**From:** Janet Gunter <arriane5@aol.com>  
**Sent:** Monday, June 22, 2015 9:32 PM  
**To:** lisa.pinto@mail.house.gov; Lara.Larramendi@mail.house.gov; heather.hutt@sen.ca.gov; Kit Fox  
**Cc:** det310@juno.com; connie@rutter.us; noelweiss@ca.rr.com; MrEnvirlaw@sbcglobal.net; amartinez@earthjustice.org; tattnlaw@gmail.com; jdimon77@yahoo.com; igornla@cox.net; dwgkaw@hotmail.com; rreg55@hotmail.com; president@centralsanpedro.org; darlenezavalney@aol.com; sarahnvaldez@gmail.com; rgb251@berkeley.edu; cicoriae@aol.com; alsattler@igc.org; jhwinkler@me.com; jody.james@sbcglobal.net; marciesmiller@sbcglobal.net  
**Subject:** Do you suppose it is finally time for our local politicians to get serious about Plains/Rancho LPG's high risk?

After all.....a "leak" of butane is not going to cause a horrible environmental mess...it's simply going to result in a cataclysmic explosion and inferno!

<https://lieu.house.gov/media-center/press-releases/congressman-lieu-statement-match-between-santa-barbara-oil-spill-and-oil>

# CONGRESSMAN LIEU STATEMENT ON MATCH BETWEEN SANTA BARBARA OIL SPILL AND OIL SAMPLE FROM MANHATTAN BEACH/ SOUTH BAY

June 22, 2015 | Press Release

**FOR IMMEDIATE RELEASE:** June 22, 2015

**CONTACT:** Jack d'Annibale (mailto:jack.dannibale@mail.house.gov) | 202-330-1613

**Los Angeles** - Today, Congressman Ted W. Lieu (D | Los Angeles) released the following statement following the news that the California Department of Fish and Wildlife has found a match between one sample from the Refugio/Santa Barbara oil spill and a tar ball from the Manhattan Beach/South Bay incident.

**“Today, the California Department of Fish and Wildlife has confirmed that oil washing up on South Bay beaches last month was the result of the Refugio/Santa Barbara oil spill. This news underscores how dangerous oil spills are to our precious coastline. That’s why I am firmly against coastline drilling, whether it’s in Hermosa Beach or in the Arctic. Any oil spill underscores the need for America to abandon the dirty, destructive fuels of the 18th century and invest in clean 21st century energy solutions. It is my expectation that Plains All American Pipeline – the party responsible for both incidents – will pay for any cleanup costs and penalties stemming from these oil spills. If Plains All American Pipeline wavers in any way, I will look into ways to ensure that they accept responsibility for the cleanup cost. These spills also further underscore the importance of companies to continue to pay into the Oil Spill Liability Trust Fund. I will continue to work closely with both the California Department of Fish and Wildlife and the Coast Guard to monitor this ongoing situation.”**

**###**

## Kit Fox

---

**From:** Johntommy Rosas <tattnlaw@gmail.com>  
**Sent:** Monday, June 22, 2015 10:02 PM  
**To:** Janet Gunter  
**Cc:** lisa.pinto@mail.house.gov; Lara.Larramendi@mail.house.gov; heather.hutt@sen.ca.gov; Kit Fox; Chuck Hart; Connie; Noel Weiss; Anthony Patchett; Adrian Martinez; jdimon77@yahoo.com; igornla@cox.net; dwgkaw@hotmail.com; rreg55@hotmail.com; president@centralsanpedro.org; darlenevaldez@aol.com; sarahnvaldez@gmail.com; rgb251@berkeley.edu; cicoriae@aol.com; alsattler@igc.org; jhwinkler@me.com; Jody James; Marcie Miller  
**Subject:** Re: Do you suppose it is finally time for our local politicians to get serious about Plains/Rancho LPG's high risk?

I paid for a recon photo sample run this weekend by a pro-oil still out there and onshore we have the latest evidence oil samples and photos - oil spill by plains and exxon mobil committing violations and damages to tribal resources -

On Mon, Jun 22, 2015 at 9:32 PM, Janet Gunter <arriane5@aol.com> wrote:

After all.....a "leak" of butane is not going to cause a horrible environmental mess...it's simply going to result in a cataclysmic explosion and inferno!

<https://lieu.house.gov/media-center/press-releases/congressman-lieu-statement-match-between-santa-barbara-oil-spill-and-oil>

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### JOHN TOMMY ROSAS

TRIBAL ADMINISTRATOR

TRIBAL LITIGATOR

TONGVA ANCESTRAL TERRITORIAL TRIBAL NATION

A TRIBAL SOVEREIGN NATION UNDER UNDRIP

AND AS A CALIFORNIA NATIVE AMERICAN TRIBE / SB18-AJ52-AJR 42

**25 U.S. Code § 1679 - Public Law 85-671**

**August 18, 1958 | [H. R. 2824] 72 Stat. 619**

Tribal sovereignty in the United States is the inherent authority of indigenous tribes to govern themselves within and outside the borders and waters of the United States of America .

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TRUTH IS OUR VICTORY AND HONOR IS OUR PRIZE >TATTN ©

**tongvanation.org**

## Kit Fox

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**From:** Janet Gunter <arriane5@aol.com>  
**Sent:** Wednesday, July 01, 2015 8:53 AM  
**To:** MrEnvirlaw@sbcglobal.net; amartinez@earthjustice.org; noelweiss@ca.rr.com; det310@juno.com; connie@rutter.us; marciesmiller@sbcglobal.net; igornla@cox.net; dwgkaw@hotmail.com; jhwinkler@me.com; lhermanpg@cox.net; pjwrome@yahoo.com; katiw@pacbell.net; jwebb@usc.edu; c.jjkondon@earthlink.net; rcraemer@aol.com; goarlene@cox.net; claudia.r.mcculloch@gmail.com; leneebilski@hotmail.com; hvybags@cox.net; chateau4us@att.net; radsmith@cox.net; carl.southwell@gmail.com; ahricko@usc.edu; DarleneZavalney@aol.com; sarahnvaldez@gmail.com; jwilliamgibson@ca.rr.com; rreg55@hotmail.com; jdimon77@yahoo.com; president@centralsanpedro.org; donna.littlejohn@langnews.com; nick.green@langnews.com; jnm4ej@yahoo.com; alsattler@igc.org; cicoriae@aol.com; burling102@aol.com; pmwarren@cox.net; jody.james@sbcglobal.net; marciesmiller@sbcglobal.net; john@nrcwater.com; stanley.mosler@cox.net  
**Cc:** heather.hutt@sen.ca.gov; lisa.pinto@mail.house.gov; Lara.Larramendi@mail.house.gov; jennifer\_duck@feinstein.senate.gov; Kit Fox; rgb251@berkeley.edu; lpryor@usc.edu; laurie.saroff@mail.house.gov; steve.lopez@latimes.com; dan.weikel@latimes.com; bill.nottingham@latimes.com; rich.connell@latimes.com; meshkati@usc.edu; southers@price.usc.edu; carlos.delaguerra@lacity.org; irene@miraclegirlproductions.org; kaiephron@yahoo.com; fxfeeney@aol.com; david.wulf@hq.dhs.gov; sally.magnani@doj.ca.gov; helmlinger.andrew@epa.gov; rob.wilcox@lacity.org  
**Subject:** Lopez "Times" article expose on the "deep control" of Plains All American Pipeline/Rancho LPG operators!

<http://www.latimes.com/local/california/la-me-0701-lopez-spill-20150701-column.html>

THIS IS WHAT WE, IN SAN PEDRO, HAVE BEEN DEALING WITH IN OUR ATTEMPTS TO PREVENT THE OBVIOUS LOOMING CATASTROPHE FROM **PLAINS** OPERATED "RANCHO LPG"! THE CONTROL THAT "PLAINS" HAS OVER *INSULATING* THEIR BUSINESS FROM PROPER INVESTIGATION, RESPONSIBLE PRACTICES AND THE PRESENCE OF EXTREME DANGERS...RUNS VERY DEEP!

ON THE FRONT PAGE OF THE LA TIMES TODAY IS ALSO AN ARTICLE ABOUT THE SIGNIFICANT DISCOVERY OF SCIENTISTS ON THE MAJOR NEWPORT INGLEWOOD FAULT NOT FAR FROM LA HARBOR. MEANWHILE,(ironically) THE 25 MILLION GALLONS OF EXTREMELY EXPLOSIVE BUTANE AND PROPANE GASES OF "PLAINS" SITS ON THE PALOS VERDES FAULT (MAG. 7.3 POT.) IN 42 YEAR OLD TANKS BUILT TO A SEISMIC SUBSTANDARD OF 5.5 WITH A BLAST RADIUS OF OVER 3 MILES! A LITANY OF LA CITY COUNCIL MEMBERS, LA MAYORS, ASSEMBLYMEMBERS, STATE SENATORS, CONGRESSMEN AND PUBLIC AGENCIES HAVE FOR MANY, MANY YEARS MINIMIZED THIS RISK AND PLED THEIR "INABILITY" TO RESPOND TO THE HIGHLY EXPLOSIVE SITUATION. PERHAPS THIS ARTICLE GIVES US A GLIMPSE AS TO "WHY"!

**THANK YOU, STEVE LOPEZ!**

# Pipeline firm aims to control conversation on Santa Barbara oil spill



**Steve Lopez**

LOS ANGELES TIMES  
 steve.lopez@latimes.com

JULY 1, 2015, 3:30 AM

**T**wo days after the ruinous May 19 oil spill that fouled fisheries, sea birds and beaches, Santa Barbara County Supervisor Janet Wolf and her chief of staff drove to the county's emergency operations center to get the latest intelligence and offer support on the evolving disaster.

But they were stopped at the gate by a man asking Wolf who she was and whom she worked for. She identified herself and threw the same questions back at the gatekeeper:

"Who do you work for?' And he says, 'I work for Plains.' "

"I was appalled," said Wolf, current chair of the county Board of Supervisors.

Plains All American Pipeline operates the pipeline that burst, sending crude gushing into the sea, and Wolf couldn't believe that an employee of the Texas-based outfit was acting as a guard at a county facility.

When Wolf was cleared to enter the building, she didn't hesitate to express her outrage.

"I ran into one of the Coast Guard folks and I said this is wholly inappropriate, to have our polluter telling me or anyone else that they can't come into the building," said Wolf.

The supervisor's concerns about the role of Plains in the ongoing drama have not waned, especially given what she's learned about the fox-in-the-henhouse nature of oil spill protocol.

It turns out that the polluter, in cases like this, often joins with federal, state and local officials as a member of the unified command response team. The idea is that the company's expertise and knowledge of its own facilities can be useful, and that it has a responsibility to assist.

A spokesman for the unified command told me Plains has been a cooperative partner in the process.

But Wolf and others, including State Sen. Hannah-Beth Jackson (D-Santa Barbara), think Plains has been allowed to take on too big a role in managing the response to the crisis it caused, with county input all but ignored.

"They're very much involved in the decision-making, if not running the show," Jackson said. That, she adds, rubs some people wrong in Santa Barbara, with its history of oil calamity and little effort by Big Oil to win people's trust.

Despite frequent mishaps in its massive operations, Plains does know how to do one thing extremely well — turn crude into gold. The company reported \$878 million in profits on \$43 billion in revenue in 2014. Motley Fool, an investment guide, has advised investors not to fear the levy of fines or a multimillion-dollar cleanup, because "these costs are a drop in the ocean when compared to the company's massive cash flow and deep liquidity."

Equally massive is the number of safety and maintenance infractions Plains has rung up — 175 since 2006. That's fifth-highest among more than 1,700 pipeline operators. Mechanical failures on Plains' thousands of miles of aging pipeline and facilities have contributed to more than a dozen spills in Canada and the U.S. since 2004, with the release of 2 millions gallons of hazardous liquid.

That's who's at the table in discussions about the damage from the Refugio spill, the cleanup and what to tell the media about all of the above.

As to that last point, a Plains employee signed off on a plan to "target" reporters deemed "neutral to positive" and invite them to private media briefings so that they could "help tell the progress story."

The Santa Barbara Independent's Kelsey Brugger got her hands on that leaked document and broke the story three weeks ago. Brugger was one of six reporters on the list, as was The Times' Javier Panzar. The document included biographical sketches of each reporter, along with assessments of their work, which is more than a little creepy.

The reporters look solid to me, by the way. But the spill is not a private matter, the details of which self-proclaimed guardians can spin and spoon feed to a select few journalists. It's an ongoing public mess that has damaged natural resources and hammered commercial fishermen, marine tour operators and others whose livelihood is tied to that beautiful stretch of Pacific Coast.

A strategy to handpick reporters and try to control the news is unethical enough. But having Plains in on the deal makes it all the more imperative for the media to keep asking what they don't want us to know.

Wolf and Jackson, among other public officials, got a good start on the needed interrogation at a hearing Friday in Santa Barbara. Among the questions they fired at Patrick Hodgins, director of safety and security:

Was Plains unaware of the extensive corrosion in the pipeline that burst, and if so why?

How could the company, in good conscience, resist a call for an automatic shutoff valve, even though this is the only pipeline in Santa Barbara County without one?

Why did it take so long to identify the source of the tar balls that washed ashore?

And why, after shutting down the busted line at 11:30 a.m., did Plains fail to alert regulators of the leak until 3 p.m., when the oil had already begun to spread?

Hodgins claimed that a shutoff valve was not required on that particular line and could cause damage if unintentionally activated, a viewpoint that was immediately disputed by a county official.

As for the other questions, Hodgins danced and dodged, to the frustration of his inquisitors, particularly during a discussion of a finding by a federal agency that the pipe in question had significantly weakened.

"The first time I heard anything about the corrosion is what I read in the papers," said Hodgins. He said he was "shocked" by that news.

"That's what's of interest to me — that you're shocked," said Jackson, who along with her colleagues has introduced legislation to tighten regulatory measures.

"Why do I know more about what caused this than you do?"

It's no accident that there's a deep mistrust of Big Oil, Jackson told me.

They've earned it.

*steve.lopez@latimes.com*

*Twitter: @LATstevlopez*

## Kit Fox

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**From:** Janet Gunter <arriane5@aol.com>  
**Sent:** Friday, July 10, 2015 2:47 PM  
**To:** jwolf@countyofsb.org; carla.castilla@sen.ca.gov; kelsey@independent.com  
**Cc:** heather.hutt@sen.ca.gov; lisa.pinto@mail.house.gov; Lara.Larramendi@mail.house.gov; jennifer\_duck@feinstein.senate.gov; rob.wilcox@lacity.org; det310@juno.com; MrEnvirlaw@sbcglobal.net; amartinez@earthjustice.org; noelweiss@ca.rr.com; marciesmiller@sbcglobal.net; connie@rutter.us; tattnlaw@gmail.com; igornla@cox.net; dwgkaw@hotmail.com; darlenezaavalney@aol.com; jdimon77@yahoo.com; rreg55@hotmail.com; president@centralsanpedro.org; jody.james@sbcglobal.net; Kit Fox; rgb251@berkeley.edu; meshkati@usc.edu; ahricko@hsc.usc.edu; abaker@sco.ca.gov; jennifer.lucchesi@slc.ca.gov; irene@miraclegirlproductions.org; jnm4ej@yahoo.com; alsattler@igc.org; mr.rpulido@gmail.com; carl.southwell@gmail.com; lpryor@usc.edu; don.holmstrom@csb.gov; dan.tillema@csb.gov  
**Subject:** MORE ON PLAINS ALL AMERICAN/RANCHO LPG AND THEIR OBFUSCATION OF THE TRUTH!

And, in LA Harbor sits one of the most potentially perilous hazards of all...(again, under the ownership of Plains) whose highly explosive risk from 25 million gallons of butane and propane gas has been minimized and hidden from the public for 42 years. And, the beat goes on.....

See <http://www.politico.com/story/2015/07/pipeline-company-knew-calif-spill-could-reach-pacific-119930.html>

Pipeline safety advocates balk at **PHMSA's policy of redacting information about worst-case discharges based on security concerns**, and argue that there is no legitimate reason to keep the information from the public.

"I really don't understand fundamentally the logic of redacting it because the public wants to know how bad this can get," said Rebecca Craven, the program director at the Pipeline Safety Trust. "

PHMSA routinely keeps key details such as worst-case scenarios out of public versions of companies' response plans, which are lengthy documents whose contents range from geographic features near pipeline segments to media-management strategies.

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# POLITICO



Plastic buckets with oil collected from the beach are placed at the side at Refugio State Beach, north of Goleta, Calif., Thursday, May 21, 2015. | AP Photo

## Pipeline company knew Calif. spill could reach Pacific

By **ANDREW RESTUCCIA** and **ELANA SCHOR** | 7/9/15 6:14 PM EDT | Updated 7/9/15 6:26 PM EDT

The pipeline company behind the May oil spill that sullied the pristine California coastline knew before the accident that a worst-case rupture could send fuel into the Pacific Ocean, according to an internal emergency plan that was redacted by federal regulators.

The Pipeline and Hazardous Materials Safety Administration also blacked out an estimate that the spill could have been much larger, according to a fuller version of

PMHSA last month.

A contractor working for Plains estimated in the company's emergency plan that a rupture near Santa Barbara's Refugio State Beach could leak as much as 167,000 gallons of crude, or about 65 percent more than the estimated 101,000 gallons that spilled during the May 19 spill in the area. Thousands of gallons of oil reached the ocean during the incident.

PHMSA routinely keeps key details such as worst-case scenarios out of public versions of companies' response plans, which are lengthy documents whose contents range from geographic features near pipeline segments to media-management strategies.

Pipeline safety advocates balk at PHMSA's policy of redacting information about worst-case discharges based on security concerns, and argue that there is no legitimate reason to keep the information from the public.

"I really don't understand fundamentally the logic of redacting it because the public wants to know how bad this can get," said Rebecca Craven, the program director at the Pipeline Safety Trust. "If you've spent any time on Google Earth or Google Maps, it doesn't take a genius to figure out where the pipelines are." Craven said several state-based regulators don't regularly redact response plans.



ALSO ON POLITICO

### **Congress balks at lifeline for Puerto Rico**

SEUNG MIN KIM and BURGESS EVERETT

Plains declined to comment on the worst-case scenario outlined in its response plan. An agency official said PHMSA does not rely on pipeline companies to take the lead when deciding what portions of response plans to redact.

PHMSA has drawn criticism for failing to meet long-standing mandates from Congress to take a more aggressive role in monitoring the nation's 2.6 million miles of pipelines, and for giving the industry too much power to influence its rules, a recent POLITICO investigation found.

Information included in a response plan about the worst-case discharge "could help

an outsider gain ‘insider information’ on the type of safety/security devices used to ensure the continuity and safe operations of the pipeline infrastructure,” according to a June 2014 memo from then-PHMSA Administrator Cynthia Quarterman. “Such ‘insider information’ could be used by an adversary to increase the effectiveness of a cyber attack or physical attack.”

In response to an inquiry from POLITICO, California state officials provided an almost entirely unredacted and previously unreported copy of Plains’ response plan. But the version of the plan released by PHMSA contains numerous redactions, and points to a broad disparity between how federal and state officials treat the public release of industry documents.

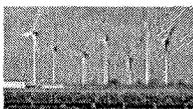
At POLITICO’s request, California state officials provided an almost entirely unredacted and previously unreported copy of Plains’ response plan. But the version of the plan released by PHMSA contains numerous redactions, and points to a broad disparity between how federal and state officials treat the public release of industry documents.

In 2011, Congress enacted a new pipeline safety law that said the Transportation Department, the agency that houses PHMSA, may, as appropriate, redact certain parts of response plans, including worst-case discharge information, proprietary information and security information.

The plan filed by Plains indicates that the company knew a major spill from the section of the pipeline that crosses near Refugio could leak oil into the ocean via a nearby stream. “Under high streamflow conditions, once the oil reaches the shoreline, it is expected to be carried offshore with the freshwater discharge and spread along the coastline,” the 1,000-plus page plan says.

What remains unclear is why Plains and PHMSA — which is charged with protecting the public and environment from pipeline failures — didn’t take additional preemptive measures to block oil from leaking into the ocean. And the extensive redactions could revive persistent criticism from lawmakers and activists who say PHMSA lacks transparency.

**POLITICO PRO**



## Full coverage of energy policy

Rep. Lois Capps (D-Calif.), who represents the Refugio area, said she is “absolutely” concerned that Plains didn’t do more to protect the portions of its pipeline that traversed coastal areas vital to locals, wildlife and tourists alike.

“What they should have done was realized what happened in 1969,” when as much as 4.2 million gallons of crude tainted Santa Barbara in an iconic and devastating spill, Capps said in an interview. “This is a hyper-sensitive area for good reason.”

Other federal agencies have taken flak in recent years for redacting data from emergency-related documents and citing security concerns. EPA came under scrutiny for shielding the names of the chemical ingredients in dispersants used during the 2010 BP oil spill, but in that event the agency pointed to a legal requirement to seek the company’s permission — while Congress gave PHMSA more freedom to decide what to shield.

A POLITICO review of other emergency response plans posted on PHMSA’s website shows that the agency consistently redacts worst-case discharge information, preventing the public from adequately understanding the risk of nearby pipelines.

PHMSA began posting emergency response plans online recently after Congress added language to its 2011 safety legislation calling for the plans to be made public. The agency had required the public to file Freedom of Information Act requests to access the information, a process critics complained was too onerous.

A PHMSA official told POLITICO in April that the agency expects to have the full complement of response plans online within three months, though several appear to be missing from the agency’s current list.

The Plains response plan also sheds light on the company’s public relations strategy, which appears to be designed to control information and protect the company’s image.

“Generally speaking, your interaction with reporters should be limited,” the plan instructs Plains employees, adding that any decision to provide information to the

media is “not something that should be taken lightly” and should be coordinated with the company’s communications team.

The plan authorizes Plains employees to give the media “pre-approved key points” only if supervisors agree “that communicating with the media is in the best interest of the company.”

Other oil pipeline companies also devote parts of their emergency response plans to managing the media and environmental activist groups.

“Although it will probably not be possible to prevent all negative press, some groups will be less vocal if they have been truthfully informed, and feel that the Company is addressing their grievances,” Phillips 66 wrote in its California regional plan. “Also, positive press can be achieved when it is announced that the Company has met with special interest groups and is aware of their concerns (or at least indicate a willingness to meet with the group for that purpose).”

## Kit Fox

---

**From:** Janet Gunter <arriane5@aol.com>  
**Sent:** Monday, July 13, 2015 11:56 AM  
**To:** Kit Fox; lhermanpg@cox.net; pjwrome@yahoo.com; katiw@pacbell.net;  
jwebb@usc.edu; c.jjkondon@earthlink.net; rcraemer@aol.com; goarlene@cox.net;  
leneebilski@hotmail.com; radlsmith@cox.net; claudia.r.mcculloch@gmail.com;  
nancy.kalthoff@yahoo.com  
**Subject:** ANOTHER PLAINS ALL AMERICAN / RANCHO SPILL!!

NO WORRIES....WE ARE CLEARLY IN RESPONSIBLE HANDS WITH THAT 25+ MILLION GALLONS OF HIGHLY EXPLOSIVE GAS WITH A BLAST RADIUS OF OVER 3 MILES!! JUST AN FYI....

[http://www.bizjournals.com/houston/morning\\_call/2015/07/plains-all-american-pipeline-spills-42-000-gallons.html](http://www.bizjournals.com/houston/morning_call/2015/07/plains-all-american-pipeline-spills-42-000-gallons.html)

From the Houston Business Journal

[:http://www.bizjournals.com/houston/morning\\_call/2015/07/plains-all-american-pipeline-spills-42-000-gallons.html](http://www.bizjournals.com/houston/morning_call/2015/07/plains-all-american-pipeline-spills-42-000-gallons.html)

# Plains All American pipeline spills 4,200 gallons of oil

Jul 13, 2015, 7:48am CDT Updated: Jul 13, 2015, 8:13am CDT



Laura Furr

Web editor- Houston Business Journal

Email

A **Plains All American Pipeline LP** (NYSE: PAA) pipeline spilled an estimated 4,200 gallons of crude oil near St. Louis on July 10.

According to a statement from the Houston-based company, the flow of oil has been stopped, but some reached a nearby creek. Plains has initiated its emergency response plan to contain the release and work crews are on site.

The leak was traced back to small-diameter pipeline at the company's Pocahontas pump station in southwest Illinois, about 40 miles from St. Louis, the company said in the statement.

This is the second leak for Plains in less than two months.

A May 19 leak near Refugio State Beach in Santa Barbara County, California, created a 9-mile oil slick along the coast line and dumped 2,400 barrels of oil into the coastal waters.

That beach is slated to reopen in July 17, according to a statement from the company, now that the **California State Parks** and members of the Unified Command have deemed it safe for the public again.

The Associate Press reported that the cleanup cost at least \$92 million. Tar balls were seen more than 100 miles from the spill, and more than 300 dead birds and marine mammals were recovered near the spill site.

The spill was a major blow for Plains, Houston's sixth-largest public company based on its 2014 revenue of nearly \$43.46 billion, according to Houston Business Journal research.

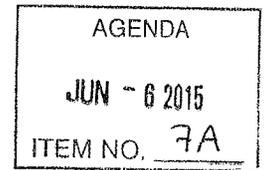
The share price for Plains' stock fell 3 percent in the days following the May 19 pipeline burst.

The company faced scrutiny when the Los Angeles times reported that Plains had a bad history

of safety infractions with the fifth-largest number of infractions among more than 1,700 pipeline operators in a database maintained by the Pipeline and Hazardous Materials Safety Administration.

Details from the examination of the California pipeline showed that it had been badly corroded prior to the leak.

PLANNING COMMISSION  
CITY OF ROLLING HILLS ESTATES  
LOS ANGELES COUNTY, CALIFORNIA  
RESOLUTION NO. PA-25-14



A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING CITY COUNCIL DENIAL OF PA-25-14 A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION FROM NEIGHBORHOOD COMMERCIAL TO HIGH DENSITY RESIDENTIAL, A ZONE CHANGE FROM COMMERCIAL LIMITED (CL) TO RESIDENTIAL PLANNED DEVELOPMENT (RPD), A ZONE TEXT AMENDMENT FOR DEVELOPMENT STANDARDS FOR LOT SIZE IN THE RPD ZONE, A TENTATIVE PARCEL MAP FOR A ONE-LOT SUBDIVISION, A GRADING APPLICATION, A CONDITIONAL USE PERMIT FOR A RESIDENTIAL PLANNED DEVELOPMENT, A NEIGHBORHOOD COMPATIBILITY DETERMINATION; AND A MITIGATED NEGATIVE DECLARATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), FINDING THAT THE PROJECT, WITH MITIGATION MEASURES, WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT FOR THE SUBDIVISION AND GRADING OF LAND FOR THE CONSTRUCTION OF FOUR SINGLE-FAMILY PATIO HOMES ON A 0.51-ACRE PARCEL IN THE COMMERCIAL LIMITED (CL) ZONE. APPLICANT: JUDY CHAI. LOCATION: 5883 CREST ROAD.

WHEREAS, Ms. Judy Chai filed an application with the Planning Department requesting approval a General Plan Amendment to change the land use designation from Neighborhood Commercial to High Density Residential, a Zone Change from Commercial Limited (CL) to Residential Planned Development (RPD), Zone Text Amendment for development standards for lot size in the RPD Zone, a Tentative Parcel Map for a one-lot subdivision, a Grading Application, a Conditional Use Permit for a Residential Planned Development, a Neighborhood Compatibility Determination for the construction of four single-family patio homes on an 0.51-acre parcel in the Commercial Limited (CL) Zone (see Exhibit A); such an application as required by Chapters 16.12, 17.07, 17.18, 17.62 and 17.68 of the Rolling Hills Estates Municipal Code; and

WHEREAS, an Initial Study was prepared by the City in conformance with the requirements of the California Environmental Quality Act (CEQA). It was found that the project would not have a significant impact on the environment with proper mitigation. As such, a Mitigated Negative Declaration was prepared; and

WHEREAS, in accordance with Section 65033 of the Government Code, the public, abutting cities, affected agencies and districts were notified of the availability of the Initial Study and Mitigated Negative Declaration and were given an opportunity to review and comment; and

WHEREAS, the Planning Department responded in writing to said comments in the Initial Study; and

WHEREAS, upon giving the required notice, the Planning Commission conducted Public Hearings on the 1<sup>st</sup> day of December, 2014, the 4<sup>TH</sup> day of May, and the 1<sup>st</sup> day of June, 2015. All interested parties were given full opportunity to be heard and to present evidence; and

WHEREAS, there was general consensus of the Planning Commission that the site should be re-zoned from Commercial Limited (CL) to Residential Planned Development (RPD) and linked to the adjacent Seaview Villas development which is also zoned RPD, providing the Code's minimum 10 acres for an RPD project; and

WHEREAS, there was general consensus of the Planning Commission that a commercial use on this property does not lend itself to the surrounding land uses which are all residential, consisting of single-family homes and attached condominiums or townhomes; and

WHEREAS, there was general consensus of the Planning Commission that four free-standing two-story patio homes as presented in the revised project plans of June 1, 2015, is not consistent with the residential pattern (neighborhood character) of development in the immediate vicinity of the project site; and

WHEREAS, the Planning Commission suggested that the application be re-designed to incorporate a style of development more consistent with the Seaview Villas project, which consist of two-story townhomes, located in attached buildings, typically with three to five units per building and averaging about 1,900 sq. ft. in livable area; and

WHEREAS, the Planning Commission suggested that the proposed architectural style and materials be more compatible with the adjacent Seaview Villas project; and

WHEREAS, the Planning Commission suggested that the project's CC&Rs incorporate a common maintenance program and a "tie" to the CC&Rs of Seaview Villas to ensure that the project is consistently maintained with its adjacent development, in terms of general architectural style, landscaping and maintenance; and

WHEREAS, the driveway entrance to the project on Highridge Road should be set back as far as feasible from the intersection of Crest and Highridge Roads (towards the rear of the site) and the driveway grade exiting the project should not be too steep so as to create a visibility issue from motorists to pedestrians on the sidewalk; and

WHEREAS, the project applicant was given the opportunity to address the Planning Commission's suggestions, as summarized above in a project re-design; however, the applicant chose to request a determination by the Planning Commission of the project as presented with four two-story patio homes; and

WHEREAS, the Planning Commission, for reasons stated above, is unable to recommend City Council approval of this project as designed and attached as Exhibited A, and hereby recommends that the City Council deny the project; and

WHEREAS, Chapter 16.04 of the Rolling Hills Estates Municipal Code requires the Planning Commission to act in an advisory capacity to the City Council, which body shall approve, conditionally approve, or deny such application for a subdivision map; and

NOW, THEREFORE, the Planning Commission of the City of Rolling Hills Estates does hereby resolve as follows:

SECTION 1. That the foregoing facts constitute conditions necessary to recommend denial of a General Plan Amendment, Zone Change, Zone Text Amendment, Tentative Parcel Map, Conditional Use Permit, Grading Application, Neighborhood Compatibility Determination, and associated Mitigated Negative Declaration.

ADOPTED this 6<sup>th</sup> day of July, 2015.

\_\_\_\_\_  
TIM SCOTT, CHAIRMAN

ATTEST:

\_\_\_\_\_  
DOUGLAS R. PRICHARD, CITY CLERK

I HEREBY CERTIFY that the foregoing Resolution No. PA-25-14 was adopted by the Planning Commission of the City of Rolling Hills Estates at a regular meeting held thereof on the 6<sup>th</sup> day of July, 2015, by the following vote:

AYES:

NOES:

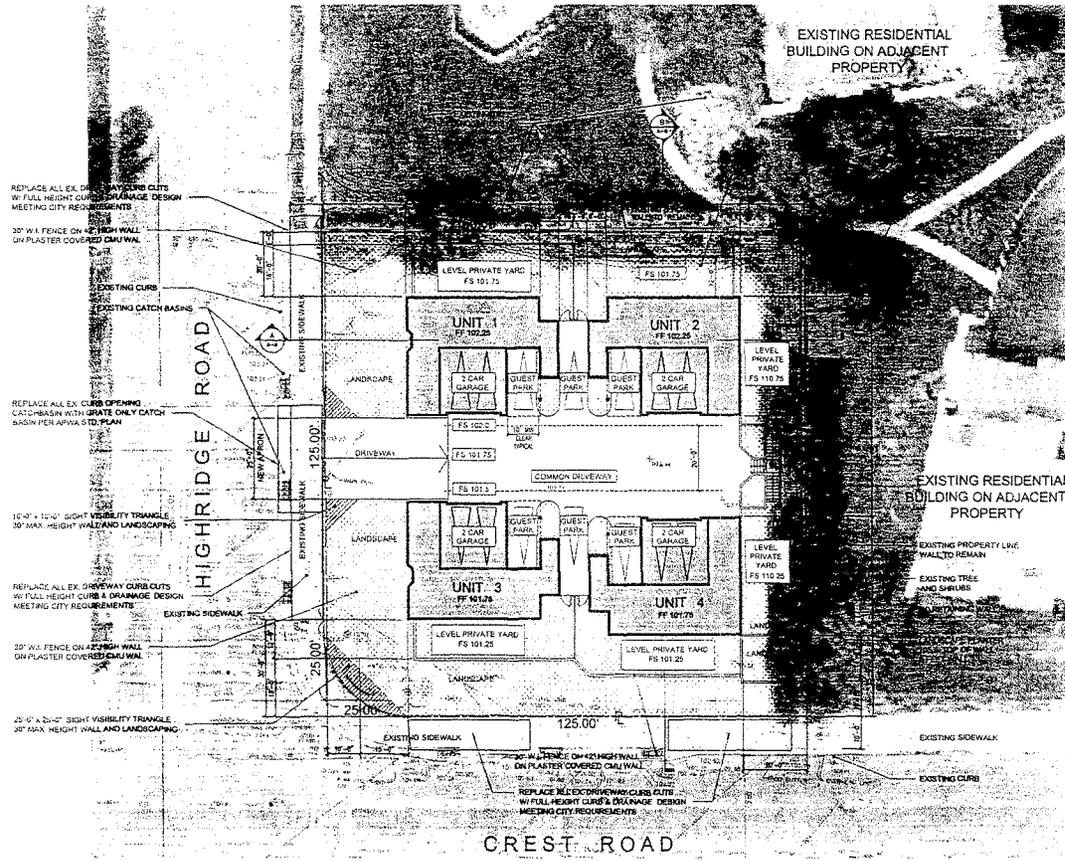
ABSENT:

ABSTAIN:

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DOUGLAS R. PRICHARD, CITY CLERK

# 5883 CREST ROAD RESIDENTIAL PLANNED DEVELOPMENT 4 DETACHED HOMES



1 SITE PLAN SEE EXISTING SURVEY FOR ADDITIONAL INFORMATION  
SCALE: 1/8" = 1'-0"

**SHEET INDEX**

- A-1 COVER SHEET & SITE PLAN
  - A-2 FIRST FLOOR PLANS
  - A-3 SECOND FLOOR PLANS
  - A-4 ROOF PLANS
  - A-5 STREET ELEVATIONS
  - A-6 BUILDING ELEVATIONS
  - A-7 BUILDING ELEVATIONS
  - A-8 SITE SECTIONS
- SURVEY FOR REFERENCE  
TENTATIVE PARCEL MAP  
& PRELIMINARY GRADING PLAN  
SUSMP SITE PLAN

EXHIBIT A  
PAGE 1 OF 11

**PROJECT DATA**

ADDRESS 5883 CREST ROAD  
LEGAL DESCRIPTION PARCEL 1, BOOK 2, PAGE 38  
APN 7574-003-095  
LOT AREA 22,366 S.F.  
DENSITY 7.6 UNITS / ACRE  
GARAGE PARKING: 8 SPACES 2 SPACES PER UNIT  
GUEST PARKING 6 SPACES 1.5 PER UNIT

**FLOOR AREA SUMMARY**

FIRST FLOOR LIVABLE PER HOME 1,015 S.F.  
SECOND FLOOR LIVABLE PER HOME 1,416 S.F.  
TOTAL LIVABLE AREA PER HOME \* 2,431 S.F.  
NUMBER OF HOMES 4  
TOTAL PROJECT FLOOR AREA 9,724 S.F.  
PROJECT FLOOR AREA / SITE RATIO 43.4%

**LOT COVERAGE SUMMARY**

FIRST FLOOR 1015 x 4 = 4,060 S.F.  
GARAGE 427x 4 = 1,708 S.F.  
CARP/PUNT 215 x 4 = 860 S.F.  
TOTAL 1,657x 4 = 6,628 S.F.  
TOTAL LOT COVERAGE 6,628 (4) 22,366 = 29.6%

**FRONT YARD COVERAGE SUMMARY**

FRONT YARD AREA 3,616 S.F.  
FRONT YARD DRIVEWAY AREA 476 S.F.  
FRONT YARD COVERAGE \*\* 13.2%

\*\* SEE APPLICATION FOR ADDITIONAL LOT COVERAGE DATA  
WALKWAYS LESS THAN 4 FEET WIDE  
NO SECONDARY DRIVEWAY  
NO PATIO  
LAWNS LESS THAN 4 FEET WIDE

**GRADING SUMMARY**

PROPOSED RAW CUT 1,150 C.Y.  
PROPOSED RAW FILL 650 C.Y.  
PROPOSED EXPORT 500 C.Y.

**LANDSCAPE SUMMARY**

PROPOSED LANDSCAPE AREA 51,661 S.F. (52%)  
LANDSCAPING AND IRRIGATION TO BE IN ACCORDANCE WITH CHAPTER 17.89 WATER EFFICIENT LANDSCAPE OF THE ROLLING HILLS ESTATES ZONING ORDINANCE.

OWNER: JUDY CHAI  
P.O. BOX 2843  
PALOS VERDES PENNSULIA  
(310) 941-1005



5883 CREST ROAD  
ROLLING HILLS ESTATES

NO NOT SCALE THE DRAWING  
SCALE INDICATED ARE FOR REFERENCE ONLY. DIMENSIONS SHALL GOVERN OVER SCALE.

**SUBMITTALS**

MARK	DATE	DESCRIPTION
03/20/24		PLANNING SUBMITTAL
05/20/24		PLANNING RESUBMITTAL

**REVISIONS**

MARK	DATE	DESCRIPTION
13/08/24		PLANNING REVISIONS
05/28/24		PROGRESS REVISIONS

Stamp

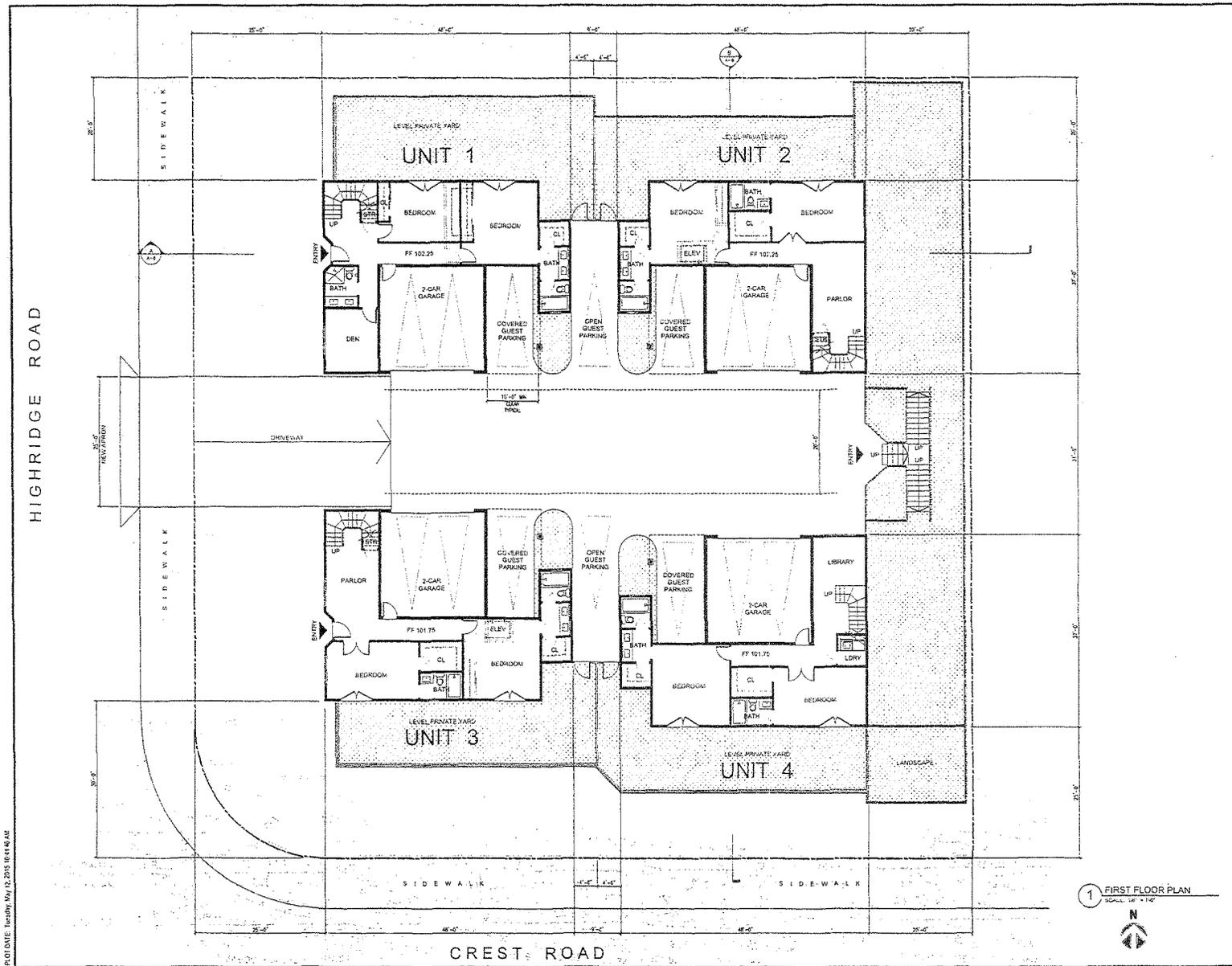
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CADD FILE	2024-08-01
Project Start Date	06-15-23
Drawn By	DC
Checked By	HP
Scale	AS NOTED
Drawing Title	

COVER SHEET AND  
SITE PLAN

Sheet  
A-1

PA-25-14

PLOT DATE: Thursday, May 12, 2024 10:41:09 AM





**Bryant • Palmer • Soto, Inc.**  
10000 Wilshire Boulevard, Suite 1000, Beverly Hills, CA 90210  
 310.206.1000 • Fax: 310.206.1001

---

Project: **5883 CREST ROAD  
ROLLING HILLS ESTATES**

---

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ISSUE: 01/11  
ALL WORK PENDING

**SUBMITTALS**

MARK	DATE	DESCRIPTION
	02/15/2014	PLANNING SUBMITTAL
	02/18/2014	PLANNING SUBMITTAL
	02/14/2015	PLANNING RESUBMITTAL

**REVISIONS**

MARK	DATE	DESCRIPTION
	10/06/2014	PLANNING REVISIONS
	05/06/2015	PROGRESS REVISIONS

---

Stamp

Job No.: 02-1043-001  
 CADS File: A:\2014\02\1043\1043-001.dwg  
 Project Start Date: 04-10-13  
 Created By: DC  
 Checked By: KP  
 Scale: AS NOTED  
 Drawing Title: **FIRST FLOOR PLANS**

---

Sheet: **A-2**

2 OF 11

**1 FIRST FLOOR PLAN**  
SCALE: 1/8" = 1'-0"



PLOT DATE: Tuesday, May 12, 2015 10:41:40 AM

PLOT DATE: Tuesday, May 12, 2015 10:46:05 AM

HIGHRISE ROAD



CREST ROAD

1 SECOND FLOOR PLAN  
SCALE: 1/8" = 1'-0"



Bryant • Palmer • Soto, Inc.  
1001 Canyon Parkway Architects, Planners, Engineers  
2001 Avenue Drive, Suite 200, Torrance, CA 90501  
Telephone: (310) 554-0001  
Fax: (310) 554-0001

Project  
5883 CREST ROAD  
ROLLING HILLS ESTATES

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**SUBMITTALS**

MARK	DATE	DESCRIPTION
	02/19/2014	PLANNING SUBMITTAL
	06/18/2014	PLANNING SUBMITTAL
	10/14/2014	PLANNING RESUBMITTAL

**REVISIONS**

MARK	DATE	DESCRIPTION
	10/22/2014	PLANNING REVISIONS
	05/06/2015	PROGRESS REVISIONS

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OVER SCALE.

Stamp  
Job No: 02-1043-001  
CAD: FPL  
Project Start Date: 04-10-13  
Drawn By: DC  
Checked By: KP  
Scale: AS NOTED  
Drawing Size:

SECOND FLOOR PLANS

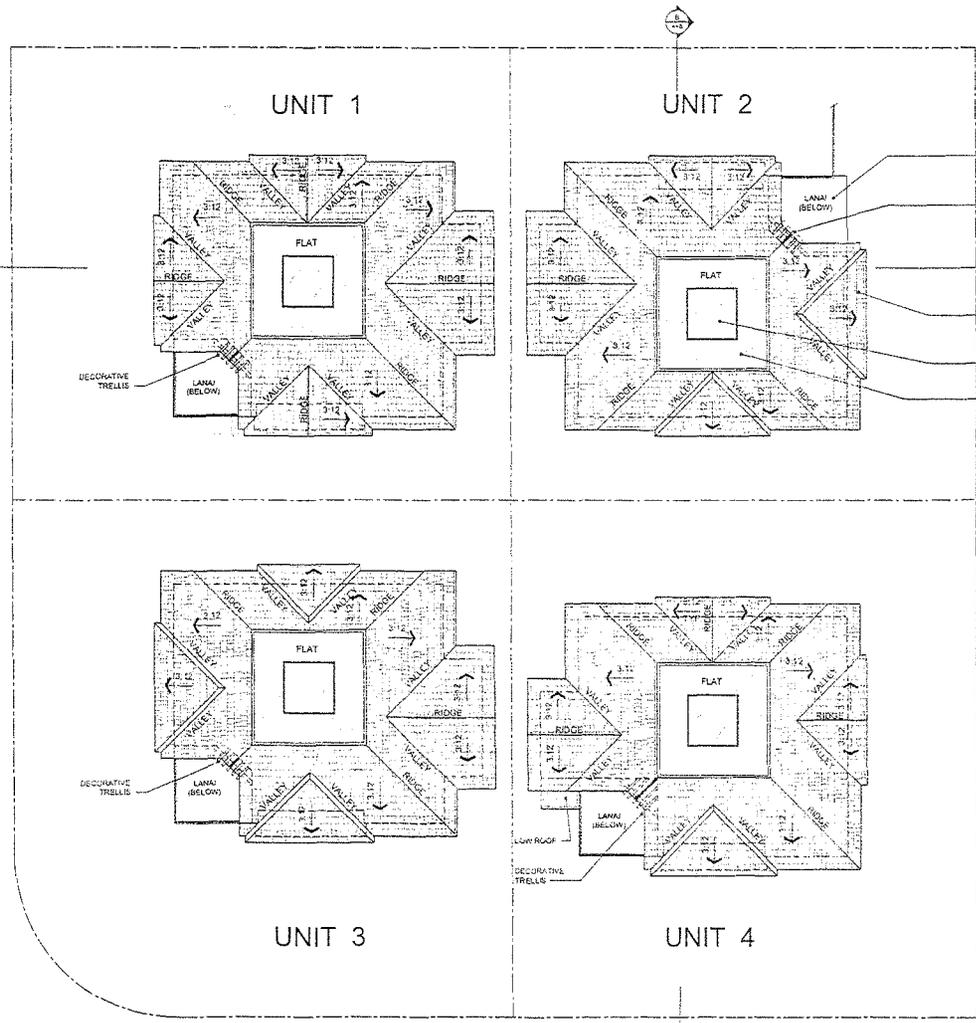
Sheet  
**A-3**

3 OF 11



**Bryant + Palmer + Soto, Inc.**  
 Full Service Planning Architects and Engineers  
 2025 WASHINGTON BLVD STE 10000 WASHINGTON DC 20007  
 Telephone (301) 484-1111 Fax (301) 484-1111

4 OF 11



- LANAIGEN TO UPPER LEVEL PRIVATE YARD
- DECORATIVE TRELLIS
- FLAT CLAY TILE, TYP.
- SKYLIGHT, TYP.
- CRUSHED CLAY TILE, TYP.

1 ROOF PLAN  
 SCALE 1/8" = 1'-0"  
 N

5883 CREST ROAD  
 ROLLING HILLS ESTATES

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**SUBMITTALS**

MARK	DATE	DESCRIPTION
	03/16/2014	PLANNING SUBMITTAL
	05/15/2014	PLANNING SUBMITTAL
	05/14/2015	PLANNING RESUBMITTAL

**REVISIONS**

MARK	DATE	DESCRIPTION
	10/28/2014	PLANNING REVISIONS
	03/02/2015	PROGRESS REVISIONS

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Stamp

Job No.: 02-1043-001  
 CADG File: 02-1043-001.dwg  
 Project Start Date: 04-10-12  
 Drawn By: DC  
 Checked By: KP  
 Scale: AS NOTED  
 Uploading Title:

**ROOF PLANS**

Sheet  
**A-4**

PLOT DATE: Tuesday, May 12, 2015 10:44:48 AM

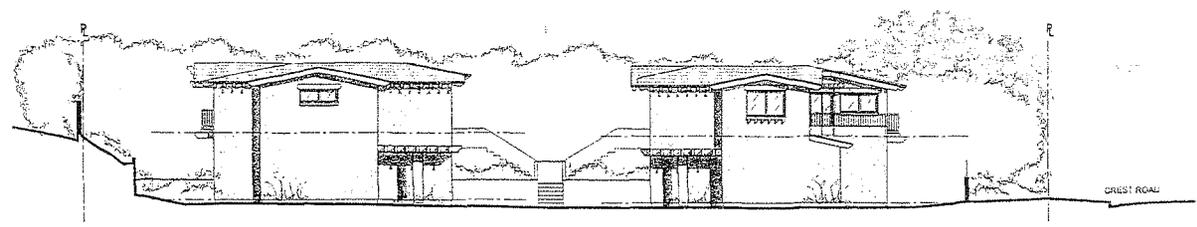




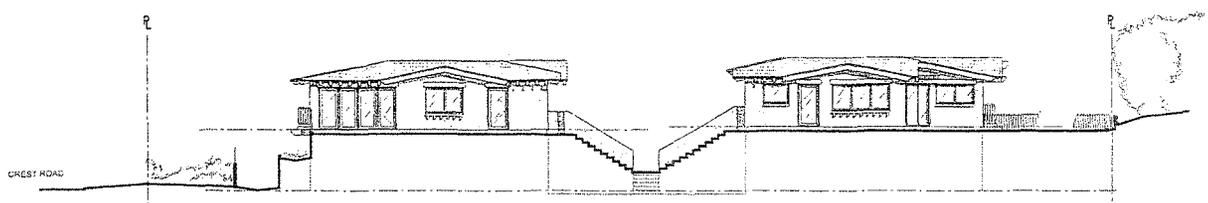


Bryant • Palmer • Soto, Inc.  
 101 California Parkway, Suite 100, Rolling Hills, California 90431  
 562-474-1100 • Fax 562-474-1101

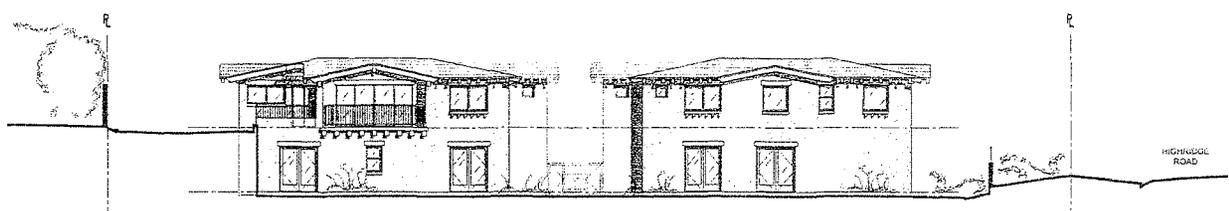
7 OF 11



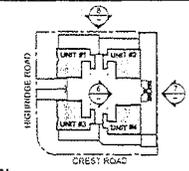
6 WEST ELEVATION  
 SCALE: 1/8" = 1'-0"



7 EAST ELEVATION  
 SCALE: 1/8" = 1'-0"



8 NORTH ELEVATION  
 SCALE: 1/8" = 1'-0"



N  
 KEY PLAN  
 SCALE: 1/4" = 1'-0"

Project  
 5883 CREST ROAD  
 ROLLING HILLS ESTATES

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**SUBMITTALS**

MARK	DATE	DESCRIPTION
	03/19/2014	PLANNING SUBMITTAL
	03/18/2014	PLANNING SUBMITTAL
	03/14/2014	PLANNING REVISIONS

**REVISIONS**

MARK	DATE	DESCRIPTION
	10/02/2014	PLANNING REVISIONS
	04/02/2015	PROGRESS REVISIONS

Stamp  
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Job No.	10-1043-001
CADD File	10-1043-001.dwg
Project Start Date	04/10/13
Drawn By	DC
Checked By	KP
Scale	AS NOTED
Drawing Title	

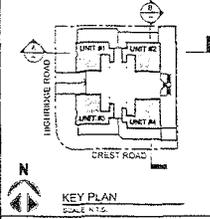
**ELEVATIONS**

Sheet  
**A-7**

PLOT DATE: Tuesday, May 12, 2015 10:44:45 AM



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 1000 S. ...  
 ...



Project: 5883 CREST ROAD  
 ROLLING HILLS ESTATES

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DATE: 05/11/11

SCALE: 1/8" = 1'-0"

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	08-10-11	PLANNING SUBMITTAL
	05-11-11	PLANNING REVISIONS

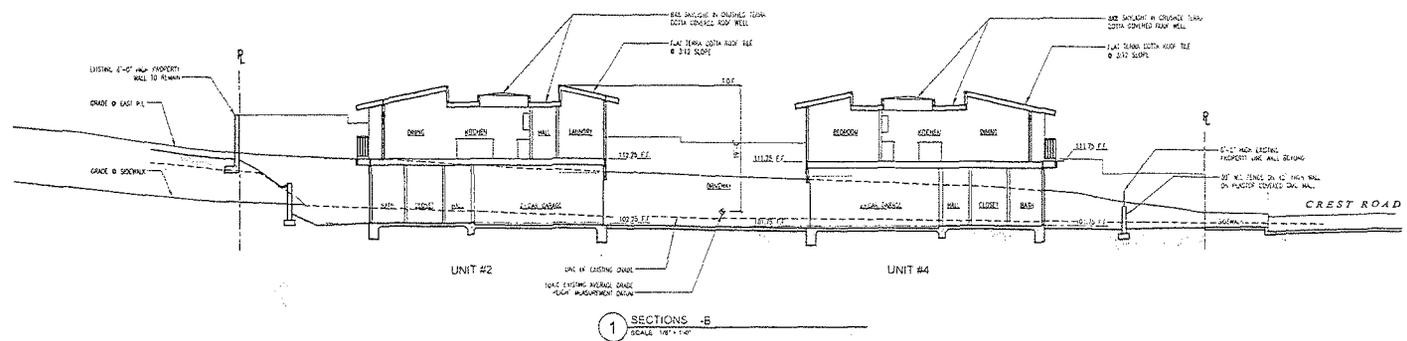
MARK	DATE	DESCRIPTION
	05-11-11	PLANNING REVISIONS
	05-11-11	PROGRESS REVISIONS

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 DIMENSIONS SHALL COVER OVERSHOTS

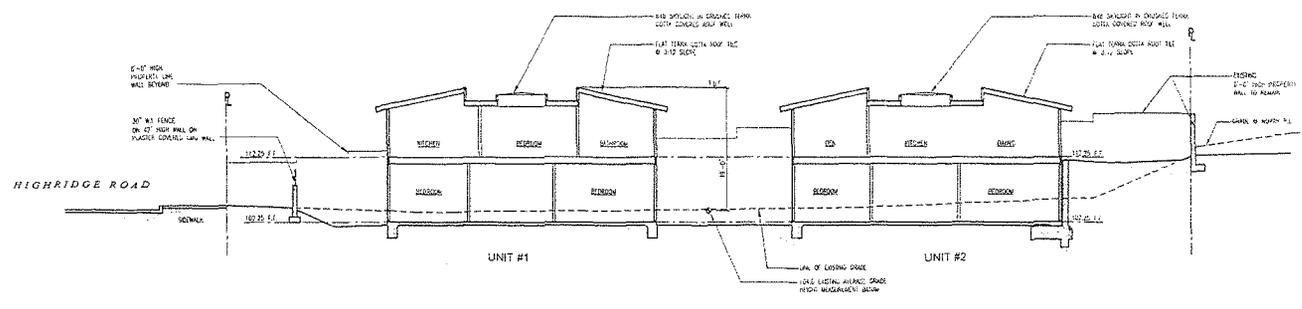
Job No.	02-028-001
Project Start Date	04-10-11
Drawn By	DC
Checked By	HP
Scale	AS NOTED

Drawing Title: **SITE SECTIONS**

Sheet: **A-8**



1 SECTIONS -B  
 SCALE: 1/8" = 1'-0"



2 SECTIONS -A  
 SCALE: 1/8" = 1'-0"

LOT DATE: Tuesday, May 12, 2015 10:46:05 AM

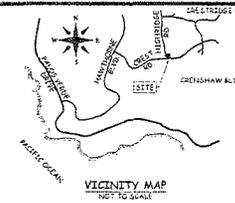


# FOR CONDOMINIUM PURPOSES Tentative Parcel Map No. \_\_\_\_\_ & Preliminary Grading Plan

PARCEL 1 IN THE CITY OF ROLLING HILLS ESTATES, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON A MAP FILED IN BOOK 2, PAGE 18 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

DATE OF PREPARATION: August 2014

AREA SUMMARY TABLE			
PARCEL #	AREA (SQ. FEET)	AREA (ACRES)	
1	22,366	0.514	



**NOTES:**  
1. EXISTING ROADS, GRASS AND NET LAND NOT SUBJECT TO DRAINAGE OR OVERFLOWING LAND OR PARAS TO BE DESIGNATED.

**PROPOSED LAND USE:**  
1. SINGLE FAMILY RESIDENCES (17 PARCELS)

**EXISTING LAND USE:**  
VACANT

**ASSESSOR'S PARCEL NUMBERS:**  
757400400

**LEGAL DESCRIPTION:**

PARCEL 1 IN THE CITY OF ROLLING HILLS ESTATES, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON A MAP FILED IN BOOK 2, PAGE 18 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

**BASIS OF BEARINGS:**

THE BEARINGS AND DISTANCES ARE BASED UPON THE CENTER LINE OF CREST ROAD BEARING NORTH BY 10° 36' EAST AS SHOWN ON A MAP FILED IN BOOK 2, PAGE 18 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

**OWNER:**

2007 TRUSTEES TRUST, TRUSTEE OF THE JUDY GOODMAN CHARITABLE TRUST  
c/o KEVIN PALMER  
BRYANT PALMER SOTD, INC.  
8000 AMBROSIO DRIVE, SUITE 310  
TOMBAND, CA 90260  
TELEPHONE: (310) 210-7111

**SITE ADDRESS:**

1817 VIOLA PLACE  
ROLLING HILLS ESTATES, CA 90274

**FLOOD ZONE:**

ZONE X OUTSIDE THE 500 YEAR FLOOD BOUNDARIES.

**ESTIMATED GRADING QUANTITIES:**

RAW EARTH: 1380 CY

GRAVEL: 650 CY

EXPORT: 500 CY

**PREPARED BY:**

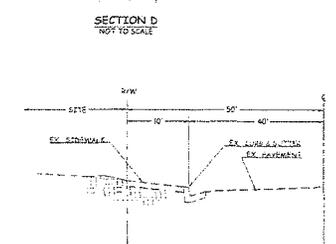
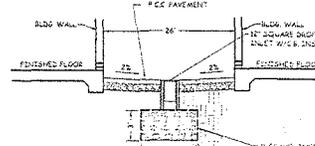
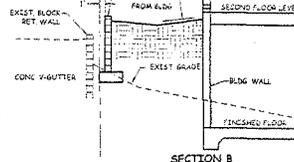
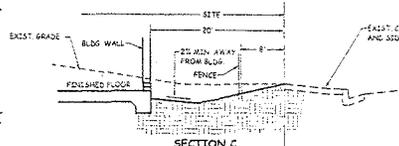
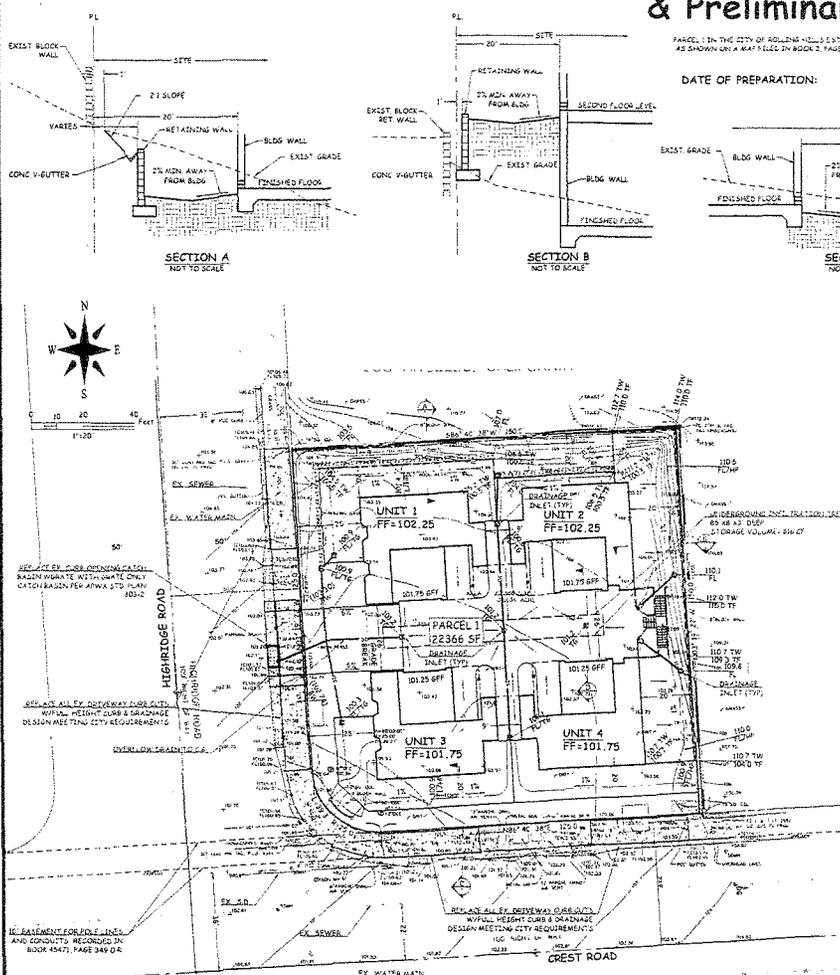
ROBIN B. HAMERS & ASSOCIATES, INC.  
241 E. 17TH STREET, SUITE 202  
COSTA MESA, CA 92627  
(949) 448-1191

1817 VIOLA PLACE  
COSTA MESA, CA 92627  
(949) 448-1191

**LEGEND:**

- AC ASPHALTIC CONCRETE
- AW BACK OF WALL
- C CENTERLINE
- FG FINISHED GRADE
- W WATER MAIN
- FP POWER POLE
- SS 3366
- TC TOP OF CURB

- PROPERTY LINE
- CENTERLINE
- CURB & GUTTER
- GRAIN PIPE
- WATER MAIN
- SEWER MAIN



NO.	DATE	DESCRIPTION	REVISIONS

PLAN REVIEW AT DEC. 01, 2014  
SET FOR REFERENCE ONLY



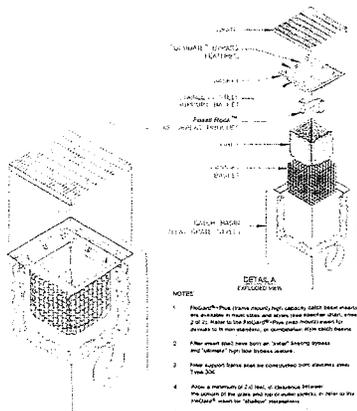
PREPARED BY:  
**ROBIN B. HAMERS & ASSOC., INC.**  
CIVIL ENGINEERS  
241 E. 17TH STREET, SUITE 202  
COSTA MESA, CA 92627  
(949) 448-1191  
*RH*  
DATE: 8/14/2014

For Condominium Purposes  
Tentative Parcel Map No. 2014-107  
& Preliminary Grading Plan  
1817 VIOLA PLACE  
COSTA MESA, CA

SHEET  
**1**  
OF 1

10 OF 11

11 OF 11



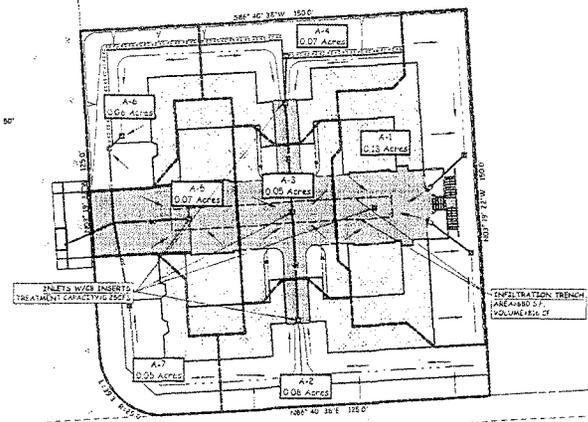
- NOTES**
1. Flogard Plus Filter fabric is made of high quality, 100% woven polypropylene fibers. It is made of a fine mesh and is designed to filter out debris, silt, and other particles from the water. It is made of a fine mesh and is designed to filter out debris, silt, and other particles from the water.
  2. After install check there is an "air" space between the filter and the gravel. This is to allow for the filter to expand and contract as it filters the water.
  3. The gravel should be clean and free of any debris or other particles. It should be a uniform size and should be made of a hard material.
  4. After a minimum of 2.0 inch of discharge between the bottom of the gravel and the bottom of the filter, the filter should be replaced with a new one. The filter should be replaced with a new one.
  5. The gravel should be replaced with a new one. The gravel should be replaced with a new one.
  6. Storage capacity should be replaced with a new one. Storage capacity should be replaced with a new one.
  7. Flogard Plus Filter fabric is made of high quality, 100% woven polypropylene fibers. It is made of a fine mesh and is designed to filter out debris, silt, and other particles from the water.

FLOGARD PLUS FILTER  
INSTALLED INTO GATE BAGS

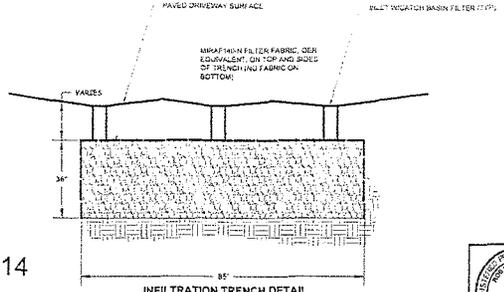
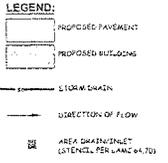
U.S. PATENT # 6,812,000 & 6,877,829

**Flogard PLUS**  
GATE BAGS FILTER MEDIA  
(100% Synthetic Mesh Bag)

**KriStar Enterprises, Inc.**  
280 South Pacific Avenue, Suite 100, San Jose, CA 95128  
Tel: (408) 251-1515 Fax: (408) 251-1515  
www.kristar.com



**SITE DRAINAGE SYSTEM:**  
OFF-RUNOFF SURFACE DRAINS TO INLETS FOR THE ON-SITE STORM DRAIN SYSTEM. THE FLOW IS ENTER DRAIN STILE TO AND ARE FILTERED. THE ON-SITE STORM DRAIN LEADS TO AN OFF-TRIBUTION TRENCH NEAR TO THE DRIVEWAY.  
THE INFILTRATION TRENCH IS SIZED TO STORE AND INFILTRATE THE DESIGN WATER QUALITY VOLUME EQUAL TO THE RUNOFF FROM A 0.75 - 24 HOUR STORM EVENT.  
UNDER PEAK CONDITIONS, WHERE THE RUNOFF EXCEEDS THE WATER QUALITY VOLUME, THE INFILTRATION TRENCH WILL FILL TO CAPACITY AND THEN THE RUNOFF WILL FLOW INTO THE BYPASS STORM DRAIN AND BYPASS THE INFILTRATION TRENCH. THE BYPASS STORM DRAIN LEADS TO THE CITY DRAIN BASIN ON HIGHRIDGE ROAD IN THE SOUTHWEST CORNER OF THE SITE.



**PROJECT INFORMATION:**  
CATEGORY: DETACHED RESIDENTIAL  
LOCATION: 5883 CREST ROAD, ROLLING HILLS ESTATES, CA  
IMPERVIOUS AREA: 0.262 ACRES  
PERVIOUS AREA: 0.292 ACRES



STENCIL ALL AREA DRAINS AND INLETS PER L.A.M.C. 64.70

**DRAIN INLET STENCIL DETAIL**  
NOT TO SCALE

**SOILS ENGINEER & GEOLOGIST:**  
**HAMILTON & ASSOCIATES**  
1541 BORDEN AVENUE  
TORRANCE, CA 90501  
310.578-2190

**CITY OF ROLLING HILLS ESTATES**  
DEPARTMENT OF BUILDING AND SAFETY

PLAN REVIEW AT DEC. 01, 2014  
SET FOR REFERENCE ONLY



PREPARED BY:  
**ROBIN B. HAWMERS & ASSOC., INC.**  
CIVIL ENGINEERS  
234 E. 117TH STREET, SUITE 205  
234 E. 117TH STREET, SUITE 205  
UNION, CA 94588

DATE	REVISIONS

**SUSMP SITE PLAN**  
CREST ROAD PARCEL MAP  
5883 CREST ROAD  
ROLLING HILLS ESTATES, CA

SCALE	DESIGNED	SHEET
1/8" = 1'-0"	DRAWN	1
	CHECKED	
	REVIEWED	
	REVIEWED (CONS.)	

JUN - 1 2015

ITEM NO. 8A



# Staff Report

City of Rolling Hills Estates

DATE: JUNE 1, 2015

TO: PLANNING COMMISSION

FROM: DAVID WAHBA, PLANNING DIRECTOR  
KELLEY THOM, CBGB, ASSOCIATE PLANNER

SUBJECT: PLANNING APPLICATION NO: 25-14;  
APPLICANT: MS. JUDY CHAI  
LOCATION: 5883 CREST ROAD

## OVERVIEW

The following is a request to approve: \*

1. A General Plan Amendment to change the land use designation from Neighborhood Commercial to High Density Residential;
2. A Zone Change from Commercial Limited (CL) to Residential Planned Development (RPD);
3. A Zone Text Amendment for development standards for lot size in the RPD Zone;
4. A Tentative Parcel Map for a one-lot subdivision;
5. A Grading Application;
6. A Conditional Use Permit for a Residential Planned Development;
7. A Neighborhood Compatibility Determination for the construction of four single-family patio homes; and
8. A Mitigated Negative Declaration (IS/MND) under the California Environmental Quality Act (CEQA), finding that the project, with mitigation measures, will not have a significant impact on the environment.

## BACKGROUND AND DISCUSSION

Revised Application Filed:	5/14/2015
Application Deemed Complete:	5/19/2015
Public Notices Mailed:	5/20/2015
Public Notices Posted:	5/21/2015
Public Notices Published:	5/21/2015

\* Note that the present request no longer includes a Minor Deviation for lot coverage.

This item was continued from the last Commission meeting of May 4<sup>th</sup> at the applicant's request. A new Public Hearing Notice was also re-sent to all properties within a 500' radius, as the project has now been revised. The previous Public Hearing notice advertised for the May 4<sup>th</sup> meeting was a request of the applicant to have the Commission vote on the previously-reviewed project on December 1, 2014, with no changes. As of this writing, staff has not received any public input or comments.

On December 1, 2014, a Public Hearing for the project was held before the Planning Commission. After lengthy discussion, the Commission continued the project to allow the applicant the opportunity to address the Commission's concerns regarding compliance with Neighborhood Compatibility issues, including density, home size, building massing, lot coverage, parking, and a potential driveway hazard, as noted in the staff report and minutes (attached).

In response to the Commission's concerns, the applicant has made a number of revisions to minimize the appearance of the proposed development, including reducing the lot coverage to eliminate the Minor Deviation, reducing the home sizes and building depth, reducing the second floor roof areas and second floor mass at corners, increasing the building setbacks along Crest Road, and reducing and/or eliminating the private yard walls to create more open space. The applicant has also increased the number of guest parking spaces from four to six.

The revised project has been re-silhouetted, to reflect the reduction in home sizes. Prior to the meeting, the Commission should visit the project site to better understand the project's revisions. The applicant will be providing a Powerpoint presentation to outline the current project changes.

Although the project applicant has made numerous revisions to the project (as further summarized below), it still incorporates four free-standing two-story, Spanish/Monterey-style patio homes, in essentially the same layout and design as originally presented to the Commission in December 2014. Staff has had several meetings with the applicant over the past several months to consider the construction of one single building located to the rear corner of the site with three to four units, that would be of an attached product, similar to the design of the townhomes located adjacent to the site at Sea View Drive South. Staff also entertained discussions with eliminating the corner house (or making it single story), to further reduce the project's mass when viewed from the corner of Highridge and Crest Roads. Neither of these alternatives were received favorably by the applicant, hence the revised proposal that essentially reduces each home's square footage by about 450 sq.ft. Below, please refer to the chart that fully summarizes the project's revisions.

Per the Commission's request, below are the revised project home sizes in comparison with the Seaview and Peppertree neighborhoods. Please refer to the Neighborhood Statistics (attached):

- 5883 Crest Rd. home size: 2,431 sq. ft. (Subject Application)
- Seaview townhomes size ranges: 1,794 sq. ft. to 2,123 sq. ft.  
Average: 1,938 sq. ft.
- Peppertree home size ranges: 2,359 sq. ft. to 2,546 sq. ft.  
Average: 2,459 sq. ft.

The following chart provides the project's revisions:

	12.1.14	5.14.15 (Revisions)	Net Change
<b>Lot Coverage</b>	7,400 sq. ft.	6,628 sq. ft.	- 772 sq. ft. decrease
<b>Floor Area</b>	2,880 sq. ft.	2,431 sq. ft.	- 449 sq. ft. decrease
<b>Site Ratio</b>	51.5%	43.4%	- 8.1% decrease
<b>Home Depth</b>	42 ft	37 ft	- 5 ft. decrease
<b>2<sup>nd</sup> Flr. Roof Area</b>	1,764 sq. ft.	1,410 sq. ft.	- 354 sq. ft. decrease
<b>2<sup>nd</sup> Flr Mass at Corners</b>			Omitted lanai roof (12 ft. by 12 ft.)
<b>Private Yards in Street Setbacks</b>	2,560 sq. ft.	1,500 sq. ft.	- 1,060 sq. ft. decrease
<b>Ground Plane Mass at Corner Home</b>	1,096 sq. ft.	600 sq. ft.	- 496 sq. ft. decrease
<b>Highridge Landscape Buffer</b>	2,606 sq. ft.	3,622 sq. ft.	1,016 sq. ft. increase
<b>Crest Rd Landscape Buffer</b>	1,000 sq. ft.	1,880 sq. ft.	880 sq. ft. increase
<b>Crest Rd Setback</b>			
Unit 3:	20 ft	30 ft	10 ft. increase
Unit 4:	20 ft	25 ft.	5 ft. increase
<b>Landscape Area</b>	49.6%	52%	2.4% increase

#### California Environmental Quality Act (CEQA)

Under the California Environmental Quality Act (CEQA), an Initial Study and Mitigated Negative Declaration (MND) were prepared for this project last year (attached). Staff is of the opinion that the project revisions do not require the IS/MND to be re-circulated, as the project revisions are essentially minimal and would not result in any new potential impacts that would require additional study for mitigation. Ultimately, the document will need to be revised to reflect the revised project description and accompanying numbers, should the Commission wish to recommend approval of the project to the City Council.

#### Neighborhood Compatibility

Please note that the Neighborhood Compatibility criteria was previously addressed in the IS/MND and December 1st staff report and found to be in compliance. Given that the revisions would reduce the lot coverage to eliminate the Minor Deviation, reduce the home sizes and building mass, and increase the amount of open space and landscaped areas, it would appear that the revised proposal is more compatible with the neighborhood than the previous proposal.

Should the Commission wish to direct staff to prepare a Resolution recommending City Council approval of the project, staff will provide revised Neighborhood Compatibility criteria in the Resolution to reflect the project's revisions.

### RECOMMENDATION

Staff recommends that the Planning Commission:

1. Open the Public Hearing;
2. Take Public Testimony;
3. Discuss the Issues;
4. Close the Public Hearing; and
5. Direct staff to take one of the following actions:
  - a) Prepare a Resolution recommending City Council approval of the revised project for the next Planning Commission meeting of July 6, 2015;

### **OR**

- b) Continue this application to a date uncertain to allow the applicant time to address further revisions as may be directed by the Planning Commission.

### EXHIBITS

Attached

1. Minutes and Staff Reports dated December 1, 2014 and May 4, 2015
2. Draft Initial Study and Mitigated Negative Declaration (IS/MND) dated October 9, 2014
3. Project Summary, Bryant Palmer Soto, Inc., dated May 14, 2015
4. Neighborhood Statistics for the Seaview and Peppertree Developments

Separate

1. Architectural Drawings, dated May 14, 2015

MAY - 6 2015

ITEM NO. 8A



# Staff Report

City of Rolling Hills Estates

DATE: MAY 4, 2015

TO: PLANNING COMMISSION

FROM: DAVID WAHBA, PLANNING DIRECTOR  
NIKI WETZEL, AICP, PRINCIPAL PLANNER

SUBJECT: PLANNING APPLICATION NO: 25-14;  
APPLICANT: MS. JUDY CHAI  
LOCATION: 5883 CREST ROAD

## OVERVIEW

The following is a request to approve:

1. A General Plan Amendment to change the land use designation from Neighborhood Commercial to High Density Residential;
2. A Zone Change from Commercial Limited (CL) to Residential Planned Development (RPD);
3. A Zone Text Amendment for development standards for lot size in the RPD Zone;
4. A Tentative Parcel Map for a one-lot subdivision;
5. A Grading Application;
6. A Minor Deviation for lot coverage;
7. A Conditional Use Permit for a Residential Planned Development;
8. A Neighborhood Compatibility Determination for the construction of four single-family patio homes; and
9. A Mitigated Negative Declaration under the California Environmental Quality Act (CEQA), finding that the project, with mitigation measures, will not have a significant impact on the environment.

## BACKGROUND AND DISCUSSION

Application Filed:	3/21/14
Application Deemed Complete:	10/7/14
Public Notices Mailed:	4/22/15*
Public Notices Posted:	4/22/15*
Public Notices Published:	4/23/15*

\*For this hearing only.

Subsequent to noticing, the applicant requested a continuance of this item (see Attachment 1) to the June 1, 2015 Planning Commission meeting.

## RECOMMENDATION

Staff recommends that the Planning Commission:

1. Open the Public Hearing:
2. Take No Public Testimony; and
3. Continue the Public Hearing to June 1, 2015.

## EXHIBITS

Attached

1. Email from Ms. Judy Chai

Pa25-14 pm2

MINUTES EXCERPT

REGULAR PLANNING COMMISSION MEETING

MAY 4, 2015

8. PUBLIC HEARINGS

- A. PLANNING APPLICATION NO. 25-14; APPLICANT: MS. JUDY CHAI; LOCATION: 5883 CREST ROAD. A REQUEST FOR A GRADING APPLICATION, ZONE TEXT AMENDMENT, MINOR DEVIATION, TENTATIVE PARCEL MAP, CONDITIONAL USE PERMIT, GENERAL PLAN AMENDMENT, ZONE CHANGE, AND A NEIGHBORHOOD COMPATIBILITY DETERMINATION FOR THE CONSTRUCTION OF FOUR SINGLE-FAMILY PATIO HOMES ON A .51-ACRE PARCEL. NO CHANGES TO THE PLANS AS PREVIOUSLY REVIEWED BY THE PLANNING COMMISSION ON 12/1/14 ARE PROPOSED, AND THIS IS A REQUEST BY THE APPLICANT FOR RECONSIDERATION OF THE PLANS AS PREVIOUSLY PRESENTED.

Planning Director Wahba explained that the applicant has requested a continuance to the next meeting of June 1, 2015, to revise the plans.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER SCHMITZ,

TO CONTINUE PLANNING APPLICATION NO. 25-14 to June 1, 2015.

There being no objection, CHAIR SCOTT so ordered.



# Staff Report

City of Rolling Hills Estates

AGENDA  
DEC - 1 2014  
ITEM NO. 8A

DATE: DECEMBER 1, 2014  
TO: PLANNING COMMISSION  
FROM: NIKI WETZEL, AICP, PRINCIPAL PLANNER  
SUBJECT: PLANNING APPLICATION NO: 25-14;  
APPLICANT: MS. JUDY CHAI  
LOCATION: 5883 CREST ROAD

---

## OVERVIEW

The following is a request to approve:

1. A General Plan Amendment to change the land use designation from Neighborhood Commercial to High Density Residential;
2. A Zone Change from Commercial Limited (CL) to Residential Planned Development (RPD);
3. A Zone Text Amendment for development standards for lot size in the RPD Zone;
4. A Tentative Parcel Map for a one-lot subdivision;
5. A Grading Application;
6. A Minor Deviation for lot coverage;
7. A Conditional Use Permit for a Residential Planned Development;
8. A Neighborhood Compatibility Determination for the construction of four single-family patio homes; and
9. A Mitigated Negative Declaration under the California Environmental Quality Act (CEQA), finding that the project, with mitigation measures, will not have a significant impact on the environment.

## BACKGROUND

Application Filed:	3/21/14
Application Deemed Complete:	10/7/14
Public Notices Mailed:	10/9/14
Public Notices Posted:	10/9/14
Public Notices Published:	10/16/14

Approval of a General Plan Amendment is required to modify the Land Use Element of the General Plan to change the land use designation of the subject property from Neighborhood Commercial to High Density Residential. General Plan Amendment procedures are set forth in Section 65350 of the Government Code.

Approval of a Zone Change is required to change the zoning designation of the property from Commercial Limited (CL) to Residential Planned Development (RPD).

Approval of a Zoning Text Amendment is required to amend Section 17.18.040(A) of the Municipal Code related to minimum lot size.

Approval of a Tentative Parcel Map is required under Section 66426 of the California Government Code and Chapter 16.12 of the Municipal Code.

Approval of a Grading Plan is required pursuant to Section 17.07.030 of the Municipal Code for any importation onto or exportation from any site in the City which exceeds 20 cubic yards of earth or any vertical change in the grade of any site which is 3' or more.

Approval of Conditional Use Permit is required pursuant to Section 17.18.020(B) of the Municipal Code for a Residential Planned Development (RPD) subdivision.

Approval of a Minor Deviation is required pursuant to Section 17.66.100(A)(6) of the Municipal Code for an increase of not more than 10% in the maximum allowable lot coverage.

Approval of a Neighborhood Compatibility Determination is required pursuant to Chapter 17.62 of the Municipal Code to review the natural amenities, neighborhood character, style, privacy, and landscaping of the proposal.

Approval of a Mitigated Negative Declaration is required under the California Environmental Quality Act (CEQA), finding that the project, with appropriate mitigation measures as stated in the Initial Study, will not have a significant impact on the environment.

The subject property, located in the C-L (Commercial Limited) Zone, is .51 acres in size and currently undeveloped. The property is unique in that it is one of two C-L designated properties in the City and the only one that does not have a Mixed Use Overlay designation (the other property is the Pepper Tree Lane project site). The General Plan Land Use designation for the site is Neighborhood Commercial, and the site is located in Planning Area Number 7 in a Cultural Resources Overlay area.

To the north and east of the subject property are residential uses in the Seaview Villas townhome complex zoned Residential Planned Development (RPD). To the south of the subject property, across Crest Road, are single-family residences in the City of Rancho Palos Verdes. To the west of the subject property, across Highridge Road are residential uses in The Ranch community zoned RPD.

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

- LS-105-65: Approved a lot split to create the subject property for the location of a gas station;
- PPD-102-75: Approved an expansion to a garden nursery facility (Crest Garden Center);
- PPD-107-75: Approved construction of a greenhouse at a garden nursery facility (Crest Garden Center);
- PPD-107-78: Approved construction of an additional greenhouse at a garden nursery facility (Crest Garden Center);

- PPD-109-88: Approved an addition and sign plan for a garden nursery facility (Kim's Crest Nursery);
- OC-161-89: Approved replacement of an existing sign at garden nursery facility (Sunset Garden Center);
- CUP-113-92: Request for consideration by the Planning Commission of either a two-story, 7,240 square foot office/retail building or a two-building, four-unit residential development; (Note: Planning Commission was in general support of commercial development of the site and continued the matter for project revision/Precise Plan of Design application);
- OC-116-00: Approved demolition of all existing buildings.
- PA-27-03: Approved a Precise Plan of Design, Variances to exceed the maximum allowable coverage of the lot by buildings or structures, permit less landscaping than required in the parking lot area, and a grading application for a 5,760 square foot commercial building.

As shown above, an application for a commercial building was approved in 2004 for the subject property. The applicant, Ms. Judy Chai, indicates that she attempted unsuccessfully to construct and tenant the approved commercial building. As such, she now requests a residential use which is the predominant use in the surrounding area.

A "First Look" meeting was held before the Planning Commission and City Council on July 9, 2013 to discuss conversion of the subject property to residential use and the development of four patio homes. There was general support of such a project. The project presented here is largely the same as that presented at that meeting.

At the time of this writing, staff has received three comment letters on the proposed project (see Attachment 1). Staff will prepare a Response to Comments document upon closure of the public review period for the project Mitigated Negative Declaration (November 24, 2014). The Response to Comments document will be provided to the Planning Commission under separate cover on November 26, 2014 and will include any other correspondence received during the remainder of the public comment review period.

## DISCUSSION

The applicant proposes to construct a one-lot subdivision with four, two-story patio homes on the .51-acre property. Two homes would be located on either side of a shared driveway accessible from Highridge Road. Four existing curb cuts (two each on Highridge Road and Crest Road) would be closed and replaced with full curb and gutter with the project. Each home would have an enclosed two-car garage and a guest parking space accessible from the shared driveway. The remainder of the site would be developed with private yard areas and landscaping. A stairway is proposed in the easterly portion of the property to provide access to raised private yard areas and secondary entries for the two easterly homes. The two westerly homes would have entries on the first floor facing Highridge Road. In addition to 400 square foot garages, each home has four bedrooms and is proposed to have 2,880 square feet of livable area.

Street elevations are provided on Sheet A-5 attached separately to this report. Additional building elevations and a materials and colors board will be provided at the public hearing. Elevations show Monterey-style exposed rafter tails, painted wood trellis and window headers, flat clay tile, and smooth stucco finish. The architect indicates that roof tiles will be terra cotta in color, and building walls will be painted neutral colors. Street elevations and the site plan also show new fencing along the

perimeter of the property and in the upper private yard areas to be 30"-high wrought iron fence on top of 42"-high concrete walls.

It is anticipated that the project would generate 38 daily vehicle trips. Three of these would be in the AM peak-hour and four in the PM peak-hour. LOS thresholds would not be increased with the proposed project, and no new signal is warranted.

Section 17.28.050(D) of the Municipal Code requires a 25'-wide front yard and 20'-wide side and rear setback areas where the site abuts residential districts. The project provides a minimum 25' wide setback area between the building and Highridge Road (considered the front yard) and 20' for the remaining setback areas in conformance with Code requirements.

Section 17.28.050(G) of the Municipal Code permits developments of two-story structures with a maximum 35' height. The proposed homes are approximately 22' in height from finished grade and two stories. Furthermore, this Code section indicates that the Planning Commission will make reasonable efforts to preserve existing views enjoyed by neighboring properties when reviewing all applications. It should be noted that the project applicant worked with and has received support from the adjoining Seaview Villas homeowners association for the proposed project. A flag silhouette for the project has been erected, and the Planning Commission should visit the project site to better understand site characteristics and proposed building mass.

#### General Plan Applicability

The purpose of the General Plan is to provide a comprehensive, long-range plan designed to serve as a guide for the physical development of the City. The General Plan consists of an integrated and internally consistent set of goals, policies, and implementation measures. The Municipal Code is a tool to implement the General Plan's goals, policies, and implementation measures. The City's present General Plan was adopted on August 18, 1992 (Housing Element on January 28, 2014).

The "Introduction" section of the Land Use Plan (page 2-19) indicates that land use designations largely correspond to development as it existed at the time of General Plan adoption. The project site is within the Neighborhood Commercial land use designation (as described on page 2-20 in Table 2-1, Summary of General Plan Designations) which "refers to smaller single commercial uses located at key intersections". Table 2-2, Land Use Designation Standards (page 2-21), further describes the designation indicating that it is implemented by the C-L Zone, allows business, professional service, and retail uses, and that a maximum floor area ratio of 4 to 1 is permitted.

The Overlay Map for Planning Area Number 7 (Exhibit 2-14 of the Land Use Element of the General Plan) shows that the subject property is in a Cultural Resources Overlay Zone. Page 2-22 of the Land Use Plan indicates that this designation "applies to a portion of the City where archaeological resources are known or suspected to exist." Mitigation Measures included in the project Initial Study address actions to be taken should an archaeological resource be discovered during project construction.

As mentioned previously in the report, the applicant received approval for construction of a commercial building on the property, but was not successful in having it built. The property is surrounded on all sides by residential uses, and the applicant proposes residential use of the property. As such, a General Plan Amendment is proposed to remove the property from the Neighborhood Commercial designation and to place it in the High Density Residential designation. The High Density Residential designation corresponds to the Residential Planned Development (RPD) zone designation requested for the property, and is the General Plan land use designation of the Seaview Villas development to the north and east of the site. The designation provides for up to

8 units per acre, and the project proposes 7.8 units per acre in conformance with General Plan density.

Because the project requires a General Plan Amendment, pursuant to Government Code §65352.3, staff is required to notify tribal governments for the purpose of preserving or mitigating impacts to, or cultural places located on land, within the City's jurisdiction that is affected by the proposed plan adoption. As such, staff requested and received a list of tribal governments to contact for consultation from the Native American Heritage Commission. Ten governments were listed and contacted for the required minimum 45-day review period. Only the Gabrieleno Band of Mission Indians commented on the project (as seen in Attachment 1) requesting that one of their monitors be onsite during any and all ground disturbances. Staff will include a related condition of approval in any resolution approving this project.

### Zoning Applicability

Currently, the site is zoned Commercial Limited (CL) which corresponds to the Neighborhood Commercial General Plan land use designation. The applicant requests that the property be rezoned to Residential Planned Development (RPD) with the proposed application. This is the zoning designation of the Seaview Villas development to the north and east of the site. The RPD zone is described in Chapter 17.18 of the Municipal Code and provides for cluster housing subject to approval of a Conditional Use Permit. Single family detached structures are permitted in the RPD zone, and common and private open space shall not comprise less than 70% of the project site. The applicant requests a Minor Deviation to permit 33% of the site to be covered by building and structures as discussed below. The maximum permitted density in the zone is established by the General Plan designation, and the proposed land area may not be less than 10 acres. As further described below, the applicant requests a Zone Text Amendment permitting an RPD development on less than 10 acres if a site is contiguous to a 10-acre site zoned RPD.

### Zoning Text Amendment

Section 17.18.040(B)(1) states that following:

*"Area. The proposed development plan shall include a parcel or parcels of land containing not less than ten acres. The area, width and frontage requirements of lots in a planned residential development shall be as required in the approved plan of development. The dwelling units and buildings and the land within the development may be divided in ownership only in the manner authorized in the approval of the development."*

Thus, a development in the RPD zone requires a minimum of ten acres. While the subject property is only .51-acres in size, the adjoining Seaview Villas development to the north and east of the subject property is 10.66 acres in size. Together, the properties form 11.17 acres of RPD development. The applicant requests a Zone Text Amendment to permit an RPD development on a property that is less than ten acres in size if the site adjoins an RPD development that is over ten acres in size. This amendment would provide for a similar scale and pattern of development for smaller parcels contiguous to currently RPD-zoned property while continuing to preserve all other development standards of the RPD designation (i.e., maximum coverage, height limitation, and setback requirements). Importantly, approval of any RPD development would continue to require approval of a Conditional Use Permit which provides for discretionary approval by the Planning Commission and the inclusion of any applicable conditions of approval.

### Tentative Parcel Map

The applicant has submitted a Tentative Parcel Map for Condominium Purposes for the project as included separately to this report. Regarding maps, Chapter 16.12 of the Municipal Code requires that the plan must be prepared by a registered civil engineer for all public works improvements to be constructed as a condition of the subdivision and for all site development including (but not limited) to grading, drainage facilities, and structures in accordance with the City standards. Furthermore, plans for all irrigation and landscaping subject to the approval of the Planning Director and a plot plan showing details of the entire development and all improvements to be constructed are required. In addition, the project must be consistent with the General Plan Mixed-Use land use designation and corresponding Municipal Code. Pursuant to Chapter 16.04 of the Municipal Code, the Planning Commission's actions shall be as an advisory agency only, and all actions of the Planning Commission with reference to tract maps shall be reported to the City Council who shall act approve, deny or conditionally approve the map. Given that all proposed entitlements are bundled for review by the Planning Commission and that the Tentative Parcel Map requires approval of the City Council, the Planning Commission Resolution for the project shall provide a recommendation only to the City Council regarding the subject request.

### Grading Plan

Proposed cuts would primarily occur to lower the building pad elevations by approximately 3' to minimize building height. Fill would be placed near the easterly property line for development of private patio areas. Approximately 1,150 cubic yards of earthwork is proposed including 650 cubic yards proposed as fill and 500 cubic yards exported from the site (which results in approximately 50 truck loads). The grading application is included as Attachment 2.

### Minor Deviation

Section 17.18.040(B)(5) of the RPD zone indicates that building and structures may not occupy more than 30% of the gross lot area. Further, Section 17.66.100(6) permits that a Minor Deviation may be approved for an increase of not more than 10% in the maximum allowable lot coverage. Accordingly, a Minor Deviation is required for the proposed 33% lot coverage. The excess lot coverage provides for slightly larger building footprints in light of the small size of the property.

### Conditional Use Permit

A Condition Use Permit (CUP) is required to establish a Residential Planned Development (RPD) community. Requirements for CUP's are provided in Chapter 17.68 of the Municipal Code. Section 17.68.010 of the Municipal Code indicates that conditionally permitted uses may be allowed when such uses are necessary to the development of the community, and which uses are in no way detrimental to existing uses or to those permitted in the district. In no case shall a CUP be issued for a specifically prohibited use.

### Neighborhood Compatibility

Section 17.26.020 (Neighborhood Compatibility) of the Municipal Code provides for a review process for residential construction proposals to protect and maintain the established character of all residential neighborhoods. The primary purpose of this review is to ensure that proposals will not create privacy issues, obstruct views, create obtrusive light sources, or establish an unaesthetic architectural appearance when considered from the residential property. Neighborhood compatibility criteria as it relates to the proposed project is described below.

1. Natural Amenities. Improvements to residential property shall respect and preserve to the greatest extent possible existing topography, landscaping, and natural features.

No major topographical, landscaping or natural features exist on this previously-developed site. Proposed grading is minor and will not result in the loss of natural site amenities.

2. Neighborhood Character. Proposals shall be compatible with the existing neighborhood character in terms of scale of development, architectural style and materials.

The Seaview Villas complex surrounds the project on two sides and provides the most visually prominent buildings in relation to the proposed project. The complex consists of neutral-toned buildings with red tile roofs, exposed rafter tails, and wood balconies in a Mission Revival and Spanish Colonial Revival style. The project proposes neutral-toned buildings, flat terra cotta roofs, exposed rafter tails, and wood trellises, all of which are similar to the Seaview Villas complex. In addition, the scale of the proposed development is the similar to the Seaview Villas complex in that the requested RPD zone designation and High Density Residential land use (with a corresponding maximum of 8 units per acre) are the same as the Seaview Villas zoning and land use designations.

3. Scale. Designs should minimize the appearance of overbuilt property to both public and private view. The square footage of the residence and total lot coverage should reflect the rural character of the City and neighborhood.

The proposed homes would be surrounded on all sides by landscaped areas and yards that would minimize the appearance of an overbuilt lot. The proposed square footage of the residences, at 2,880 square feet, are larger than the 1,800 to 2,200 square foot Seaview Villas townhomes, but not excessive. The proposed 33% lot coverage would only slightly exceed the permitted 30% and would respect the rural character of the City and neighborhood.

4. Style. Proposals shall address the following design elements: façade treatments (avoid stark and unbroken walls), structure height(s), open spaces, roof design, appurtenances, mass and bulk. These design elements should be compatible with the existing home and neighborhood and in all instances seek to minimize the appearance of a massive structure.

The proposal indicates that building walls and mass would be broken by balconies, trellises and pop-out features. Building height at approximately 22' from finished grade would be much lower than the 35' maximum permitted, and the roof design is low in pitch. Like the Seaview Villas complex, the project is proposed to be "courtyard" in style such that buildings are surrounded by landscaping and yard areas which also serve to minimize the appearance of building mass.

5. Privacy. Proposals shall maintain an adequate separation between the proposed structures and adjacent property lines. In addition, proposed balconies, decks and windows shall respect the existing privacy of surrounding properties.

The proposed residences would be located downslope from the Seaview Villas townhomes to the east and separated by a property line wall and landscaping to ensure privacy between the uses. Given the grade differences between the properties, it is not anticipated that the yard areas or windows of the proposed residences will adversely impact the surrounding property. Further, the approximately 100'-wide roadway widths of both Highridge and Crest Roads accompanied by project setbacks of 20' to 25' ensure privacy to homes to the south and west.

6. Views. Designs should respect existing neighboring views.

This finding has been met because the proposed homes are located down slope from the townhomes above and have been designed with a low roof profile. In addition, the building pads are proposed to be lowered 3' to minimize any potential view impacts.

#### Initial Study and Negative Declaration for the California Environmental Quality Act (CEQA)

The proposed development has been defined as a project under CEQA which requires completion of an Initial Study to determine if the project would have significant impacts on the environment. The City contracted with PMC to perform the Initial Study. (The Initial Study/Mitigated Negative Declaration was provided to the Planning Commission on October 9, 2014 and is also available on the City website under What's New/Project Updates/5883 Crest Road.) Staff reviewed the Initial Study and determined that, with proper mitigation as specified in the Initial Study, the proposed project will not have a significant impact on the environment; therefore, staff prepared a Mitigated Negative Declaration for Planning Commission consideration.

As required by CEQA, a public comment period for the Mitigated Negative Declaration is being conducted. The review period is from October 9, 2014 to November 24, 2014. A Notice of Intent to Adopt a Mitigated Negative Declaration was provided to all affected properties within a 500' radius of the project, adjacent cities, and other government agencies. The notice provides a brief description of the project, the Planning Commission Public Hearing date/time/location, and how to obtain detailed information about the project including the Initial Study. The notice, Initial Study, and Mitigated Negative Declaration were filed with the Los Angeles County Clerk on October 8, 2014 and were made available at the Peninsula Center Library. A copy of the project plans, Initial Study, and Mitigated Negative Declaration have been made available at the public counter and on the City's website.

#### RECOMMENDATION

Staff recommends that the Planning Commission:

1. Open the Public Hearing;
2. Take Public Testimony
3. Discuss the issues;
4. Close the Public Hearing; and
5. Direct staff to prepare a Resolution recommending approval of PA-25-14 to the City Council for the next Planning Commission meeting of December 15, 2014, subject to a condition of approval requiring a Gabrieleno Band of Mission Indians to be present during any and all ground disturbances.

#### EXHIBITS

Attached

1. Comment Letters
2. Grading Application

# CITY OF ROLLING HILLS ESTATES

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

---

*Prepared for:*

CITY OF ROLLING HILLS ESTATES  
4045 PALOS VERDES DRIVE NORTH  
ROLLING HILLS ESTATES, CA 90274

*Prepared by:*

**PMC<sup>®</sup>**

3900 KILROY AIRPORT WAY, SUITE 120  
LONG BEACH, CA 90806

**OCTOBER 2014**

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**CITY OF ROLLING HILLS ESTATES  
INITIAL STUDY, ENVIRONMENTAL CHECKLIST**

- 1. Project Title:** 5883 Crest Road Project
- 2. Lead Agency Name and Address:** City of Rolling Hills Estates  
4045 Palos Verdes Drive North  
Rolling Hills Estates, CA 90274
- 3. Contact Person and Phone Number:** Niki Wetzel, AICP, Principal Planner  
(310) 377-1577
- 4. Project Location:** 5883 Crest Road (northeast corner of  
Highridge Road)  
Assessor's Parcel No. 7575-003-095  
Rolling Hills Estates, Los Angeles  
County, CA
- (See Figures 1, 2, and 3: Regional Vicinity,  
Project Location, and Aerial Photograph of the  
Site, as well as 8, Description of Project, for  
additional details.)
- 5. Project Sponsor's Name and Address:** Judy Chai  
P.O. Box 2843  
Palos Verdes, CA 90274
- 6. General Plan Designation:** Neighborhood Commercial (Planning Area 7)  
and within the Cultural Resources Overlay Zone
- 7. Zoning:** C-L (Commercial Limited)

**8. Description of Project:**

Project Location

The project site is located at 5883 Crest Road in Rolling Hills Estates, Los Angeles County, California. The project site is bounded by Crest Road on the south, the Seaview Villas condominiums on the north and east, and Highridge Road on the west. The project site is located on the Redondo Beach, California, 7.5-minute US Geological Survey (USGS) topographic quadrangle. The site was formerly developed with a gasoline service station (1966–1971) and a commercial plant nursery (1972–2003) that have since been removed. See Figures 1 and 2, which illustrate the regional orientation of Rolling Hills Estates and the project location, respectively.

Project Characteristics

The proposed project consists of the construction of four two-story, detached homes with a shared driveway, which connects to Highridge Road. The proposed homes would be four-bedroom/four-bath units, approximately 3,295 square feet in floor area (2,880 livable square feet plus 415 square feet of garage space). All units would have a two-car garage and one additional

guest parking space for a total of 12 off-street parking spaces. The lot size is 0.51-acre (22,366 square feet), with proposed total lot coverage of 33 percent. Each dwelling unit will have a fenced rear yard and side yard. The project will have a landscaped front yard fronting Highridge Road. Sidewalks, curbs, and gutters will be improved where needed according to City standards.

Minimal grading would be required. The proposed project will involve grading to lower the site for the purpose of minimizing the roof height by up to 3 feet. Additionally, backfilling the slope on the eastern side of the site to create side yards for two of the homes is proposed. The proposed cuts would remove approximately 1,150 cubic yards of material, of which approximately 650 cubic yards will be used in backfilling. A total of 500 cubic yards of fill would be exported off-site.

Requested Discretionary Approvals

The proposed project requires the following City discretionary actions:

City Discretionary Actions	
Decision-Making Body	Action Required
Planning Commission (advisory) and City Council	<ul style="list-style-type: none"> <li>• Grading Application</li> <li>• Zone Text Amendment for development standards for lot size in the RPD zone</li> <li>• Minor deviation for lot coverage</li> <li>• Tentative Parcel Map for a one-lot subdivision</li> <li>• Conditional Use Permit (CUP) for a Residential Planned Development</li> <li>• General Plan Amendment to change the land use designation from Neighborhood Commercial to Residential Planned Development (RPD) in the High Density Residential category</li> <li>• Zone Change from Commercial Limited (CL) to Residential Planned Development (RPD)</li> <li>• Neighborhood Compatibility Determination for the construction of four single-family homes</li> </ul>

**9. Surrounding land uses and setting:**

Rolling Hills Estates lies in the southwest portion of Los Angeles County on the Palos Verdes Peninsula. The peninsula consists of rolling hills surrounded by the Pacific Ocean on three sides (the south, east, and west) and the Los Angeles Basin to the north. The project site is in the southwestern portion of the city in General Plan Planning Area 7.

The surrounding area is currently fully developed. Figure 3 is an aerial photograph of the project site. Figure 4 shows the proposed site plan for the project. Figures 5a and 5b provide photographs of the site.

The surrounding area includes the Seaview Villas, a two-story condominium community, to the north and east of the project site. South of the site is Crest Road and the Sea Crest single-family subdivision beyond. West of the site is Highridge Road and The Ranch single-family subdivision.

**10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

This document covers all approvals by government agencies that may be needed to construct, implement, or operate the project. At this time, no discretionary approvals are known to be required for the project by any public agencies other than the City of Rolling Hills Estates (lead agency).

## 11. References

The documents listed below are incorporated into this document by reference and are available for review in the Planning Department of the City of Rolling Hills Estates, which is located in City Hall, 4045 Palos Verdes Drive North, Rolling Hills Estates, CA 90274, or as shown in the reference.

- CalRecycle (California Department of Resources Recycling and Recovery). 2012. *Jurisdiction Disposal by Facility*. Accessed August 27, 2014.  
<http://www.calrecycle.ca.gov/LGCentral/Reports/DRS/Destination/JurDspFa.aspx>.
- CEMA (California Emergency Management Agency). 2014. Hazard Mitigation web portal.  
<http://myplan.calema.ca.gov/>.
- CGS (California Geological Survey). 2006. *Seismic Hazards Zone Map, Redondo Beach Quadrangle*. <http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm>.
- CGS. 2008. *Earthquake Shaking Potential for California*.  
[http://www.consrv.ca.gov/cgs/information/publications/ms/Documents/MS48\\_revised.pdf](http://www.consrv.ca.gov/cgs/information/publications/ms/Documents/MS48_revised.pdf).
- CWSC (California Water Services Company). 2013. *Water Conservation Reports – Palos Verde District*. [https://www.calwater.com/docs/conservation/update/2013/2013\\_update-pv.pdf](https://www.calwater.com/docs/conservation/update/2013/2013_update-pv.pdf).
- DOF (California Department of Finance). 2014. *Table E-5 City/County Population and Housing Estimates, 1/1/2014*. <http://www.dof.ca.gov/research/demographic/>.
- DTSC (California Department of Toxic Substances Control). 2014. Envirostor database.  
<http://www.envirostor.dtsc.ca.gov/public/>.
- FEMA (Federal Emergency Management Agency). 2008. Flood Insurance Rate Map (FIRM) No. 06037C1920F.
- FTA (Federal Transit Administration). 2006. *Transit Noise and Vibration Impact Assessment*.
- Hamilton & Associates. 2014a. *Geotechnical Engineering Update Report*. Project No. 14-1817-1.
- Hamilton & Associates. 2014b. *Percolation Testing*. Project No. 14-1817.
- Institute of Transportation Engineers. 2008. *Trip Generation Handbook*, 8<sup>th</sup> ed.  
<http://www.ite.org/tripgeneration/trippubs.asp>.
- Partner. 2014. *Phase I Environmental Site Assessment Report, 5883 Crest Road*. Partner Project No. 14-119932.1.
- Rolling Hills Estates, City of. 1992. *General Plan*. <http://www.ci.rolling-hills-estates.ca.us/index.aspx?page=128>.
- Rolling Hills Estates, City of. 2014. *City Parks, Facilities, & Trails*. Accessed August 25, 2014.  
<http://www.ci.rolling-hills-estates.ca.us/index.aspx?page=109>.
- Rolling Hills Estates, City of. n.d. *Rolling Hills Estates Municipal Code*.  
<https://library.municode.com/index.aspx?clientId=16587>.
- SCAG (Southern California Association of Governments). 1994. *Regional Comprehensive Plan and Guide – Growth Management Chapter*.

SCAQMD (South Coast Air Quality Management District). 1993. *CEQA Air Quality Handbook*.

SCAQMD. 2008. Final Localized Significance Threshold Methodology.  
<http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds#appc>.

SCAQMD. 2009. Localized Significance Threshold Appendix C – Mass Rate LST Look-Up Tables. <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

SCAQMD. 2012. *2012 Air Quality Management Plan*.  
<http://www.aqmd.gov/aqmp/2012aqmp/index.htm>.

SWRCB (State Water Resources Control Board). 2014. GeoTracker Database.  
<http://geotracker.waterboards.ca.gov/>.

WRD (Water Replenishment District of Southern California). 2014. Interactive Well Search. Accessed August 29, 2014. <http://gis.wrd.org/wrdmap/index.asp>.

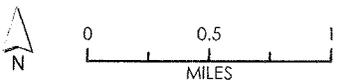
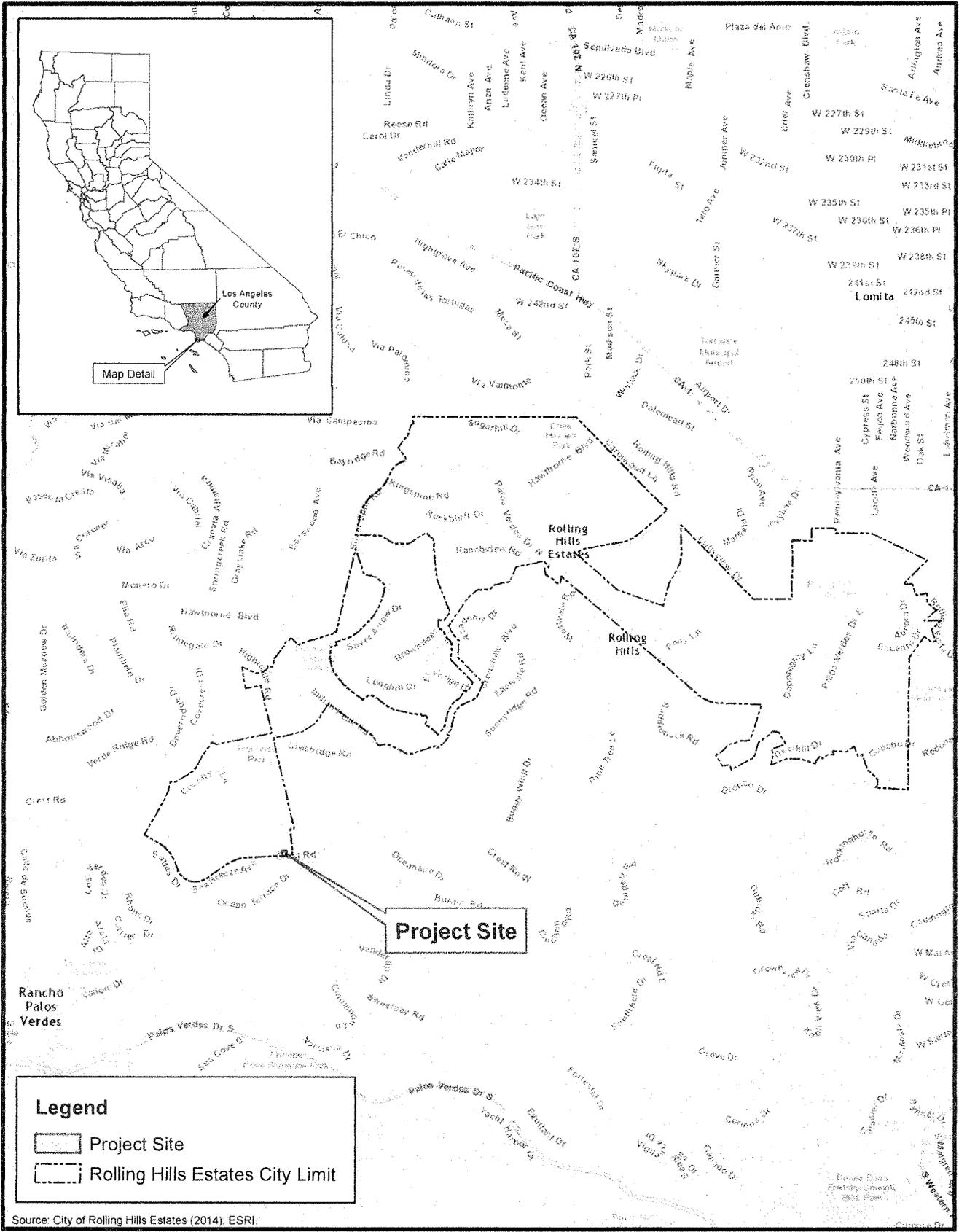
## **12. Appendices**

### **A. Air Quality and Greenhouse Gas Model Output**

#### **REPORT PREPARERS**

The following consulting firm assisted the City of Rolling Hills Estates in the preparation of this Initial Study:

PMC  
3900 Kilroy Airport Way, Suite 120  
Long Beach, CA 90806



**Figure 1**  
Regional Vicinity

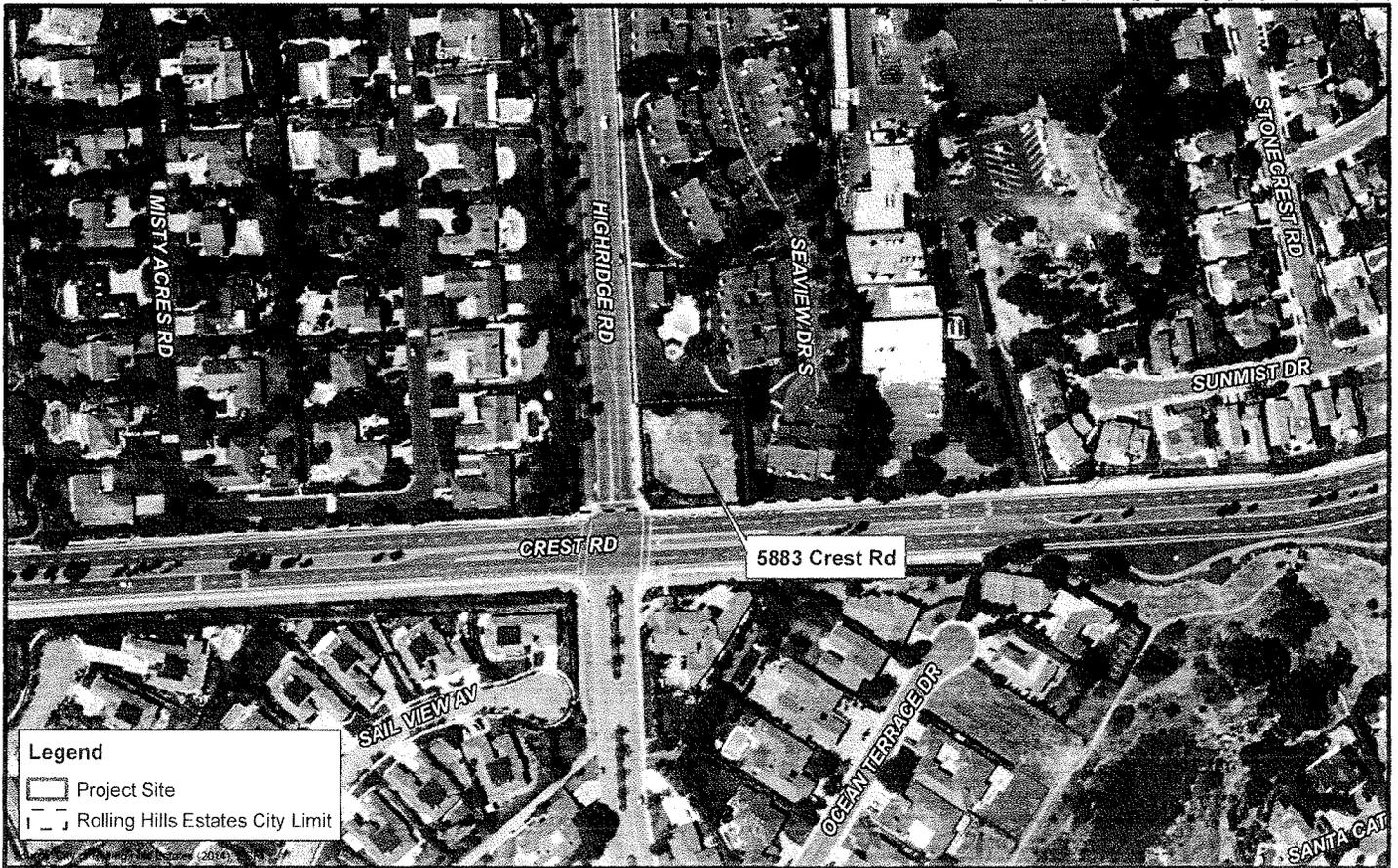
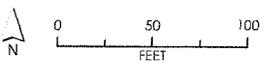


Figure 2  
Project Location





**Legend**  
[Solid Rectangle] Project Site  
[Dashed Line] Rolling Hills Estates City Limit

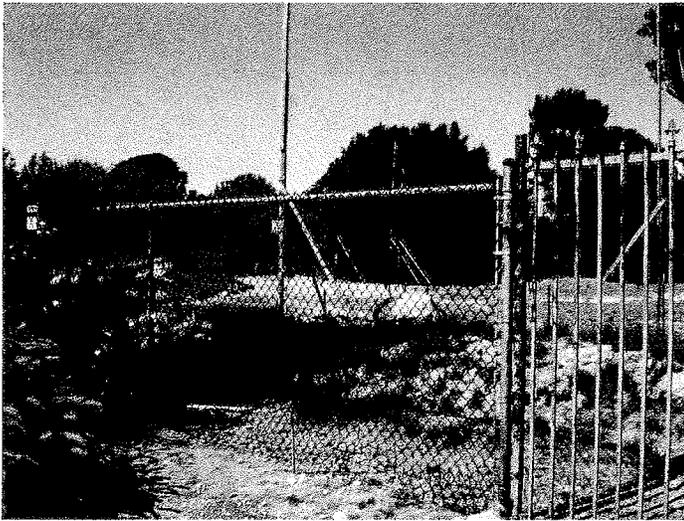


**Figure 3**  
Aerial  
PMC

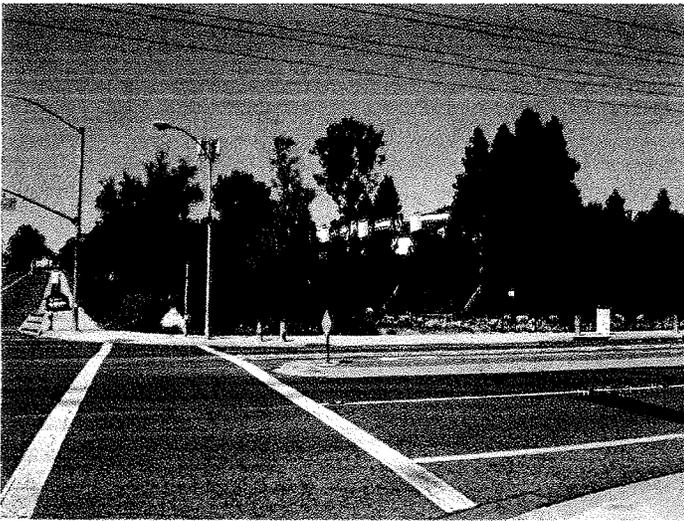




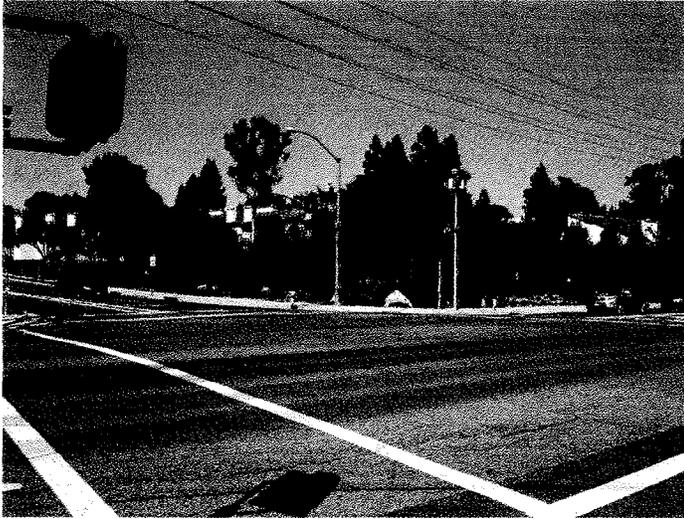
Project site from southwest corner of property



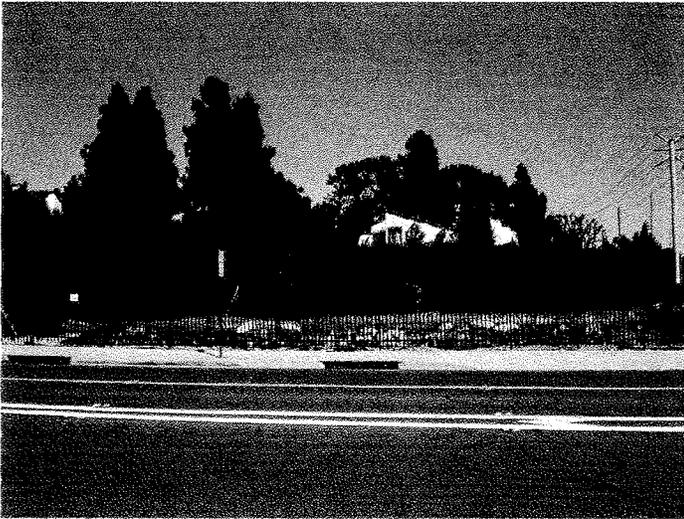
Project site from south property line



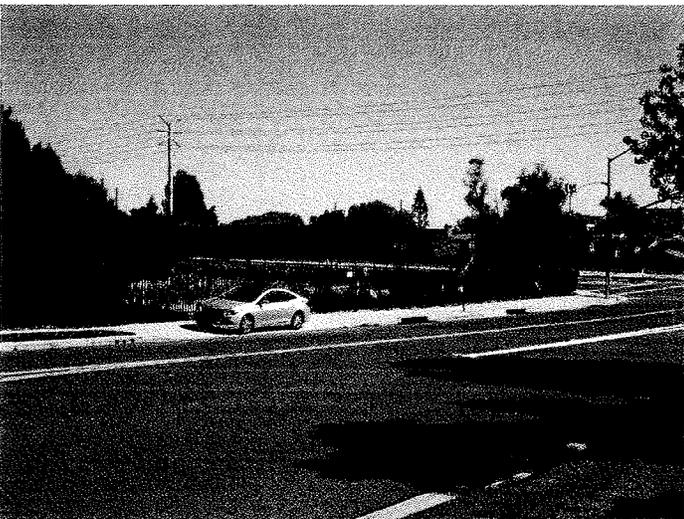
Project site from Crest Road looking north



Project site from corner of  
Crest Road and Highridge Road  
looking northeast



Project site from Highridge  
Road looking east



Project site from Highridge  
Road looking southeast

**Figure 5b**  
Project Site

**INITIAL STUDY CHECKLIST**

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology/Water Quality
<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance

**DETERMINATION: (To be completed by the lead agency)**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

*Niki Wetzel*  
Signature

10/8/14  
Date

Niki Wetzel  
Printed Name

City of Rolling Hills Estates  
For

## EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers, except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factor as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.)
- 2) All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should formally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

**ENVIRONMENTAL CHECKLIST**

I <u>LAND USE AND PLANNING</u>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Propose a use not currently permitted by the General Plan Use Map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Propose a use not currently permitted by the Zoning Ordinance and Zoning Map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in an increase in density beyond that permitted in the General Plan and Zoning Ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Have an architectural style or use building materials that are substantially inconsistent with neighborhood compatibility requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Propose a use which is incompatible with surrounding land uses because of the difference in the physical scale of development, noise levels, light and glare, and traffic levels or hours of operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Detract substantially from the rural character, as defined in the Rolling Hills Estates General Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Explanation of Checklist Judgments**

I(a) **No Impact.** The proposed project is a vacant commercial lot surrounded by residential uses. New construction proposed as a part of the project would be similar in use and scale to the surrounding uses. The location and design of the proposed project would not divide an established community and would cause no related impacts.

I(b, c) **Less Than Significant Impact.** The project site is located in General Plan Planning Area 7. The project site is currently designated Neighborhood Commercial in the City's General Plan. The project proposes a General Plan land use designation of Residential Planned Development (RPD) in the High Density Residential category, which allows up to 8 units per acre. This is the General Plan designation of the Seaview Villas townhomes immediately adjacent to the site on the north and east. All proposed uses for the project would be consistent with the allowed uses in this new designation.

Additionally, the following overlay zone is identified for the project site:

Cultural Resources Overlay – This designation applies to a portion of the city where archaeological resources are known or suspected to exist. The Conservation Element details appropriate actions that must be followed when property is included in this designation. All areas designated as having a high sensitivity in the Conservation Element are included within the Cultural Resources Overlay.

The project is inconsistent with the existing General Plan land use designation for the site. The project proposes four single-family units on approximately half an acre. This density would be equal to approximately 8 units per acre. The City Council's approval of the project would result in a General Plan land use designation change to

Residential Planned Development in the High Density Residential category, which allows a residential density of up to 8 dwelling units per acre. Given the project's consistency with the surrounding uses, the proposed deviation from and change to the General Plan land use designation would not be a significant environmental impact.

- I(d, e) **Less Than Significant Impact.** The project site is located in General Plan Planning Area 7. The project site is currently zoned Commercial Limited (C-L). The project proposes a zoning change to Residential Planned Development (RPD).

Density for the RPD zoning district is defined by Municipal Code Section 17.18.040(2) (Residential Planned Development), which specifies the total number of units permitted to be based on the density assigned in the Land Use Element of the General Plan, or 8 units per acre. The proposed project would be consistent with this density, as it proposes four dwelling units within the half-acre site. All proposed uses for the project would be consistent with the allowed uses in this new zoning district.

Currently, the project is inconsistent with the C-L zoning district for the site. The City Council's approval of the project would result in a zone change to RPD, which would provide consistency between the zoning district and proposed uses for the site. Given the project's consistency with the surrounding uses, the proposed change to the City's Zoning Map would not be a significant environmental impact.

- I(f, g) **Less Than Significant Impact.** Municipal Code Chapter 17.62 (Neighborhood Compatibility) provides standards and guidelines for neighborhood compatibility for new residential construction projects in the city. The proposed project would be required to undergo the City's review process, which includes a determination as to the project's neighborhood compatibility.

The project is for the development of residential uses in an area developed primarily as residential. The proposed project would not be inconsistent with surrounding uses. Therefore, the proposed project does not propose a use that is incompatible with surrounding land uses, and the project would cause no related significant impacts. See also subsections VI (Noise), III (Aesthetics), and IV (Transportation/Traffic) for detailed analysis of the project's noise, light and glare, and traffic impacts.

- I(h) **Less Than Significant Impact.** The project proposes development of residential uses in an area developed primarily as residential. The project would be required to be consistent with the land use densities established in the General Plan and Zoning Ordinance, which define the "rural character" in the city. The proposed development of the property for single-family uses in this residential area of the city would not detract from the city's rural character.

- I(i) **No Impact.** The proposed project is not located in an area that is subject to a habitat conservation plan or natural community conservation plan.

<b>II RECREATION &amp; OPEN SPACE</b>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Result in the loss of any City-designated areas for hiking or horse or bicycle riding?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Reduce the ratio of parkland in the city to below 6.7 acres per 1,000 residents as designated in the General Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the open space would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Individually or cumulatively considered result in a loss of any (i) existing parkland, (ii) open space, as defined by the Rolling Hills Estates General Plan, (iii) private or public recreational facilities as defined by the Rolling Hills Estates General Plan for recreational purposes and/or (iv) the replacement of privately owned public recreational facility as defined by the General Plan with non-recreational facilities as defined in the General Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Explanation of Checklist Judgments**

II(a–d) **Less Than Significant Impact.** The proposed project would create four new single-family homes on a currently vacant lot. While the project would include the construction of four new buildings, these uses would not result in the removal or alteration of an existing recreational facility or substantially increase the demand for recreational facilities. The proposed project would not result in the loss of any existing hiking trails, horse or bicycle riding facilities, parkland, open space, or other public or private recreational facilities.

The City of Rolling Hills Estates owns and operates eight public parks, the George F. Canyon Nature Preserve, equestrian and bicycle trails, and a community center. In addition, the City owns and operates the approximately 7-acre Peter Weber Equestrian Center, consisting of fee-based municipal stables and boarding facilities. The 28-acre Chandler Preserve is also located in the city and owned and operated by the Palos Verdes Land Conservancy. The city parks (improved and unimproved) and George F. Canyon Nature Preserve comprise a total area of 115.5 acres. The city has more than 20 miles of bridle trails and 10 miles of bicycle paths maintained for the recreational enjoyment of the community (Rolling Hills Estates 2014).

The city contains a resident population of 8,184, based on California Department of Finance (DOF) data for the year 2014. This population is served by the 79.5 acres of existing parkland, which equates to a ratio of 9.8 acres of parkland per 1,000 residents. This figure meets and exceeds City policy to increase the ratio of open space within the city beyond 6.7 acres for every 1,000 residents. Development of the project would increase the number of housing units in the city by four. Based on the current average household size in the city of 2.76 persons per unit, the project would increase the number of residents by 11. This increase would not decrease the parks per resident ratio below the City standard, nor would this small number of persons increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the open space would occur or be accelerated. Further, the project would be required to pay Parks and Recreational fees for single-family construction pursuant to Ordinance No. 647 and Resolution No. 2176.

III <b><u>AESTHETICS</u></b>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Not meet the Rolling Hills Estates development standards or neighborhood compatibility standards in a substantial manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (i.e., development standards, design guidelines, etc)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Include new electrical service box and utilities lines above ground?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located within a view corridor and include unscreened outdoor uses or equipment inconsistent with the rural character, as defined by the City of Rolling Hills Estates General Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in the loss of any (i) Environmentally Sensitive Area as defined by the City of Rolling Hills Estates, (ii) natural undeveloped canyon, or (iii) hillside area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Obstruct the public's view of (i) scenic resources or (ii) a scenic corridor or (iii) vista as identified (on a case-by-case basis)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Contrast with the surrounding development and/or scenic resources due to the project's height, mass, bulk, grading, signs, setback, color, or landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Be located along a City-designated scenic or view corridor and contrast with the surrounding development and/or scenic resources due to the project's height, mass, bulk, grading, signs, setback, color, or landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Substantially: (i) remove natural features, or (ii) add man-made features, or (iii) structures which degrade the visual intactness and unity of the scenic corridor or vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area that will exceed the standards established in the Municipal Code, illuminate areas outside the project boundary, and use excessive reflective building material?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k) Include roadway improvements that will result in a substantial decrease of open space or trees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Include roadway improvements that are not consistent with the surrounding landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m) Result in the installation of a traffic signal that is not justified by signal warrants or documented roadway hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
n) Result in the installation of a traffic signal in a residential neighborhood?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Explanation of Checklist Judgments

III(a, b) **Less Than Significant Impact.** The project proposes the construction of four single-family residences. The project, as proposed, is designed aesthetically to agree with the surrounding development. For example, the project site would be designed with a low-profile roofline to be compatible with the surrounding residential development. The proposed project must be designed to meet the City's development standards, including Neighborhood Compatibility, Zoning Ordinance, and General Plan.

Municipal Code Chapter 17.62, Neighborhood Compatibility, sets performance standards, requiring new construction to be "compatible" with surrounding neighborhoods in scale (bulk and mass) and style (façade details and appurtenances, materials and colors, roof pitch, etc.). Further, construction must not be "overbuilt" in appearance, preserving open space and visual penetration between adjacent structures, and avoiding

a monolithic appearance. The Neighborhood Compatibility Ordinance sets forth six principal objectives for new residential construction, which are identified in **Table III-1**. In addition, **Table III-1** evaluates the design of the proposed units for consistency with these six objectives. As shown in **Table III-1**, the design of the proposed project and the proposed conceptual architectural plans comply with the City's Neighborhood Compatibility Ordinance. Therefore, the project's aesthetic impacts related to consistency with development standards and other plans, policies, and regulations are less than significant.

<p>1. Natural Amenities Improvements to residential property shall respect and preserve to the greatest extent possible existing topography, landscaping, and natural features.</p>	<p>This criterion has been met since the project site is a largely flat and denuded lot with minimal grading proposed. No notable natural amenities exist on-site. In addition, landscaping is proposed along both the Crest Road and Highridge Road frontages.</p>
<p>2. Neighborhood Character Proposals shall be compatible with the existing neighborhood character in terms of scale of development, architectural style and materials.</p>	<p>The proposed development is surrounded by the Seaview Villas townhomes on the north and east sides and by single-family residential uses to the south and west across Crest Road and Highridge Road, respectively. Architecturally, the Seaview Villas townhomes express Mission Revival and Spanish Colonial Revival elements including red, mission-tiled roofs, exposed rafter tails, and white stucco elevations. Mediterranean architectural styles also dominate the neighborhood to the south across Crest Road in Rancho Palos Verdes. The homes to the west, across Highridge Road, are in a gated community that is largely screened from view from Highridge Road. This community contains homes designed in California Ranch and Mediterranean styles.</p> <p>The proposed new residential units would be reasonably consistent with the architectural themes, scale, and development density in the surrounding neighborhoods. The architectural style of the proposed homes is California Monterey with design elements that include exposed rafter tails on eaves, flat terra cotta tile roofs, painted wood trellises, stucco elevations, low-pitched roofs with gables, and recessed and pop-out window treatments. These design elements would be consistent with, while proving variety from, the adjacent Mediterranean and Ranch styles.</p> <p>In terms of scale, the project site is in a transition area between multi-family residential uses and single-family residential neighborhoods. The proposed garden-court-style development, with detached homes surrounding a central driveway, is appropriate for this transitional area. The height and mass of the proposed homes are also in context with the surrounding uses. The proposed homes would be two stories and would be 3,295 square feet in floor area (2,880 livable square feet plus 415 square feet of garage space). The Seaview Villas are two-story townhomes, with floor areas for each unit ranging from approximately 1,800 to 2,200 square feet; most buildings contain four or more units. The single-family homes across Crest and Highridge roads are one- and two-story structures with floor areas ranging from approximately 2,000 to more than 4,000 square feet. The proposed homes are consistent with the scale of the surrounding residential structures both in terms of height and square footage.</p> <p>In conclusion, the Neighborhood Character criterion has been met since the proposed residences would have a scale of development and architectural style that would appear to be in character with the other residences in the area.</p>
<p>3. Scale Designs should minimize the appearance of overbuilt property to both public and private view. The square footage of the residence and total lot coverage should reflect the rural character of the City and neighborhood.</p>	<p>This criterion has been met since the proposed residences incorporate design elements that help to minimize the massing of the structure, such as setting the finished floor below existing grade, low-pitched roofs with gables, and elements that break up the façade including trellises, balconies, pop-out features, and inset fenestration. In addition to these design elements, the proposed California Monterey architectural style would provide a complementing variation from the adjacent Seaview Villas townhomes, which feature Mission Revival and Spanish Colonial Revival architectural features.</p>
<p>5. Privacy Proposals shall maintain an adequate separation between the proposed structures and adjacent property lines. In addition, proposed balconies, decks and windows shall respect the existing privacy of surrounding properties.</p>	<p>This criterion has been met because the existing property line walls and vegetation buffer are proposed to be maintained along the shared property lines with the Seaview Villas townhomes. Residences to the west, across Highridge Road, would be separated from the proposed homes by a landscaped meandering sidewalk in addition to the roadway itself. Similarly, the residences to the south, across Crest Road, would be separated by a landscaped median in addition to the roadway itself and by changes in elevation.</p>
<p>6. Views Designs should respect existing neighboring views.</p>	<p>This criterion has been met because views from the upslope surrounding areas (primarily the Seaview Villas) are currently obstructed by vegetation along the property line. Furthermore, the proposed homes have been designed with a low-profile roof line and would be slightly depressed below existing grade to reduce roof elevations.</p>

- III(c) **No Impact.** All new construction on the project site would be required to connect to existing utilities. No new aboveground utility lines or service boxes would be installed with this project.
- III(d, h, i) **No Impact.** The project site is not located on a designated scenic corridor. The nearest scenic corridor is Hawthorne Boulevard located approximately 1 mile west of the project site.
- III(e) **No Impact.** The proposed project will not result in the loss of any Environmentally Sensitive Areas, undeveloped canyons, or hillside areas. The project site is located in a fully developed area surrounded by residential uses. There are no natural features on the site that would be removed as a result of project. The site is not located in an Environmentally Sensitive Area, as the project site is a small (half acre in size) flat lot surrounded by suburban uses. Therefore, the proposed project would have no impacts related to the loss of an Environmentally Sensitive Area, natural undeveloped canyon, or hillside area.
- III(f, g) **Less Than Significant Impact.** There are no scenic resources on the site or in the immediate vicinity. The site is a vacant suburban lot located in an area fully developed with residential uses. All construction proposed for the project is compatible with existing residential uses surrounding the project site in terms of height, scale, and mass.

Similarly, the project would not substantially obstruct any distant views. The site is downslope from residential uses to the north and east. At certain south-facing vantage points upslope from the project site, the Pacific Ocean is visible in the distance, with homes and other suburban uses dominating the foreground in such views. However, the Pacific Ocean is not visible from the roadway segments adjacent to the site or from any other public vantage points in the immediate vicinity; see the photographs of the site in Figures 5a and 5b, which include view poles to depict the height and mass of the proposed homes.

The proposed homes would be visible from vantage points upslope from the project site. However, given the distance from the site to vantage points with views of the Pacific Ocean in the background, from these vantage points the project would appear as additional residential structures in a suburban setting and would not substantially detract from the distant views to the Pacific Ocean in the backdrop. Furthermore, the project is designed to lower the roofline in order to minimize view obstructions from the adjacent residences, and the proposed structures would be subject to the City's height restrictions. Given the limited public views from the project area, the distance from the project site to vantage points with views of the Pacific Ocean, the project's size and scale in context with the surrounding suburban properties, and the absence of scenic resources on the site, the project's impact on views, vistas, and scenic resources is less than significant.

- III(j) **Less Than Significant Impact With Mitigation Incorporated.** The project site is currently separated from residential uses to the north and east by hedges and topography, to the west by Highridge Road, and to the south by Crest Road.

However, lighting for the proposed new buildings has not been determined at this time. Section 17.42.030 of the Rolling Hills Estates Municipal Code requires any lighting on the property to be directed only onto the property itself and prohibits light from illuminating other properties. Also, any indirect illumination of neighboring properties is not permitted to exceed 0.4 foot-candle at the property line for all adjoining properties. Mitigation Measure AES-1 ensures compliance with the lighting standards in the City's Municipal

Code (Chapter 17.42). With this mitigation, the proposed project would not create a substantial source of light or glare. Any related impacts are less than significant.

**Mitigation Measure AES-1:** Prior to the issuance of a building permit for the proposed project, a lighting plan showing conformance with Chapter 17.42 of the Rolling Hills Estates Municipal Code shall be reviewed and approved by the Planning Director.

*Timing/Implementation:* Prior to the issuance of building permits

*Monitoring/Enforcement:* City of Rolling Hills Estates Planning Department

III(k, l) **No Impact.** The proposed project does not include any roadway improvements. Development of the project would include the relocation of the project's driveway entrance and removal/reconstruction of the existing entrances. All entrance improvements, including curbs, gutters, and sidewalks, would be designed to City standards.

III(m, n) **No Impact.** The project does not include the installation of a traffic signal, and the proposed improvements to the site are not anticipated to trigger any traffic warrants.

IV <u>TRANSPORTATION/TRAFFIC</u>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Itself, or when cumulatively considered result in a traffic impact. A change in level of service (LOS) from C to D or D to E is a traffic impact. Within LOS C or D, a change in ICU value greater than 0.02 is an impact and within LOS E or F a change in ICU greater than 0.01 is an impact. For unsignalized intersections, an impact occurs when the addition of project traffic increases the level of service to an unacceptable level (less than LOS C)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Trigger one or more signal warrants?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Include design features, uses, or traffic volumes that may cause traffic hazards such as sharp curves, tight turning radii from streets, limited roadway visibility, short merging lanes, uneven road grades, pedestrian, bicycle or equestrian safety concerns, or any other conditions determined by the City Traffic Engineer to be a hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in additional access points on arterial streets as defined by the General Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a residential project that will result in a secondary access point?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create one or more access points on a roadway that is not the primary frontage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Create a flag lot adjacent to an arterial street, as defined by the General Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Result in inadequate parking capacity as determined by the City in evaluating the reasonably foreseeable demands of the specific project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Explanation of Checklist Judgments**

- IV(a) **Less Than Significant Impact.** The project proposes the development of four single-family residences. According to the Institute of Transportation Engineers (2008) Trip Generation Handbook, 8<sup>th</sup> edition, the development of four single-family residential units would result in 38 daily vehicle trips, including three AM peak-hour trips and four PM peak-hour trips. This additional traffic would not result in an increase beyond the LOS thresholds.
- IV(b) **Less Than Significant Impact.** The number of project-induced vehicle trips does not require a signal warrant analysis for any unsignalized intersections within the project impacted area.
- IV(c) **No Impact.** The proposed project does not include the development of streets. All surrounding roadways would remain as is. The project's driveway has been reviewed by the City's Traffic Engineer and been determined adequate in terms of turning radii, site distance, grades, and other traffic safety considerations. Therefore, the proposed project would have no impact related to traffic hazards.
- IV(d) **No Impact.** The proposed project would include the development of a driveway connecting to Highridge Road. Highridge Road is identified as a secondary collector roadway in the Rolling Hills Estates General Plan (Rolling Hills Estates 1992, Exhibit 3-1).

- IV(e) **No Impact.** The project would add only one access point to serve the project. The project would not add any new residential access points to neighboring communities.
- IV(f) **No Impact.** The proposed project's only access point is on Highridge Road, which is the primary road fronting the project.
- IV(g) **No Impact.** The site is not a flag lot.
- IV(h) **Less Than Significant Impact.** Zoning Ordinance Section 17.06.440(A) requires two parking spaces within a garage for every dwelling unit. The proposed project includes the development of three parking spaces per dwelling unit, two within a garage and one guest space.
- IV(i) **Less Than Significant Impact.** It is anticipated that the existing transit service in the project area will adequately accommodate the increase in project-generated transit trips. This assumption is based on the small number of anticipated future project residents (11). The project is not of a size that would increase the ridership of the existing transit service substantially. Therefore, the project would not conflict with any alternative transportation plans, policies, or programs.

<b>V AIR QUALITY</b>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</i>				
a) Fail to meet the applicable state and federal air quality plan (i) because the project may cause or contribute to emission of identified air pollutants in excess of levels stated in the plan or (ii) where it may fail to implement a remedial or mitigation measure required under the appropriate plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Results in emission of identified pollutants in excess of the pounds per day or tons per quarter standards established by SCAQMD?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Cause a cumulatively considerable net increase of any criteria pollutants for which the project region is nonattainment under an applicable federal or state ambient air quality regulations (including releasing emissions which exceed quantitative thresholds for ozone precursors) where the incremental effect of the project emissions, considered together with past, present, and reasonably anticipated future project emissions, increase the level of any criteria pollutant above the existing ambient levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create objectionable odors affecting a substantial number of people because the project may cause an odiferous emission, including emissions resulting from vehicles, that is noxious, putrid, having an appreciable chemical smell, or having an appreciable smell of human or animal waste, rendering, or by-products?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Explanation of Checklist Judgments

V(a) **Less Than Significant Impact.** Rolling Hills Estates is in the South Coast Air Basin (SCAB), which is bounded by the San Gabriel, San Bernardino, and San Jacinto mountains to the north and east and by the Pacific Ocean to the south and west. The air quality in the SCAB is managed by the South Coast Air Quality Management District (SCAQMD). The SCAB has a history of recorded air quality violations and is an area where both state and federal ambient air quality standards are exceeded. Areas that meet ambient air quality standards are classified as attainment areas, while areas that do not meet these standards are classified as nonattainment areas. The air quality in the SCAB does not meet the ambient air quality standards for ozone, coarse particulate matter (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>), and lead and is therefore classified as a nonattainment area for these pollutants. The SCAQMD is required, pursuant to the federal Clean Air Act, to reduce emissions of the air pollutants for which the basin is in nonattainment.

In order to reduce emissions for which the SCAB is in nonattainment, the SCAQMD has adopted the 2012 Air Quality Management Plan (AQMP), which establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving state (California) and national air quality standards. The 2012 AQMP is a regional and multi-agency effort including the SCAQMD, the California Air Resources Board (CARB), the Southern California Association of Governments (SCAG), and the US Environmental Protection Agency (EPA).

The 2012 AQMP pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including the 2012 Regional

Transportation Plan/Sustainable Communities Strategy, updated emission inventory methodologies for various source categories, and SCAG's latest growth forecasts. (SCAG's latest growth forecasts were defined in consultation with local governments and with reference to local general plans. The SCAQMD considers projects that are consistent with the AQMP, which is intended to bring the basin into attainment for all criteria pollutants, to also have less than significant cumulative impacts.)

Criteria for determining consistency with the AQMP are defined by the following indicators:

- Consistency Criterion No. 1: The proposed project will not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.
- Consistency Criterion No. 2: The proposed project will not exceed the assumptions in the AQMP.

The violations to which Consistency Criterion No. 1 refers are the California ambient air quality standards (CAAQS) and the national ambient air quality standards (NAAQS). As evaluated under Issue b) below, the project would not exceed the SCAQMD's short-term construction thresholds or long-term operational thresholds and thus would not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of air quality standards. Thus, a less than significant impact is expected, and the project would be consistent with the first criterion.

In regard to Consistency Criterion No. 2, the AQMP contains air pollutant reduction strategies based on SCAG's latest growth forecasts. The proposed project would not result in exceedance of the population or job growth projections used by the SCAQMD to develop the Air Quality Management Plan. Thus, no significant impact would occur, as the project is consistent with both criteria.

V(b) **Less Than Significant Impact.** As discussed above, the project site and the city are located in the SCAB, which is considered in nonattainment for certain criteria pollutants. Because the project would involve grading and other construction activities, as well as result in more intensive uses of the project site, it would contribute to regional and localized pollutant emissions during construction (short term) and project occupancy (long term). The project's potential impacts from construction and operation in violating any air quality standard or contributing to an existing or project air quality violation have been evaluated below.

### **Construction Emissions**

Construction associated with the proposed project would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern in the project area include ozone-precursor pollutants (i.e., reactive organic gases [ROG] and nitrogen oxides [NO<sub>x</sub>]), PM<sub>10</sub>, and PM<sub>2.5</sub>. Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance.

Construction results in the temporary generation of emissions resulting from site grading and excavation, road paving, motor vehicle exhaust associated with construction

equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions and the appropriate application of water.

Based on project construction information provided by the applicant, construction activities associated with the proposed project are estimated to last approximately 15 months starting in July 2015. Construction-generated emissions associated with the proposed project were calculated using the CARB-approved CalEEMod computer program, which is designed to model emissions for land use development projects, based on typical construction requirements. Modeling was based primarily on the default settings in the computer program for projects in the SCAB region. Predicted maximum daily construction-generated emissions for the proposed project are summarized in **Table V-1**.

Construction Activities	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO <sub>x</sub> )	Carbon Monoxide (CO)	Sulfur Dioxide (SO <sub>2</sub> )	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )
Construction of Proposed Project	5.79	42.27	26.71	0.04	3.71	3.07
SCAQMD Potentially Significant Impact Threshold	75	100	550	150	150	55
Exceed SCAQMD Threshold?	No	No	No	No	No	No

Source: CalEEMod version 2013.2.2. Refer to Appendix A for model data outputs.

As shown, all criteria pollutant emissions would remain below their respective thresholds and therefore would represent a less than significant impact.

Localized Construction Significance Analysis

As part of the SCAQMD's environmental justice program, attention has been focused on localized effects of air quality from construction activities. SCAQMD staff has developed localized significance threshold (LST) methodology that can be used by public agencies to determine whether or not a project may generate significant adverse localized air quality impacts during construction (SCAQMD 2008). LSTs represent the maximum emissions from a project that will not cause or substantially contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards and are developed based on the ambient concentrations of that pollutant for each source receptor area (SRA). The project site is located in SRA 4.

The pollutant emissions analyzed under the LST methodology are nitrogen dioxide (NO<sub>2</sub>), CO, PM<sub>10</sub>, and PM<sub>2.5</sub>. LSTs for NO<sub>2</sub> and CO are derived by adding the incremental emission impacts from the project activity to the peak background NO<sub>2</sub> and CO concentrations and comparing the total concentration to the most stringent ambient air quality standards. The most stringent standard for NO<sub>2</sub> is the 1-hour state standard of 18 parts per hundred million and for CO is the 1-hour and 8-hour state standards of 9 parts per million (ppm) and 20 ppm, respectively. For PM<sub>10</sub> and PM<sub>2.5</sub>, the localized significance thresholds are derived using an air quality dispersion model to reverse-calculate the emissions that would be necessary to worsen an existing violation in the specific source receptor area, using the allowable change in concentration thresholds approved by the SCAQMD. For both PM<sub>10</sub> and PM<sub>2.5</sub>, the approved 24-hour

concentration thresholds for construction are 10.4  $\mu\text{g}/\text{m}^3$  ( $\mu\text{g}/\text{m}^3$  = microgram per cubic meter).

According to the LST methodology, only on-site emissions need to be analyzed. Emissions associated with hauling, vendor trips, and worker trips are mobile source emissions that occur off-site and need not be considered according to LST methodology, since they do not contribute to isolated local concentrations of air pollution. The SCAQMD has provided LST lookup tables (i.e., screening thresholds) and sample construction scenarios to allow users to readily determine whether the daily emissions for proposed construction activities could result in significant localized air quality impacts. The LST screening thresholds are estimated for each source receptor area using the maximum daily disturbed area (in acres) and the distance from the project to the nearest sensitive receptors (in meters). Sensitive receptors in the project vicinity include residences north and east of the project site. The closest sensitive receptor is approximately 16 meters east of the project's eastern boundary. The closest receptor distance on the LST look-up tables is 25 meters. According to the LST methodology, projects with boundaries closer than 25 meters to the nearest receptor should use screening thresholds for receptors located at 25 meters. LST screening thresholds for a 1-acre site (smaller acreages are not listed) are applicable to the proposed project. **Table V-2** compares the project's on-site construction emissions to the applicable LST screening threshold.

Emissions Source	Nitrogen Oxide <sup>1</sup>	Carbon Monoxide <sup>1</sup>	PM <sub>10</sub> <sup>2</sup>	PM <sub>2.5</sub> <sup>2</sup>
Demolition Emissions (no demolition required)	0	0	0	0
Site Preparation Emissions	14.3	7.8	1.0	0.8
Grading Emissions	12.0	9.6	1.7	1.3
Building Construction Emissions	14.3	8.4	1.0	0.9
Arch Coating and Paving Emissions	14.2	10.7	1.1	1.0
LST Screening Threshold (1-acre plus construction site, receptors within 25 meters) <sup>1</sup>	57	585	4	3
Significant Emissions?	No	No	No	No

Source: SCAQMD 2009

Notes: 1. Thresholds for construction and operation

2. Thresholds for construction only

**Table V-2** shows that the emissions of pollutants on the peak day of construction would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, a less than significant impact would occur concerning localized significance thresholds during construction activities.

### Operational Emissions

Project operation-generated increases in emissions would be predominantly associated with motor vehicle use. To a lesser extent, area sources, such as the use of natural-gas-fired appliances, landscape maintenance equipment, and architectural coatings, would also contribute to overall increases in emissions.

Long-term operational emissions attributable to the proposed project are summarized in **Table V-3**.

Table V-3 Long-Term Operational Emissions – Pounds per Day						
Source	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO <sub>x</sub> )	Carbon Monoxide (CO)	Sulfur Dioxide (SO <sub>2</sub> )	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )
Proposed Project – Summer Emissions						
Area Source	0.18	0.00	0.34	0.00	0.00	0.00
Energy Use	0.00	0.03	0.01	0.00	0.00	0.00
Mobile Source	0.16	0.46	1.90	0.00	0.30	0.08
<b>Total</b>	<b>0.34</b>	<b>0.49</b>	<b>2.24</b>	<b>0.00</b>	<b>0.30</b>	<b>0.09</b>
Proposed Project – Winter Emissions						
Area Source	0.18	0.00	0.34	0.00	0.00	0.00
Energy Use	0.00	0.03	0.01	0.00	0.00	0.00
Mobile Source	0.17	0.49	1.89	0.00	0.30	0.08
<b>Total</b>	<b>0.34</b>	<b>0.52</b>	<b>2.24</b>	<b>0.00</b>	<b>0.31</b>	<b>0.09</b>
SCAQMD Potentially Significant Impact Threshold	55 pounds/day	55 pounds/day	550 pounds/day	150 pounds/day	150 pounds/day	55 pounds/day
Exceed SCAQMD Threshold?	No	No	No	No	No	No

Source: CalEEMod version 2013.2.2. Refer to Appendix A for model data outputs.

As shown in **Table V-3**, the project's net emissions would not exceed SCAQMD thresholds for any criteria air pollutants. (Note that emissions rates differ from summer to winter. This is because weather factors are dependent on the season, and these factors affect pollutant mixing/dispersion, ozone formation, etc.) Therefore, operations emissions would not result in a significant long-term regional air quality impact.

#### Localized Operational Significance Analysis

According to SCAQMD localized significance threshold methodology, LSTs would apply to the operational phase of a proposed project only if the project includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., warehouse or transfer facilities). The proposed project does not include such uses. Thus, due to the lack of stationary source emissions, no long-term localized significance threshold analysis is needed, as there would be no impact.

In summary, impacts associated with construction and operational air quality would be considered less than significant, as SCAQMD significance thresholds for criteria emissions would not be surpassed (see **Tables V-1, V-2, and V-3**).

V(c) **Less Than Significant Impact.** Rolling Hills Estates is within the SCAB, which is an air basin that regularly exceeds ambient air quality standards, i.e., a nonattainment area.

The proposed project may contribute to the net increase of ozone precursors and other criteria pollutants. The SCAQMD's approach for assessing cumulative impacts is based on the AQMP forecasts of attainment of ambient air quality standards in accordance with the requirements of the federal and California Clean Air Acts. In other words, the SCAQMD considers projects that are consistent with the AQMP, which is intended to bring the basin

into attainment for all criteria pollutants, to also have less than significant cumulative impacts.<sup>1</sup> The discussion under Issue a) describes the SCAQMD criteria for determining consistency with the Air Quality Management Plan and further demonstrates that the proposed project would be consistent with it.

As such, cumulative impacts would be less than significant per the SCAQMD significance threshold.

V(d) **Less Than Significant Impact.** Land uses generally associated with odor complaints include agricultural uses (livestock and farming), wastewater treatment plants, food processing plants, chemical plants, composting operations, refineries, landfills, dairies, and fiberglass molding facilities. Residential uses are generally not known to produce objectionable odors.

The project does not contain land uses typically associated with emissions of objectionable odors. Potential odor sources associated with the proposed project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities. Standard construction requirements would minimize odor impacts resulting from construction activity. It should be noted that any construction odor emissions generated would be temporary, short term, and intermittent in nature and would cease on completion of the respective phase of construction activity. Such odors would be mild and would not affect a substantial number of people and are thus considered less than significant. It is expected that project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. The proposed project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Rule 402 states "a person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property." Therefore, odor impacts associated with the proposed project construction and operations would be less than significant.

### **Contribution to Greenhouse Gas Emissions**

**Less Than Significant Impact.** Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHG). The main components of GHG include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). Greenhouse gases are emitted by both natural processes and human activities. In response to growing scientific and political concern with global climate change, California has adopted a series of laws to reduce emissions of GHGs to the atmosphere from commercial and private activities in the state. Construction and operation of the proposed project would generate GHG emissions. Overall, the following activities associated with the future residential development could directly or indirectly contribute to the generation of GHG emissions:

- **Construction Activities:** During project construction, GHGs would be emitted through the operation of construction equipment and from worker and vendor

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<sup>1</sup> CEQA Guidelines Section 15064(h)(3) states, "A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency."

vehicles, all of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O. Furthermore, CH<sub>4</sub> is emitted during the fueling of heavy equipment.

- **Gas, Electric, and Water Use:** Natural gas use results in the emissions of two GHGs: CH<sub>4</sub> (the major component of natural gas) and CO<sub>2</sub> from the combustion of natural gas. Electricity use can result in GHG production if the electricity is generated by combusting fossil fuel. California's water conveyance system is energy-intensive. Preliminary estimates indicate that the total energy used to pump and treat this water exceeds 6.5 percent of the total electricity used in the state per year.
- **Solid Waste Disposal:** Solid waste generated by the project could contribute to GHG emissions in a variety of ways. Landfilling and other methods of disposal use energy for transporting and managing the waste, and they produce additional GHGs to varying degrees. Landfilling, the most common waste management practice, results in the release of CH<sub>4</sub> from the anaerobic decomposition of organic materials. Methane is 21 times more potent a GHG than CO<sub>2</sub>. However, landfill CH<sub>4</sub> can also be a source of energy. In addition, many materials in landfills do not decompose fully, and the carbon that remains is sequestered in the landfill and not released into the atmosphere.
- **Motor Vehicle Use:** Transportation associated with the proposed project would result in GHG emissions from the combustion of fossil fuels in daily automobile and truck trips.

GHG emissions associated with residential land uses would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with project-related new vehicular trips and stationary source emissions, such as natural gas used for heating and electricity used for lighting. Preliminary guidance from the Office of Planning and Research (OPR) and letters from the Attorney General critical of CEQA documents which have taken different approaches indicate that lead agencies should calculate, or estimate, emissions from vehicular traffic, energy consumption, water conveyance and treatment, waste generation, and construction activities. The calculation presented below includes construction as well as long-term operational emissions in terms of annual carbon dioxide equivalents (CO<sub>2</sub>e) associated with the anticipated operations of the proposed project. The resultant emissions of these activities were calculated using the CalEEMod air quality model (Appendix A). CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for the use of government agencies, land use planners, and environmental professionals.

Thresholds of significance illustrate the extent of an impact and are a basis from which to apply mitigation measures. On September 28, 2010, the SCAQMD conducted Stakeholder Working Group Meeting #15, which resulted in a recommended (albeit not adopted) screening threshold of 3,000 metric tons of CO<sub>2</sub>e as a threshold for all land uses. Therefore, for the purposes of this evaluation and in the absence of any other adopted significance thresholds, a threshold of 3,000 metric tons of CO<sub>2</sub>e per year is used to assess the significance of GHG emissions.

Emissions resulting from implementation of the proposed project have been quantified and the quantified emissions compared with the recommended SCAQMD greenhouse gas screening threshold. The anticipated GHG emissions during project construction and operation are shown in **Table V-4**. In accordance with SCAQMD guidance, projected GHGs from construction have been quantified and amortized over 30 years, which is the number of years considered to represent the life of the project. The amortized construction emissions are added to the annual average operational emissions. Per

**Table V-4**, GHG emissions projected to result from both construction (amortized over 30 years) and operation of the proposed project would not exceed the SCAQMD greenhouse gas screening threshold of 3,000 metric tons of CO<sub>2</sub>e per year. The impact is therefore considered less than significant.

<b>Table V-4 Construction-Related and Operational Greenhouse Gas Emissions (Metric Tons per Year)</b>	
Emission Type	CO <sub>2</sub> e
Construction (amortized over 30 years)	5
Indirect Emissions from Energy Consumption	14
Water Demand	2
Waste Generation	2
Area Source (hearth, landscaping)	1
Mobile Source (vehicles)	59
<b>Operations Total</b>	<b>83</b>
SCAQMD Greenhouse Gas Screening Threshold	3,000
Threshold Exceeded?	No

*Source: CalEEMod version 2013.2.2. Per SCAQMD guidance, construction emissions are amortized over 30 years, which is considered to represent the life span of residential development. Refer to Appendix A for model data outputs.*

#### **Consistency with Greenhouse Gas and Climate Change Policy**

**Less Than Significant Impact.** California has adopted several policies and regulations for the purpose of reducing GHG emissions. Assembly Bill (AB) 32, the Global Warming Solutions Act, was enacted in 2006 to reduce statewide GHG emissions to 1990 levels by 2020. As identified under Issue a) above, the proposed project would not surpass the SCAQMD's recommended greenhouse gas screening thresholds, which were prepared with the purpose of complying with the requirements of AB 32. As the proposed project would not conflict with AB 32, impacts would be less than significant.

<b>VI NOISE</b>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</i>				
a) Exposure of persons to or generation of noise levels in excess of code requirements (Chapter 8.32)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Explanation of Checklist Judgments**

VI(a) **Less Than Significant Impact.** The site is located in an urban environment. Primary noise sources include vehicle traffic traveling along Crest and Highridge roads and human activity. Sensitive receptors in the vicinity include the adjacent Seaview Villas townhomes to the north and east of the site and single-family homes across Crest and Highridge roads to the south and west.

The City's General Plan has established standards for noise and land use compatibility for the various land use categories in the city. The established levels are based on existing noise levels obtained through field monitoring, projected noise levels, and community expectations to maintain an environment that is free from all unnecessary, excessive, and annoying noise. Table 7-1 of the General Plan indicates the maximum noise level when measured at the property line for each category of land use. The maximum daytime noise level applicable to the project site is 55 dBA, while the maximum nighttime noise level is 45 dBA.

Municipal Code Section 8.32.050 identifies the exterior noise standards for the city, as indicated in Table IV-1 below. Table IV-1 shows the applicable noise standards for three major land use categories in the city. These standards apply to all receptor properties within a designated noise zone. The project site is subject to the requirements of Zone I.

Noise Zone	Land Use	Time Interval	Exterior Noise Level (dBA)
Zone I	Residential and Agriculture	7:00 a.m.–10:00 p.m.	55
		10:00 p.m.–7:00 a.m.	45
Zone II	Commercial Properties	7:00 a.m.–10:00 p.m.	65
		10:00 p.m.–7:00 a.m.	55
Zone III	Industrial – Quarry Properties	7:00 a.m.–10:00 p.m.	75
		10:00 p.m.–7:00 a.m.	45

Source: Rolling Hills Estates, n.d. (Municipal Code), Figure 8.32.050

**Construction Noise**

The proposed project is the development of four residential dwellings. Development of these uses will result in short-term construction-related noises. Construction noise associated with heavy equipment vehicles, building activities, and transport of materials and debris may result in short-term increases in noise levels to nearby residential properties.

Noise generated by construction equipment, including trucks, graders, bulldozers, concrete mixers, and portable generators, can reach high levels. Typical equipment that might be employed for this type of project includes scrapers, front loaders, trucks, concrete mixers, and concrete pumps. Worst-case examples of construction noise at 50 feet are presented in Table IV-2. The peak noise level for most of the equipment that will be used during the construction is 70 to 90 dBA at a distance of 50 feet. Noise levels at greater distances would be lower.

The nearest sensitive land uses are the adjacent Seaview Villas townhomes to the north and east. Potential construction operations could occur as close as 40 feet from the nearest residential buildings, with the center of the site at more than 110 feet. Based on a distance of 40 feet, the worst-case unmitigated peak ( $L_{max}$ ) construction noise levels could be greater than 90 dBA at the closest sensitive receptor. The average noise levels (L50) are typically 15 dB lower than the peak noise levels. Average noise levels (L50) at the nearest existing residential buildings could be in the range of 55–75 dBA (L50).

<b>Construction Equipment</b>	<b>Typical Noise Level at 50 Feet (dBA, <math>L_{eq}</math>)</b>
Air Compressor	81
Backhoe	80
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Crane (Mobile)	83
Dozer	85
Generator	81
Grader	85
Jackhammer	88
Loader	85
Paver	89
Pile-driver (Impact)	101
Pile-driver (Sonic)	96
Pneumatic Tool	85
Pump	76
Roller	74
Saw	76
Scraper	89
Truck	88

Source: FTA 2006

City of Rolling Hills Estates Municipal Code Section 8.32.210 limits construction hours in the city from 7 a.m. to 5 p.m. Monday through Friday and 9 a.m. to 5 p.m. on Saturdays. Construction is not allowed on Sundays or holidays. Given the short-term nature of the project's construction noise, existing City noise ordinance requirements, and the type of construction, short-term construction noise impacts would be less than significant.

### **Long-Term Noise**

It is not anticipated that the project would result in long-term noise impacts on the adjacent uses surrounding the project, since residential uses are generally not considered to be a substantial source of noise.

Furthermore, the proposed project is not located in a noise-sensitive area. It is located within a predominantly residential area of the city. As noted above, the project site is located within Noise Zone I, which requires an ambient noise level of 55 dBA and 45 dBA during the daytime and evening hours, respectively.

General Plan Table 7-2 and Exhibit 7-2 identify areas of the city subject to higher levels of traffic noise. The project site is not located along a roadway that would be required to provide mitigation measures to reduce interior noise levels as discussed on page 7-13 of the General Plan.

Given that the proposed project is a continuation of surrounding uses and the project is consistent with the above-referenced policy, no significant long-term noise impacts would occur with implementation of the project.

<b>VII <u>BIOLOGICAL RESOURCES</u></b>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Be a project, other than a minor lot improvement undertaken by an individual homeowner, and be located in a high ecological sensitivity area as defined by the General Plan and not preserve ecological habitat that is found at the project site in accordance with the guidelines established by the General Plan Conservation Element?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with General Plan policies for protecting biological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in the loss of any (i) Environmentally Sensitive Area as defined by the City of Rolling Hills Estates, (ii) natural undeveloped canyon, or (iii) hillside area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (now the California Department of Fish and Wildlife) or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game (now the California Department of Fish and Wildlife), US Army Corps of Engineers, and/or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Have a substantial adverse effect on wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Interfere substantially with (i) the movement of any native resident or (ii) migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or (iii) impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range of a rare or endangered plant or animal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Have biological resource impacts that are individually limited, but cumulatively considerable?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Explanation of Checklist Judgments**

VII(a, c) **No Impact.** The project site is not located in an Ecological Resources Overlay zone identified on Exhibit 5-1 of the City’s General Plan. Therefore, the proposed project would cause no impacts related to the City’s Ecological Resources Overlay Zone. Likewise, the site does not contain any natural vegetation, canyons, or hillsides and would cause no related biological resource impacts.

VII(b) **No Impact.** The proposed project would not conflict with General Plan policies for the protection of biological resources as identified in the Conservation Element. The project site is surrounded by existing residential uses. The site is not within the Ecological Resources Overlay Zone or the Scenic Resources Overlay Zone, which are identified as

areas in the city that, in part, have been established for the protection of biological resources. Therefore, as previously stated, the project would not conflict with any General Plan policies for protecting biological resources.

VII(d) **No Impact.** The project site is in an urban portion of the city and is not located in an area containing high ecological sensitivity as identified by the use of Ecological Resources Overlay Zones in the City's General Plan. As part of a previous environmental analysis completed for the project site, a computerized records search was conducted, using the California Natural Diversity Database of the California Department of Fish and Game [known as the Department of Fish and Wildlife since January 2013], to document the known occurrences of endangered species in the city.<sup>2</sup> The database, consisting of information obtained from federal and state agencies, identifies plants and animals found in the Palos Verdes Peninsula that have been listed as endangered, rare, or threatened, as well as those considered by the scientific community to be endangered. A summary of the record search is included below.

- The Palos Verdes blue butterfly (*Glaucopsyche lygdamus palosverdesensis*) is a small blue butterfly that may have evolved during the Pleistocene period, when the Peninsula was an island. In 1977, the butterfly was found in only eight colonies on the Palos Verdes Peninsula, where the caterpillars fed on a wild species of locoweed (*Astragalus*). The butterfly was first discovered in 1976 in a large coastal scrub terrace near Alta Vista Way in Rancho Palos Verdes. In 1978, road and housing construction destroyed this habitat. The butterfly was spotted again, in 1981, near the intersection of Seacrest Road and Crenshaw Boulevard and along Crenshaw Boulevard between Altamira and Portuguese canyons. Grading activities in 1982 and 1983 destroyed the habitat near Seacrest and Crenshaw. The *Astragalus* habitat along Crenshaw Boulevard has been reduced, and no more butterfly sightings have been made in this area.
- The California gnatcatcher (*Ptilioptila californica*) is a tiny and very active gray or olive bird, with an eye ring or line over the eye and body. The California gnatcatcher is on the federal endangered species list. The species is presumed to still be in existence in the project vicinity. In 1989, several gnatcatcher pairs were observed in the former Marineland area, around Sunnyridge Road in Rolling Hills, along Forrestal Road in Rancho Palos Verdes, and in the Agua Amarga Canyon in Rolling Hills Estates. These areas are sage scrub and coastal sage scrub habitats where California sagebrush, wild buckwheat, and black sage are abundant. The proposed project site does not contain any habitat considered to be suitable gnatcatcher habitat.
- The Mohave tui chub (*Gila bicolor mohavensis*) is a chunky fish with an olive-brown back and a white-to-silver belly. The Mohave tui chub once inhabited the deep pools and slough-like areas of the Mojave River. Today, this river and its lakes are desert playas (dry lakes). The construction of reservoirs on the Mojave River has altered its flow and direction, and the chubs have interbred with several introduced species. Very few genetically pure Mohave tui chubs could be found in 1967. The Mohave tui chub is listed as an endangered species in both federal and state listings. Attempts to transplant the Mohave tui chub have generally failed. Transplants at the South Coast Botanic Garden were temporarily successful, but the species has been extinct since 1976.

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<sup>2</sup> Based on information provided in the Crest Road Office PA-27-03 Environmental Checklist Form, which was completed in March 2004 for the project site.

- The Mexican flannelbush plant (*Fremontodendron marcanum*) is a Category 2 candidate species in the federal listing and rare in the California listing. Rare species are species whose occurrences are threatened and/or will soon be threatened. The Mexican flannelbush is found in chaparral habitat, most of which has been destroyed in the area. Solitary flannelbush may be found on the hillsides, oak woodland, and chaparral areas, approximately 1 mile from the ocean on Via Del Monte.

While special-status species have been identified on the Palos Verdes Peninsula, the proposed project will not impact these sensitive species or their habitats. The site of the proposed project is disturbed from historic uses that included a gasoline station and a commercial plant nursery. No natural plant communities or protected natural communities are found on-site. The property is not in an area designated as critical habitat for any sensitive wildlife species, nor is the area subject to any conservation plans, recovery plans, or similar policies and ordinances. The vegetation and animal species supported in the man-made habitat include species that are commonly found in urban environments. As a result, no adverse impacts on biological resources are anticipated.

- VII(e, f) **No Impact.** The project site is in an urban portion of the city and not located in an area with riparian habitat, wetlands, or any other identified sensitive natural communities.
- VII(g) **No Impact.** The project site is a small corner lot within an urban portion of the city. No natural wildlife areas adjacent to the site provide migratory corridors for wildlife. The project site is not of an adequate size nor does it contain sufficient vegetation to provide for the movement of wildlife species.
- VII(h, i) **No Impact.** The project site is in an urban portion of the city and is not located in an area containing high ecological sensitivity as identified by the use of Ecological Resources Overlay Zones in the City's General Plan. The project site does not provide habitat for fish or wildlife species; therefore, development of the site would not substantially reduce fish or wildlife species. As such, development of the project would not have a cumulative impact on biological species.

<b>VIII CULTURAL RESOURCES</b>		Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>					
a)	Be located in high cultural sensitivity area as defined by the Rolling Hills Estates General Plan and result in grading in excess of 20 cubic yards of soil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Cause a substantial adverse change in the significance of a historical or archeological resource as defined in Section 15064.5 of the California Code of Regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Explanation of Checklist Judgments

VIII(a, b) **Less Than Significant Impact With Mitigation Incorporated.** The project site lies within a Cultural Resources Overlay area as shown on Exhibit 2-14 of the City's General Plan. The Cultural Resource Overlay applies to a portion of the city where archaeological resources are known or suspected to exist. The Conservation Element details appropriate actions that must be followed when property is included within this designation. All areas designated as having a high sensitivity in the Conservation Element are included in the Cultural Resources Overlay. According to the General Plan, in Planning Area 7 this designation applies to an area designated as Open Space (located along Highridge Road) in the General Plan. This site was left as open space as a means of "capping" an important archaeological site underneath. The open space area is located north of the project site.

As part of a previous project proposed for the site, a Phase I archeological survey was conducted by W & S Consultants. This survey was completed in order to address the potential for the site to contain previously unknown cultural resources. As part of this effort, the South Central Coastal Information Center conducted a background records search. This search indicated the presence of two archeological sites recorded within a 1/8-mile radius of the project site. Neither of the two sites is within the boundary of the project site, nor are the sites on the National Register Archaeological Determination of Eligibility list. In addition, the site was systematically surveyed for the presence of archeological specimens. The field survey failed to uncover cultural resources of any kind. However, while the survey did not uncover any cultural resources, the potential for undiscovered resources does exist; as such, mitigation measures have been incorporated into this document to protect the undiscovered resources. Incorporation of these mitigation measures would reduce this impact to a less than significant level.

**Mitigation Measure CUL-1:** If any prehistoric and/or historic resources or other indications of cultural resources are found during future development of the project site, all work in the immediate vicinity of the find must stop and the City of Rolling Hills Estates Planning Department shall be immediately notified. An archaeologist meeting the Secretary of Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be retained to evaluate the find(s) and recommend appropriate handling and recovery methods. Construction in the vicinity of the find(s) shall not resume until deemed appropriate by the qualified site archaeologist.

*Timing/Implementation: During grading and construction activities*

*Monitoring/Enforcement: City of Rolling Hills Estates Planning Department; project contractor*

VIII(c) **Less Than Significant Impact With Mitigation Incorporated.** There were no known paleontological resources or unique geologic features identified during the Phase I cultural resources survey completed for the site. Furthermore, no unique geological features exist on-site. However, the potential to discover buried paleontological resources during excavation of the site does exist. As such, Mitigation Measure CUL-2 is incorporated into this document in order to protect the undiscovered paleontological resources.

**Mitigation Measure CUL-2:** If any paleontological resources are found during future development of the project site, all work in the immediate vicinity of the find must stop and the Rolling Hills Estates Planning Department shall be immediately notified. A qualified paleontologist (i.e., one with a graduate degree in paleontology, geology, or related field and having demonstrated experience in the vertebrate, invertebrate, or botanical paleontology of California) shall be retained to evaluate the finds and recommend appropriate handling and recovery methods. Construction in the vicinity of the find(s) shall not resume until deemed appropriate by the qualified site paleontologist.

*Timing/Implementation: During grading and construction activities*

*Monitoring/Enforcement: Rolling Hills Estates Planning Department; project contractor*

VIII(d) **Less Than Significant Impact.** There are no known human remains on the site. The project site is not part of a formal cemetery and is not known to have been used for disposal of historic or prehistoric human remains. Thus, human remains are not expected to be encountered during construction of the proposed project. In the unlikely event that human remains are encountered during project construction, California Health and Safety Code Section 7050.5 requires the project to halt until the county coroner has made the necessary findings as to the origin and disposition of the remains pursuant to Public Resources Code Section 5097.98. Due to the required compliance with these codes, the project would not result in any significant impacts related to human remains.

IX <u>GEOLOGY AND SOILS</u>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Involve modifications on slopes greater than 2:1?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risk to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Explanation of Checklist Judgments**

IX(a) **No Impact.** The site is relatively flat. No slopes greater than 2:1 exist on the site. The project proposes to increase the height of the soil on the eastern 20 feet of the project site in order to provide a level side yard for lots 2 and 4. This area does not have an existing slope of greater than 2:1. Therefore, the project would have no impact in this area.

IX(b[i, ii]) **Less Than Significant Impact With Mitigation Incorporated.** The potential for fault rupture is addressed at the state level by the Alquist-Priolo Earthquake Fault Zoning Act. The legislation's intent was to provide a statewide seismic hazards mapping and technical advisory program to assist cities and counties in fulfilling their responsibilities for protecting the public health and safety from the effects of strong ground shaking, liquefaction, landslides, ground failure, and other seismic hazards caused by earthquakes.

According to the California Geological Survey (CGS) (2006), the site is located in the Redondo Beach 7.5-minute quadrangle. This area was surveyed by the CGS in order to ascertain the seismic hazards in the area, including liquefaction, ground shaking, and landslides. The project site is not located in a currently mapped California Earthquake Special Studies Fault Zone or an Alquist-Priolo Fault Rupture Zone. The closest fault zone to the project site is the Palos Verdes Fault Zone, located approximately 3 miles to the northeast. In addition to fault zones identified by CGS, Exhibit 8-4 of the Safety

Element of the Rolling Hills Estates General Plan identifies the Cabrillo Fault as a Fault Caution Zone. The project site is approximately 0.9 miles from the closest portion of this Fault Caution Zone.

The site is also not within a Fault Caution Zone as shown on Exhibit 8-1 of the Safety Element of the Rolling Hills Estates General Plan. Additionally, according to Figure 2-14, Overlay Map Planning Area 7, of the General Plan, the site is not located in a Hazards Management Overlay.

According to the CGS (2008), the site is located in an area ascertained to be “distant from known, active faults and would experience lower levels of shaking less frequently. In most earthquakes, only weaker, masonry buildings would be damaged. However, very infrequent earthquakes could still cause strong shaking here.” Ground motion and related hazards resulting from earthquakes along any of the known faults in the area may result in significant seismic related hazards. Because of the site’s exposure to ground shaking, the following mitigation measure is recommended:

**Mitigation Measure GEO-1:** Prior to the issuance of building permits, the City of Rolling Hills Estates Building Official (or designee) and City Engineer (or designee) shall review and approve final design plans for the project site to ensure earthquake-resistant design has been incorporated into final site drawings in accordance with the most current California Building Code and the recommended seismic design parameters of the Structural Engineers Association of California. Ultimate site seismic design acceleration shall be determined by the project structural engineer during the project design phase.

*Timing/Implementation:* Prior to issuance of building permits

*Monitoring/Enforcement:* Rolling Hills Estates Planning Department; project applicant

IX(b)(iii, iv), c) **Less Than Significant Impact.** The California Emergency Management Agency (CEMA) (2014) Hazard Mitigation web portal provides liquefaction maps for the entire state based on information ascertained by the California Department of Conservation (DOC). The project site is not located in a current, mapped California Liquefaction Hazard Zone as identified by the California Department of Conservation.

Seismically induced lateral spreading involves primarily lateral movement of earth materials due to ground shaking. The topography at the project site is relatively flat. Groundwater is not present near the surface beneath the site. The nearest Water Replenishment District of Southern California (WRD) groundwater monitoring well is located about 2 miles from the project site. Depths at this site average between 17 and 18 feet below ground surface (WRD 2014). Additionally, the Phase I Environmental Assessment Report prepared for the project identified that groundwater at a water quality monitoring well about one-third mile from the project site was approximately 14 to 40 feet below ground surface (Partner 2014, p. 5). Under these circumstances, with groundwater not reported near the surface of the project site, the potential for lateral spreading is considered low.

CEMA provides information on landslide potential for all areas of California in its Hazard Mitigation web portal. According to this information, while many areas in the city have the potential for landslides, the project site is not such an area. Additionally, the site is flat and relatively level ground. The potential for landslides is minimal.

- IX(b[v]) **Less Than Significant Impact.** Construction of the proposed project would involve limited grading operations associated with preparation of the site. Due to existing regulations, these operations are not anticipated to leave soils uncovered or exposed for long periods and would not result in a significant loss of topsoil or erosion. With the application of standard construction practices and regulatory requirements, soil erosion and loss of topsoil is not a concern for the site. Erosion from stormwater runoff is controlled by the National Pollutant Discharge Elimination System (NPDES), which requires sedimentation and erosion controls to be implemented. Wind erosion during construction is controlled by SCQAMD Rule 403, which requires fugitive dust to be reduced with the application of best available control technologies.
  
- IX(d) **Less Than Significant Impact.** Expansive soils primarily comprise clays, which swell when water is absorbed and shrink when dry. Expansive soils are of concern since building foundations may rise during the rainy season and fall during dry periods in response to the shrinking and swelling of the soil. If movement varies under different parts of the building, structural portions of the building may distort. The native soils underlying the site comprise shale and siltstone rather than clays. Consequently, on-site soil conditions would not subject people and property to potential hazards associated with expansive soils. Impacts are considered less than significant.
  
- IX(e) **No Impact.** No septic tanks or alternative wastewater disposal systems are proposed as part of the implementation of the proposed development. Sewer connections will be made to existing lines in the surrounding streets. As a result, no impacts will occur with regard to sewers or alternative wastewater disposal systems.

X <b><u>HAZARDS AND HAZARDOUS MATERIALS</u></b>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Be located in the Hazard Management Overlay Zone?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Emit hazardous emissions or handle petroleum, or petroleum byproducts, or hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be located (i) within an area covered by an airport land use plan or, where such a plan has not been adopted, (ii) within two miles of a public airport or public use airport, and (iii) will result in a safety hazard for people working in the project area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Explanation of Checklist Judgments**

X(a) **No Impact.** As depicted on Exhibit 2-14 of the City's General Plan, the project site is not located in a Hazards Management Overlay Zone.

X(b, c) **Less Than Significant Impact.** The proposed project would develop residential land uses on the project site. These residential land uses are not typically associated with the routine transport, use, or disposal of hazardous materials. Single-family residences do not routinely transport, use, or dispose of hazardous materials or present a reasonably foreseeable release of hazardous materials, with the exception of common residential-grade hazardous materials such as household cleaners, paint, etc.

Between 1966 and 1971, the project site was the location of a gasoline station, which was equipped with underground fuel storage tanks. However, these tanks were reported to be removed in 1971 (Partner 2014, p. 23). Because the site was formerly used as a gasoline station, there may have been accidental releases of motor oils, transmission fluid, gasoline, and other automobile-related materials into the soils of the project site. If such materials exist in the soils, grading of the site during construction may result in the release of those hazardous materials. However, a Phase II Subsurface Investigation was conducted in May 1999 by All Environmental, Inc. (AEI) to determine the absence or presence of petroleum contamination in the soil at the project site. AEI determined that the soil samples did not contain significant concentrations of petroleum hydrocarbons.

AEI further concluded that the subject property was not significantly impacted by the former gas station and recommended no further investigation (Partner 2014, p. 23). Therefore, grading of the project would not result in the release of hazardous materials related to former uses.

During construction or operations, the transport, use, and disposal of hazardous materials is strictly regulated by applicable regional, state, and federal agencies. All hazardous materials used during the project's construction phase are regulated by state and federal law. In Rolling Hills Estates, the County of Los Angeles Fire Department, Health Hazardous Materials Division, is responsible for the Hazardous Materials Disclosure and California Accidental Release Prevention programs. The proposed project would not result in a significant impacts related to the routine transport, use, or disposal of hazardous materials.

X(d) **No Impact.** The proposed project is not located within a quarter mile of a school. The nearest school is Ridgecrest Intermediate School, approximately a half mile from the project site.

X(e) **No Impact.** The project site is not listed as an open hazardous material cleanup site on either the California Department of Toxic Substances Control (EnviroStor) database or the California State Water Resources Control Board (GeoTracker) database (DTSC 2014; SWRCB 2014).

The project site was formerly developed with a gasoline station from 1966 to 1971 (Partner 2014, pg. i). The gasoline station was equipped with four underground storage tanks, which were removed in 1971. AEI conducted a Phase II Subsurface Investigation in May 1999 to determine the absence or presence of petroleum contamination in the soil at the project site. The scope of investigation included the advancement of five soil borings and collection of twelve soil samples. Eight of the twelve samples were analyzed for total petroleum hydrocarbons as gas (TPH-g), TPH-diesel, benzene, toluene, ethyl benzene, and total xylenes (BTEX). Results of all of the analyzed samples were below laboratory detection limits. Based on the laboratory analytical results, AEI determined that the soil samples did not contain significant concentrations of petroleum hydrocarbons. AEI further concluded that the subject property was not significantly impacted by the former gas station and recommended no further investigation (Partner 2014, p. 23).

A recognized environmental condition (REC) refers to the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: due to release to the environment; under conditions indicative of a release to the environment; or under conditions that pose a material threat of a future release to the environment (Partner 2014, p. ii). The Phase I Environmental Site Assessment Report completed for the project site did not identify any RECs. The 2014 Phase I Environmental Site Assessment concluded that no further investigation of the project site is necessary (Partner 2014, p. 24).

X(f, g) **No Impact.** The city is located approximately 2.75 miles southwest of Torrance Municipal Airport. Los Angeles International Airport (LAX) and Hawthorne Municipal Airport are located approximately 12 miles and 11 miles northwest of the project site, respectively. All airports in Los Angeles County must have a Municipal Airport Master Plan that is consistent with Los Angeles County Airport Land Use Commission (ALUC) and Federal Aviation Administration (FAA) regulations. The ALUC is the operating body responsible for the comprehensive land use plan (CLUP) that covers the aviation activities at 15 public use airports in Los Angeles County. The boundaries for each airport and the development restrictions within each of those boundaries are depicted in the CLUP. All

proposed land uses within the boundaries for each airport must coincide with the restrictions of the CLUP.

The project site is not located within a designated airport influence area or runway protection zone area, nor would it involve any improvements that would otherwise affect airport operations. As a result, the proposed project would not present a safety hazard related to aircraft or airport operations.

X(h) **Less Than Significant Impact.** According to the City's General Plan Public Safety Element, Crest Road and Highridge Road are designated emergency evacuation routes in the city. Los Angeles County Public Works has prioritized these routes for debris clearance and road repairs in the event they are damaged during a major earthquake or other natural disaster. In addition, Indian Peak Road, Palos Verdes Drive North, and Silver Spur Road are disaster routes proposed to augment county routes for city-specific emergency planning purposes.

The project provides adequate street access, and project operations would not interfere with an emergency response plan or emergency evacuation plan. Also, the project site plan is subject to review and approval by the Los Angeles County Fire Department in order to ensure adequate provision of fire hydrants and access. This step in the permitting process ensures adequate emergency response and access.

X(i) **Less Than Significant Impact.** The project site is not located in a Fire Hazard area identified on Exhibit 8-1 of the City's General Plan. Nonetheless, the stringent Building Code requirements associated with the state's Very High Fire Hazard Severity Zone apply to all properties in the city. The project is required to comply with all pertinent Fire Code and ordinance requirements for construction, access, water mains, fire hydrants, and fire flows. Specific Fire Code requirements would be addressed during the building fire plan check. Given the site's location and required compliance with the Fire Code and ordinance requirements, the project would not result in significant impacts related to wildland fire hazards.

<b>XI HYDROLOGY AND WATER QUALITY</b>		Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>					
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Be subject to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Explanation of Checklist Judgments

XI(a, c, f) **Less Than Significant Impact With Mitigation Incorporated.** Section 402 of the federal Clean Water Act requires National Pollutant Discharge Elimination System (NPDES) permits for stormwater discharges from storm drain systems to waters of the United States.<sup>3</sup> The City of Rolling Hills Estates is a co-permittee in the Los Angeles County storm drain system permit or "Municipal Permit" (Order No. R4-2012-0175; NPDES No. CAS004001).

As a special provision, the Los Angeles County Municipal Permit requires permittees to implement Low Impact Development (LID) design principles for development and redevelopment activities that meet the applicability criteria in Part VI.D.7.b of the permit. Projects that meet such criteria are required to control pollutants, pollutant loads, and

<sup>3</sup> Storm drainage systems are described as Municipal Separate Storm Sewer Systems (MS4s) and include streets, gutters, conduits, natural or artificial drains, channels, and watercourses or other facilities that are owned, operated, maintained, or controlled by a permittee and used for purposes of collecting, storing, transporting, or disposing of stormwater.

runoff volume emanating from the project site by (1) minimizing the impervious surface area and (2) controlling runoff from impervious surfaces through infiltration, bioretention, and/or rainfall harvest and use. In addition, such projects are required to retain on-site the 0.75-inch, 24-hour rain event or the 85th percentile, 24-hour rain event, whichever is greater.

Implementation of the proposed project would be subject to the requirements of the Municipal Permit and the City's Municipal Code. Both the Municipal Code and the Municipal Permit require application of erosion and sedimentation control best management practices (BMPs) during construction for proper water quality management. Erosion control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized. BMPs will be specifically identified in the project-specific Wet Weather Erosion Control Plan and designed to prevent erosion and construction pollutants from entering the City's storm drain and receiving waters. By requiring implementation of a Wet Weather Erosion Control Plan and BMPs during construction activities, the City is ensuring that these activities would not violate standards or degrade water quality. As part of its normal project approval and construction oversight activities, the City of Rolling Hills Estates monitors compliance with these requirements.

In addition to Section 402, Section 303 of the Clean Water Act requires states to designate uses for all bodies within state boundaries (intrastate waters) and to establish water quality criteria for those water bodies. Those water bodies that do not satisfy the water quality criteria for their designated uses are identified as impaired. In order to improve the quality of impaired water bodies and thus achieve the water quality criteria, the US Environmental Protection Agency (EPA) requires states to establish Total Maximum Daily Load (TMDL) standards that apply to impaired water bodies. The storm drain system that serves the project site drains into the Santa Monica Bay Watershed Management Area of the Pacific Ocean. TMDLs promulgated for Santa Monica Bay include bacteria, trash/debris, and polychlorinated biphenyls (PCBs) and dichlorodiphenyltrichloroethane (DDT).

Both construction and operation activities associated with the project could generate additional water pollutants that could adversely affect stormwater quality and the water quality in downstream receiving waters. Construction-related activities can release sediments from exposed soils into local storm drains. In addition, construction waste materials such as chemicals, liquid products, and petroleum products may make their way into local storm drains. However, as indicated above and as required by Mitigation Measure HYD-1, the project would be subject to the requirements of the Municipal NPDES Permit and the City's Municipal Code. Pursuant to these requirements, best management practices would be instituted to effectively offset these potential sources of water pollution.

Operationally, stormwater or urban runoff from the developed project site could collect sediment, trash, metals, and oils as it flows across the site's driveway and other site surfaces. The project includes the construction of a storm drainage system. This system includes a filtered catch basin designed to limit oil, trash, metals, and other contaminants prior to stormwater flow into the City's system. Additionally, potential post-construction pollutants would be addressed through treatment control BMPs that would be incorporated into the final site design of the project, as required by Mitigation Measures HYD-1 through HYD-3. These BMPs would be implemented to treat runoff from the proposed project's new buildings, including roof runoff.

In summary, with the incorporation of Mitigation Measures HYD-1 through HYD-3, the proposed project would not result in significant impacts related to a violation of water quality standards or waste discharge requirements, erosion or siltation, or any other degradation of water quality.

**Mitigation Measure HYD-1:** Prior to issuance of a grading permit, the City Building Official shall ensure that the project's construction plans include features meeting the applicable construction activity best management practices (BMPs) and erosion and sediment control BMPs published in the *California Stormwater BMP Handbook—Construction Activity* or equivalent. If construction activities occur between October 1 and April 15, the project applicant shall prepare and submit a Wet Weather Erosion Control Plan to the City Building Official at least 30 days prior to commencement of construction activities.

*Timing/Implementation:* Prior to the issuance of a grading permit

*Monitoring/Enforcement:* Rolling Hills Estates Building Official; project applicant

**Mitigation Measure HYD-2:** As required by Municipal Code Section 8.38.105, prior to issuance of a building permit, the project applicant shall submit a Stormwater Mitigation Plan to the City Building Official for review and approval. The Stormwater Mitigation Plan shall identify the best management practices (BMPs) to be implemented during project operation. The project's Stormwater Mitigation Plan must also demonstrate compliance with the pollutant-specific Total Maximum Daily Load waste load allocations in effect for the receiving waters as well as the maximum extent practicable (MEP) standard for other pollutants of concern.

*Timing/Implementation:* Prior to the issuance of a grading permit

*Monitoring/Enforcement:* Rolling Hills Estates Building Official; project applicant

**Mitigation Measure HYD-3:** Prior to issuance of a certification of occupancy, the project applicant shall provide the City Building Official with a best management practices (BMP) maintenance plan, consistent with Standard Urban Stormwater Management Plan (SUSMP) requirements, for review and approval.

*Timing/Implementation:* Prior to the issuance of a certificate of occupancy

*Monitoring/Enforcement:* Rolling Hills Estates Building Official; project applicant

XI(b) **Less Than Significant Impact.** The proposed project would not directly use any groundwater to serve the project site. While additional residential dwellings would be available on completion of the project, these uses are not expected to result in a substantial depletion of groundwater resources. The proposed project would result in approximately a quarter acre of impermeable surfaces on the project site, including the dwelling units, garages, , and driveway. Given the small scale of the site and the fact that most stormwater on-site currently drains into the surrounding storm drain system, the reduction in permeability of the site would not substantially impede percolation of water into the underlying substrate such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table.

XI(d, e) **Less Than Significant Impact.** No natural watercourses are located on the project site. Currently, rainfall primarily flows into the existing drainage system located in Crest Road and Highridge Road; a small percentage of rainfall percolates into the substrate. The proposed project would utilize a site drainage system to collect stormwater; this on-site

system would be connected to the City's system. Further, the proposed project would not significantly increase the volume of stormwater flowing from the project site because stormwater would be directed into the storm drainage system through a catch basin designed to control stormwater flow into the City's system. Therefore, anticipated stormwater runoff would not cause flooding or exceed the capacity of the storm drain system.

XI(g-j) **No Impact.** The project site is shown on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06037C1920F (FEMA, 2008). According to this map, the site is located in Zone X, which is defined as "areas determined to be outside the 0.2 percent annual chance floodplain." The project would therefore not result in the placement of uses in a 100-year flood zone. The project site is not within the inundation area of any reservoir, level, or dam, and the project site is not in an area that would be subject to seiche, tsunami, or mudflow.

<b>XII AGRICULTURE RESOURCES</b>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</i>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Explanation of Checklist Judgments**

- XII(a) **No Impact.** The project site is located in a fully developed area in Rolling Hills Estates, which is an urbanized area of Los Angeles County. The proposed project site is not currently used for productive agricultural purposes. The project site is not located adjacent to or near any land used for agricultural purposes. The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.
- XII(b) **No Impact.** No agricultural resources are identified in the City’s General Plan, and no agricultural resources are present on the project site. The site is not subject to a Williamson Act contract, and the site is not zoned for agricultural use. Given that the site is not currently used for productive agricultural purposes and the project would not conflict with a Williamson Act contract, the proposed project would have no impact in this area.
- XII(c) **No Impact.** The project site is not currently used for agricultural purposes. Additionally, the proposed project would not in any way hinder the operations of any existing agricultural practices since no agricultural practices exist on-site or in the adjacent surrounding areas.

<b>XIII <u>MINERAL RESOURCES</u></b>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Explanation of Checklist Judgments**

XIII(a, b) **No Impact.** The project site is not located on any known bank of minerals. The site is not within any of the Mineral Resource Zone boundaries identified by the City on Exhibit 5-4 of the General Plan Conservation Element. Therefore, the proposed project would have no impact on the availability of a known mineral resource that would be of value or the loss a locally important mineral resource.

<b>XIV <u>POPULATION AND HOUSING</u></b>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Explanation of Checklist Judgments

XIV(a) **Less Than Significant Impact.** The proposed project would result in the development of four single-family residential units. According to the DOF (2014), the average household size in the city in 2014 is 2.76 persons per unit. Based on this number, the project would increase the number of residents in the city by 11. An increase of 11 persons is not considered substantial and is consistent with growth expectations. Additionally, the project would not result in the extension of roads or infrastructure that would induce off-site population growth.

XVI(b, c) **No Impact.** The site is currently vacant. Thus, no displacement of housing or persons would result.

<b>XV PUBLIC SERVICES</b>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services?				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Explanation of Checklist Judgments**

XV(a) **Less Than Significant Impact.** The City of Rolling Hills Estates is within the jurisdiction of and is part of the Consolidated Fire Protection District of Los Angeles County, which provides fire protection and emergency medical services to the city and all unincorporated areas in Los Angeles County. Fire Station 106, located at 27413 Indian Peak Road in Rolling Hills Estates, is approximately 1.5 miles from the project site. Fire Station 56, located at 12 Crest Road West in Rolling Hills, is less than 1.75 miles from the project site. While these stations are the closest stations to the project site, the fire department as a whole serves the project area.

Generally, the need for new fire facilities is based on the time it takes for a station to respond to an incident. The fire department seeks to maintain a 5-minute response time. Because there are two existing stations within 1.75 miles of the project site, response times are expected to be within the 5-minute response time standard.

The Fire Department has review and approval authority over building plans in subsequent phases of planning and design to ensure adherence with fire department regulations and requirements. The impacts on fire protection services are therefore anticipated to be less than significant.

XV(b) **Less Than Significant Impact.** The City of Rolling Hills Estates contracts with the Los Angeles County Sheriff's Department for police protection and law enforcement services. The main sheriff's station serving the city is located at 26123 Narbonne Avenue in Lomita. This station is located approximately 4.5 miles northeast of the project site and employs 83 sworn officers. The emergency response time averages 5 minutes or less. The Sheriff's Department's service standards are a 6-minute emergency response time, a 20-minute immediate response call response time, and a 1-hour report call response time. The impacts on police protection services are expected to be less than significant, as the site is located in an existing developed area that is currently adequately served by the Sheriff's Department. Therefore, implementation of the project would not result in the need for additional law enforcement facilities to serve the project.

XV(c) **Less Than Significant Impact.** The project proposes the development of residential units that would result in a population increase of approximately 11 persons. The project site is served by the Palos Verdes Peninsula Unified School District. The schools that serve the area are Soleado Elementary School, Ridgecrest Intermediate School, and

Palos Verdes Peninsula High School. The project may generate additional students who would attend schools in the area. However, due to the minimal number of dwelling units and the small potential increase in population, the number of additional students would be insignificant and could be adequately served by the existing school facilities in the area. In addition, the applicant will be required to pay school fees to mitigate any potential impacts.

XV(d) **No Impact.** The proposed project is the development of four single-family residential units. This size of development would not result in the demand for additional public services or the need for new or expanded public service facilities.

<b>XVI UTILITIES AND SERVICE SYSTEMS</b>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Explanation of Checklist Judgments**

XVI(a) **Less Than Significant Impact.** The proposed construction of four single-family residences would generate an increase in wastewater. The region's existing wastewater facilities are designed to treat domestic sewage and to accommodate the level of growth anticipated in local general plans. While the proposed project would require a change in the City's General Plan land use designation for the site, the addition of four single-family residences and the consequential wastewater would not result in an exceedance of wastewater treatment requirements. Therefore, the proposed project would not generate wastewater in a manner that would exceed the wastewater treatment requirements of the Regional Water Quality Control Board. (See also Issue b, d, e, below.)

XVI(b, d, e) **Less Than Significant Impact.** The project site is served by the California Water Service Company (CWSC), which purchases water from the Metropolitan Water District (MWD). The MWD's water sources are the State Water Project and the Colorado River. CWSC water is stored locally in the Palos Verdes Reservoir, which has a capacity of approximately 361,097,200 gallons. Average water consumption in the city is approximately 1.2 million gallons per day (mgd). According to the CWSC's (2013) Water Conservation Report for the Palos Verdes District (which serves the city), the average water use per single-family residence is 200 gallons per person per day. Based on these factors, implementation of the proposed project would result in a total new water demand of 2,200 gallons per day. This demand would increase the water consumption in the city by 0.2 percent. As such, the proposed project would not result in the need for new or substantial alterations to local or regional water treatment or distribution facilities, due to the limited amount of additional water required to serve the project.

Wastewater generated by the project would be treated at the Joint Water Pollution Control Plant in Carson, which has a design capacity of 385 mgd and currently processes an average flow of 280.5 mgd. The additional wastewater from 11 persons

would not result in a need for new or substantial alternations to the existing sewer system due to the limited amount of additional sewage that would generated by the project. Impacts are thus anticipated to be less than significant.

XVI(c) **Less Than Significant Impact.** Existing storm drain facilities are anticipated to be adequate to accommodate project flows as discussed more fully in subsection XI, Hydrology and Water Quality, of this Initial Study.

XVI(f) **Less Than Significant Impact.** Refuse disposal and recycling services to the city and the project site are provided by a private entity, Waste Management, which contracts with the Sanitation Districts of Los Angeles County (SDLAC) for disposal of refuse. The SDLAC maintains multiple refuse disposal facilities, including three landfills, five gas-to-energy/refuse-to-energy facilities, two material recovery facilities, and various recycling facilities and transfer stations. In 2012, Rolling Hills Estates produced approximately 5,390 tons of solid waste, as reported to California Department of Resources Recycling and Recovery (CalRecycle) (2012). The majority of this waste, 77.9 percent, was taken to the El Sobrante Landfill, which has a cease operations date of January 1, 2045. All other area landfills have a cease operations date beyond the year 2019.

According to CalRecycle, the city had an average solid waste disposal rate of 3.6 pounds per person per day in 2012. Using the anticipated number of residents for the project of 11 and the average solid waste disposal in the city, the project would produce 39.6 pounds per day of solid waste, or 7.2 tons per year. The increase of 7.2 tons per year of solid waste would not result in inadequate capacity at the area landfills.

**Table XVI-1  
City of Rolling Hills Estates Solid Waste Disposal – 2012**

Destination Facility	2012 City Tonnage to Facility	Permitted Maximum Capacity (million cubic yards)	Remaining Capacity (Million Cubic Yards) (survey date)	Cease Operations Date
Antelope Valley Public Landfill	27	n/a	20.4 (n/a)	1/1/2042
Azusa Land Reclamation Co. Landfill	5	66.670	n/a	1/1/2025
Chiquita Canyon Sanitary Landfill	52	63.900	29.3 (11/23/2006)	11/24/2019
El Sobrante Landfill	4,197	184.930	145.530 (4/6/2009)	1/1/2045
Lancaster Landfill and Recycling Center	1	27.000	14.514 (8/28/2012)	3/1/2044
Olinda Alpha Sanitary Landfill	6	74.900	38.578 (10/1/2005)	12/31/2021
Prima Deshecha Sanitary Landfill	100	172.900	87.385 (8/1/2005)	12/31/2067
Sunshine Canyon City/County Landfill	104	140.9	112.3 (7/3/2007)	12/31/2037
2012 Total	5,390			

Source: CalRecycle 2012

XVI(g) **Less Than Significant Impact.** The project applicant is required to comply with all local, state, and federal requirements for integrated waste management (e.g., recycling, green waste) and solid waste disposal.

<b>XVII MANDATORY FINDINGS OF SIGNIFICANCE</b>	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Does the project:</i>				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Explanation of Checklist Judgments**

- XVII(a) **No Impact.** The proposed project is not anticipated to substantially affect fish or wildlife populations or to reduce the number or range of rare or endangered species. In addition, no locally, state, or federally designated examples of major periods in California history or prehistory have been identified on the site or in the vicinity of the site.
  
- XVII(b) **Less Than Significant Impact.** The proposed project would not result in impacts that are cumulatively considerable. The project has the potential to contribute to cumulative air quality, hydrology, water quality, noise, public services, traffic, and utility impacts. However, none of these cumulative impacts are significant, except for cumulative air quality conditions (i.e., the South Coast Air Basin is a nonattainment basin), and the proposed project would not cause any cumulative impacts to become significant. Subsection V of this document specifically analyzes the project's contribution to cumulative air quality conditions. As identified in this section, the project's contribution to both regional and local air quality conditions is not considerable. Therefore, the proposed project would not result in a mandatory finding of significance due to cumulative impact considerations.
  
- XVII(c) **No Impact.** The proposed project would not cause either directly or indirectly substantial adverse effects on humans. The proposed project does not approach or exceed any significance thresholds for environmental issues typically associated with indirect or direct effects to people, such as hazardous materials handling, air, water, or land pollution, or adverse effects to emergency service response.

# Bryant • Palmer • Soto, Inc.

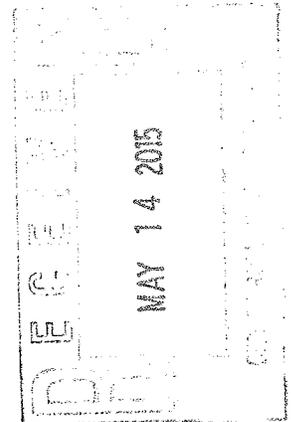
Neil Stanton Palmer ARCHITECTS / Jack K. Bryant ENGINEERS  
2601 Airport Drive, Suite 310, Torrance, CA 90505-6142  
Telephone: (310) 326-9111  
Fax: (310) 325-0271

May 14, 2015

Re: 5883 Crest Road, Rolling Hills Estates

## MASS & BULK REVISION SUMMARY 5/14/15

1. <b>Reduced Lot Coverage</b> From 7400 s.f. to 6628 s.f.	10%
2. <b>Reduced Floor Area</b> From 2880 s.f. to 2431 s.f.	16%
3. <b>Reduced Flow Area / Site Ratio</b> From 51.5% to 43.4%	16%
4. <b>Reduced Home Depth</b> From 42 ft. to 37 ft.	12%
5. <b>Reduced 2<sup>nd</sup> Floor Roof Area</b> From 1764 s.f. to 1410 s.f.	20%
6. <b>Reduced 2<sup>nd</sup> Floor Mass at Corners</b> Omitted corner lanai roof (12 ft. by 12 ft.) From 42 ft. to 30 ft. per home at Crest Road 28% From 42 to 25 ft. per home at Highridge Road 40%	34%
7. <b>Reduced Private Yards in Street Setbacks</b> From 2560 s.f. to 1500 s.f.	41%
8. <b>Reduced Ground Plane Mass at Corner Home</b> From 1096 s.f. to 600 s.f.	45%
9. <b>Increased Highridge Landscape Buffer</b> From 2606 s.f. to 3622 s.f.	139%
10. <b>Increased Crest Road Landscape Buffer</b> From 1000 s.f. to 1880 s.f.	188%
11. <b>Increased Crest Road Setback</b> From 20 ft. to 30 ft. at Home #3 From 20 ft. to 25 ft. at Home #4	137%
12. <b>Increased Landscape Area</b> From 49.6% to 52.0%	5%



**NEIGHBORHOOD STATISTICS: Pepper Tree**

APN #	Street	Address:	Lot Size:	Home Sq.Ft:	Major Remodel Year	Proposed Sq. Ft.
7585014048	1	Pepper Tree Ln	common area	2359		
7585014051	3	Pepper Tree Ln	common area	2546		
7585014052	4	Pepper Tree Ln	common area	2482		
7585014053	5	Pepper Tree Ln	common area	2546		
7585014054	6	Pepper Tree Ln	common area	2359		
7585014055	7	Pepper Tree Ln	common area	2359		
7585014056	8	Pepper Tree Ln	common area	2482		
7585014057	9	Pepper Tree Ln	common area	2546		
7585014049	10	Pepper Tree Ln	common area	2359		
7585014058	11	Pepper Tree Ln	common area	2482		
7585014059	12	Pepper Tree Ln	common area	2359		
7585014060	13	Pepper Tree Ln	common area	2546		
7585014031	14	Pepper Tree Ln	common area	2482		
7585014032	15	Pepper Tree Ln	common area	2546		
7585014034	16	Pepper Tree Ln	common area	2482		
7585014035	17	Pepper Tree Ln	common area	2546		
7585014036	18	Pepper Tree Ln	common area	2359		
7585014037	19	Pepper Tree Ln	common area	2482		
7585014038	20	Pepper Tree Ln	common area	2546		
7585014039	21	Pepper Tree Ln	common area	2546		
7585014040	22	Pepper Tree Ln	common area	2482		
7585014041	23	Pepper Tree Ln	common area	2359		
7585014042	24	Pepper Tree Ln	common area	2546		
7585014043	25	Pepper Tree Ln	common area	2546		
7585014044	26	Pepper Tree Ln	common area	2359		
7585014045	27	Pepper Tree Ln	common area	2359		
7585014046	28	Pepper Tree Ln	common area	2482		
7585014047	29	Pepper Tree Ln	common area	2359		
7585014061	30	Pepper Tree Ln	common area	2546		
7585014062	31	Pepper Tree Ln	common area	2359		
7585014063	32	Pepper Tree Ln	common area	2482		
7585014064	33	Pepper Tree Ln	common area	2482		
7585014065	34	Pepper Tree Ln	common area	2359		
<b>Total:</b>	<b>33</b>		<b>n/a</b>	<b>81,134</b>		
<b>Average Sq. Ft.:</b>			<b>n/a</b>	<b>2,459</b>		
<b>Ranges of Sq. Ft.:</b>			<b>n/a</b>	<b>(2,359- 2,546)</b>		
P:3.28.07thom/pa---lotsizes.excel						

**NEIGHBORHOOD STATISTICS: SEAVIEW VILLAS**

APN #	Street	Address:	Lot Size:	Home Sq.Ft:	Major Remodel Year	Proposed Sq. Ft.
7574003057	10	Seaview Dr N	common area	1794		
7574003022	11	Seaview Dr N	common area	1884		
7574003056	12	Seaview Dr N	common area	1868		
7574003055	14	Seaview Dr N	common area	1868		
7574003023	15	Seaview Dr N	common area	2123		
7574003054	16	Seaview Dr N	common area	1868		
7574003024	17	Seaview Dr N	common area	2123		
7574003053	18	Seaview Dr N	common area	1868		
7574003025	19	Seaview Dr N	common area	2123		
7574003052	20	Seaview Dr N	common area	1794		
7574003026	21	Seaview Dr N	common area	2123		
7574003051	22	Seaview Dr N	common area	2024		
7574003027	23	Seaview Dr N	common area	1884		
7574003050	24	Seaview Dr N	common area	1868		
7574003028	25	Seaview Dr N	common area	1858		
7574003049	26	Seaview Dr N	common area	1868		
7574003029	27	Seaview Dr N	common area	2044		
7574003048	28	Seaview Dr N	common area	1868		
7574003030	29	Seaview Dr N	common area	2044		
7574003047	30	Seaview Dr N	common area	1794		
7574003031	31	Seaview Dr N	common area	2044		
7574003046	32	Seaview Dr N	common area	1794		
7574003032	33	Seaview Dr N	common area	2044		
7574003045	34	Seaview Dr N	common area	1868		
7574003033	35	Seaview Dr N	common area	1858		
7574003044	36	Seaview Dr N	common area	1868		
7574003034	37	Seaview Dr N	common area	1858		
7574003043	38	Seaview Dr N	common area	1868		
7574003035	39	Seaview Dr N	common area	2044		
7574003042	40	Seaview Dr N	common area	1868		
7574003036	41	Seaview Dr N	common area	2044		
7574003041	42	Seaview Dr N	common area	1869		
7574003037	43	Seaview Dr N	common area	1858		
7574003038	45	Seaview Dr N	common area	1858		
7574003039	47	Seaview Dr N	common area	2044		
7574003040	49	Seaview Dr N	common area	2044		
7574003058	10	Seaview Dr S	common area	1794		
7574003089	11	Seaview Dr S	common area	1858		
7574003059	12	Seaview Dr S	common area	1868		
7574003060	14	Seaview Dr S	common area	1868		
7574003088	15	Seaview Dr S	common area	2044		
7574003061	16	Seaview Dr S	common area	1866		
7574003087	17	Seaview Dr S	common area	2044		
7574003062	18	Seaview Dr S	common area	1794		
7574003086	19	Seaview Dr S	common area	1858		
7574003063	20	Seaview Dr S	common area	1868		
7574003085	21	Seaview Dr S	common area	1884		

<b>NEIGHBORHOOD STATISTICS: SEAVIEW VILLAS</b>					<b>Major</b>	
<b>APN #</b>	<b>Street</b>	<b>Address:</b>	<b>Lot Size:</b>	<b>Home Sq.Ft:</b>	<b>Remodel</b>	<b>Proposed</b>
					<b>Year</b>	<b>Sq. Ft.</b>
7574003064	22	Seaview Dr S	common area	1868		
7574003084	23	Seaview Dr S	common area	2123		
7574003065	24	Seaview Dr S	common area	1868		
7574003083	25	Seaview Dr S	common area	2123		
7574003066	26	Seaview Dr S	common area	1868		
7574003082	27	Seaview Dr S	common area	1884		
7574003067	28	Seaview Dr S	common area	1866		
7574003081	29	Seaview Dr S	common area	1884		
7574003080	31	Seaview Dr S	common area	2123		
7574003079	33	Seaview Dr S	common area	2123		
7574003078	35	Seaview Dr S	common area	1884		
7574003077	39	Seaview Dr S	common area	1858		
7574003076	41	Seaview Dr S	common area	2044		
7574003075	43	Seaview Dr S	common area	2044		
7574003074	45	Seaview Dr S	common area	2044		
7574003073	47	Seaview Dr S	common area	2044		
7574003072	49	Seaview Dr S	common area	1858		
7574003071	51	Seaview Dr S	common area	1884		
7574003070	53	Seaview Dr S	common area	2123		
7574003069	55	Seaview Dr S	common area	2123		
7574003068	57	Seaview Dr S	common area	1884		
<b>Total:</b>	<b>68</b>		<b>n/a</b>	<b>131,785</b>		
<b>Average Sq. Ft.:</b>			<b>n/a</b>	<b>1,938</b>		
<b>Ranges of Sq. Ft.:</b>			<b>n/a</b>	<b>(1,794- 2,123)</b>		
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THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

Office of the General Manager

May 29, 2015

Via Federal Express

Kit Fox  
City of Rancho Palos Verdes  
30940 Hawthorne Boulevard  
Rancho Palos Verdes, California 90275-5391

RECEIVED

JUN 01 2015

Dear Mr. Fox:

Responses to Comments on the Palos Verdes Reservoir  
Upgrades Project Mitigated Negative Declaration (SCH #2015031074)

The Metropolitan Water District of Southern California (Metropolitan) received your comments on the Mitigated Negative Declaration for the Palos Verdes Reservoir Upgrades Project (Project). Metropolitan's responses to your comments are enclosed.

Metropolitan's Board of Directors will be acting on the Mitigated Negative Declaration and the proposed Project at its regularly scheduled public meeting on Tuesday, June 9, 2014, at 12:00 p.m. Metropolitan's headquarters are located at 700 N. Alameda Street, Los Angeles, California 90012. This notification is in compliance with Public Resources Code Section 15073(e), which states: "The lead agency shall notify in writing any public agency which comments on a proposed negative declaration or mitigated negative declaration of any public hearing to be held for the project for which the document was prepared."

Thank you for participating in the public review process for this project. If you have any additional questions or comments, please contact Ms. Malinda Stalvey at (213) 217-5545 or [mstalvey@mwdh2o.com](mailto:mstalvey@mwdh2o.com).

Very truly yours,

Deborah Drezner  
Interim Team Manager, Environmental Planning Team

MKS/mks  
(EPT No. 20150531ESG)

Enclosure



10 April 2015

Malinda Stalvey  
Environmental Planning Team  
Metropolitan Water District  
PO Box 54153  
Los Angeles, CA 90054

**SUBJECT: Comments in Response to the Notice of Intent to Adopt a Mitigated Negative Declaration for the Palos Verdes Reservoir Upgrades Project**

Dear Ms. Stalvey:

The City of Rancho Palos Verdes appreciates the opportunity to comment upon the proposed Mitigated Negative Declaration (MND) for the above-mentioned project. We have reviewed the MND, and offer the following comments: 5.1

1. The Project Description in the Initial Study (pp. 1-16) raises several questions:
  - a. What are the two (2) MWD member agencies that will be reconnected to the reservoir after the upgrades are complete? 5.2
  - b. What will be the new maximum capacity of the reservoir after the upgrades are complete? 5.3
  - c. Is a back-up generator or other emergency power supply for the reservoir proposed as a part of the upgrade project? If not, why not? 5.4
  - d. It is our understanding that the Chandler Quarry in Rolling Hills Estates no longer accepts construction and demolition material. If this is the case, what will be the destination for this material? 5.5
  
2. The discussion of Hydrology and Water Quality impacts in the Initial Study (pp. 50-53) concludes that impacts related to the exposure of people and structures to risk of loss, injury or death due to flooding resulting from a failure of the reservoir will be less than significant, and no mitigation measures are recommended. However, the inundation map for the Palos Verdes Reservoir prepared by MWD in the 1970s (see enclosure) clearly shows that portions of Green Hills Memorial Park and the *Rolling Hills Riviera* neighborhood in Rancho Palos Verdes could be flooded to depths of up to ten feet (10') in the event of a catastrophic failure of the reservoir. We understand that part of the purpose of the proposed project is to upgrade the 5.6

**Malinda Stalvey**  
**10 April 2015**  
**Page 2**

reservoir to current safety standards. Nevertheless, the City of Rancho Palos Verdes respectfully requests the inclusion of the following mitigation measures as a part of the MND: 5.6 cont.

a. MWD shall prepare an updated inundation map for the Palos Verdes Reservoir, based upon its expected maximum capacity after the completion of upgrades. A copy of this map shall be provided to the City of Rancho Palos Verdes and first responders (i.e., Los Angeles County Sheriff and Los Angeles County Fire) for emergency preparation, planning and response purposes. 5.7

b. MWD shall develop, in conjunction with the City of Rancho Palos Verdes and first responders, a system for emergency public notification of downstream residents in the event that an imminent failure of the reservoir is observed, either as a result of routine inspection or an unusual event (e.g., earthquake, etc.). 5.8

3. The discussion of Transportation/Traffic in the Initial Study (pp. 67-71) concludes that construction traffic entering and exiting the project site could have a significant impact upon the safety of recreational trail users along Palos Verdes Drive North and Palos Verdes Drive East, and recommends the use of flagmen and guards as a mitigation measure. The City concurs with this assessment, but would also point out that the segments of Palos Verdes Drive North and Palos Verdes Drive East adjacent to the reservoir are a part of a major commuter route for Palos Verdes Peninsula residents. The City of Rancho Palos Verdes respectfully suggests that the use of flagging operations should be expanded to include motorists as well, particularly during peak morning and evening commute hours. 5.9

Again, thank you for the opportunity to comment upon this important project. If you have any questions or need additional information, please feel free to contact me at (310) 544-5226 or via e-mail at [kitf@rpvca.gov](mailto:kitf@rpvca.gov).

Sincerely,



**Kit Fox, AICP**  
Senior Administrative Analyst

cc: Mayor Jim Knight and Rancho Palos Verdes City Council  
Doug Willmore, City Manager  
Carolynn Petru, Deputy City Manager  
Tracy Bonano, Emergency Services Coordinator  
Nicole Jules, Deputy Director of Public Works

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## Response to the April 10, 2015, Comment Letter from the City of Rancho Palos Verdes

### Response to Comment 5-1

These introductory comments are noted.

### Response to Comment 5-2

The Palos Verdes Reservoir provides operational flexibility and emergency storage for Metropolitan's Central Pool distribution system. Metropolitan's two member agencies downstream of the Palos Verdes Reservoir are West Basin Municipal Water District and Los Angeles Department of Water and Power. Currently, these member agencies' demands are being met through the reservoir's bypass pipeline.

### Response to Comment 5-3

The new maximum capacity of the reservoir after the upgrades are complete will be 740 acre-feet.

### Response to Comment 5-4

There is an existing emergency generator at the Palos Verdes Reservoir facility; therefore, an additional generator is not part of the proposed project.

### Response to Comment 5-5

The proposed location for the construction and demolition material is Carson, California. This location is within the parameters used in the analyses included in the MND.

### Response to Comment 5-6

The commenter's summary of the findings of the MND regarding impacts relating to the exposure of people or structures to inundation risk is correct. Please see Response 5-7 for more information on inundation risk mapping for the reservoir.

### Response to Comment 5-7

As noted in Response 5-6, the MND determined that impacts on people and structures related to inundation as a result of dam failure are less than significant. Therefore, under CEQA, there is no requirement for actions to be considered mitigation measures as requested by the City. Regardless, Metropolitan intends to prepare an updated inundation map for the Palos Verdes Reservoir subsequent to approval of the proposed project by the Division of Safety of Dams. Metropolitan will provide a copy of the map to the State Office of Emergency Services, as required by law. The City of Rancho Palos Verdes and first responders may submit a written request to Metropolitan for a copy of the inundation map. The written request should include a brief explanation of purpose of the request, and name and address of responsible party to receive the map.

### Response to Comment 5-8

As noted in Response 5-6, the MND determined that impacts on people and structures related to inundation as a result of dam failure are less than significant.

In the event that an imminent failure of the dam is considered likely based on observations made either during a routine inspection or after an unusual event, Metropolitan would contact the California Emergency Management Agency, the Los Angeles County Emergency Operations Center, and the Los Angeles Police Department

Response Center. It is recommended that the City of Rancho Palos Verdes contact the California Emergency Management Agency and the Los Angeles County Emergency Operation Center for guidance in developing a system for emergency public notification of downstream residents.

**Response to Comment 5-9**

The commenter concurs with the assessment that impacts to recreational users would be less than significant with mitigation incorporated. The commenter also requests that use of flagging operations be expanded to include motorists, particularly during peak morning and evening commute hours. As noted on page 70 of the MND, Metropolitan's standard specifications require that contractors prepare and implement a construction traffic management plan. This plan would be required to address temporary traffic control along public roadways, as per the requirements and procedures described in the Caltrans Manual of Traffic Controls for Construction and Maintenance Work Zones. Where local requirements and procedures meet or exceed those in the Caltrans Manual, these may be utilized instead. Included in the plan, as appropriate, would be provision for the use of flagmen at intersections to assist trucks entering/exiting the work limits as well as appropriate advance warning signage, to alert motorists, cyclists, equestrian users or pedestrians to the potential for cross construction vehicle traffic from work limits, in accordance with Caltrans standards.



THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

RECEIVED

JUL 06 2015

Office of the General Manager

July 1, 2015

Via U.S. Mail

Kit Fox  
City of Rancho Palos Verdes  
90940 Hawthorne Boulevard  
Rancho Palos Verdes, California 90275-5391

Dear Mr. Fox:

Notification of Board Meeting to Adopt the Palos Verdes Reservoir  
Upgrades Project Mitigated Negative Declaration (SCH #2015031074)

Metropolitan's Board of Directors will be acting on the Mitigated Negative Declaration and the proposed Project at its regularly scheduled public meeting on Tuesday, July 14, 2015, at 12:00 p.m. Metropolitan's headquarters are located at 700 N. Alameda Street, Los Angeles, California 90012. This notification is in compliance with Public Resources Code Section 15073(e), which states: "The lead agency shall notify in writing any public agency which comments on a proposed negative declaration or mitigated negative declaration of any public hearing to be held for the project for which the document was prepared."

Thank you for participating in the public review process for this project. If you have any additional questions or comments, please contact Ms. Malinda Stalvey at (213) 217-5545 or [mstalvey@mwdh2o.com](mailto:mstalvey@mwdh2o.com).

Very truly yours,

Debbie Drezner  
Manager, Environmental Planning Team

MKS/mks  
(EPT No. 20150615ESG)