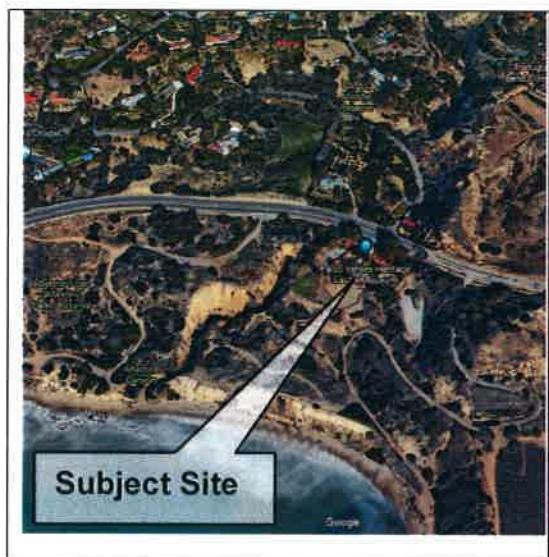




STAFF REPORT



TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: ARA MIHRANIAN, DIRECTOR OF COMMUNITY DEVELOPMENT *AK*

DATE: DECEMBER 12, 2017

SUBJECT: AFTER-THE-FACT MAJOR GRADING PERMIT & COASTAL DEVELOPMENT PERMIT (CASE NO. ZON2017-00115)

PROJECT ADDRESS: 5500 PALOS VERDES DRIVE SOUTH AND ABALONE COVE RESERVE

APPLICANT/ LANDOWNER: ALLEN & CHARLOTTE GINSBURG

STAFF COORDINATOR: SO KIM, DEPUTY DIRECTOR/PLANNING MANAGER *SK*

REQUESTED ACTION: CONDUCT 6,414YD³ OF AFTER-THE FACT GRADING WITH 794YD³ OF EXPORT TO REGRADE THE CONTOURS WHERE UNPERMITTED GRADING OCCURRED AT 5500 PALOS VERDES DRIVE SOUTH AND PORTIONS OF THE CITY-OWNED ABALONE COVE RESERVE PROPERTY.

RECOMMENDATION: 1) ADOPT P.C. RESOLUTION NO. 2017-____, CERTIFYING A MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED PROJECT; AND, 2) ADOPT P.C. RESOLUTION NO. 2017-____, APPROVING 6,414YD³ OF AFTER-THE-FACt GRADING WITH 794YD³ OF EXPORT TO REGRADE THE CONTOURS WHERE UNPERMITTED GRADING OCCURRED OVER THE 5500 PALOS VERDES DRIVE SOUTH PROPERTY AND THE CITY-OWNED ABALONE COVE RESERVE PROPERTY, SUBJECT TO THE CONDITIONS OF APPROVAL CONTAINED IN THE ATTACHED EXHIBIT "A".

REFERENCES:

ZONING: SINGLE-FAMILY RESIDENTIAL 1 DU/AC (RS-1), OPEN SPACE-RECREATIONAL (OR), URBAN DESIGN OVERLAY CONTROL DISTRICT (OC-3)

LAND USE: SINGLE-FAMILY RESIDENTIAL, NATURAL ENVIRONMENT HAZARD

CODE SECTIONS: 15.20.050, 17.72, 17.76.040, 17.80, 17.86,

GENERAL PLAN: RESIDENTIAL \leq 1 DU/ACRE

TRAILS PLAN: CONCEPTUAL TRAILS PLAN – SECTION 3, SEGMENT C8 (WAYFARERS SEGMENT)
AND PRESERVE TRAILS PLAN – OLMSTED TRAIL

SPECIFIC PLAN: COASTAL, SUBREGION 5 (APPEALABLE)

CEQA: MITIGATED NEGATIVE DECLARATION (MND)

ACTION DEADLINE: FEBRUARY 2, 2018

PLANNING COMMISSION MEMBERS RESIDING WITHIN 500' OF SUBJECT PROPERTY: NONE

BACKGROUND

On May 13, 2015, during a site visit, City Staff found that grading and vegetation removal of sensitive habitat occurred without City approvals on the property at 5500 Palos Verdes Drive South (PVDS) and portions of the City-owned Abalone Cove Reserve property. On the same day, the City's Code Enforcement Division sent a letter to the property owners informing them that the unpermitted activity must cease immediately and to contact City Staff to develop a plan to rectify the situation.

On May 16, 2015, the Code Enforcement Division observed continued unpermitted grading activity at the property and issued a stop-work order to the property owners.

On June 18, 2015, the Code Enforcement Division sent a letter to the property owners identifying specific actions to remedy the situation including submitting appropriate planning applications to regrade the disturbed contours and replant the damaged vegetation. Since then, the property owners have been working with the City to address the unpermitted work including the submittal of a property line survey and a geotechnical report.

On March 24, 2017, the property owners submitted an after-the-fact Grading Permit and Coastal Permit application to regrade the contours where unpermitted grading occurred at the property and at their City-owned Abalone Cove Reserve property. The City Manager authorized the filing of the planning applications for restoration work to occur on City-owned land. After initial review of the submitted application package, Staff deemed the application incomplete due to insufficient information. Subsequently, the property owner submitted additional information and the application was deemed complete on May 8, 2017, setting the action deadline to November 4, 2017. On October 24, 2017, the Applicant granted a one-time 90-day extension, setting the new action deadline to February 2, 2018.

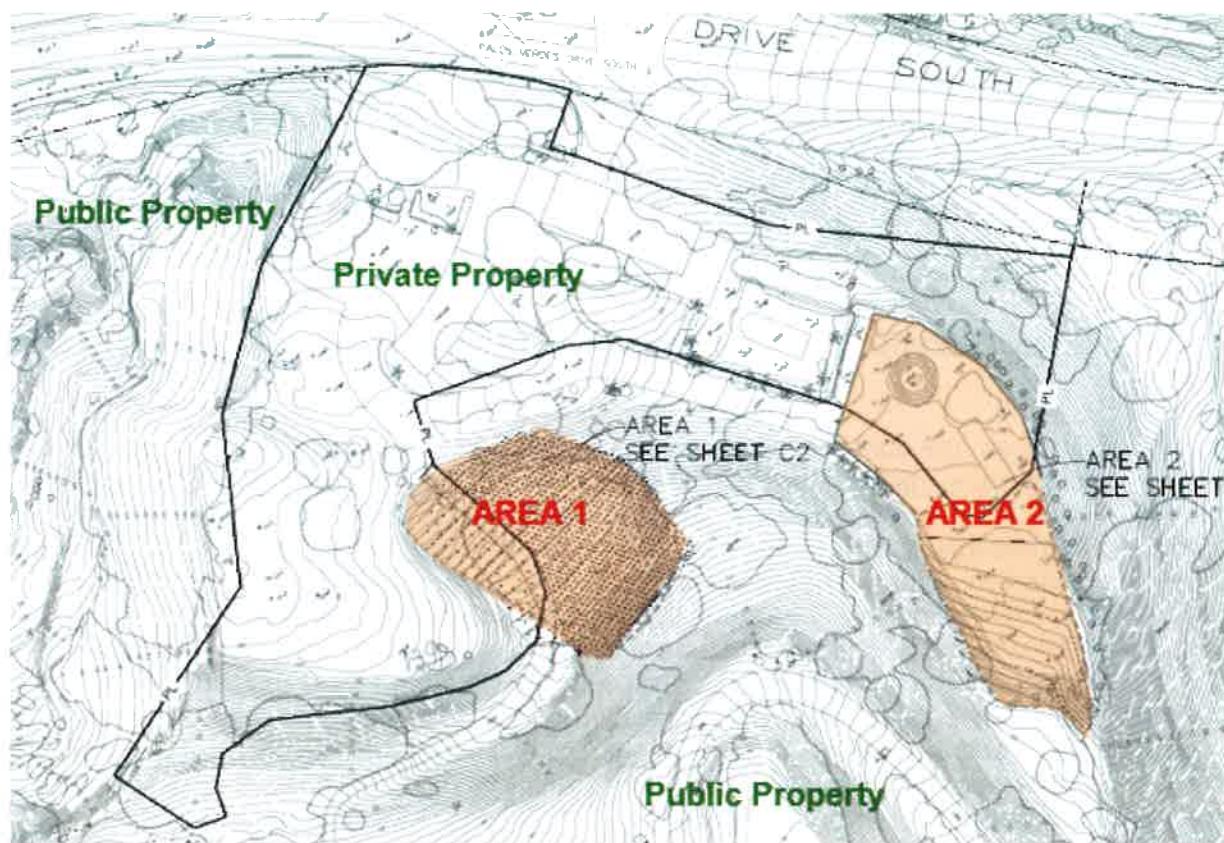
On November 16, 2017, notice of the draft Mitigated Negative Declaration and of the proposed after-the-fact Major Grading Permit and Coastal Development Permit application was sent to all property owners within 500' of the property and appropriate public agencies for a comment period exceeding 20-days, commencing on November 16, 2017 and concluding on December 12, 2017. Additionally, the notice was published on the same day in the *Palos Verdes Peninsula News*. At this time, Staff has not received any comments in response to the public notice.

SITE & PROJECT DESCRIPTION

The 5500 Palos Verdes Drive South (PVDS) property is 2.06-acres in size and consists of the Harden Estate gatehouse, constructed in 1929. The gatehouse measures roughly 6,179 square feet in area, and encompasses two dwelling units separated by a 40' tall entry tower and an attached 5-car garage. The Abalone Cove Reserve is part of the City's Palos Verdes Nature

Preserve, as well as a State-designated Ecological Reserve, and is approximately 64 acres in size. The Preserve provides passive public recreational opportunities and the protection of biological resources per the Council-adopted Natural Communities Conservation Plan (NCCP). Both the 5500 PVDS and the Abalone Cove Reserve is within the Urban Design Overlay Control District (OC-3) and the "Landslide Moratorium Area", as outlined in yellow (Abalone Cove Landslide) on the landslide area map, available on the City's website (<http://www.rpvca.gov/DocumentCenter/Home/View/1480>).

The proposed project requested by the property owners' of 5500 PVDS ("Applicant") is to regrade the contours where unpermitted grading occurred over the subject property (marked as "Private Property" below) and the City-owned Abalone Cove Reserve property (marked as "Public Property" below), as well as to revegetate the habitat removed and damaged at the time the unpermitted grading occurred. Specifically, the Applicant is proposing to regrade two separate areas, Area 1 and Area 2 as shown below:



Area 1 encompasses approximately 13,700ft² in area that traverses private and public property. Area 2 encompasses approximately 18,460ft² in area that traverses private and public property. Both areas consist of downslope topography. The proposed grading will mostly occur on public property and within the same general footprint as where the unpermitted grading occurred.

The Applicant is proposing 844yd³ of grading in Area 1 and 826yd³ in Area 2. As unpermitted fill over the years occurred over both areas, the Applicant is also proposing to over-excavate and re-compact both areas, necessitating 4,744yd³ of additional grading. The maximum depth of cut is 15' and the maximum depth of fill is 14' (includes the height of overexcavation and recompaction). A breakdown of the grading quantity is summarized in the table below.

GRADING AREA	CUT	FILL	TOTAL
Area 1	462	382	844
Area 2	770	56	826
Overexcavation/Recompaction	2372	2372	4,744
			6,414

The existing grades for both Areas 1 and 2 include manufactured pad areas and surrounding slopes that vary in topography, with some portions exceeding a 2:1 gradient. The proposed finished grades will vary with a maximum slope of 2:1 to seamlessly blend in with the surrounding slopes.

CODE CONSIDERATION & ANALYSIS

Major Grading Permit

Pursuant to Municipal Code Section 17.76.040(B), a Major Grading Permit is required for those projects that result in an excavation, fill or combination thereof, in excess of 50yd³ or an excavation of 5' or more below grade. Since a total of 6,414yd³ of grading is proposed over two properties, a Major Grading Permit is required. Furthermore, grading in excess of 1,000 cubic yards is to be reviewed by the Planning Commission at duly noticed public hearing. Municipal Code Section 17.76.040(E) sets forth the criteria (in **bold** type) required for the Planning Commission's consideration of a Major Grading application:

1. The grading does not exceed that which is necessary for the permitted primary use of the lot;

"Use" is defined as "the purpose for which land or buildings are or may be arranged, designed, intended, occupied or maintained (RPVDC §17.96.2180)." The primary use of the subject lot is residential and the City-owned lot is open space for preservation and passive recreational purposes. The request is to correct after-the-fact grading by regrading the unpermitted disturbed areas over a portion of the rear yard of the 5500 PVDS property and the adjacent slopes on the City-owned Preserve property. The area proposed to be regraded was previously disturbed with unpermitted fill prior to the Applicant's current ownership. Based on a visual assessment of the site in comparison to topography maps on file with the City, the City Geologist determined that the unpermitted fill areas are approximately 50' to 150' in width and range between approximately 2' and 25' in depth. From a geotechnical perspective, the previous unpermitted fill is not suitable to support additional fill material, structures or utility lines because of the lack of appropriate compaction. Therefore, the unpermitted fill either needs to be removed or if kept on site, recompacted so that the soil is not be prone to erosion, settlement and potential slope failure. The Applicant has chosen to recompact the existing unpermitted fill for stabilization purposes and to recontour the area so that the finished contours blend in with the existing surrounding slopes. As engineered, the proposed recompaction and recontoured slopes will further stabilize the condition of the site which would benefit the Applicant and the City. Thus, as the previous unpermitted fill is unstable and may become a hazard, Staff believes that the proposed grading to recontour the site is now necessary for the primary use of both the Applicant's lot and the City-owned lot and therefore, this criterion can be met.

2. The proposed grading and/or related construction does not significantly adversely affect the visual relationships with, nor the views from the viewing area of neighboring properties;

The area proposed to be graded will not be visible from the viewing areas of the neighboring properties to the north as the project area is at least 15' lower than the street elevation and screened behind the existing residential and ancillary structures on the Applicant's property. Furthermore, neighboring properties to the west and east are located at least 2,700' and 4,000' respectively, away from the nearest property lines and therefore, the proposed grading area will not be readily visible. South of the proposed grading area is the larger Abalone Cove Reserve and the ocean. As a result, no views from neighboring properties will be adversely impacted by the proposed project and this criterion can be met.

3. The nature of the grading minimizes disturbance to the natural contours and finished contours are reasonably natural;

The proposed grading is to correct past unpermitted fill that may result in erosion, settlement and potential slope failure by over-excavating and recompacting fill material in two separate areas that were previously altered with unpermitted grading. The existing grades for both areas include unnatural manufactured pad areas surrounded by slopes that vary in grade, with some portions exceeding 2:1 gradient. These areas will be recontoured so that the proposed finished grades will vary with a maximum slope of 2:1 to seamlessly blend with the surrounding slopes. Furthermore, the scope of work will occur within the same general footprint as the disturbed area minimizing further impacts to the surrounding slope and area. Conditions are recommended that will require the Applicant to delineate the scope of work area to ensure grading activity does not extend beyond the approved construction area. As a result, Staff believes that this criterion can be met.

4. The grading takes into account the preservation of natural topographic features and appearances by means of land sculpturing so as to blend any man-made or manufactured slope into the natural topography;

As mentioned above, manufactured slopes up to a maximum slope of 2:1 will be created to seamlessly blend the proposed grading areas with the existing surrounding contours. As a result, this criterion can be met.

5. For new single-family residences, the grading and/or related construction is compatible with the immediate neighborhood character;

The proposed grading is not for a new single-family residence and therefore, this criterion does not apply.

6. In new residential tracts, the grading includes provisions for the preservation and introduction of plant materials so as to protect slopes from soil erosion and slippage and minimize the visual effects of grading and construction on hillside areas;

The proposed grading is not for a new residential tract and therefore, this criterion does not apply.

7. The grading utilizes street designs and improvements which serve to minimize grading alternatives and harmonize with the natural contours and character of the hillside;

The proposed project does not involve modifications to streets or other public infrastructure. Therefore, this criterion does not apply.

8. The grading would not cause excessive and unnecessary disturbance of the natural landscape or wildlife habitat through removal of vegetation;

The unpermitted grading resulted in the unauthorized removal of protected habitat from both the 5500 PVDS property and the City-owned Abalone Cove Reserve property. In October 2017, the Palos Verdes Peninsula Land Conservancy (PVPLC), as the City's habitat managers of the Preserve, assessed the disturbed habitat resulting from the unpermitted grading and identified the area of habitat loss as measuring approximately 0.5 acres (0.1 acres on private and 0.4 acres on public property). Pursuant to the 2004 Council-adopted Draft NCCP, the following Mitigation Measure BIO-1 has been added to mitigate for the habitat loss.

Prior to any grading or permit issuance, vegetation previously impacted by the unpermitted grading and vegetation needed to be cleared for fuel modification shall be offset by the property owner using a 2:1 ratio for CSS, a 0.5:1 ratio for non-native grassland, and a 3:1 ratio for native grassland as described in the Council-adopted NCCP for loss occurring in an area greater than 0.3 acres by using one of the following two methods: 1) With the approval of the City, PVPLC, and the Wildlife Agencies, the property owner shall dedicate additional acreage to the Palos Verdes Nature Preserve that will add to the biological function of the Preserve and the property owner shall provide management funding for the additional acreage according to a Property Analysis Record or similar method; or 2) Revegetation of impacted habitat and the payment of a mitigation fee to the City's Habitat Restoration Fund for the remaining mitigation, pursuant to the City's NCCP Subarea Plan. If the revegetation option is selected, the property owner shall prepare a Revegetation Plan for review and approval by the Director of Community Development, and the Palos Verdes Peninsula Land Conservancy (PVPLC) shall be hired by the City, at the property owner's expense, to grow and plant the required vegetation.

With the incorporation of the above mitigation measure, this criterion can be met.

9. The grading conforms to the following standards:

Development Standard	Grading Criteria	Does the Proposed Project meet the standard
a) Grading on slopes over 35% steepness	Permitted on lots created prior to the City's incorporation, not zoned OH, based upon a finding that the grading will not threaten public health, safety and welfare	Yes, lots created prior to City's incorporation, zoned Single-Family Residential and Open Space-Recreational, proposed grading to rectify previously unpermitted grading for stabilization purposes will enhance health, safety and welfare.

Development Standard	Grading Criteria	Does the Proposed Project meet the standard
b) Maximum finished slopes	35% steepness, unless next to a driveway where 67% steepness is permitted	No
c) Maximum depth of cut or fill	Except for the excavation of a basement or cellar, a fill or cut not exceeding 5' depth, unless based upon a finding that unusual topography, soil conditions, previous grading or other circumstances make such grading reasonable and necessary	Yes, maximum 15' of cut to over-excavate and recompact, as well as to remove a portion of the existing unsuitable soil for stabilization purposes.
d) Restricted grading areas	No grading on slopes over 50% steepness	No
e) Retaining walls	One 8'-tall upslope wall (unless in front yard or street side setback)	N/A
	One 3½'-tall downslope wall	N/A
	One 3½'-tall up- or downslope wall in each side yard	N/A
	One 5'-tall up- or downslope wall adjacent to driveway	N/A
	Retaining walls within building footprint may exceed 8'	N/A
f) Driveways	20% maximum slope permitted, with a single 10'-long section up to 22%	N/A
	67% slopes permitted adjacent to driveways	N/A

Based on the table above, the proposed project does not meet standards (b) and (d) because the Applicant is proposing finished slopes greater than 35% steepness and grading on slopes over 50% steepness. However, per Municipal Code Section 17.76.040.E.10, the Planning Commission may grant a grading permit in excess of standards (b) and (d) upon making the following findings:

a) The criteria of subsections 1 through 8 are satisfied;

As evidenced in the above discussions, Major Grading Permit Criterion Nos. 1 through 8 are satisfied and this finding can be made.

b) The approval is consistent with the purposes set forth in the grading section of the Municipal Code (17.76.040.A);

The Municipal Code Section 17.76.040 states that the purpose of the Grading Permit is to promote the public health, safety and general welfare. As discussed in previous discussions, the purpose of the proposed grading over areas in excess of 35% gradient is to rectify the unpermitted fill placed on portions of both the private and the public properties that may be prone to erosion, settlement and potential slope failure. The existing project area includes unnatural manufactured pad areas and slopes that vary in grade, with some portions

exceeding 2:1 gradient. The proposed project involves over-excavation in excess of 5' in maximum depth to place recompacted fill to stabilize the area and create manufactured slopes around the boundary of the unpermitted grading area. The proposed finished grades will vary with a maximum slope of 2:1 to seamlessly blend with the surrounding slopes. Therefore, this finding can be made.

c) Departure from the standards in subsection 9 of this section will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity; and

The proposed project is to correct the previous and the Applicant's unpermitted grading that resulted in unsuitable fill that may be prone to erosion, settlement and potential slope failure. The proposed grading will involve recontouring areas over 35% gradient and the removal and recompaction of the fill material in excess of 5' in depth. While this is not typically permitted for other properties in the vicinity, the purpose of the grading is to stabilize the slopes supporting the unpermitted grading. Given the uniqueness of the matter and safety considerations, the proposed grading over 35% gradient (up to 2:1 proposed) and a cut or fill in excess of 5' in depth is necessary. Therefore, departure from two separate Grading Permit standards will not constitute a grading of special privileges and this finding can be made.

d) Departure from the standards of subsection 9 of this section will not be detrimental to the public safety nor to other property.

Allowing grading over 35% gradient and at increased depths of cut would not be detrimental to public safety nor to other properties because the proposed grading is designed to stabilize the surrounding slopes with compacted fill. The City Geologist and the Building Official will be required to review and approve engineered grading plans prior to grading permit issuance and will be required to conduct inspections throughout the grading process to ensure work is being conducted pursuant to the City-approved engineering plans. Therefore, this finding can be made.

e) Notice of decision shall be given to the applicant and to all owners of property adjacent to the subject property. Notice of denial shall be given to only the applicant.

Based on the Planning Commission's decision, appropriate parties will be notified and therefore, this finding can be made.

Coastal Permit

Pursuant to Municipal Code Section 17.72.090, the approval of a Coastal Permit is required because the project site is located in the appealable area of the City's Coastal Zone. In order to approve a Coastal Permit, the Planning Commission is to make the following two (2) findings:

- 1. The proposed development is consistent with the Coastal Specific Plan.**

The Coastal Specific Plan designation for the project site is Residential ≤ 1 Dwelling Unit/Acre (5500 PVDS property) and Agriculture (City-owned Abalone Cove Reserve), located within an appealable portion of Subregion 5 of the Coastal Specific Plan (CSP) District. The discussion of Subregion 5 in the CSP notes that the Harden Estate gatehouse is the only residential development in the Subregion, and that it "serves as an important component in the Peninsula's

few remaining historical sites." This is reiterated in the Socio-Cultural Element of the CSP, which calls upon the City to "[consider] the implementation of appropriate measures to protect the identified cultural resources" in the City's coastal zone. The CSP further describes the City-owned area to contain natural vegetation (Coastal Sage Scrub).

The proposed project is intended to protect a historical site (i.e. Harden Estate gatehouse) by stabilizing the surrounding slopes through the removal and recompaction of the unpermitted and unsuitable fill that was previously placed on the site and as a result of the Applicant's unpermitted grading. The Applicant will be required, as mitigation to the habitat loss caused by the unpermitted grading, to either dedicate additional acreage to the City's Nature Preserve or revegetate the impacted habitat and pay a mitigation fee. Furthermore, the grading will stabilize the slopes on the City-owned Abalone Cove Reserve protecting the natural resources and passive recreational trails. The proposed grading area will be limited to the previously graded area. Also, the proposed grading area is not located within a visual corridor identified in the Corridors Element of the CSP and therefore, there will be no adverse effects upon a public view from Palos Verdes Drive South. Therefore, Staff believes that this finding can be made.

2. The proposed development, when located between the sea and the first public road, is consistent with applicable public access and recreation policies of the Coastal Act.

The project site is located seaward of the first public road (i.e., Palos Verdes Drive South), it is limited in area and is partially surrounded by the Harden Estate and partially surrounded by Abalone Cove Reserve and Park area. The area of the scope of work will not extend to the mean high-tide line. As such, the property does not provide an opportunity for additional public access to coastal resources than what currently exists on the City-designated trails. By contrast, the surrounding Abalone Cove Reserve and Park area provide extensive and existing opportunities for public access to coastal resources in the form of improved trails, trailheads, public beach access and public off-street parking. The proposed grading will not impact any of the City-designated public trails (based on the Council-adopted Preserve Trails Plan), public beach access or parking. However, an unauthorized trail that leads from the 5500 PVDS property into the City-owned property will be removed and the grades and vegetation will be restored to its original condition. Therefore, Staff believes that this finding can be made.

Urban Appearance Overlay Control District (OC-3)

The Urban Appearance Overlay Control District (OC-3) is established to preserve, protect and maintain land and water areas, structures and other improvements which are of significant value because of them recreational, aesthetic and scenic qualities; preserve, protect and maintain significant views and vistas; ensure that site planning, grading, and landscape techniques will preserve, protect and enhance the visual character of the City; and preserve, protect and maintain significant views of and from slope areas within the community which characterize the City's dominant land form. The proposed grading is designed in a manner that does not adversely impact views, vistas, or the existing visual character of the City. The proposed grading is to correct unpermitted grading by regrading the slopes to improve the stability of the project area. Additionally, the proposed grading is limited to the previously graded area, which will be recontoured to blend in with the existing contours. Lastly, the disturbed and damaged habitat resulting from the unpermitted past grading will be revegetated per the mitigation measures pursuant to the City's NCCP Subarea Plan.

ADDITIONAL INFORMATION

Heritage Museum Conditional Use Permit

On December 9, 2014, the Planning Commission approved a Conditional Use Permit (ZON2014-00332) to convert the existing residence at 5500 PVDS to a public museum. This approval was valid for one-year with an expiration date of December 9, 2015. The Planning Commission's adopted Resolution No. 2014-32 includes a condition that allows the Director of Community Development to approve time extensions. Accordingly, an extension was granted by the Director on February 23, 2016, setting a new expiration date of December 9, 2016. Pursuant to Municipal Code §17.86.070.C, upon a showing of substantial hardship, delays beyond the control of the applicant, or other good cause, the approval may be extended one-time for up to one-year. Accordingly, the Planning Commission granted a 1-year time extension on February 23, 2016, setting a new expiration date of December 9, 2017. The Applicant has yet to meet all of the conditions of approval for the museum project. Should the Commission-approved entitlements expire, Municipal Code §17.86.070.D allows the Director to reissue the entitlement one-time, provided that the following occurs: 1) no changes have been made or will be made to the originally approved plans; 2) the development permit application has not been null and void for more than one year; and 3) a fee of ½ the original application is paid by the Applicant. In other words, the Applicant has until December 9, 2018 to reissue and maintain its Conditional Use Permit entitlements.

Environmental Assessment

In accordance with the provisions of the California Environmental Quality Act (CEQA), Staff prepared an Initial Study of the project's environmental impacts (see attached). A city may prepare a Mitigated Negative Declaration when "(b) The Initial Study identifies potentially significant effects, but: (1) Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed Mitigated Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and (2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment." (14 CCR § 15070.) Based on the Initial Study, Staff identified potentially significant effects on the environment but determined that these significant effects could be avoided with the implementation of mitigation measures on the proposed project. As such, a Mitigated Negative Declaration (MND) was prepared. It should also be noted that a CEQA document, whether it be a Mitigated Negative Declaration or an Environmental Impact Report, is essentially an informational document to assess a project's potential impacts to the surrounding environment and to assist the City's decision makers in rendering a decision on a project.

The MND was circulated for comments to the State Clearinghouse and required public agencies for a period of over 20 days, beginning on November 16, 2017 and concluding on December 12, 2017. No comments have been received to date.

The Initial Study concluded that the proposed project will not significantly impact the natural environment as it relates to aesthetics, agriculture resources, greenhouse gas emissions, hazards & hazardous materials, land use/planning, mineral resources, population/housing, public services, recreation, transportation/traffic, and utilities/service systems in the CEQA guidelines, but it may impact air quality, biological resources, cultural resources, geology/soils, hydrology/water quality, and noise in the community. Staff included a number of mitigation measures to address all potential impacts to less than a significant level. These mitigation

measures are listed in the attached Mitigation Monitoring Program and incorporated into the Conditions of Approval for the proposed project. Therefore, Staff recommends approval and adoption of the MND.

Landslide Moratorium Compliance

The 5500 PVDS property is located within the Abalone Cove Landslide, or “Zone 5” of the City’s Landslide Moratorium Area, as identified in the memorandum from Dr. Perry Ehlig to the Director Public Works on May 26, 1993. Pursuant to Municipal Code §15.20.040(F) (Landslide Moratorium Ordinance), applications for discretionary Planning application may be granted an exception from the development restrictions imposed within the Landslide Moratorium Area for remedial grading to correct problems caused by landslide or to otherwise enhance public safety. As discussed above, the proposed grading is to stabilize, for public safety purposes, the surrounding slopes through the removal and recompaction of the unpermitted and unsuitable fill that was placed on the site over the years. Given that the project’s intent is to enhance public safety by stabilizing the past unpermitted grading, the proposed project is considered remedial and therefore qualifies as an exception for the purposes of the Landslide Moratorium ordinance. It should be noted that a detailed geotechnical report for the proposed project will be required for review and approval prior to any Building or Grading Permit issuance.

Conceptual Trails Plan and Preserve Trails Plan

The Conceptual Trails Plan identifies the Wayfarers Segment of the Palos Verdes Drive Trail (Section 3, Segment C8) as being located within the public right-of-way of Palos Verdes Drive South (PVDS) abutting the 5500 PVDS property. It is noted that the improvement of this trail segment “should be included in any plans for the reconstruction of [Palos Verdes] Drive South.” This is an existing trail, so there are no plans for further improvement proposed as a part of this project. Additionally, the Council-adopted Preserve Trails Plan (PTP) identifies the Olmsted Trails, which is located further south of the proposed project area and will not be impacted by the proposed project.

CONCLUSION

Based on the above discussion, Staff recommends that the Planning Commission 1) adopt Resolution No. 2017-____, certifying a Mitigated Negative Declaration for the proposed project and 2) adopt P.C. Resolution No. 2017-____, approving the requested after-the-fact Major Grading Permit and Coastal Permit to conduct 6,414yd³ of grading with 794yd³ of export to regrade the contours where unpermitted grading occurred over the 5500 Palos Verdes Drive South property and portions of the City-owned Abalone Cove Reserve property, subject to the conditions of approval contained in the attached Exhibit “A”.

ALTERNATIVES

In addition to Staff’s recommendation, the following alternatives are also available for the Planning Commission’s consideration:

1. Deny the after-the-fact Major Grading Permit and Coastal Permit (Case No. ZON2017-00115);
2. Identify any issues of concern with the proposed project, and provide the applicant with direction in modifying the project.

ATTACHMENTS

- P.C. Resolution No. 2017-__ (Mitigated Negative Declaration)
 - Initial Study/Mitigated Negative Declaration
 - Mitigation Monitoring Program
- P.C. Resolution No. 2017-__ (Site Plan Review and Minor Grading Permit)
 - Draft Conditions of Approval
- LSA Associates, Inc. Biological Resources Technical Memorandum
- Palos Verdes Peninsula Land Conservancy Habitat Impact Assessment
- Project Plans

P.C. RESOLUTION NO. 2017-

A RESOLUTION OF PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES CERTIFYING A MITIGATED NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR A MAJOR GRADING PERMIT FOR 6,414YD³ OF AFTER-THE-FACT GRADING WITH 794YD³ OF EXPORT TO REGRADE THE CONTOURS WHERE UNPERMITTED GRADING OCCURRED OVER THE 5500 PALOS VERDES DRIVE SOUTH PROPERTY AND THE CITY-OWNED ABALONE COVE RESERVE PROPERTY (CASE NO. ZON2017-00115).

WHEREAS, on May 13, 2015, during a site visit, City Staff found that grading and vegetation removal of sensitive habitat occurred without City approvals on the subject property at 5500 Palos Verdes Drive South (PVDS) and portions of the City-owned Abalone Cove Reserve property. On the same day, the City's Code Enforcement Division sent a letter to the property owners informing them that the unpermitted activity must cease immediately and to contact City Staff to develop a plan to rectify the situation; and,

WHEREAS, on May 16, 2015, the Code Enforcement Division observed continued unpermitted activity on the subject property and issued the property owners a stop work order; and,

WHEREAS, on June 18, 2015, the Code Enforcement Division sent a letter to the property owners identifying specific actions to remedy the situation including submitting appropriate planning applications to regrade the contours and replant the vegetation. Since then, the property owners have been working with the City to address the unpermitted work including the submittal of a property line survey and a geotechnical report; and,

WHEREAS, on March 24, 2017, the property owners submitted an after-the-fact Grading Permit and Coastal Permit to conduct 6,414yd³ of grading with 794yd³ export to regrade the contours where unpermitted grading occurred over the subject property and the City-owned Abalone Cove Reserve property. After initial review of the submitted application package, Staff deemed the application incomplete due to insufficient information. Subsequently, the property owner submitted additional information and the application was deemed complete on May 8, 2017; and,

WHEREAS, on December 12, 2017, the Planning Commission continued the public hearing to September 26, 2017 to address the requirements of the California Environmental Quality Act; and,

WHEREAS, on November 16, 2017, notice of the draft Mitigated Negative Declaration and the proposed Site Plan Review and Minor Grading Permit was sent to all property owners within 500' of the subject site and appropriate public agencies for a comment period exceeding 20-days, commencing on November 16, 2017 and concluding on December 12, 2017. Additionally, the notice was published on the same day in the *Palos Verdes Peninsula News*. Staff did not receive any comments in response to the public notice; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 et. seq. ("CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 et. seq., the City's Local CEQA

Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the City of Rancho Palos Verdes prepared an Initial Study and determined that there is no substantial evidence that the approval for the Site Plan Review and Minor Grading Permit would result in a significant adverse effect on the environment, provided appropriate mitigation measures are imposed on the project. Thus, a Mitigated Negative Declaration was prepared and notice thereof was given in the manner required by law; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on December 12, 2017, at which time all interested parties were given an opportunity to be heard and present evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

Section 1: The Planning Commission has independently reviewed and considered the proposed Mitigated Negative Declaration, the public comments upon it, and other evidence and finds that the Mitigated Negative Declaration was prepared in the manner required by law, and there is no substantial evidence, provided appropriate mitigation measures are imposed, that the approval of Case No. ZON2017-00115 (Major Grading Permit) would result in a significant adverse effect upon the environment.

Section 2: With the imposition of the following mitigation measures that address impacts upon air quality, biological resources, cultural resources, geology/soils, hydrology/water quality, and noise in the community and as set forth in the Mitigation Monitoring Program, Exhibit "B", which is attached hereto and incorporated herein by this reference, the proposed project's potential significant impacts will be reduced below a level of significance:

- AQ-1. During construction, including grading, excavating, and land clearing, storage piles and unpaved disturbed areas shall be continuously stabilized or covered when material is not being added to or removed from the pile.
- AQ-2. During construction, including grading, excavating, and land clearing, measures shall be taken in areas disturbed to prevent emitting dust and to minimize visible emissions from crossing the boundary line.
- AQ-3. During construction, including grading, excavating, and land clearing, construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off site.
- AQ-4. During construction, including grading, excavating, and land clearing, the Applicant's contractor shall be responsible for minimizing bulk material or other debris from being tracked onto the City's public roadways, and if tracked, the Applicant's contractor shall be responsible for cleaning up the impacted City's public roadways.
- AQ-5. During construction, including grading, excavating, and land clearing, no trucks shall be allowed to transport excavated material off-site unless the trucks are maintained such that no spillage can occur from holes or other openings in cargo compartments, and loads are either: covered with tarps; wetted and loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than 6" from the top and that no point of the load extends above the top of the cargo compartment.

AQ-6. Prior to the issuance of any Grading or Building Permits, the Applicant shall demonstrate to the Director of Community Development's satisfaction that dust generated by grading activities shall comply with the South Coast Air Quality Management District Rule 403 and the City Municipal Code requirements that require regular watering for the control of dust.

AQ-7. During construction, including grading, excavating, and land clearing, all excavating and grading activities shall cease when winds gusts (as instantaneous gusts) exceed 25 mph. To assure compliance with this measure, grading activities are subject to periodic inspections by City staff.

AQ-8. During construction, including grading, excavating, and land clearing, construction equipment shall be kept in proper operating condition, including proper engine tuning and exhaust control systems.

BIO-1. Prior to any grading or permit issuance, vegetation needed to be cleared for fuel modification shall be offset by the property owner using a 2:1 ratio for CSS, a 0.5:1 ratio for non-native grassland, and a 3:1 ratio for native grassland as described in the Council-adopted NCCP for loss occurring in an area greater than 0.3 acres by using one of the following two methods: 1) With the approval of the City, PVPLC, and the Wildlife Agencies, the property owner shall dedicate additional acreage to the Palos Verdes Nature Preserve that will add to the biological function of the Preserve and the property owner shall provide management funding for the additional acreage according to a Property Analysis Record or similar method); or 2) Payment of a mitigation fee to the City's Habitat Restoration Fund, pursuant to the City's NCCP Subarea Plan. If the revegetation option is selected, the Palos Verdes Peninsula Land Conservancy (PVPLC) shall be hired by the City, at the property owner's expense, to grow and plant the required vegetation.

BIO-2. Prior to commencing construction, the construction area shall be clearly delineated with fencing or other boundary markers. Temporary fencing (with silt barriers) shall be installed at the limits of Project impacts to prevent habitat impacts and prevent the spread of silt from the construction zone into adjacent habitats (i.e. Altamira Canyon). Fencing shall be installed in a manner that does not affect adjacent habitats to be avoided and in compliance with Section 17.56.020.C of the RPVMC.

BIO-3. Prior to commencing construction, a pre-grading meeting shall occur to inform the construction contractor of the biological/jurisdictional constraints (Altamira Canyon) of this Project. The Project limits shall be clearly marked on Project maps provided to the construction contractor and areas outside of the Project limits shall be designated as "no construction" zones.

BIO-4. During construction, construction workers shall strictly limit their activities, vehicles, equipment, and construction materials to the designated construction limits.

BIO-5. During construction, all equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall occur in designated areas within the fenced Project limits. These designated areas shall be located in previously compacted and disturbed areas, in such a manner to prevent runoff into adjacent areas and shall be shown on the construction plans. Fueling of equipment shall take place on level

surfaces and contractor equipment shall be checked daily for leaks prior to operation and repaired as necessary.

- BIO-6. During construction, the construction work zone shall be kept as clean of debris as possible to avoid attracting predators of native and sensitive wildlife. All food-related trash items shall be enclosed in sealed containers and removed daily from the construction work zone.
- BIO-7. In order to avoid unnecessary impacts, should any non-listed species be found within the property, they shall be avoided and allowed to leave the Project site on their own volition, or a qualified biologist shall relocate them outside of the Project site.
- BIO-8. Pets of project personnel shall not be allowed on the Project site during construction.
- BIO-9. Prior to any grading or building permit issuance, a qualified biologist shall review the landscape plans to ensure that no invasive, non-native plant species are used in any proposed landscaping. The Landscape Plan shall include a plant palette that consists of native plants and non-invasive species.
- BIO-10. Prior to commencing construction, a Stormwater Pollution Prevention Plan (SWPPP) shall be prepared to reduce the potential for accidental releases of fuel, pesticides, and other materials. This plan shall outline refueling locations, emergency response procedures, and reporting requirements. During construction, equipment for immediate cleanup shall be kept at the staging area. This plan shall also include erosion control measures to control surface runoff, erosion, and sedimentation outside of the project footprints.
- BIO-11. A qualified biologist shall monitor construction during clearing, grubbing, and initial excavation activities, as needed. The biological monitor shall ensure that, if present, nesting birds in the Project vicinity are not impacted (change in normal behaviors) and that construction workers stay within the designated footprint of the construction work zone, as delineated by fencing, to avoid trespass on foot or in vehicles into sensitive habitats, such as Altamira Canyon along the eastern perimeter of the Project site.
- BIO-12. The clearance of vegetation during construction shall occur outside of the nesting season (generally February 1 through September 1). If avoiding the nesting season is not practicable, the following additional measures shall be employed:

A pre-construction nesting survey shall be conducted by a qualified biologist within 3 days prior to the start of construction activities to determine whether active nests are present within or directly adjacent to the construction zone. All nests found shall be recorded.

If construction activities must occur within 300 feet of an active nest of any passerine bird or within 500 feet of an active nest of any raptor, with the exception of an emergency, a qualified biologist shall monitor the nest on a weekly basis, and the construction activity shall be postponed until the biologist determines that the nest is no longer active.

If the recommended nest avoidance zone is not feasible, the qualified biologist shall determine whether an exception is possible and obtain concurrence from the resource agencies before construction work can resume within the avoidance buffer zone. All work

shall cease within the avoidance buffer zone until either agency concurrence is obtained or the biologist determines that the adults and young are no longer reliant on the nest site.

CUL-1. Prior to the issuance of any grading or building permit, the Applicant shall consult with the South Central Coastal Information Center (SCCIC) regarding any known archaeological sites on or within a half-mile radius of the subject property.

CUL-2. Prior to the issuance of any grading or building permit, the Applicant shall conduct a Phase 1 archaeological survey of the property for approval by the Director of Community Development.

CUL-3. Prior to the commencement of grading, the Applicant shall retain a qualified paleontologist and archeologist to monitor grading and excavation. In the event undetected buried cultural resources are encountered during grading and excavation, work shall be halted or diverted from the resource area and the archeologist and/or paleontologist shall evaluate the remains and propose appropriate mitigation measures.

GEO-1. Prior to issuance of any building or grading permit, the Applicant shall submit any information required by the City Geologist, including a soils report, and/or a geotechnical report, for the review and approval of the City Geologist. The Applicant shall comply with any requirements imposed by the City Geologist and shall substantially repair the geologic conditions to the satisfaction of the City Geologist.

GEO-2. Prior to issuance of any building or grading permit, a Hold Harmless Agreement, satisfactory to the City Attorney promising to defend, indemnify, and hold the City harmless from any claims or damages resulting from the requested project, shall be submitted to the Director of Community Development for recordation with the Los Angeles County Recorders Office.

GEO-3. Prior to issuance of any building or grading permit, the Applicant shall submit for recordation a covenant, satisfactory to the City Attorney, agreeing to construct the project strictly in accordance with the approved plans; and agreeing to prohibit further projects on the subject site without first filing an application with the Director. Such covenant shall be submitted to the Director of Community Development for recordation with the Los Angeles County Recorders Office.

GEO-4. Prior to issuance of any grading or building permit, the Applicant shall prepare an erosion control plan for the review and approval of the Building Official. The Applicant shall be responsible for continuous and effective implementation of the erosion control plan during project construction.

HAZ-1. Prior to issuance of a building permit, the new single-family residences and related accessory structures shall be designed to incorporate all applicable fire protection requirements of the City's most recently adopted Building Code, to the satisfaction of the Building Official.

HYD-1. Prior to the issuance of a grading and/or building permit, the Applicant shall submit for review and approval by the City's Building Official an Erosion Control Plan that shall include BMPs for erosion, sedimentation and run-off control during construction activities

to protect the water quality. Additionally, the Erosion Control Plan shall include post-construction BMPs that apply to runoff from the future buildings, including roof run-off.

HYD-2. Prior to the issuance of a grading and/or building permit for new construction, the Applicant shall submit and obtain approval of a Drainage Plan by the City's Building & Safety Division and the City's Director of Public Works finding that stormwater runoff as a result from the development of the subject site is designed to flow and utilize an on-site drainage system that directs runoff from all buildings and structures on the site shall be contained and directed to the streets or an approved drainage course. If lot drainage deficiencies are identified by the Director of Public Works, all such deficiencies shall be corrected by the Applicant.

HYD-3. All landscaping irrigation systems shall be part of a water management system approved by the Director of Public Works. Irrigation for landscaping shall be permitted only as necessary to maintain the yard and garden.

- N-1. Permitted hours and days for construction activity are 7:00 AM to 6:00 PM, Monday through Friday, 9:00AM to 5:00PM on Saturday, with no construction activity permitted on Sundays or on the legal holidays specified in Section 17.96.920 of the Rancho Palos Verdes Development Code. During demolition, construction and/or grading operations, trucks shall not park, queue and/or idle at the project site or in the adjoining street rights-of-way before 7AM Monday through Friday and before 9AM on Saturday, in accordance with the permitted hours of construction stated in this condition. When feasible to do so, the construction contractor shall provide staging areas on-site to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between staging activities and neighboring properties, subject to approval by the building official.
- N-2. The project shall utilize construction equipment equipped with standard noise insulating features during construction to reduce source noise levels.
- N-3. All project construction equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts is generated during construction.

UTL-1. Pursuant to the City-approved Landslide Moratorium Exception Permit (ZON2016-00170) issued on October 30, 2017, prior to the issuance of any grading or building permit for the project the sewer lateral that serves the Applicant's property shall be inspected by the Public Works Department to verify that there are no cracks, breaks or leaks. If such deficiencies are present, the sewer lateral shall be repaired or reconstructed to eliminate them prior to any grading or building permit issuance.

Section 3: For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes and other records of proceedings, the Planning Commission of the City of Rancho Palos Verdes hereby adopts P.C. Resolution No 2017-_____, determining that the project as conditioned and mitigated will not have a significant adverse impact on the environment and also finds that the preparation of the Mitigated Negative Declaration attached hereto complies with CEQA. Therefore, the Planning Commission hereby adopts the Mitigated Negative Declaration, which is attached hereto as Exhibit "A" and Mitigation Monitoring Program, which is attached hereto as Exhibit 'B' and incorporated herein by this reference, making certain environmental findings to allow 6,414yd³ of grading with

794yd³ of export to regrade the contours where unpermitted grading occurred over the 5500 Palos Verdes Drive South property and portions of the City-owned Abalone Cove Reserve property, subject to the conditions of approval contained in the attached Exhibit "A" (Case No. ZON2017-00115).

PASSED, APPROVED AND ADOPTED this 12th day of December 2017, by the following vote:

AYES:

NOES:

ABSTENTIONS:

RECUSALS:

ABSENT:

William James,
Vice Chairman

Ara Mihranian, AICP
Director of Community Development and
Secretary of the Planning Commission

City of Rancho Palos Verdes ENVIRONMENTAL CHECKLIST FORM



1. Project title:

After-the-fact Major Grading Permit and Coastal Development Permit (ZON2017-00115)

2. Lead agency name/ address:

City of Rancho Palos Verdes
Community Development Department
30940 Hawthorne Boulevard
Rancho Palos Verdes, CA 90275

3. Contact person and phone number:

So Kim, Deputy Director/Planning Manager
City of Rancho Palos Verdes
(310) 544-5222

4. Project location:

5500 Palos Verdes Drive South and Abalone Cove Reserve
City of Rancho Palos Verdes
County of Los Angeles

5. Project sponsor's name and address:

Allen & Charlotte Ginsburg
3046 Crownview Drive
Rancho Palos Verdes, CA 90275

6. General Plan designation:

Residential (<1 du/acre) & Natural Environment/Hazard

7. Coastal Plan designation:

Coastal Zone, Subregion 5

8. Zoning:

Single-Family Residential District (RS-1), Open Space-Recreational (OR) and Urban Design Overlay Control District (OC-3)

9. Description of project:

The proposed project involves 6,414yd³ of grading (3,604yd³ of cut and 2,810yd³ of fill) with 794yd³ of export to regrade the contours where unpermitted grading occurred over portions of a private property (5500 PVDS) and the City-owned Abalone Cove Reserve property. The proposed grading will occur on both sides of the shared property line, disturbing approximately 32,100ft² of total area.

10. Description of project site (as it currently exists):

The 5500 Palos Verdes Drive South project site is 2.06-acres in size and developed with two dwelling units totaling 6,179ft² in size and an attached 5-car garage. The Abalone Cove Reserve property is part of the City's Palos Verdes Nature Preserve and is approximately

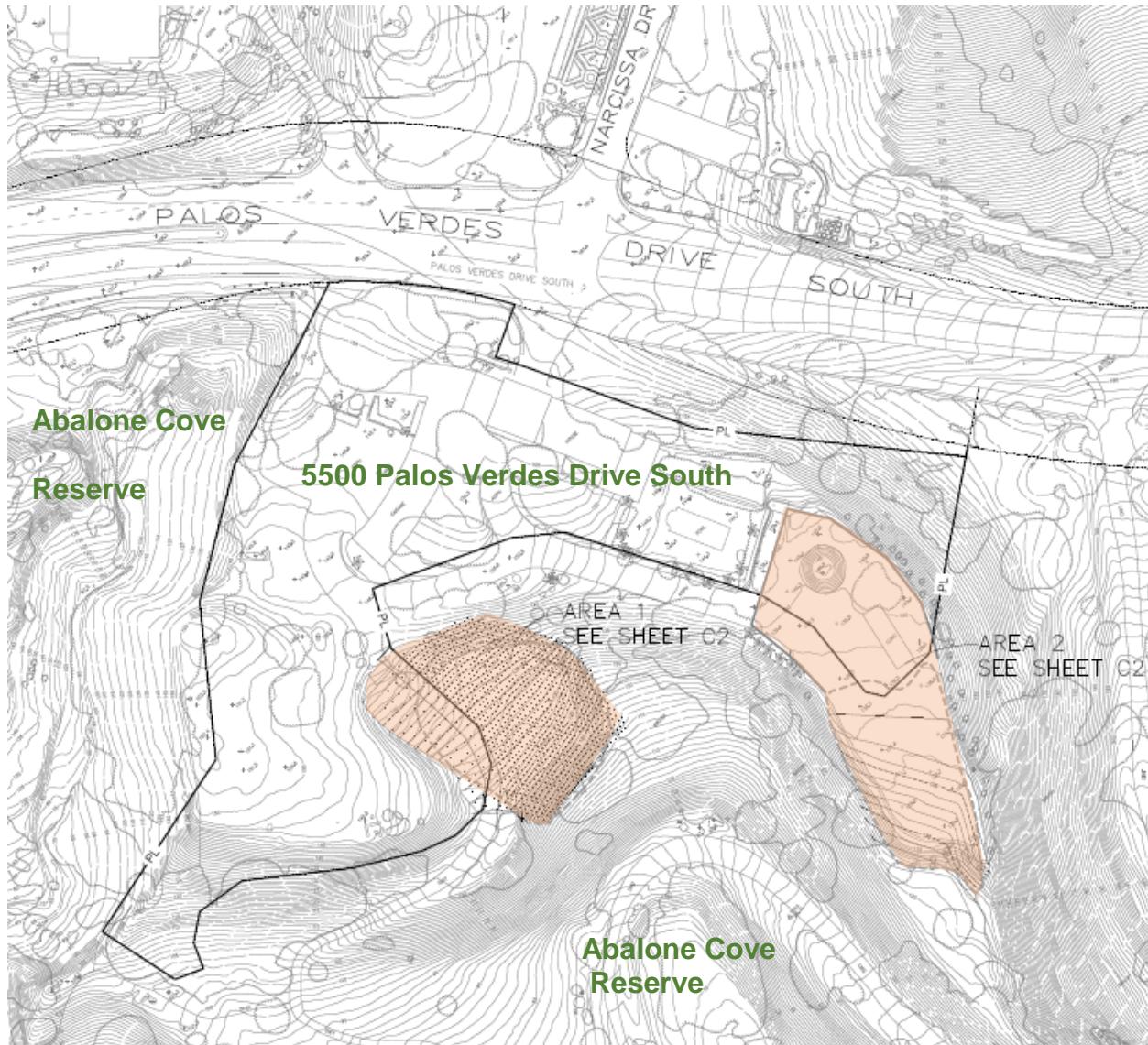
110 acres in size. The Preserve provides passive public recreational opportunities and the protection of biological resources.

11. Surrounding land uses and setting:

	Land Uses	Significant Features
Project Area	Privately-owned Single-family residential and Abalone Cove Reserve	The private property has a building pad with descending slopes to the east and west, improved with residential development. Abalone Cove Reserve is a public park by the ocean featuring two beaches, trails, caves, and picnic areas.
East, West, and South	City-owned Abalone Cove Reserve	Public park by the ocean featuring two beaches, trails, caves, and picnic areas.
North	Single-family residential	These residential properties are located with the City's designated Portuguese Bend Landslide Moratorium Area.

12. Other public agencies whose approval is required:

Figure 1
Grading Plan for portions of 5500 PVDS and Abalone Cove Reserve



Environmental Checklist
Case No. ZON2017-00115

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"/> Agricultural 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:

On the basis of this initial evaluation:

I find that the 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 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 on the proposed project, nothing further is required.

Signature: _____ Date: November 16, 2017

Printed Name: So Kim, Deputy Director/Plng Manager For: City of Rancho Palos Verdes

EVALUATION OF ENVIRONMENTAL IMPACTS:

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:					
a) Have a substantial effect on a scenic vista?	1				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historical buildings, within a state scenic highway?	1		X		
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	1, 9		X		
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	9				X
Comments:					
a) The proposed project area does not fall within any scenic vista identified in the City's General Plan. Therefore, there would be no impact caused by the proposed project.					
b) The existing residential development at 5500 PVDS is better known as the Harden Estate, which is identified as a historical resource in the City. It is the oldest remaining structures in the City, designed by architect Gordon Kaufmann and the landscape by Frederick Olmstead. The proposed project will not impact or alter the Harden Estate with exception to two separate areas below the building pad area along the south property line. The proposed grading area was previously altered without City approvals by the property owner to increase future parking areas. As a result of the past unpermitted grading, 21,780ft ² of protected habitat was impacted. With the mitigation measured recommended under the Biological Resources Sections of this Initial Study, the proposed project would cause less than significant impact.					
c) Unpermitted grading occurred in the past on portions of the private property and the City's Abalone Cove Reserve that degraded the aesthetic visual character by disturbing natural slopes and existing mature vegetation. The proposed project involves restoring the site contours by regrading and recontouring unpermitted graded slopes. The finished contours will not impact the visual character of the site or its surroundings as the grading occurs on descending slopes below the building pad area of the 5500 PVDS. Additionally, the unpermitted past grading area will be recompacted and excess fill will be exported off site. As such, the unsuitable fill existing on site will be removed and the proposed grading will re-stabilize the immediate area. The finished contours will appear more natural and blend in with the surrounding contours. By implementing and adhering to avoidance and minimization measures recommended under the Biological Resources and Hydrology Sections of this Initial Study, the proposed project would cause less than significant impact.					
d) The proposed project does not introduce new light sources that may affect day or nighttime views. Therefore, there would be no impact caused by the proposed project.					
II. AGRICULTURE RESOURCES. Would the project:					
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 Resource Agency, to non-agricultural use?	1, 2, 7				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	1, 2, 7				X

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g))?	1, 2, 7				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?	1, 2, 7				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	1, 2, 7				X
Comments:					
a-e) The project site includes portions of a private property with an existing land use of single-family residential and City-owned property that is part of the Abalone Cove Preserve, a sub-area of the Palos Verdes Nature Preserve. Neither property is zoned for agriculture or forestry use. Additionally, the project site does not include any farmland, forest land, or timberland and therefore, not in conflict with the Williamson Act. Therefore, there would be no impact caused by the proposed project.					
III. AIR QUALITY. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	3		X		
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	3		X		
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	3		X		
d) Expose sensitive receptors to substantial pollutant concentrations?	3		X		

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create objectionable odors affecting a substantial number of people?	1, 2				X
Comments:					
a-d) The project area is located within the South Coast Air Basin, which is an area of non-attainment for Federal air quality standards for ozone (O ₃), carbon monoxide (CO), and suspended particulate matter (PM ¹⁰ and PM ^{2.5}). The proposed movement of soil and the operation of construction equipment may have the potential to create short-term construction-related air quality impacts upon nearby sensitive receptors, such as single-family residences and federally and state protected species, such as the California gnatcatcher. Based upon the South Coast Air Quality Management District (SCAQMD) guidelines for estimating air quality impacts from construction activities, the project area of less than 1-acre would not exceed Localized Significance Thresholds (LSTs) for nitrous oxides (NO _x), CO, PM ¹⁰ or PM ^{2.5} . With the incorporation of the following mitigation measures, the proposed project would cause less than significant impacts:					
AQ-1: During construction, including grading, excavating, and land clearing, storage piles and unpaved disturbed areas shall be continuously stabilized or covered when material is not being added to or removed from the pile.					
AQ-2: During construction, including grading, excavating, and land clearing, measures should be taken to prevent emitting dust and to minimize visible emissions from crossing the boundary line.					
AQ-3: During construction, including grading, excavating, and land clearing, construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off site.					
AQ-4: During construction, including grading, excavating, and land clearing, the Applicant shall be responsible for minimizing bulk material or other debris from being tracked onto the City's public roadways, and if tracked, the Applicant's contractor shall be responsible for cleaning up the impacted City's public roadways.					
AQ-5: During construction, including grading, excavating, and land clearing, no trucks shall be allowed to transport excavated material off-site unless the trucks are maintained such that no spillage can occur from holes or other openings in cargo compartments, and loads are either: covered with tarps; wetted and loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than 6" from the top and that no point of the load extends above the top of the cargo compartment.					
AQ-6: Prior to the Building/Grading Permit issuance, the Applicant shall demonstrate to the Director of Community Development's satisfaction that dust generated by grading activities shall comply with the South Coast Air Quality Management District Rule 403 and the City Municipal Code requirements that require regular watering for the control of dust.					
AQ-7: During construction, including grading, excavating, and land clearing, all excavating and grading activities shall cease when winds gusts (as instantaneous gusts) exceed 25 mph. To assure compliance with this measure, grading activities are subject to periodic inspections by City staff.					
AQ-8: During construction, including grading, excavating, and land clearing, construction equipment shall be kept in proper operating condition, including proper engine tuning and exhaust control systems.					
e) The zoning of the subject lot does not permit industrial or commercial uses. Therefore, no objectionable odors are expected to be generated as a result of the proposed project.					
IV. BIOLOGICAL RESOURCES. Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status	6, 7, 13, 14		X		

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?					
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	6, 7, 13, 14		X		
c) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means?	6, 7, 13, 14				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	6, 7, 13, 14		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?	6, 7, 13, 14		X		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	6, 7, 13, 14		X		
Comments:					
a, b, e, f) Portions of the project site within the Abalone Cove Reserve are within the designated Natural Communities Conservation Planning (NCCP) Subarea Plan Reserve Area, also known as a sub-area of the Palos Verdes Nature Preserve (Preserve). The Palos Verdes Peninsula Land Conservancy (PVPLC), the City's land manager for the Preserve, at the request of the City conducted field surveys and reviewed historical aerial imagery and determined that 0.5 acres of Coastal Sage Scrub (CSS) was impacted by the unpermitted grading. Specifically, this disturbance includes 0.4 acres within the Abalone Cove Reserve and 0.1 acres on private property (5500 PVDS). This 0.5 acres of impact is considered significant. However, by implementing the guidelines in the NCCP Subarea Plan, as provided in Mitigation Measure BIO-1 below, the direct impacts to CSS would be compensated and therefore, considered less than significant.					
BIO-1 Prior to the Building/Grading Permit issuance, vegetation previously impacted by the unpermitted grading and vegetation needed to be cleared for fuel modification shall be offset by the property owner using a 2:1 ratio for CSS, a 0.5:1 ratio for non-native grassland, and a 3:1 ratio for native grassland as described in the Council-adopted NCCP for loss occurring in an area greater than 0.3 acres by using one of the following two methods: 1) With the approval of the City, PVPLC, and the Wildlife Agencies, the property owner shall dedicate additional acreage to the Palos Verdes Nature Preserve that will add to the biological function of the Preserve					

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
BIO-11 The clearance of vegetation during construction shall occur outside of the nesting season (generally February 1 through September 1). If avoiding the nesting season is not practicable, the following additional measures shall be employed:					
<ul style="list-style-type: none"> • A pre-construction nesting survey shall be conducted by a qualified biologist within 3 days prior to the start of construction activities to determine whether active nests are present within or directly adjacent to the construction zone. All nests found shall be recorded. • If construction activities must occur within 300 feet of an active nest of any passerine bird or within 500 feet of an active nest of any raptor, with the exception of an emergency, a qualified biologist shall monitor the nest on a weekly basis, and the construction activity shall be postponed until the biologist determines that the nest is no longer active. • If the recommended nest avoidance zone is not feasible, the qualified biologist shall determine whether an exception is possible and obtain concurrence from the resource agencies before construction work can resume within the avoidance buffer zone. All work shall cease within the avoidance buffer zone until either agency concurrence is obtained or the biologist determines that the adults and young are no longer reliant on the nest site. <p>c) Altamira Canyon is an ephemeral stream that occurs along the northwestern perimeter of the subject site and receives protection under the Clean Water Act and California Fish and Game Code. The limits of ground disturbance as a result of the proposed project will be over 100' away from the top of the stream bank. As a result, permits from regulatory agencies for impacts to waters pursuant to CWA Section 404, and waters of the State pursuant to CFGC Sections 1600-1670 are not required.</p> <p>d) The subject site represents a small area and is primarily composed of non-native species that are generally unsuitable to support wildlife movement. Additionally, indirect effects of construction on wildlife movement would be temporary in nature, restricted to the project construction time period. Furthermore, implementation of Mitigation Measures BIO-2 through BIO-10 above would ensure impacts to a wildlife movement corridor are less than significant.</p>					
V. CULTURAL RESOURCES. Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	1				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	1, 5		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	1, 5		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?	1, 5		X		
Comments:					
<p>a) Harden Estate located at 5500 PVDS is identified as a major historical resource in the City's General Plan. The regrading is proposed to occur in an undeveloped portion of the subject property in order to recontour and stabilize the site. Therefore, there would be no impacts to the Harden Estate caused by the proposed project.</p> <p>b-d) According to the City's Archaeology Map, the project area is identified as a probable area of archaeological resources. The General Plan describes that there are locations along the coastline where the Gabrielinos had established campsites for many years and also a few locations indicating trade centers. For these reasons, the coastal area is generally considered as "archaeologically sensitive". While the proposed project is to recontour previously</p>					

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
altered area, to ensure that the proposed project would cause less than significant impacts to cultural resources, the following mitigation measures will be incorporated:					
<p>CUL-1 Prior to the Building/Grading Permit issuance, the Applicant shall consult with the South Central Coastal Information Center (SCCIC) regarding any known archaeological sites on or within a half-mile radius of the subject property.</p> <p>CUL-2 Prior to the Building/Grading Permit issuance, the Applicant shall conduct a Phase 1 archaeological survey of the property for approval by the Director of Community Development.</p> <p>CUL-3 Prior to the commencement of grading, the Applicant shall retain a qualified paleontologist and archeologist to monitor grading and excavation. In the event undetected buried cultural resources are encountered during grading and excavation, work shall be halted or diverted from the resource area and the archeologist and/or paleontologist shall evaluate the remains and propose appropriate mitigation measures.</p>					
VI. GEOLOGY/SOILS. Would the project:					
a) 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?	4		X		
ii) Strong seismic ground shaking?	4		X		
iii) Seismic-related ground failure, including liquefaction?	4		X		
iv) Landslides?	4		X		
b) Result in substantial soil erosion or the loss of topsoil?	4		X		
c) Be located on a geological 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?	4		X		
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), thus creating substantial risks to life or property?	4		X		
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?	4, 7				X
Comments:					

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>a, c-d) On October 20, 2016, the City Geologist reviewed the proposed project and required additional input during the Building & Safety plan check process. According to the Official Maps of Seismic Hazard Zones provided by the State of California Department of Conservation, the subject lot is located within an area that is potentially subject to earthquake-induced landslides. Cabrillo Fault dissects the City from the northwest border to the east and the Palos Verdes fault runs in the same direction, but outside of the City borders. The project site is located at the southwestern edge of the City and there is no evidence of active faulting on the subject site. The soils of the Palos Verdes Peninsula are also generally known to be expansive and occasionally unstable. Given the known and presumed soils conditions in and around the subject site, it is expected that soil investigations, reviewed and approved by the City's geotechnical consultant, will be required prior to construction. With the incorporation of the following mitigation measures, the proposed project would cause less than significant impacts:</p> <p>GEO-1 Prior to the Building/Grading Permit issuance, the Applicant shall submit any information required by the City Geologist, including a soils report, and/or a geotechnical report, for the review and approval of the City Geologist. The Applicant shall comply with any requirements imposed by the City Geologist and shall substantially repair the geologic conditions to the satisfaction of the City Geologist.</p> <p>GEO-2 Prior to the Building/Grading Permit issuance, a Hold Harmless Agreement, satisfactory to the City Attorney, promising to defend, indemnify, and hold the City harmless from any claims or damages resulting from the requested project, shall be submitted to the Director of Community Development for recordation with the Los Angeles County Recorders Office.</p> <p>GEO-3 Prior to the Building/Grading Permit issuance, the Applicant shall submit for recordation a covenant, satisfactory to the City Attorney, agreeing to construct the project strictly in accordance with the approved plans; and agreeing to prohibit further projects on the subject site without first filing an application with the Planning Division of the Community Development Department. Such covenant shall be submitted to the Director of Community Development for recordation with the Los Angeles County Recorders Office prior to any grading permit issuance.</p> <p>b) It is the City's standard practice to require the preparation and implementation of an erosion control plan for wind- and waterborne soil for projects. With the incorporation of the following mitigation measures, the proposed project would cause less than significant impacts:</p> <p>GEO-4 Prior to the Building/Grading Permit issuance, the Applicant shall prepare an erosion control plan for the review and approval of the Building Official. The Applicant shall be responsible for continuous and effective implementation of the erosion control plan during project construction.</p> <p>e) The proposed project involves regrading over previously altered area for stabilization purposes and does not include new structures. Therefore, there will be no impacts.</p>					
VII. GREENHOUSE GAS EMISSIONS. Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	16				X
b) Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	16				X
Comments:					
a-b) The United States Environmental Protection Agency explains that the primary sources of greenhouse gas emissions are electricity production, transportation, industry, commercial/residential, agriculture, and land use and					

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
forestry. The proposed project involves grading to recontour and stabilize a undeveloped area of the project site and therefore will not have any impacts to greenhouse gases or related policies.					
VIII. HAZARDS & HAZARDOUS MATERIALS. Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?					X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?					X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	7				X
d) Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	11				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	7				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	7				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	12				X
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	7				X
Comments:					
a-b) No hazardous materials or conditions are known or expected to exist on the subject property. The proposed grading will utilize conventional methods will not involve the use or transport of hazardous materials. Therefore, there would be					

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>no impacts caused by the proposed project.</p> <p>c) The nearest school in the vicinity of the subject property is the Portuguese Bend Nursery School at Abalone Cove. At its closest point, the subject property is over 1,200' away from the nursery school. Therefore, there would be no impact caused by the proposed project.</p> <p>d) The subject lot is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, there would be no impact caused by the proposed project.</p> <p>e-f) The subject lot is not located within 2 miles of Torrance Municipal Airport or in the vicinity of any private airstrip. Therefore, there would be no impact caused by the proposed project.</p> <p>g) In 2014, the cities of Rancho Palos Verdes and Rolling Hills Estates adopted a Joint Natural Hazards Mitigation Plan (JNHMP). The purpose of the JNHMP is "to promote sound public policy designed to protect citizens, critical facilities, infrastructure, private property, and the environment from natural hazards." The proposed project is to recontour and stabilize areas that contain unsuitable fill as a result of past unpermitted grading. The finished project will reinforce the slope and the improvements beyond. Therefore, the proposed project would be consistent and not interfere with adopted emergency response or evacuation plan. Therefore, there would be no impacts caused by the proposed project.</p> <p>h) Based upon the most recent maps prepared by the California Department of Forestry and Fire Protection (CalFire), the entire Palos Verdes Peninsula is within a Very High Fire Hazard Severity Zone. The project site is located partially on a private residential property and the City's Abalone Cove Reserve, surrounded by open space to the east, south and west, with an arterial street (Palos Verdes Drive South) to the north. As the proposed project involves regrading an area that is unimproved and that was previously disturbed through unpermitted grading, there will be no impacts to increased or exposed risks to people or structures.</p>					
IX. HYDROLOGY/WATER QUALITY. Would the project:					
a) Violate any water quality standards or wastewater discharge requirements?	9		X		
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 (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)?	9				X
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?	7		X		
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 that would result in flooding on- or off-site?	9		X		
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems	9		X		

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
or provide substantial additional sources of polluted runoff?					
f) Otherwise substantially degrade water quality?	9		X		
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?	9				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	9				X
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?	7				X
j) Inundation by seiche, tsunami, or mudflow?	7				X

Comments:

a, c-f) While the proposed project will not result in changes to the current drainage patterns of the area as the finished grades will be relatively the same as what exists, there may be potential for erosion and run-off during construction. With the incorporation of the following mitigation measures, the proposed project would cause less than significant impacts:

HYD-1 Prior to the Building/Grading Permit issuance, the Applicant shall submit for review and approval by the City's Building Official an Erosion Control Plan that shall include BMPs for erosion, sedimentation and run-off control during construction activities to protect the water quality.

HYD-2 Prior to the Building/Grading Permit issuance, the Applicant shall submit and obtain approval of a Drainage Plan by the City's Building & Safety Division and the City's Public Works Director. If lot drainage deficiencies are identified by the Public Works Director, all such deficiencies shall be corrected by the Applicant.

b) The proposed project involves regrading of a previous graded vacant area. Therefore, there would no impact caused by the proposed project.

g-h) The proposed project does not involve structures. Therefore, there would be no impact caused by the proposed project.

i) There is no dam or levee anywhere in the vicinity of the subject lot. Therefore, there would be no impact caused by the proposed project.

j) The lowest elevation of the project area is at least 110' above mean sea level (MSL). Therefore, there would be less no impact caused by the proposed project.

X. LAND USE/PLANNING. Would the project:

a) Physically divide an established community?	1, 2, 7				X
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 plan, or zoning ordinance) adopted for the	1, 2, 7				X

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
purpose of avoiding or mitigating an environmental effect?					
c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?	6, 7, 13, 14		X		
Comments:					
<p>a) The proposed project involves regrading over a previously graded vacant area. Therefore, there would be no impact caused by the proposed project.</p> <p>b-c) See Section IV, Biological Resources section above.</p>					
XI. MINERAL RESOURCES. Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	1				X
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?	1				X
Comments:					
<p>a-b) There are no mineral resources known or expected to exist on the project area. Therefore, there would be no impact caused by the proposed project.</p>					
XII. NOISE. Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	1		X		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X		
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X		
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels?	7				X

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact					
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	7				X					
Comments:										
a) The proposed project area includes and is surrounded by City-owned open space area (Abalone Cove Reserve) and the closest residential properties are at least 100' away, across an arterial street (Palos Verdes Drive South) to the north. Nevertheless, the proposed grading operation may have the potential to create short-term construction-related noise and vibration impacts to those residential properties across Palos Verdes Drive South. With the incorporation of the following mitigation measure, the proposed project would cause less than significant impacts:										
N-1	Permitted hours and days for construction activity are 7:00 AM to 6:00 PM, Monday through Friday, 9:00AM to 5:00PM on Saturday, with no construction activity permitted on Sundays or on the legal holidays specified in Section 17.96.920 of the Rancho Palos Verdes Development Code. During demolition, construction and/or grading operations, trucks shall not park, queue and/or idle at the project site or in the adjoining street rights-of-way before 7:00 AM Monday through Friday and before 9:00 AM on Saturday, in accordance with the permitted hours of construction stated in this condition. When feasible to do so, the construction contractor shall provide staging areas on-site to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between staging activities and neighboring properties, subject to approval by the building official.									
N-2:	The project shall utilize construction equipment equipped with standard noise insulating features during construction to reduce source noise levels.									
N-3:	All project construction equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts is generated during construction.									
e-f) The subject lot is not located within 2 miles of Torrance Municipal Airport or in the vicinity of any private airstrip. Therefore, there would be no impact caused by the proposed project.										
XIII. POPULATION/HOUSING. Would the project:										
a) Induce substantial growth in an area either directly (e.g., by proposing new homes or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	9				X					
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	9				X					
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	9				X					
Comments:										
a-c) The proposed project does not involve new construction or demolition of existing structures. Therefore, there would be no impact caused by the proposed project.										
XIV. PUBLIC SERVICES.										

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:					
i) Fire protection?					X
ii) Police protection?					X
iii) Schools?					X
iv) Parks?					X
v) Other public facilities?					X
Comments:					
a) The proposed project involves grading to recontour and stabilize an undevelopable vacant area. There would be no impact to public services caused by the proposed project.					
XV. RECREATION.					
a) Would the project increase the use of neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?					X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?					X
Comments:					
a-b) The proposed project involves grading to recontour and stabilize an undevelopable vacant area. The project area consists of an undeveloped area absent of public trails, facilities, and/or amenities. Therefore, there would be no impact to recreational uses or facilities caused by the proposed project.					
XVI. TRANSPORTATION/TRAFFIC. Would the project:					
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass					X

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
transit?					
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?					X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?					X
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?					X
e) Result in inadequate emergency access?	9, 12				X
f) Conflicts with adopted policies, plans, or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)?					X
Comments:					
a-f) The proposed project involves grading to recontour and stabilize an undevelopable vacant area. Therefore, the proposed project would not impact circulation patterns, congestion management programs, air traffic patterns, and alternative transportation. Additionally, the proposed grading is not to create any street or driveway design features that may increase hazards or impact existing emergency access. As such, there would be no impact caused by the proposed project.					
XVII. UTILITIES/SERVICE SYSTEMS. Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?					X
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?					X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?					X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?					X

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?					X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?					X
g) Comply with federal, state, and local statutes and regulations related to solid waste?					X
Comments: a-g) The proposed project involves grading to recontour and stabilize an undevelopable vacant area. Therefore, the proposed project would have no impacts to wastewater and its facilities, storm water drainage facilities, water supplies, landfill for solid waste disposal, and solid waste regulations.					
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.					
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X		
Comments: The proposed project, with mitigation, will not 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; or reduce the number or restrict the range of a rare or endangered plant or animal. The proposed project will not eliminate important examples of the major periods of California history or pre-history.					
b) Does the project have impacts that are individually limited, but cumulatively considerable? ¹			X		
Comments: The proposed project is to regrade a previously graded area for stabilization purposes. While there would be temporary construction related impacts, with the imposition of the recommended mitigation measures, these potential cumulative impacts will be reduced to less-than-significant levels.					
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	

¹ "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Comments:					
As discussed above, all potentially-significant environmental effects of the proposed project can be mitigated to less-than-significant levels. Therefore, the proposed project will have no substantial adverse effects on human beings, either directly or indirectly.					
XIV. EARLIER ANALYSES.					
Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c) (3) (D). In this case a discussion should identify the following items:					
a) Earlier analysis used. Identify and state where they are available for review.					
Comments: Not applicable.					
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.					
Comments: Not applicable.					
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 of the project.					
Comments: Not applicable.					
Authority: Public Resources Code Sections 21083 and 21087.					
Reference: Public Resources Code Sections 21080 (c), 21080.1, 21080.3, 21082.1, 21083, 21083.3, 21093, 321094, 21151; <i>Sundstrom v. County of Mendocino</i> , 202 Cal. App. 3d 296 (1988); <i>Leonoff v. Monterey Board of Supervisors</i> , 222 Cal. App. 3d 1337 (1990).					
20. SOURCE REFERENCES.					
1	City of Rancho Palos Verdes, <u>Rancho Palos Verdes General Plan</u> , and associated Environmental Impact Report. Rancho Palos Verdes, California as amended through August 2001.				
2	City of Rancho Palos Verdes Zoning Map				
3	South Coast Air Quality Management District. <u>CEQA AIR Quality Handbook</u> . Diamond Bar, California: November 1993 (as amended).				
4	Official Maps of Seismic Hazard Zones provided by the Department of Conservation of the State of California, Division of Mines and Geology				
5	City of Rancho Palos Verdes Archeology Map.				
6	City of Rancho Palos Verdes, <u>Natural Communities Conservation Plan</u> . Rancho Palos Verdes, California as adopted August 2004				
7	City of Rancho Palos Verdes Geographic Information System (GIS) database and maps				
8	State of California, Department of Forestry and Fire Protection, <u>Very High Fire Hazard Severity Zone Maps</u> . Sacramento, California, accessed via website, March 2008				
9	Project Plans				
10	City of Rancho Palos Verdes Municipal Code				
11	Hazardous Waste and Substances Site List (i.e., "Cortese List")				
12	Cities of Rancho Palos Verdes and Rolling Hills Estates Joint Natural Hazards Mitigation Plan				
13	Gould, Bo (LSA). (2017, September 8). <i>Biological Resources Technical Memorandum for 5500 Palos Verdes Drive South, City of Rancho Palos Verdes, Los Angeles County, California</i> .				

Issues and Supporting Information Sources		Sources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
14	Mohan, Adrienne (Palos Verdes Peninsula Land Conservancy). (2017, October 27). <i>Habitat impact assessment of past and future grading areas at 5500 Palos Verdes Drive South.</i>					
15	Lancaster, James (Kling Consulting Group, Inc). (2016, December 2). City of Rancho Palos Verdes Geotechnical Report Response Checklist.					
16	United States Environmental Protection Agency, Overview of Greenhouse Gases. Accessed via website, November 2017.					

ATTACHMENTS:

Mitigation Monitoring Program

Exhibit “B”

Mitigation Monitoring Program

Project: After-the-Fact Major Grading Permit and Coastal Development Permit (ZON2017-00115)

Location: 5500 Palos Verdes Drive South and Abalone Cove Shoreline Park Reserve
City of Rancho Palos Verdes
County of Los Angeles

Applicant/Landowner: Allen & Charlotte Ginsburg

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I. INTRODUCTION

PURPOSE

This Mitigation Monitoring Program (MMP) is to allow the following project at 5500 Palos Verdes Drive South and Abalone Cove Reserve in the City of Rancho Palos Verdes:

Conduct 6,414yd³ of grading (3,604yd³ of cut and 2,810yd³ of fill) with 794yd³ of export to regrade the contours where unpermitted grading occurred over portions of a private property (5500 PVDS) and the City-owned Abalone Cove Reserve property. The proposed grading will occur on both sides of the shared property line, disturbing approximately 32,100ft² of total area.

The MMP responds to Section 21081.6 of the Public Resources Code, which requires a lead or responsible agency that approves or carries out a project where a Mitigated Negative Declaration has identified significant environmental effects, to adopt a "reporting or monitoring program for adopted or required changes to mitigate or avoid significant environmental effects." The City of Rancho Palos Verdes is acting as lead agency for the project.

An Initial Study/Mitigated Negative Declaration was prepared to address the potential environmental impacts of the project. Where appropriate, this environmental document recommended mitigation measures to mitigate or avoid impacts identified. Consistent with Section 21080 (2)(c) of the Public Resources Code, a mitigation reporting or monitoring program is required to ensure that the adopted mitigation measures under the jurisdiction of the City are implemented. The City will adopt this MMP when adopting the Mitigated Negative Declaration.

ENVIRONMENTAL PROCEDURES

This MMP has been prepared in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended (Public Resources Code Section 21000 et seq.) and the State Guidelines for Implementation of CEQA (CEQA Guidelines), as amended (California Administrative Code Section 15000 et seq.). This MMP complies with the rules, regulations, and procedures adopted by the City of Rancho Palos Verdes for implementation of CEQA.

MITIGATION MONITORING PROGRAM REQUIREMENTS

Section 21081.6 of the Public Resources Code states: "When making the findings required by subdivision (a) of Section 21081 or when adopting a negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21081, the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of an agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program."

II. MANAGEMENT OF THE MITIGATION MONITORING PROGRAM

ROLES AND RESPONSIBILITIES

The MMP for the project will be in place through all phases of the project including final design, pre-grading, construction, and operation. The City will have the primary enforcement role for the mitigation measures.

MITIGATION MONITORING PROGRAM PROCEDURES

The mitigation monitoring procedures for this MMP consists of, filing requirements, and compliance verification. The Mitigation Monitoring Checklist and procedures for its use are outlined below.

Mitigation Monitoring Program Checklist

The MMP Checklist provides a comprehensive list of the required mitigation measures. In addition, the Mitigation Monitoring Checklist includes: the implementing action when the mitigation measure will occur; the method of verification of compliance; the timing of verification; the department or agency responsible for implementing the mitigation measures; and compliance verification. Section III provides the MMP Checklist.

Mitigation Monitoring Program Files

Files shall be established to document and retain the records of this MMP. The files shall be established, organized, and retained by the City of Rancho Palos Verdes Department of Community Development

Compliance Verification

The MMP Checklist shall be signed when compliance of the mitigation measure is met according to the City of Rancho Palos Verdes Community Development Director. The compliance verification section of the MMP Checklist shall be signed, for mitigation measures requiring ongoing monitoring, and when the monitoring of a mitigation measure is completed.

MITIGATION MONITORING OPERATIONS

The following steps shall be followed for implementation, monitoring, and verification of each mitigation measure:

1. The City of Rancho Palos Verdes, Community Development Director shall designate a party responsible for monitoring of the mitigation measures.
2. The City of Rancho Palos Verdes, Community Development Director shall provide to the party responsible for the monitoring of a given mitigation measure, a copy of the MMP Checklist indicating the mitigation measures for which the person is responsible and other pertinent information.
3. The party responsible for monitoring shall then verify compliance and sign the Compliance Verification column of the MMP Checklist for the appropriate mitigation measures.

Mitigation measures shall be implemented as specified by the MMP Checklist. During any project phase, unanticipated circumstances may arise requiring the refinement or addition of mitigation measures. The City of Rancho Palos Verdes, Director of Community Development with advice from Staff or another City Department, is responsible for recommending changes to the mitigation measures, if needed. If mitigation measures are refined, the Director of Community Development would document the change and shall notify the appropriate design,

construction, or operations personnel about refined requirements.

III. MITIGATION MONITORING PROGRAM CHECKLIST

INTRODUCTION

This section provides the MMP Checklist for the project as approved by the Planning Commission of the City of Rancho Palos Verdes on December 12, 2017. Mitigation measures are listed in the order in which they appear in the Initial Study.

- * **Types** of measures are *project design, construction, operational, or cumulative*.
- * **Time of Implementation** indicates **when** the measure is to be implemented.
- * **Responsible Entity** indicates **who** is responsible for implementation.
- * **Compliance Verification** provides space for future reference and notation that compliance has been monitored, verified, and is consistent with these mitigation measures.

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
1. AIR QUALITY				
AQ-1. During construction, including grading, excavating, and land clearing, storage piles and unpaved disturbed areas shall be continuously stabilized or covered when material is not being added to or removed from the pile.	Construction	During construction	Property Owner / Applicant.	Community Development Department
AQ-2. During construction, including grading, excavating, and land clearing, measures should be taken to prevent emitting dust and to minimize visible emissions from crossing the boundary line.	Construction	During construction	Property Owner / Applicant.	Community Development Department
AQ-3. During construction, including grading, excavating, and land clearing, construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off site.	Construction	During construction	Property Owner / Applicant.	Community Development Department
AQ-4. During construction, including grading, excavating, and land clearing, the Applicant shall be responsible for minimizing bulk material or other debris from being tracked onto the City's public roadways, and if tracked, the Applicant's contractor shall be responsible for cleaning up the impacted City's public roadways.	Construction	During construction	Property Owner / Applicant.	Community Development Department
AQ-5. During construction, including grading, excavating, and land clearing, no trucks shall be allowed to transport excavated material off-site unless the trucks are maintained such that no spillage can occur from holes or other openings in cargo compartments, and loads are either: covered with tarps; wetted and loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than 6" from the top and that no point of the load extends above the top of the cargo compartment.	Construction	During construction	Property Owner / Applicant.	Community Development Department
AQ-6. Prior to the Building/Grading Permit issuance, the Applicant shall demonstrate to the Director of Community Development's satisfaction that dust generated by grading activities shall comply with the	Plan Check	Prior to Building & Safety permit issuance	Property Owner / Applicant.	Community Development Department

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
South Coast Air Quality Management District Rule 403 and the City Municipal Code requirements that require regular watering for the control of dust.				
AQ-7. During construction, including grading, excavating, and land clearing, all excavating and grading activities shall cease when winds gusts (as instantaneous gusts) exceed 25 mph. To assure compliance with this measure, grading activities are subject to periodic inspections by City staff.	Construction	During Construction	Property Owner / Applicant.	Community Development Department
AQ-8. During construction, including grading, excavating, and land clearing, construction equipment shall be kept in proper operating condition, including proper engine tuning and exhaust control systems.	Construction	During Construction	Property Owner / Applicant.	Community Development Department
2. BIOLOGICAL RESOURCES				
BIO-1. Prior to the Building/Grading Permit issuance, vegetation previously impacted by the unpermitted grading and vegetation needed to be cleared for fuel modification shall be offset by the property owner using a 2:1 ratio for CSS, a 0.5:1 ratio for non-native grassland, and a 3:1 ratio for native grassland as described in the Council-adopted NCCP for loss occurring in an area greater than 0.3 acres by using one of the following two methods: 1) With the approval of the City, PVPLC, and the Wildlife Agencies, the property owner shall dedicate additional acreage to the Palos Verdes Nature Preserve that will add to the biological function of the Preserve and the property owner shall provide management funding for the additional acreage according to a Property Analysis Record or similar method; or 2) Revegetation of impacted habitat and the payment of a mitigation fee to the City's Habitat Restoration Fund for the remaining mitigation, pursuant to the City's NCCP Subarea Plan. If the revegetation option is selected, the property shall	Planning Review	Prior to Building & Safety permit issuance	Property Owner / Applicant.	Community Development Department

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
prepare a Revegetation Plan for review and approval by the Director of Community Development, and the Palos Verdes Peninsula Land Conservancy (PVPLC) shall be hired by the City, at the property owner's expense, to grow and plant the required vegetation.				
BIO-2. Prior to commencing construction, the construction area shall be clearly delineated with fencing or other boundary markers. Temporary fencing (with silt barriers) shall be installed at the limits of Project impacts to prevent habitat impacts and prevent the spread of silt from the construction zone into adjacent habitats (i.e. Altamira Canyon). Fencing shall be installed in a manner that does not affect adjacent habitats to be avoided and in compliance with Section 17.56.020.C of the RPVMC.	Construction	Prior to Construction	Property Owner / Applicant.	Community Development Department
BIO-3. Prior to commencing construction, the Project limits shall be clearly marked on Project maps provided to the construction contractor and areas outside of the Project limits shall be designated as "no construction" zones.	Construction	Prior to Construction	Property Owner / Applicant.	Community Development Department
BIO-4. During construction, construction workers shall strictly limit their activities, vehicles, equipment, and construction materials to the designated construction limits.	Construction	During Construction	Property Owner / Applicant.	Community Development Department
BIO-5. During construction, all equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall occur in designated areas within the fenced Project limits. These designated areas shall be located in previously compacted and disturbed areas, in such a manner to prevent runoff into adjacent areas and shall be shown on the construction plans. Fueling of equipment shall take place on level surfaces and contractor equipment shall be checked daily for leaks prior to operation and repaired as necessary.	Construction	During Construction	Property Owner / Applicant.	Community Development Department
BIO-6. During construction, the construction work	Construction	During Construction	Property Owner /	Community

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
zone shall be kept as clean of debris as possible to avoid attracting predators of native and sensitive wildlife. All food-related trash items shall be enclosed in sealed containers and removed daily from the construction work zone.			Applicant.	Development Department
BIO-7. In order to avoid unnecessary impacts, should any non-listed species be found within the property, they shall be avoided and allowed to leave the Project site on their own volition, or a qualified biologist shall relocate them outside of the Project site.	Construction	Prior to Construction	Property Owner / Applicant.	Community Development Department
BIO-8. Pets of Project personnel shall not be allowed on the Project site during construction.	Construction	During Construction	Property Owner / Applicant.	Community Development Department
BIO-9. During construction, equipment for immediate cleanup shall be kept at the staging area. This plan shall also include erosion control measures to control surface runoff, erosion, and sedimentation outside of the project footprints.	Plan Check	Prior to Building & Safety permit issuance	Property Owner / Applicant.	Community Development Department
BIO-10. A qualified biologist shall monitor construction during clearing, grubbing, and initial excavation activities, as needed.	Plan Check and Construction	Prior to and During Construction	Property Owner / Applicant.	Community Development Department
BIO-11. The clearance of vegetation during construction shall occur outside of the nesting season (generally February 1 through September 1). If avoiding the nesting season is not practicable, the following additional measures shall be employed: <ul style="list-style-type: none"> A pre-construction nesting survey shall be conducted by a qualified biologist within 3 days prior to the start of construction activities to determine whether active nests are present within or directly adjacent to the construction zone. All nests found shall be recorded. If construction activities must occur within 300 feet of an active nest of any passerine bird or 	Construction	During Construction	Property Owner / Applicant.	Community Development Department

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
<p>within 500 feet of an active nest of any raptor, with the exception of an emergency, a qualified biologist shall monitor the nest on a weekly basis, and the construction activity shall be postponed until the biologist determines that the nest is no longer active.</p> <p>If the recommended nest avoidance zone is not feasible, the qualified biologist shall determine whether an exception is possible and obtain concurrence from the resource agencies before construction work can resume within the avoidance buffer zone. All work shall cease within the avoidance buffer zone until either agency concurrence is obtained or the biologist determines that the adults and young are no longer reliant on the nest site.</p>				
3. CULTURAL RESOURCES				
CUL-1. Prior to the Building/Grading Permit issuance, the Applicant shall consult with the South Central Coastal Information Center (SCCIC) regarding any known archaeological sites on or within a half-mile radius of the subject property.	Plan Check	Prior to Building & Safety permit issuance	Property Owner / Applicant.	Community Development Department
CUL-2. Prior to the Building/Grading Permit issuance, the Applicant shall conduct a Phase 1 archaeological survey of the property for approval by the Director of Community Development.	Plan Check	Prior to Building & Safety permit issuance	Property Owner / Applicant.	Community Development Department
CUL-3. Prior to the commencement of grading, the Applicant shall retain a qualified paleontologist and archeologist to monitor grading and excavation. In the event undetected buried cultural resources are encountered during grading and excavation, work shall be halted or diverted from the resource area and the archeologist and/or paleontologist shall evaluate the remains and propose appropriate mitigation measures.	Construction	Prior to Construction	Property Owner / Applicant.	Community Development Department

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
4. GEOLOGY/SOILS				
GEO-1. Prior to the Building/Grading Permit issuance, the Applicant shall submit any information required by the City Geologist, including a soils report, and/or a geotechnical report, for the review and approval of the City Geologist. The Applicant shall comply with any requirements imposed by the City Geologist and shall substantially repair the geologic conditions to the satisfaction of the City Geologist.	Plan Check	Prior to Building & Safety permit issuance	Property Owner / Applicant.	Community Development Department
GEO-2. Prior to the Building/Grading Permit issuance, a Hold Harmless Agreement, satisfactory to the City Attorney promising to defend, indemnify, and hold the City harmless from any claims or damages resulting from the requested project, shall be submitted to the Community Development Director for recordation with the Los Angeles County Recorders Office.	Plan Check	Prior to Building & Safety permit issuance	Property Owner / Applicant.	Community Development Department
GEO-3. Prior to the Building/Grading Permit issuance, the Applicant shall submit for recordation a covenant, satisfactory to the City Attorney, agreeing to construct the project strictly in accordance with the approved plans; and agreeing to prohibit further projects on the subject site without first filing an application with the Director. Such covenant shall be submitted to the Community Development Director for recordation with the Los Angeles County Recorders Office.	Plan Check	Prior to Building & Safety permit issuance	Property Owner / Applicant.	Community Development Department
GEO-4. Prior to the Building/Grading Permit issuance, the Applicant shall prepare an erosion control plan for the review and approval of the Building Official. The Applicant shall be responsible for continuous and effective implementation of the erosion control plan during project construction.	Plan Check	Prior to Building & Safety permit issuance	Property Owner / Applicant.	Community Development Department
5. HYDROLOGY/WATER QUALITY				
HYD-1. Prior to the Building/Grading Permit issuance, the Applicant shall submit for review and approval by the City's Building Official an Erosion Control Plan that shall include BMPs for erosion, sedimentation and run-off control during construction activities to protect the water quality.	Plan Check	Prior to Building & Safety permit issuance	Property Owner / Applicant.	Community Development Department
HYD-2. Prior to the Building/Grading Permit	Plan Check	Prior to Building & Safety	Property Owner /	Community

MITIGATION MEASURES	TYPE	TIME OF IMPLEMENTATION	RESPONSIBLE ENTITY	COMPLIANCE VERIFICATION
issuance, the Applicant shall submit and obtain approval of a Drainage Plan by the City's Building & Safety Division and the City's Public Works Director. If lot drainage deficiencies are identified by the Public Works Director, all such deficiencies shall be corrected by the Applicant.		permit issuance	Applicant.	Development Department
6. NOISE				
N-1. Permitted hours and days for construction activity are 7:00 AM to 6:00 PM, Monday through Friday, 9:00AM to 5:00PM on Saturday, with no construction activity permitted on Sundays or on the legal holidays specified in Section 17.96.920 of the Rancho Palos Verdes Development Code. During demolition, construction and/or grading operations, trucks shall not park, queue and/or idle at the project site or in the adjoining street rights-of-way before 7AM Monday through Friday and before 9AM on Saturday, in accordance with the permitted hours of construction stated in this condition. When feasible to do so, the construction contractor shall provide staging areas on-site to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between staging activities and neighboring properties, subject to approval by the building official.	Construction	During Construction	Property Owner / Applicant.	Community Development Department
N-2. The project shall utilize construction equipment equipped with standard noise insulating features during construction to reduce source noise levels.	Construction	During Construction	Property Owner / Applicant.	Community Development Department
N-3. All project construction equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts is generated during construction.	Construction	During Construction	Property Owner / Applicant.	Community Development Department

P.C. RESOLUTION NO. 2017-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES APPROVING A MAJOR GRADING PERMIT AND COASTAL DEVELOPMENT PERMIT FOR 6,414YD³ OF AFTER-THE-FACT GRADING WITH 794YD³ OF EXPORT TO REGRADE THE CONTOURS WHERE UNPERMITTED GRADING OCCURRED OVER THE 5500 PALOS VERDES DRIVE SOUTH PROPERTY AND THE CITY-OWNED ABALONE COVE RESERVE PROPERTY (CASE NO. ZON2017-00115).

WHEREAS, on May 13, 2015, during a site visit, City Staff found that grading and vegetation removal of sensitive habitat occurred without City approvals on the subject property at 5500 Palos Verdes Drive South (PVDS) and portions of the City-owned Abalone Cove Reserve property. On the same day, the City's Code Enforcement Division sent a letter to the property owners informing them that the unpermitted activity must cease immediately and to contact City Staff to develop a plan to rectify the situation; and,

WHEREAS, on May 16, 2015, the Code Enforcement Division observed continued unpermitted activity on the subject property and issued the property owners a stop work order; and,

WHEREAS, on June 18, 2015, the Code Enforcement Division sent a letter to the property owners identifying specific actions to remedy the situation including submitting appropriate planning applications to regrade the contours and replant the vegetation. Since then, the property owners have been working with the City to address the unpermitted work including the submittal of a property line survey and a geotechnical report; and,

WHEREAS, on March 24, 2017, the property owners submitted an after-the-fact Grading Permit and Coastal Permit to conduct 6,414yd³ of grading with 794yd³ export to regrade the contours where unpermitted grading occurred over the subject property and the City-owned Abalone Cove Reserve property; and,

WHEREAS, on May 8, 2017, the application was deemed complete for processing, setting the action deadline to November 4, 2017; and,

WHEREAS, on June 13, 2017, the Planning Commission conducted a duly noticed public hearing and continued the matter to September 26, 2017 to address the requirements of the California Environmental Quality Act; and,

WHEREAS, on October 24, 2017, the Applicant granted a one-time 90-day extension, setting the action deadline to February 2, 2018; and,

WHEREAS, on November 16, 2017, notice of the draft Mitigated Negative Declaration and the proposed After-the-fact Major Grading Permit and Coastal Development Permit was sent to all property owners within 500' of the subject site and appropriate public agencies for a comment period exceeding 20-days, commencing on November 16, 2017 and concluding on December 12, 2017. Additionally, the notice was published on the same day in the *Palos Verdes Peninsula News*. Staff did not receive any comments in response to the public notice; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 et. seq. ("CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 et. seq., the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the Planning Commission of the City of Rancho Palos Verdes adopted P.C. Resolution No. 2017-____, determining there is no substantial evidence that the approval for the Major Grading Permit and Coastal Development Permit would result in a significant adverse effect on the environment, provided appropriate mitigation measures are imposed on the project; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on December 12, 2017, at which time all interested parties were given an opportunity to be heard and present evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

Section 1: A Major Grading Permit is approved for 6,414yd³ of grading with 794yd³ export to regrade the contours where unpermitted grading occurred over the subject property and the City-owned Abalone Cove Reserve property because:

A. The grading does not exceed that which is necessary for the permitted primary use of the lot. The primary use of the subject lot is residential and the City-owned lot is open space for preservation and passive recreational purposes. The after-the-fact grading is to regrade the unpermitted disturbed areas over a portion of the rear yard of the 5500 PVDS property and the adjacent slopes on the City-owned Preserve property. This grading is limited to the previously disturbed area with unpermitted fill prior to the Applicant's current ownership. The City Geologist determined that the unpermitted fill areas are approximately 50' to 150' in width and range between approximately 2' and 25' in depth. The previous unpermitted fill is not suitable to support additional fill material, structures or utility lines because of the lack of appropriate compaction. Therefore, grading will include recompaction of the existing unpermitted fill for stabilization purposes and to recontour the area so that the finished contours blend in with the existing surrounding slopes. As engineered, the proposed recompaction and recontoured slopes will further stabilize the condition of the site which would benefit the Applicant and the City.

B. The grading does not significantly adversely affect the visual relationships with, nor the views from the viewing area of neighboring properties because the neighboring properties to the north is at least 15' lower than the street elevation and screened behind the existing residential and ancillary structures. Neighboring properties to the west and east are located at least 2,700' and 4,000' away from the nearest property lines and therefore, the proposed grading area will not be readily visible. South of the proposed grading area is the larger Abalone Cove Reserve area and the ocean.

C. The nature of the grading minimizes disturbance to the natural contours and finished contours are reasonably natural by ensuring the finished grades seamlessly blends with the surrounding slopes. The finished contours will maintain a maximum of 2:1 slopes, which is consistent with the surrounding slopes.

D. The grading takes into account the preservation of natural topographic features and appearances by means of land sculpturing so as to blend any man-made or manufactured slope into the natural topography. Manufactured slopes of 2:1 maximum will be created to blend in the proposed grading areas with the surrounding contours.

E. The grading would not cause excessive and unnecessary disturbance of the natural landscape or wildlife habitat through removal of vegetation. The unpermitted grading resulted in the unauthorized removal of protected habitat from both the subject property and the City-owned Abalone Cove Reserve property. In October 2017, the Palos Verdes Peninsula Land Conservancy identified the area of habitat loss as measuring approximately 0.5 acres (0.1 acres on private and 0.4 acres on public property). Pursuant to the 2004 Council-adopted Draft NCCP, the following Mitigation Measure BIO-1 has been added to the attached Exhibit "A" to mitigate for the habitat loss:

BIO-1. Prior to any grading or permit issuance, vegetation previously impacted by the unpermitted grading and vegetation needed to be cleared for fuel modification shall be offset by the property owner using a 2:1 ratio for CSS, a 0.5:1 ratio for non-native grassland, and a 3:1 ratio for native grassland as described in the Council-adopted NCCP for loss occurring in an area greater than 0.3 acres by using one of the following two methods: 1) With the approval of the City, PVPLC, and the Wildlife Agencies, the property owner shall dedicate additional acreage to the Palos Verdes Nature Preserve that will add to the biological function of the Preserve and the property owner shall provide management funding for the additional acreage according to a Property Analysis Record or similar method; or 2) Revegetation of impacted habitat and the payment of a mitigation fee to the City's Habitat Restoration Fund for the remaining mitigation, pursuant to the City's NCCP Subarea Plan. If the revegetation option is selected, the property shall prepare a Revegetation Plan for review and approval by the Director of Community Development, and the Palos Verdes Peninsula Land Conservancy (PVPLC) shall be hired by the City, at the property owner's expense, to grow and plant the required vegetation.

F. The grading conforms to the grading standards for grading on slopes over 35% steepness and maximum depth of cut or fill. The grading does not conform to the grading standards that limit the gradient of the maximum finished slopes to 35% steepness and grading on slopes over 50% steepness. The proposed project is to rectify the unpermitted grading that resulted in unsuitable fill that may be prone to erosion, settlement and potential slope failure. The grading involves recontouring the areas over 35% gradient and overexcavation in excess of 5' in depth to stabilize the area and create manufactured slopes around the boundary of the unpermitted grading area to blend it with the existing surrounding contours. The proposed grading is therefore, consistent with the purposes of the Grading Permit to promote the public health, safety and general welfare as set forth in the Municipal Code. While the proposed grading is not typically permitted for other properties in the vicinity, given the uniqueness of the matter and safety considerations, the proposed grading over 35% gradient and 5' in depth is necessary. The City Geologist and the Building Official will be required to review and approve engineered grading plans prior to grading permit issuance and will be required to conduct inspections throughout the grading process. Therefore, the proposed grading in excess of the maximum allowed gradient for finished slopes and over 50% steepness is warranted.

Section 2: A Coastal Permit is approved for the proposed project because:

A. The proposed development is consistent with the Coastal Specific Plan. The Coastal Specific Plan designation for the project site is Residential ≤ 1 Dwelling Unit/Acre (5500 PVDS) and Agriculture (City-owned Abalone Cove Reserve), located within an appealable portion of Subregion 5 of the Coastal Specific Plan (CSP) district. The discussion of Subregion 5 in the CSP notes that the Harden Estate gatehouse is the only residential development in the Subregion, and that it "serves as an important component in the Peninsula's few remaining historical sites." This is reiterated in the Socio-Cultural Element of the CSP, which calls upon the City to "[consider] the implementation of appropriate measures to protect the identified cultural resources" in the City's coastal zone. The CSP further describes the City-owned area to contain natural vegetation (Coastal Sage Scrub). The proposed project serves to protect a historical site (i.e. Harden Estate gatehouse) by stabilizing the surrounding slopes through the removal and recompaction of the unpermitted and unsuitable fill that was placed on the site over the years. The property owners will then be required, as mitigation to the habitat loss caused by the unpermitted grading, to either dedicate additional acreage to the City's Nature Preserve or revegetate the impacted habitat and pay a mitigation fee. The grading will stabilize the slopes on the City-owned Abalone Cove Reserve further protecting the natural resources and passive recreational trails. The proposed grading area will be limited to the previously graded area. Also, the proposed grading area is not located within a visual corridor identified in the Corridors Element of the CSP and therefore, there will have no adverse effects upon a public view from Palos Verdes Drive South.

B. The proposed development, when located between the sea and the first public road, is consistent with applicable public access and recreation policies of the Coastal Act. Although the project site is located seaward of the first public road (i.e., Palos Verdes Drive South), it is limited in area and is partially surrounded by the Harden Estate and partially surrounded by Abalone Cove Shoreline Park and does not extend to the mean high-tide line. As such, the property does not provide an opportunity for additional public access to coastal resources than what currently exists. By contrast, the surrounding City Park and Preserve provide extensive and existing opportunities for public access to coastal resources in the form of improved trails, trailheads, public beach access and public off-street parking. The grading will not impact any improved public trails, public beach access or parking. However, an unauthorized trail that leads from the 5500 PVDS property into the City-owned property will be closed and eventually revegetated with habitat.

Section 3: The proposed project complies with the purpose of the Urban Appearance Overlay Control District (OC-3), which is established to preserve, protect and maintain land and water areas, structures and other improvements which are of significant value because of them recreational, aesthetic and scenic qualities; preserve, protect and maintain significant views and vistas; ensure that site planning, grading, and landscape techniques will preserve, protect and enhance the visual character of the City; and preserve, protect and maintain significant views of and from slope areas within the community which characterize the City's dominant land form. The grading is designed in a manner that does not adversely impact views, vistas, or the existing visual character of the City. The project is to regrade and stabilize the unsuitable fill areas as a result of unpermitted import. Additionally, the grading is limited to the previously graded area, which will be recontoured to blend in with the remaining contours. Lastly, the removed habitat as a result of unpermitted past grading will be revegetated in the City-owned Abalone Cove Reserve area.

Section 4: Any interested person aggrieved by this decision or by any portion of this decision may appeal to the City Council. Pursuant to Sections 17.02.040(C)(1)(g) of the Rancho Palos Verdes Municipal Code, any such appeal must be filed with the City, in writing, setting forth the grounds of the appeal and any specific actions requested by the appellant, and accompanied by the appropriate appeal fee, no later than fifteen (15) days following December 12, 2017, the date of the Planning Commission's final action.

Section 5: For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes and other records of proceedings, the Planning Commission of the City of Rancho Palos Verdes hereby adopts P.C. Resolution No 2017-____, approving the requested after-the-fact Major Grading Permit and Coastal Development Permit to conduct 6,414yd³ of grading with 794yd³ of export to regrade the contours where unpermitted grading occurred over the 5500 Palos Verdes Drive South property and portions of the City-owned Abalone Cove Reserve property, subject to the Conditions of Approval contained in the attached Exhibit "A" (Case No. ZON2017-00115).

PASSED, APPROVED AND ADOPTED this 12th day of December 2017, by the following vote:

AYES:

NOES:

ABSTENTIONS:

RECUSALS:

ABSENT:

William J. James
Vice Chairman

Ara Mihranian, AICP
Director of Community Development and
Secretary of the Planning Commission

EXHIBIT 'A'
CONDITIONS OF APPROVAL
AFTER-THE-FACT MAJOR GRADING PERMIT
AND COASTAL DEVELOPMENT PERMIT (ZON2017-00115)
5500 PALOS VERDES DRIVE SOUTH & ABALONE COVE RESERVE

General Conditions:

1. Prior to the submittal of plans into Building and Safety plan check, the Applicant and the property owner shall submit to the City a statement, in writing, that they have read, understand, and agree to all conditions of approval contained in this Resolution. Failure to provide said written statement within ninety (90) days following the date of this approval shall render this approval null and void.
2. The Applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures) (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project.
3. Prior to issuance of any grading permit or building permit in any phase, the Applicant shall submit to the City a Certificate of Insurance demonstrating that the Applicant or its applicable contractor has obtained a general liability insurance policy in an amount not less than \$5 million dollars per occurrence and in the aggregate to cover awards for any death, injury, loss or damage, arising out of the grading or construction of this project. Said insurance policy must be issued by an insurer that is authorized to do business in the State of California with a minimum rating of A-VII by Best's Insurance Guide or a rating of at least A by Standard & Poors. Such insurance shall name the City and past, present and future the members of its City Council, boards, committees, commissions, officers, employees, servants, attorneys, volunteers and agents serving as its independent contractors in the role of City officials, as additional insureds. A copy of this endorsement shall be provided to the City. Said insurance shall be maintained in effect at all times during actual project construction shall not be canceled or reduced during the grading or construction work without providing at least thirty (30) days prior written notice to the City. Further, the insurance shall remain in place for a minimum period of five (5) years following final inspection and approval.
4. Prior to issuance of any grading permits, a bond, cash deposit, or other City-approved security, shall be posted to cover the costs of grading in an amount to be determined by the Director of Public Works. The bond, cash deposit, or other City-approved security, at a minimum, shall be sufficient to pay for the cost of restoring the project site to an acceptable condition, as determined by the Building Official and the Director of Public Works, in the event that the project is not completed and shall include, but not be limited

to, stabilizing and hydro-seeding all slopes, completing all retaining walls that are required to maintain the slopes, installing erosion control improvements, and filling in grade depressions or holes. Said security shall be released after all grading related activities are completed and after the approval of the as-built grading plans by the Building Official.

5. Prior to conducting any work in the public right of way, such as for curb cuts, dumpsters, temporary improvements and/or permanent improvements, the Applicant shall obtain an encroachment permit from the Director of Public Works.
6. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of Rancho Palos Verdes Municipal Code shall apply.
7. Pursuant to Section 17.78.040, Director of Community Development is authorized to make minor modifications to the approved plans and any of the conditions of approval if such modifications will achieve substantially the same results as would strict compliance with the approved plans and conditions. Substantial changes to the project shall be considered a revision and require approval by the final body that approved the original project, which may require new and separate environmental review and public notification.
8. The project development on the site shall conform to the specific standards contained in these conditions of approval or, if not addressed herein, shall conform to the residential development standards of the City's Municipal Code, including but not limited to height, setback and lot coverage standards.
9. Failure to comply with and adhere to all of these Conditions of Approval may be cause to revoke the approval of the project pursuant to the revocation procedures contained in Section 17.86.060 of the City's Municipal Code or administrative citations as described in Section 1.16 of the City's Municipal Code.
10. If the Applicant has not submitted an application for a grading permit or building permit for the approved project or not commenced the approved project as described in Section 17.86.070 of the City's Municipal Code within **90-days** of the final effective date of this Resolution, approval of the project shall expire and be of no further effect unless, prior to expiration, a written request for extension is filed with the Community Development Department and approved by the Director.
11. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City department, the stricter standard shall apply.
12. In the event that a Condition of Approval is in conflict or is inconsistent with any Mitigation Measure for this project, the more restrictive shall govern.
13. Unless otherwise designated in these conditions, all construction shall be completed in substantial conformance with the plans stamped APPROVED by the City with the effective date of this Resolution.

14. This approval is only for the items described within these conditions and identified on the stamped APPROVED plans and is not an approval of any existing illegal or legal non-conforming structures on the property, unless the approval of such illegal or legal non-conforming structure is specifically identified within these conditions or on the stamped APPROVED plans.
15. The construction site and adjacent public and private properties and streets shall be kept free of all loose materials resembling trash and debris in excess of that material used for immediate construction purposes. Such excess material may include, but not be limited to: the accumulation of debris, garbage, lumber, scrap metal, concrete asphalt, piles of earth, salvage materials, abandoned or discarded furniture, appliances or other household fixtures.
16. All construction sites shall be maintained in a secure, safe, neat and orderly manner, to the satisfaction of the City's Building Official. All construction waste and debris resulting from a construction, alteration or repair project shall be removed on a weekly basis by the contractor or property owner. Existing or temporary portable bathrooms shall be provided during construction. Portable bathrooms shall be placed in a location that will minimize disturbance to the surrounding property owners, to the satisfaction of the City's Building Official.
17. If construction projects that are accessible from a street right-of-way or an abutting property and which remain in operation or expect to remain in operation for over 30 calendar days, the Applicant shall provide temporary construction fencing, as defined in Section 17.56.050(C) of the Development Code. Unless required to protect against a safety hazard, temporary construction fencing shall not be erected sooner than 15 days prior to commencement of construction.
18. For all grading, landscaping and construction activities, the Applicant shall employ effective dust control techniques, either through screening and/or watering.
19. The Applicant shall be required to pay the estimated amount of the cost of services to be provided on behalf of the City by any outside consultants that have been retained by the City to render services specifically in connection with this project, in the form of a trust deposit account, prior to commencement of such services (e.g. City Engineer, City Attorney, geotechnical consultants, biologist, landscape architect, City Arborist, noise consultant, environmental consultants, recycling consultants, etc.). The Applicant shall adequately fund said trust deposit accounts prior to the commencement of services, in amounts reasonably requested by the City, based upon an estimate of the cost of services for the period of at least 90 days for which services are rendered. In addition, the trust deposits shall be replenished within two weeks of receipt of notice from the City that additional funds are needed.
20. All existing easements shall remain in full force and effect unless expressly released by the holder of the easement.

Project Specific Conditions:

21. This approval is for 6,414yd³ (3,604yd³ of cut and 2,768yd³ of fill) of grading over two separate areas with 794yd³ export to regrade the contours where unpermitted grading occurred over the subject property and the City-owned Abalone Cove Reserve

as shown below.

- A. Area 1
 - a. 5500 PVDS – 55yd³ of grading (13yd³ of cut and 42yd³ of fill)
 - b. City Property – 789y³ of grading (449yd³ of cut and 340yd³ of fill)
- B. Area 2
 - a. 5500 PVDS – 7yd³ of grading (5yd³ of cut and 2yd³ of fill)
 - b. City Property – 819y³ of grading (765yd³ of cut and 54yd³ of fill)
- C. Overexcavation and Recompaction on both Areas 1 and 2
 - a. 4,744yd³ (2,372yd³ of cut and 2372yd³ of fill)

The maximum depth of cut is 15' and the maximum depth of fill is 14' (includes the height of over-excavation and recompaction).

22. Prior to the final inspection of the precise grading, the Applicant shall provide the Building Official with a certified as-built grading plan prepared and wet-stamped by a licensed engineer.
23. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, a haul route shall be obtained from the Department of Public Works.
24. **PRIOR TO BUILDING/GRADING PERMIT FINAL**, an as-built wet-stamped survey shall be submitted to the satisfaction of the Director of Community Development.
25. Temporary construction fencing shall be installed in accordance with the RPVMC. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, the Applicant shall submit a Temporary Construction Fence Plan, as part of the Construction Management Plan, that identifies items including, but not limited to, the type, the location and the time duration of construction fencing to be installed to address health and safety issues that are related to grading or other construction activities.
26. No overnight parking or storage of vehicles associated with construction shall be permitted in the public right-of-way or on the City-owned Abalone Cove Reserve property during construction.
27. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, the Applicant shall submit to the Director of Public Works and the Director of Community Development, for review and approval, a Construction Management Plan. Said Plan shall include, but not be limited to, the proposed routes to and from the project site for all deliveries of equipment, materials, and supplies, and shall set forth the parking plan for construction employees, the installation of traffic control signs at and around the project site, hours of arrival and departure for construction workers, sound abatement measures, and street maintenance (street cleaning and repairs). All construction related parking must be accommodated on-site. No on-street construction related parking shall be permitted. The queuing and idling of construction worker vehicles and construction vehicles/equipment shall be prohibited on-site and on City streets. Furthermore, the Plan shall identify the staging area which shall not result in adverse impacts to the surrounding environment.
28. The Applicant shall be responsible for repairs to any public streets that may be damaged as a result of development of the project as required by the Director of Public Works.

29. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, the Applicant shall film the public roads that will be used for construction traffic to and from the project site, as described in the City approved Construction Management Plan, to document the pre-construction road condition. Said film, in either a DVD or CD format, shall be submitted to the Director of Public Works and shall be used to document any roadway damage that may be associated with project construction.
30. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, the Applicant shall submit security, in a form reasonably acceptable to the City, to cover any damage to existing public roadways caused by project construction. The amount of such security shall be determined by the Director of Public Works and shall not be released until all construction related activities have been completed and after final inspections by the City's Building Official.
31. **Prior to the release of the security to cover any damages to existing public roadways** (see above conditions), the Applicant shall repair or replace all curbs, gutters, and sidewalks that are damaged as a result of project construction, as determined by the Director of Public Works.
32. Recommendations made by the City Geologist, the City Engineer, and the Building and Safety Division during the ongoing review of the project shall be incorporated into the design and construction of the project.
33. Recommendations made by the project Applicant's geologist, as modified by comments from the City's Geologist, shall be incorporated into the design and construction of the project.
34. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, the City's Geologist and Building Official shall review all applicable structural plans or design information and reports as deemed necessary by the City's Geologist, Building Official, or both, including but not limited to, geotechnical reports during the Plan Check review process to ensure that the proposed project will not threaten public health, safety, and welfare.
35. If applicable, as determined by the City Geologist, **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, a bond, cash deposit, or combination thereof, shall be posted to cover costs for any geologic hazard abatement in an amount to be determined by the Director of Public Works. Said security shall be released after all grading related activities are completed and after the approval of the as-built grading plans by the Building Official.
36. A revegetation Landscape Plan, including an irrigation plan, shall be prepared by a qualified Landscape Architect in accordance with the standards set forth in RPVMC. The Landscape Plan shall be reviewed and approved by the Director of Community Development, a qualified Landscape Architect, and an Arborist hired by the City, **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**. The Applicant shall establish a Trust Deposit account with the City prior to the submittal of Landscape Plans to cover all costs incurred by the City in conducting such review. The Landscape Plan shall include, at a minimum, the plant species (Latin and common names), growth rate, and maximum height at maturity for all proposed trees. Included in the Landscape Plan shall be a maintenance schedule as stated in these conditions. During the Director's review, the

Landscape Plan shall also be made available to the public, including the PVPLC, for review and input.

The Landscape Plan shall comply with the water conservation concepts, the View Preservation Ordinance, the planting requirements, the irrigation system design criteria, and all other requirements of the RPVMC.

Mitigation Measures:

- AQ-1. During construction, including grading, excavating, and land clearing, storage piles and unpaved disturbed areas shall be continuously stabilized or covered when material is not being added to or removed from the pile.
- AQ-2. During construction, including grading, excavating, and land clearing, measures should be taken to prevent emitting dust and to minimize visible emissions from crossing the boundary line.
- AQ-3. During construction, including grading, excavating, and land clearing, construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off site.
- AQ-4. During construction, including grading, excavating, and land clearing, the Applicant shall be responsible for minimizing bulk material or other debris from being tracked onto the City's public roadways, and if tracked, the Applicant's contractor shall be responsible for cleaning up the impacted City's public roadways.
- AQ-5. During construction, including grading, excavating, and land clearing, no trucks shall be allowed to transport excavated material off-site unless the trucks are maintained such that no spillage can occur from holes or other openings in cargo compartments, and loads are either: covered with tarps; wetted and loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than 6" from the top and that no point of the load extends above the top of the cargo compartment.
- AQ-6. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, the Applicant shall demonstrate to the Director of Community Development's satisfaction that dust generated by grading activities shall comply with the South Coast Air Quality Management District Rule 403 and the City Municipal Code requirements that require regular watering for the control of dust.
- AQ-7. During construction, including grading, excavating, and land clearing, all excavating and grading activities shall cease when winds gusts (as instantaneous gusts) exceed 25 mph. To assure compliance with this measure, grading activities are subject to periodic inspections by City staff.
- AQ-8. During construction, including grading, excavating, and land clearing, construction equipment shall be kept in proper operating condition, including proper engine tuning and exhaust control systems.
- BIO-1. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, vegetation previously impacted by the unpermitted grading and vegetation needed to be cleared for fuel modification shall be offset by the property owner using a 2:1 ratio for CSS, a 0.5:1 ratio for non-

native grassland, and a 3:1 ratio for native grassland as described in the Council-adopted NCCP for loss occurring in an area greater than 0.3 acres by using one of the following two methods: 1) With the approval of the City, PVPLC, and the Wildlife Agencies, the property owner shall dedicate additional acreage to the Palos Verdes Nature Preserve that will add to the biological function of the Preserve and the property owner shall provide management funding for the additional acreage according to a Property Analysis Record or similar method; or 2) Revegetation of impacted habitat and the payment of a mitigation fee to the City's Habitat Restoration Fund for the remaining mitigation, pursuant to the City's NCCP Subarea Plan. If the revegetation option is selected, the property shall prepare a Revegetation Plan for review and approval by the Director of Community Development, and the Palos Verdes Peninsula Land Conservancy (PVPLC) shall be hired by the City, at the property owner's expense, to grow and plant the required vegetation.

- BIO-2. Prior to commencing construction, the construction area shall be clearly delineated with fencing or other boundary markers. Temporary fencing (with silt barriers) shall be installed at the limits of Project impacts to prevent habitat impacts and prevent the spread of silt from the construction zone into adjacent habitats (i.e. Altamira Canyon). Fencing shall be installed in a manner that does not affect adjacent habitats to be avoided and in compliance with Section 17.56.020.C of the RPVMC.
- BIO-3. Prior to commencing construction, the Project limits shall be clearly marked on Project maps provided to the construction contractor and areas outside of the Project limits shall be designated as "no construction" zones.
- BIO-4. During construction, construction workers shall strictly limit their activities, vehicles, equipment, and construction materials to the designated construction limits.
- BIO-5. During construction, all equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other such activities shall occur in designated areas within the fenced Project limits. These designated areas shall be located in previously compacted and disturbed areas, in such a manner to prevent runoff into adjacent areas and shall be shown on the construction plans. Fueling of equipment shall take place on level surfaces and contractor equipment shall be checked daily for leaks prior to operation and repaired as necessary.
- BIO-6. During construction, the construction work zone shall be kept as clean of debris as possible to avoid attracting predators of native and sensitive wildlife. All food-related trash items shall be enclosed in sealed containers and removed daily from the construction work zone.
- BIO-7. In order to avoid unnecessary impacts, should any non-listed species be found within the property, they shall be avoided and allowed to leave the Project site on their own volition, or a qualified biologist shall relocate them outside of the Project site.
- BIO-8. Pets of Project personnel shall not be allowed on the Project site during construction.
- BIO-9. During construction, equipment for immediate cleanup shall be kept at the staging area. This plan shall also include erosion control measures to control surface runoff, erosion, and sedimentation outside of the project footprints.

BIO-10.A qualified biologist shall monitor construction during clearing, grubbing, and initial excavation activities, as needed.

BIO-11.The clearance of vegetation during construction shall occur outside of the nesting season (generally February 1 through September 1). If avoiding the nesting season is not practicable, the following additional measures shall be employed:

A pre-construction nesting survey shall be conducted by a qualified biologist within 3 days prior to the start of construction activities to determine whether active nests are present within or directly adjacent to the construction zone. All nests found shall be recorded.

If construction activities must occur within 300 feet of an active nest of any passerine bird or within 500 feet of an active nest of any raptor, with the exception of an emergency, a qualified biologist shall monitor the nest on a weekly basis, and the construction activity shall be postponed until the biologist determines that the nest is no longer active.

If the recommended nest avoidance zone is not feasible, the qualified biologist shall determine whether an exception is possible and obtain concurrence from the resource agencies before construction work can resume within the avoidance buffer zone. All work shall cease within the avoidance buffer zone until either agency concurrence is obtained or the biologist determines that the adults and young are no longer reliant on the nest site.

CUL-1. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, the Applicant shall consult with the South Central Coastal Information Center (SCCIC) regarding any known archaeological sites on or within a half-mile radius of the subject property.

CUL-2. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, the Applicant shall conduct a Phase 1 archaeological survey of the property for approval by the Director of Community Development.

CUL-3.Prior to the commencement of grading, the Applicant shall retain a qualified paleontologist and archeologist to monitor grading and excavation. In the event undetected buried cultural resources are encountered during grading and excavation, work shall be halted or diverted from the resource area and the archeologist and/or paleontologist shall evaluate the remains and propose appropriate mitigation measures.

GEO-1. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, the Applicant shall submit any information required by the City Geologist, including a soils report, and/or a geotechnical report, for the review and approval of the City Geologist. The Applicant shall comply with any requirements imposed by the City Geologist and shall substantially repair the geologic conditions to the satisfaction of the City Geologist.

GEO-2. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, a Hold Harmless Agreement, satisfactory to the City Attorney promising to defend, indemnify, and hold the City harmless from any claims or damages resulting from the requested project, shall be submitted to the Director of Community Development for recordation with the Los Angeles County Recorders Office.

GEO-3. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, the Applicant shall submit for recordation a covenant, satisfactory to the City Attorney, agreeing to construct the project strictly in accordance with the approved plans; and agreeing to prohibit further projects on the subject site without first filing an application with the Director. Such covenant shall be submitted to the Director of Community Development for recordation with the Los Angeles County Recorders Office.

GEO-4. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, the Applicant shall prepare an erosion control plan for the review and approval of the Building Official. The Applicant shall be responsible for continuous and effective implementation of the erosion control plan during project construction.

HYD-1. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, the Applicant shall submit for review and approval by the City's Building Official an Erosion Control Plan that shall include BMPs for erosion, sedimentation and run-off control during construction activities to protect the water quality.

HYD-2. **PRIOR TO BUILDING/GRADING PERMIT ISSUANCE**, the Applicant shall submit and obtain approval of a Drainage Plan by the City's Building & Safety Division and the City's Public Works Director. If lot drainage deficiencies are identified by the Public Works Director, all such deficiencies shall be corrected by the Applicant.

- N-1. Permitted hours and days for construction activity are 7:00 AM to 6:00 PM, Monday through Friday, 9:00AM to 5:00PM on Saturday, with no construction activity permitted on Sundays or on the legal holidays specified in Section 17.96.920 of the Rancho Palos Verdes Development Code. During demolition, construction and/or grading operations, trucks shall not park, queue and/or idle at the project site or in the adjoining street rights-of-way before 7AM Monday through Friday and before 9AM on Saturday, in accordance with the permitted hours of construction stated in this condition. When feasible to do so, the construction contractor shall provide staging areas on-site to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between staging activities and neighboring properties, subject to approval by the building official.
- N-2. The project shall utilize construction equipment equipped with standard noise insulating features during construction to reduce source noise levels.
- N-3. All project construction equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts is generated during construction.

MEMORANDUM

DATE: September 8, 2017
To: So Kim, Deputy Director/Planning Manager
FROM: Bo Gould, Biologist
SUBJECT: Biological Resources Technical Memorandum for 5500 Palos Verdes Drive South, City of Rancho Palos Verdes, Los Angeles County, California

LSA Associates, Inc. (LSA) is pleased to provide this Biological Resources Technical Memorandum for a proposed parking lot grading project (project) located at 5500 Palos Verdes Drive South in the City of Rancho Palos Verdes (City), California. The purpose of this memorandum is to describe and document potential impacts to biological resources—including sensitive and special-status species—associated with the implementation of the proposed project. This technical information is provided for project review under the California Environmental Quality Act (CEQA), the California Endangered Species Act (CESA), the Federal Endangered Species Act (FESA), and other pertinent regulations.

PROJECT DESCRIPTION

The City has received a request for permission to regrade the contours where former grading occurred over portions of a private property at 5500 Palos Verdes Drive South and adjacent portions of the City-owned Abalone Cove Ecological Reserve property. The proposed project consists of regrading two sites (totaling 0.464 acres) for the purpose of providing parking lots for the Palos Verdes Heritage Castle Museum. As the proposed project will not include the construction of additional occupied structures, no required Los Angeles County Fuel Modification Zones associated with the proposed grading project are anticipated.

PROJECT SETTING

The two proposed grading sites are located on an approximately 2.06-acre parcel (herein referred to as project site) situated on the western edge of the *San Pedro, California* 7.5-minute United States Geological Survey (USGS) topographic quadrangle map. The project site is surrounded by open space areas along the Palos Verdes coastline, approximately 39.6 meters in elevation. Based on available mapping,¹ the project site is underlain by haploxerepts (non-hydric and non-saline) soils.

The project site is bounded by Palos Verdes Drive South to the northeast, and the Abalone Cove Ecological Reserve property to the northwest, west, south, and southeast. The current City of

¹ <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx> (Accessed September 6, 2017).

Rancho Palos Verdes Zoning Map (2012) designates the project site as Residential Single Lot and Open Space within an Urban Design Overlay District.

METHODS

Literature Review and Records Search

LSA Biologist Bo Gould conducted a literature review and records search on August 23, 2017, to identify the existence and potential for occurrence of sensitive or special-status plant and animal species in the vicinity of the project site. Federal and State lists of sensitive species were also examined. Current electronic database records reviewed included the following:

- **California Natural Diversity Data Base information (CNDDB – RareFind 5)**, which is administered by the California Department of Fish and Wildlife (CDFW). This database covers sensitive plant and animal species as well as sensitive natural communities that occur in California. Records from three USGS quadrangles surrounding the project site were obtained from this database to assist with the field survey.
- **California Native Plant Society's (CNPS) Electronic Inventory of Rare and Endangered Vascular Plants**, which utilizes four specific categories or “lists” of sensitive plant species to assist with the conservation of rare or endangered botanical resources. All of the plants constituting California Rare Plant Ranks 1A, 1B, 2A, and 2B meet the status definitions of “threatened” or “endangered” in CESA and the California Department of Fish and Game Code, and are eligible for State listing. Impacts to these species must therefore be analyzed as such, pursuant to CEQA Guidelines Sections 15125(c) and 15380. Plants in Rank 3 (limited information), Rank 4 (limited records), or that are considered Locally Unusual and Significant may be analyzed under CEQA if there is sufficient information to assess potential significant impacts. Records from the three USGS quadrangles surrounding the project site were obtained from this database to assist with the field survey.
- **United States Fish and Wildlife Service's (USFWS) Information for Planning and Conservation (IPaC) Online System**, which lists all proposed, candidate, threatened, and endangered species managed by the Endangered Species Program of the USFWS that have the potential to occur on or near a particular site. This database also lists all known critical habitats, national wildlife refuges, jurisdictional wetlands, and migratory birds that could be potentially impacted by activities from a proposed project. An IPaC Trust Resource Report was generated for the project site and was used to assist with the field survey.

Field Survey

A general biological survey of the project site was conducted by LSA Biologist Bo Gould on August 25, 2017. The entirety of the project site was surveyed on foot, and all biological resources observed were noted and mapped. Suitable habitat for any species of interest or concern was duly noted, and general site conditions were photographed. The field survey took place on an overcast morning with weather conditions conducive to the detection of plant and animal species.

RESOURCES EVALUATED

Vegetation

The two proposed grading sites, which have been previously disturbed by prior grading activities, were comprised entirely of nonnative/ruderal vegetation and bare ground during the August 2017 field survey. Areas surrounding the proposed grading sites are comprised of ornamental landscaping, pavement, and ruderal vegetation, with patches of coastal sage scrub, nonnative annual grassland, and chaparral vegetation occurring adjacent to the project site. A complete list of plant species identified within and adjacent to the proposed grading sites is contained in Attachment A. The vast majority of vegetation on the project site (>90 percent) is comprised of invasive, nonnative and/or introduced plant species such as tocalote (*Centaurea melitensis*), Russian-thistle (*Salsola tragus*), shortpod mustard (*Hirschfeldia incana*), ripgut grass (*Bromus diandrus*), golden wattle (*Acacia pycnantha*), and Peruvian pepper tree (*Schinus molle*).

Wildlife

Native wildlife habitat is largely absent within the proposed grading sites and in the immediate vicinity on the project site. Furthermore, the lack of ground cover and suitable foraging habitat make the proposed grading sites undesirable for many local wildlife species. Wildlife species observed on and near the project site during the field survey include the following: California towhee (*Melozone crissalis*), Anna's hummingbird (*Calypte anna*), northern mockingbird (*Mimus polyglottos*), lesser goldfinch (*Spinus psaltria*), mourning dove (*Zenaida macroura*), American crow (*Corvus brachyrhynchos*), red-tailed hawk (*Buteo jamaicensis*), Audubon's cottontail (*Sylvilagus audubonii*), darkling beetle (*Eleodes* sp.), and European honey bee (*Apis mellifera*).

One osprey (*Pandion haliaetus*), one western gull (*Larus occidentalis*), and several brown pelicans (*Pelecanus occidentalis*) were also observed flying near the immediate coastline (approximately 145 meters south from the project site) during the site survey.

Special-Interest Species

Special-interest species are those plants or animals that (1) are federally and/or State-listed, (2) are currently proposed for listing, or (3) have some other special designation from a resource agency or a recognized conservation organization (e.g., CNPS). Attachment B contains tables that identify those special-interest plant and animal species known to occur or that potentially occur in the vicinity of the project site and includes detailed information about each species' habitat and distribution, activity period, State and federal status designations, and probability of occurrence. These species were compiled from the CNPS and CNDDB records search from the three USGS quadrangle maps surrounding the proposed project site and from LSA's extensive knowledge and experience in the region.

No special-interest plant or animal species were observed during the site survey, and LSA did not identify any special-interest plant or animal species with a "moderate" or "high" probability of occurrence on the project site.

Wetlands and Potential Jurisdictional Drainage Features

There are no records of wetlands or potential jurisdictional drainage features existing on the project site. No potentially jurisdictional features were observed during the site survey, and no further analysis regarding wetlands or potential jurisdictional drainages is warranted.

IMPACT FINDINGS

Vegetation and Habitat Impacts

The proposed project would not result in any impact to native habitats or sensitive natural communities. Permanent impacts to nonnative vegetation and bare ground (totaling 0.464 acres) would occur by regrading two portions of the project site.

Consistency with Adopted Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP)

Portions of the proposed project site are within the designated City of Rancho Palos Verdes Natural Communities Conservation Planning Subarea Plan (Subarea Plan) Reserve Area. However, the proposed project is not likely to adversely affect any sensitive plant or wildlife species covered by the Subarea Plan due to the lack of suitable habitat/site conditions. Consistent with the Subarea Plan, any proposed development of land in the Reserve would first require consistency with the appropriate provisions of the Municipal Code, and the City will use its land-use authority to implement the provisions of the Subarea Plan.

Special-Interest Species

Given the highly disturbed conditions of the proposed grading sites, it is not expected that any substantial population of special-status plant species occurs within the site boundaries and no special-status species were observed during the site survey. As such, there are no special-status plant species with a moderate or high probability of occurrence, and future surveys for these plant species are not warranted.

Adequate habitat for most of the animal species listed in Attachment B is absent from the proposed grading sites. As such, there are no special-status animal species with a moderate or high probability of occurrence at the project site, and project implementation is not expected to have a direct or significant impact on any special-interest animal species.

Critical Habitat

The entire project site is located within final designated critical habitat for the federally listed as threatened coastal California gnatcatcher (*Polioptila californica californica*; CAGN). However, there are no records of occupied CAGN habitat within the proposed impact areas and coastal sage scrub vegetation containing physical or biological features necessary for CAGN breeding, foraging, and sheltering does not currently exist on the project site.

Wildlife Movement

Due to the developed and isolated nature of the proposed project site, project implementation would not have a substantial impact on wildlife movement. No permanent barriers to wildlife movement would occur with project implementation.

Jurisdictional Waters

The proposed project would not result in any impacts to jurisdictional waters.

RECOMMENDED AVOIDANCE MEASURES

The project site and immediate vicinity contain vegetation that is suitable nesting habitat for a variety of native and migratory bird species. To ensure compliance with the Federal Migratory Bird Treaty Act and California Fish and Game Code Sections 3500–3516, the following avoidance measures are recommended:

- If vegetation removal, construction, or grading activities are planned to occur within the active nesting bird season (February 15 through August 31), a qualified biologist should conduct a pre-construction nesting bird survey no more than 3 days prior to the start of such activities. The nesting bird survey should include the project site and areas immediately adjacent to the site that could potentially be affected by project-related activities such as noise, vibration, increased human activity, and dust, etc.
- If active bird nests are found within 300 feet of the designated grading areas, the qualified biologist should establish an appropriate buffer zone around the active nest(s). The appropriate buffer shall be determined by the qualified biologist based on species, location, and the nature of the proposed activities. Project activities shall be avoided within the buffer zone until the nest is deemed no longer active by the qualified biologist.

CONCLUSION

The proposed project would not result in any significant impacts to native habitats, special-interest plant or animal species, or jurisdictional waters or wetlands. No further biological analyses are necessary.

If you have any questions regarding the contents of this memorandum, please contact Bo Gould at (949) 553-0666 or Bo.Gould@lsa.net.

Sincerely,
LSA Associates, Inc.



Bo Gould, Biologist

ATTACHMENT A

VASCULAR PLANT SPECIES OBSERVED

The following vascular plant species were observed on the project site (including the proposed grading sites and adjacent areas) on August 25, 2017.

* = introduced species not native to southern California

GYMNOSPERMS

Cupressaceae

* *Cupressus sempervirens*

Cypress Family

Italian cypress

Pinaceae

* *Pinus* sp.

Pine Family

pine

EUDICOTS

Aizoaceae

* *Mesembryanthemum crystallinum*

Iceplant Family

crystal ice plant

Anacardiaceae

* *Rhus integrifolia*
* *Schinus molle*

Sumac Family

lemonade berry
Peruvian pepper tree

Apocynaceae

* *Vinca major*

Dogbane Family

blue periwinkle

Araliaceae

* *Hedera helix*

Ginseng Family

English ivy

Asteraceae

* *Artemisia californica*
* *Centaurea melitensis*
* *Encelia californica*
* *Erigeron canadensis*
* *Helminthotheca echioides*
* *Lactuca serriola*
* *Sonchus oleraceus*

Sunflower Family

California sagebrush
tocalote
California encelia
common horseweed
bristly ox-tongue
prickly lettuce
common sow-thistle

Brassicaceae

* *Hirschfeldia incana*

Mustard Family

shortpod mustard

Chenopodiaceae

* *Chenopodium album*
* *Salsola tragus*

Goosefoot Family

lamb's quarters
Russian-thistle

Crassulaceae

* *Crassula ovata*

Stonecrop Family

jade plant

Cucurbitaceae	Gourd Family
<i>Marah macrocarpus</i>	wild cucumber
Euphorbiaceae	Spurge Family
* <i>Euphorbia terracina</i>	Geraldton carnation weed
Fabaceae	Legume Family
* <i>Acacia pycnantha</i>	golden wattle
* <i>Melilotus albus</i>	white sweetclover
Lamiaceae	Mint Family
* <i>Marrubium vulgare</i>	horehound
Malvaceae	Mallow Family
* <i>Hibiscus</i> sp.	hibiscus
* <i>Malva parviflora</i>	cheeseweed
Moraceae	Mulberry Family
* <i>Ficus benjamina</i>	weeping Chinese banyan
Musaceae	Banana Family
* <i>Musa acuminata</i>	banana tree
Myrtaceae	Myrtle Family
* <i>Eucalyptus</i> sp.	gum tree
Nyctaginaceae	Four O'clock Family
* <i>Bougainvillea</i> sp.	bougainvillea
Polygonaceae	Buckwheat Family
<i>Eriogonum cinereum</i>	coastal wild buckwheat
Rosaceae	Rose Family
<i>Heteromeles arbutifolia</i>	toyon
Scrophulariaceae	Figwort Family
* <i>Myoporum laetum</i>	myoporum
Solanaceae	Nightshade Family
* <i>Lycopersicon esculeritum</i>	tomato
* <i>Nicotiana glauca</i>	tree tobacco
<i>Solanum douglasii</i>	Douglas' nightshade
Tropaeolaceae	Nasturtium Family
* <i>Tropaeolum majus</i>	garden nasturtium

MONOCOTS**Agavaceae**

* *Agave attenuata*

Century Plant Family

lion's tail agave

Arecaceae

* *Washingtonia robusta*

Palm Family

Mexican fan palm

Poaceae

* *Bromus diandrus*

* *Festuca perennis*

* *Hordeum murinum* ssp. *glaucum*

* *Stipa miliacea* var. *miliacea*

Grass Family

ripgut grass

perennial rye

smooth barley

smilo grass

Taxonomy and scientific nomenclature generally conform to Baldwin, B.G., D.H. Goldman et al., eds. (2012; The Jepson Manual: Vascular Plants of California, 2nd edition; University of California Press, Berkeley and Los Angeles, California).

Common names for each taxa generally conform to Roberts, F.M., Jr. (2008; The Vascular Plants of Orange County, California: An Annotated Checklist; F.M. Roberts Publications, San Luis Rey, California) except where Abrams, L. (1923, 1944, and 1951; Illustrated Flora of the Pacific States: Washington, Oregon, and California, vols. I-III; Stanford University Press, Stanford, California) and Abrams, L. and Ferris, R.S. (1960; Illustrated Flora of the Pacific States: Washington, Oregon, and California, vol. IV; Stanford University Press, Stanford, California) were used, particularly when species-specific common names were not identified in Roberts, F.M., Jr. (2008).

ATTACHMENT B

SUMMARY OF SPECIAL-STATUS SPECIES

Table B-1: Special-Interest Plant Species Identified as Potentially Occurring or Known to Occur in the Project Vicinity

Common Name	Scientific Name	Status	General Habitat Description	Flowering Period	Likelihood of Occurrence
aphanisma	<i>Aphanisma blitoides</i>	US: - CA: - CNPS: 1B.2 NCCP: C	Annual herb. Sandy or clay soils on slopes or bluffs near the ocean, usually in coastal bluff scrub, coastal dunes, or coastal scrub, below 305 meters in elevation.	March–June	Low. There are known occurrences in the vicinity of the project site, but suitable habitat is generally absent from the project site.
Coulter's saltbush	<i>Atriplex coulteri</i>	US: - CA: - CNPS: 1B.2 NCCP: NC	Perennial herb. Occurs in coastal bluff scrub, coastal dunes, coastal scrub, and valley and foothill grasslands, usually on ocean bluffs and ridge tops in alkaline or clay soils. From 3 to 460 meters in elevation.	March–October	Absent. This perennial herb was not observed during focused plant surveys conducted on the project site during this species' typical blooming period.
South coast saltscale	<i>Atriplex pacifica</i>	US: - CA: - CNPS: 1B.2 NCCP: C	Annual herb. Found in alkaline soils in coastal scrub, coastal dunes, coastal playas, and coastal bluff scrub habitats below 140 meters in elevation.	March- October	Not expected. There are known occurrences in the general vicinity of the project site, but this species was not observed during the site survey conducted during this species' typical blooming period and suitable soils were not identified on the project site.
Parish's brittlescale	<i>Atriplex parishii</i>	US: - CA: - CNPS: 1B.1 NCCP: NC	Annual herb. Occurs on alkaline soils in playas, vernal pools, and chenopod scrub habitats between 25 and 1,900 meters in elevation.	June–October	Not expected. There are no known occurrences in the vicinity of the project site and this species was not observed during the site survey conducted during this species' typical blooming period.
Davidson's saltscale	<i>Atriplex serenana</i> var. <i>davidsonii</i>	US: - CA: - CNPS: 1B.2 NCCP: NC	Annual herb. Found on alkaline soils in coastal bluff scrub and coastal scrub up to 200 meters in elevation.	April–October	Not expected. There are no known occurrences in the vicinity of the project site and this species was not observed during the site survey conducted during this species' typical blooming period.
southern tarplant	<i>Centromadia parryi</i> ssp. <i>Australis</i>	US: - CA: - CNPS: 1B.1 NCCP: C	Annual herb. Occurs in vernal pools, margins of marshes and swamps, and vernally mesic valley and foothill grasslands, sometimes with saltgrass on alkaline soils. Up to 427 meters in elevation.	May–November	Not expected. There are known occurrences in the general vicinity of the project site, but suitable habitat is absent on the project site. This species was not detected during the site survey conducted during this species' typical blooming period.
salt marsh bird's-beak	<i>Chloropyron maritimum</i> ssp. <i>maritimum</i>	US: FE CA: CE CNPS: 1B.2 NCCP: NC	Annual herb (hemiparasitic). Occurs in coastal dune and salt marsh habitats between 0 to 30 meters in elevation.	May–October	Not expected. There are no known occurrences in the vicinity of the project site and suitable habitat is absent on the project site. This species was not observed during the site survey conducted during the species' typical blooming period.

Table B-1: Special-Interest Plant Species Identified as Potentially Occurring or Known to Occur in the Project Vicinity

Common Name	Scientific Name	Status	General Habitat Description	Flowering Period	Likelihood of Occurrence
Catalina crossosoma	<i>Crossosoma californicum</i>	US: - CA: - CNPS: 1B.2 NCCP: C	Perennial deciduous shrub. Occurs in rocky areas within coastal sage scrub and chaparral habitats up to 500 meters in elevation. Known only from the Channel Islands and Palos Verdes peninsula.	February- May	Absent. This perennial shrub was not detected during the site survey.
beach spectaclepod	<i>Dithyrea maritima</i>	US: - CA: CT CNPS: 1B.1 NCCP: NC	Perennial rhizomatous herb. Occurs within coastal dunes and coastal scrub with sandy substrate, between 3 and 50 meters in elevation.	March-May	Not expected. Suitable habitat is largely absent from the project site and the project site is near the upper limit of the species known elevation range.
Island green dudleya	<i>Dudleya virens</i> <i>ssp. insularis</i>	US: - CA: - CNPS: 1B.2 NCCP: C	Perennial herb. Occurs in rocky substrates within coastal bluff scrub or coastal scrub, between 5 and 300 meters in elevation.	April-June	Absent. This perennial herb was not observed during focused plant surveys conducted on the project site.
mesa horkelia	<i>Horkelia cuneata</i> var. <i>puberula</i>	US: - CA: - CNPS: 1B.1 NCCP: NC	Perennial herb. Occurs on sandy and gravelly soils in chaparral, cismontane woodland, coastal scrub habitats between 70 and 810 meters in elevation.	February-September	Absent. This perennial herb was not observed during the site survey conducted during this species' typical blooming period.
Decumbent goldenbush	<i>Isocoma menziesii</i> var. <i>decumbens</i>	US: - CA: - CNPS: 1B.2 NCCP: NC	Perennial shrub. Occurs in chaparral and coastal scrub (sandy, often in disturbed areas), 10-35 meters in elevation.	April- November	Absent. This perennial shrub was not observed during the site survey conducted during this species' typical blooming period. The project site is outside of the species' known elevation range.
Coulter's goldfields	<i>Lasthenia glabrata</i> ssp. <i>coulteri</i>	US: - CA: - CNPS: 1B.1 NCCP: NC	Annual herb. Occurs in marshes and swamps, playas, and vernal pools up to 1220 meters in elevation.	February-June	Not expected. There are known occurrences in the vicinity of the project site, but suitable habitat is absent from the project site.
Santa Catalina Island desert-thorn	<i>Lycium brevipes</i> var. <i>hassei</i>	US: - CA: - CNPS: 3.1 NCCP: C	Perennial deciduous shrub. Occurs within coastal bluff scrub and coastal scrub, 65-300 meters in elevation.	June	Absent. This perennial shrub was not observed during the survey conducted on the project site.
mud nama	<i>Nama stenocarpa</i>	US: - CA: - CNPS: 2B.2 NCCP: NC	Annual/ perennial herb. Occurs in marshes and swamps (lake margins, riverbanks), 5-500 meters in elevation.	January-July	Not expected. There are no known occurrences in the vicinity of the project site and suitable habitat is absent from the project site.
prostrate vernal pool navarretia	<i>Navarretia prostrata</i>	US: - CA: - CNPS: 1B.1 NCCP: NC	Annual herb. Occurs on mesic soils in coastal scrub, meadows and seeps, vernal pools, and valley and foothill grassland habitats between 3 and 1,210 meters in elevation.	April-July	Not expected. There are no known occurrences in the vicinity of the project site and suitable habitat is absent from the project site.

Table B-1: Special-Interest Plant Species Identified as Potentially Occurring or Known to Occur in the Project Vicinity

Common Name	Scientific Name	Status	General Habitat Description	Flowering Period	Likelihood of Occurrence
coast woolly-heads	<i>Nemacaulis denudata</i> var. <i>denudata</i>	US: - CA: - CNPS: 1B.2 NCCP: NC	Annual herb. Occurs on coastal dunes up to 30 meters in elevation.	April-September	Not expected. The project site is outside of the species' known elevation range.
Lyon's pentachaeta	<i>Pentachaeta lyonii</i>	US: FE CA: CE CNPS: 1B.1 NCCP: NC	Annual herb found 30-690 meters in elevation. Occurring on rocky or clay substrates, within chaparral, coastal scrub, and valley or foothill grasslands.	March-August	Low. There are known occurrences in the vicinity of the project site, but suitable habitat is largely absent from the project site.
Brand's star phacelia	<i>Phacelia stellaris</i>	US: - CA: - CNPS: 1B.1 NCCP: NC	Annual herb. Occurs in coastal dune and coastal scrub habitats up to 400 meters in elevation.	March-June	Low. There are no known occurrences in the vicinity of the project site and suitable habitat is largely absent from the project site.
estuary seabite	<i>Suasda esteroa</i>	US: - CA: - CNPS: 1B.2 NCCP: C	Perennial herb. Occurs in marshes or swamps (coastal saltwater), 0-5 meters in elevation.	July-October	Not expected. The project site is outside of the species' known elevation range.
San Bernardino aster	<i>Sympyotrichum defoliatum</i>	US: - CA: - CNPS: 1B.2 NCCP: NC	Perennial rhizomatous herb. Occurs near ditches, streams, and springs within cismontane woodlands, coastal scrub, lower montane coniferous forest, meadows or seeps, marshes or swamps, and valley or foothill grasslands (vernally mesic).	July-November	Not expected. There are no known occurrences in the vicinity of the project site and suitable habitat is absent from the project site.

Abbreviation/Acronym Definitions:

CA = California

CNPS = California Native Plant Society

CSS = coastal sage scrub

NCCP = Rancho Palos Verdes Natural Community Conservation Plan /
Habitat Conservation Plan

US = United States

Status Definitions: Federal Endangered (FE), Federal Threatened (FT),

California Endangered (CE), California Threatened (CT), Rancho Palos Verdes NCCP/HCP Covered Species (CS), Species Not Covered by the Rancho Palos Verdes NCCP/HCP (NC)

CNPS Rare Plant Designations:

1B = Rare threatened, or endangered in California and elsewhere
2B = Rare, threatened, or endangered in California, but not elsewhere
3 = Not very endangered in California
4 = Plants of Limited Distribution – Watch List

CNPS Threat Rankings:

0.1 = Seriously threatened in California
0.2 = Moderately threatened in California
0.3 = Not very threatened in California

Table B-2: Special-Interest Animal Species Identified as Potentially Occurring or Known to Occur in the Project Vicinity

Common Name	Scientific Name	Status Listing	Habitat and Comments	Likelihood of Occurrence
INVERTEBRATES				
Crotch bumble bee	<i>Bombus crotchii</i>	US: - CA: CSA NCCP: NC	Found from coastal California east to the Sierra-Cascade crest and south into Mexico. Feeds on <i>Antirrhinum</i> spp., <i>Phacelia</i> spp., <i>Clarkia</i> spp., <i>Dendromecon</i> spp., <i>Eschscholzia</i> spp., and <i>Eriogonum</i> spp.	Low. The project site is within the species' known range, but none of its food species were identified on the proposed grading sites.
western tidal-flat tiger beetle	<i>Cicindela gabbii</i>	US: - CA: CSA NCCP:	Occurs in salty coastal habitats including salt marshes, tidal flats, beaches.	Not expected. There are no known occurrences in the vicinity of the project site, and suitable habitat is absent on the project site.
sandy beach tiger beetle	<i>Cicindela hirticollis gravida</i>	US: - CA: CSA NCCP:	Inhabits areas adjacent to non-brackish water along the coast of California from San Francisco bay to northern Mexico. Clean, dry, light-colored sand in the upper zone. Subterranean larvae prefer moist sand not affected by wave action.	Not expected. There are no known occurrences in the vicinity of the project site, and suitable habitat is absent on the project site.
western beach tiger beetle	<i>Cicindela latesignata latesignata</i>	US: - CA: CSA NCCP: NC	Mudflats and beaches in coastal southern California.	Not expected. There are no known occurrences in the vicinity of the project site, and suitable habitat is absent on the project site.
Monarch butterfly (California overwintering population)	<i>Danaus plexippus</i>	US: - CA: - NCCP: NC	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico. Roosts located in wind-protected tree groves (e.g., eucalyptus, Monterey pine, cypress) with nectar and water sources nearby.	Not expected. There are no known occurrences in the vicinity of the project site, and suitable habitat is absent on the project site.
El Segundo blue butterfly	<i>Euphilotes battoides allyni</i>	US: FE CA: - NCCP: C	Currently known from three localized sites supporting sand dunes in Los Angeles County. Seacliff buckwheat (<i>Eriogonum parvifolium</i>) serves as the species' obligate host plant.	Not expected. There are no known occurrences in the vicinity of the project site, and seacliff buckwheat is absent from the project site.
Palos Verdes blue butterfly	<i>Glauopsyche lygdamus palosverdesensis</i>	US: FE CA: - NCCP: C	Typically occurs in the cool, fog-shrouded seaward side of the Palos Verdes Hills on the Palos Verdes Peninsula in Los Angeles County. Mature Palos Verdes blue butterflies flight period occurs from late January through mid-April. Eggs are laid in the flower heads of either <i>Acmsipon</i> spp. or <i>Astragalus</i> spp., which serve as the main food sources.	Not expected. There are known occurrences in the general vicinity of the project site, but none of its food species were identified on the project site.
El Segundo flower-loving fly	<i>Rhaphiomidas terminatus terminatus</i>	US: FE CA: - NCCP: NC	Occurs in areas that contain open habitats within the fine, sandy Delhi series soils, typically near rivers or streams.	Not expected. There are no known occurrences in the vicinity of the project site, and suitable soils were not identified on the project site.

Table B-2: Special-Interest Animal Species Identified as Potentially Occurring or Known to Occur in the Project Vicinity

Common Name	Scientific Name	Status Listing	Habitat and Comments	Likelihood of Occurrence
Riverside fairy shrimp	<i>Streptocephalus woottoni</i>	US: FE CA: - NCCP: NC	Warm-water vernal pools (i.e., large, deep pools that retain water into the warm season) with low to moderate dissolved solids, in annual grassland areas interspersed through chaparral or coastal sage scrub vegetation. Suitable habitat includes some artificially created or enhanced pools, such as some stock ponds, that have vernal pool like hydrology and vegetation. Known from areas within about 50 miles of the coast from Ventura County south to San Diego County and Baja California.	Not expected. There are no known occurrences in the vicinity of the project site, and suitable habitat is absent on the project site.
mimic tryonia	<i>Tryonia imitator</i>	US: - CA: SSC NCCP: NC	Inhabits coastal lagoons, estuaries and salt marshes, from Sonoma County south to San Diego County. Found only in permanently submerged areas in a variety of sediment types; able to withstand a wide range of salinities.	Not expected. There are no known occurrences in the vicinity of the project site, and suitable habitat is absent on the project site.
REPTILES				
southern California legless lizard	<i>Anniella stebbinsi</i>	US: - CA: SSC NCCP: NC	Inhabits low-elevation coastal scrub, chaparral, and valley hardwood habitats. Prefers washes and other sandy areas with patches of brush and rocks. Perennial plants necessary for its major food, termites.	Not expected. There are no known occurrences in the vicinity of the project site, and suitable habitat is absent on the project site.
Coast horned lizard	<i>Phrynosoma blainvillii</i>	US: - CA: SSC NCCP: NC	Occurs in CSS, open chaparral, riparian woodland, and annual grassland habitats that support adequate prey species.	Not expected. There are no known occurrences in the vicinity of the project site, and suitable habitat is absent on the project site.
BIRDS				
Tricolored blackbird (nesting colony)	<i>Agelaius tricolor</i>	US: - CA: SSC NCCP: NC	Highly colonial nester largely endemic to California. Most numerous in the Central Valley and vicinity. Requires open water, protected nesting substrate, and a foraging area with insect prey within a few kilometers of the colony.	Not expected. There are no known occurrences in the general vicinity of the project site, and suitable habitat is absent on the project site.
Coastal cactus wren	<i>Campylorhynchus brunneicapillus sandiegensis</i>	US: - CA: SSC NCCP: C	Occurs in CSS habitats. Requires tall <i>Opuntia</i> cactus for nesting and roosting.	Not expected. There are known occurrences in the general vicinity of the project site, but suitable habitat is absent on the project site.

Table B-2: Special-Interest Animal Species Identified as Potentially Occurring or Known to Occur in the Project Vicinity

Common Name	Scientific Name	Status Listing	Habitat and Comments	Likelihood of Occurrence
Western yellow-billed cuckoo (nesting)	<i>Coccyzus americanus occidentalis</i>	US: FT CA: CE NCCP: NC	Nests in riparian forests along the broad lower flood-bottoms of larger river systems. Nests in riparian jungles of willow, often mixed with cottonwoods with understory of blackberry, nettle, or grape.	Not expected. There are no known occurrences in the general vicinity of the project site and suitable habitat is absent on the project site.
Coastal California gnatcatcher	<i>Polioptila californica californica</i>	US: FT CA: SSC NCCP: C	Obligate, permanent resident of coastal sage scrub habitats below 2,500 ft in elevation in Southern California.	Low. There are known occurrences in the general vicinity of the project site, but suitable nesting habitat (e.g. coastal sage scrub) is absent on the project site.
bank swallow	<i>Riparia riparia</i>	US: - CA: CT NCCP: NC	Nesting habitat is vertical banks of fine textured soils, most commonly along streams and rivers. In Southern California, fairly common spring and fall transient in interior; very uncommon spring transient and rare fall transient along coast. Casual in winter.	Not expected. The project site is outside of the current known breeding range of the species. Low potential for occurrence of transient individuals during migration.
California least tern	<i>Sternula antillarum browni</i>	US: FE CA: CE NCCP: NC	Nests along the coast from San Francisco Bay south to northern Baja California. Forages in shallow water. Colonial breeder on bare or sparsely vegetated flat substrates, typically sandy beaches.	Not expected. There are no known occurrences in the general vicinity of the project site, and suitable nesting habitat is absent on the project site.
MAMMALS				
Pallid bat	<i>Antrozous pallidus</i>	US: - CA: SSC NCCP: NC	Found in varied habitats in western North America.	Not expected. There are no known occurrences in the general vicinity of the project site, and suitable bat roosting habitat is absent on the project site.
San Diego desert woodrat	<i>Neotoma lepida intermedia</i>	US: - CA: SSC NCCP: NC	Found in desert scrub and coastal sage scrub habitat, especially in association with cactus patches. Builds stick nests around cacti, or on rocky crevices. Occurs along the Pacific slope from San Luis Obispo County to northwest Baja California.	Low. There are known occurrences in the vicinity of the project site, but suitable habitat is absent from the project site (e.g., no cacti or rock crevices observed on site).
Pocketed free-tailed bat	<i>Nyctinomops femoratasca</i>	US: - CA: SSC NCCP: NC	Spotty distribution in California, ranging from Southern California south to the Baja Peninsula, and through southwestern Arizona to at least central Mexico. In California, typically found in rocky, desert areas with relatively high cliffs.	Not expected. There are no known occurrences in the general vicinity of the project site, and suitable bat roosting habitat is absent on the project site.

Table B-2: Special-Interest Animal Species Identified as Potentially Occurring or Known to Occur in the Project Vicinity

Common Name	Scientific Name	Status Listing	Habitat and Comments	Likelihood of Occurrence
Pacific pocket mouse	<i>Perognathus longimembris pacificus</i>	US: FE CA: SSC NCCP: NC	Inhabits friable soils along the narrow coastal plains from the northern Mexican border to Los Angeles County.	Not expected. There are no known occurrences in the general vicinity of the project site, and the project site is outside of the species' known range.
FISH				
Mohave tui chub	<i>Siphateles bicolor</i>	US: - CA: SSC NCCP: NC	The Mohave tui chub, <i>Gila bicolor mohavensis</i> , is the only fish native to the Mohave River basin in San Bernardino County, California. Arroyo chubs, <i>Gila orcutti</i> , were introduced into Mohave River headwater reservoirs in the San Bernardino Mountains	Absent. No suitable fish habitat is present on the project site.

Abbreviation/Acronym Definitions:

CA = California

CSS = coastal sage scrub

ft = foot/feet

NCCP = Rancho Palos Verdes Natural Community Conservation Plan /
Habitat Conservation Plan

US = United States

Status Definitions: Federal Endangered (FE), Federal Threatened

(FT), Federal Candidate (FC), Federal Proposed (FP, FPE, FPT),

Federal Delisted (FD), California Endangered (CE), California

Threatened (CT), California Species of Special Concern (SSC),

California Fully Protected Species (CFP), California Special Animal

(CSA), Rancho Palos Verdes NCCP Covered Species (CS), Species

Not Covered by the Rancho Palos Verdes NCCP (NC)

October 27, 2017

So Kim
Deputy Director/ Planning Manager
Community Development Department
City of Rancho Palos Verdes

SUBJECT: Habitat impact assessment of past and future grading areas at 5500 Palos Verdes Drive South.

Dear Ms. Kim,

The Palos Verdes Peninsula Land Conservancy (Conservancy) conducted a habitat assessment at 5500 Palos Verde Drive South to investigate impacts to coastal sage scrub habitat (CSS) incurred as a result of unpermitted grading work and to predict foreseeable impacts that may result from remedial grading work at the site. The Conservancy was requested by the City of Rancho Palos Verdes to conduct this assessment to provide additional information to supplement the prior LSA biological assessment which were based on previous grading plans (which have now been modified) and did not assess habitat impacts resulting from the prior grading work.

Based on our assessments in the field and review of aerial imagery, we have determined that 0.5 acres of CSS was impacted by grading activity. This includes 0.4 acres within the Palos Verdes Nature Preserve (Preserve) and 0.1 acres on private land (Figure 1 and 2).

After reviewing the revised grading plans (provided by the City on October 9, 2017, Appendix 1), we determine that some native habitat consisting of lemonade berry (*Rhus integrifolia*) adjacent to the grading zone has a high likelihood of being impacted during grading and erosion control measures specified in the new grading plan. Areas of potential additional impact are highlighted on page C3 of Appendix 1. Additionally, the Erosion Control Plan for Area 1 and 2 (on page C2 and C3 of Appendix 1) includes the placement of sand bags into the Preserve and through existing mature CSS (on page C2 and C3 of Appendix 1). Also, the locations identified for waste collection and vehicle/equipment maintenance in Area 1 are situated close to CSS and the adjacent Alta Mira canyon. The silt fence shown in Area 1 extends across the western boundary of the private property into the Preserve, which may facilitate soil and water runoff into the Preserve and canyon.

It is pertinent that future grading work and erosion control measures do not inadvertently impact CSS. Therefore, it is the recommendation of the Conservancy that native plants existing within and adjacent to work areas specified in the latest grading plan must be fenced or otherwise protected prior to construction activity or monitored by a qualified biologist to ensure there are no further impacts to CSS. It is also our recommendation that the silt fence in Area 1 be modified to avoid placement in the Preserve while ensuring that there is no soil or water runoff into the Preserve and canyon. Furthermore, minimization measures under the Natural Community Conservation Plan must be

implemented to ensure there are no impacts to the Preserve area. These measures include but are not limited to: grading and construction activities to take place outside of bird nesting season; nesting bird monitoring, noise attenuation and distance buffers should activities take place during nesting season; and avoidance of native plant disturbance, etc. It is also the Conservancy's recommendation that the City explore the requirements for consultation with wildlife agencies and permitting (ie. Coastal Development Permit) before construction activities commence.

Please contact the Conservancy with any questions you may have.

Thank you,



Adrienne Mohan
Conservation Director
amohan@pvplc.org
310-541-7613 x203

FIGURE 1

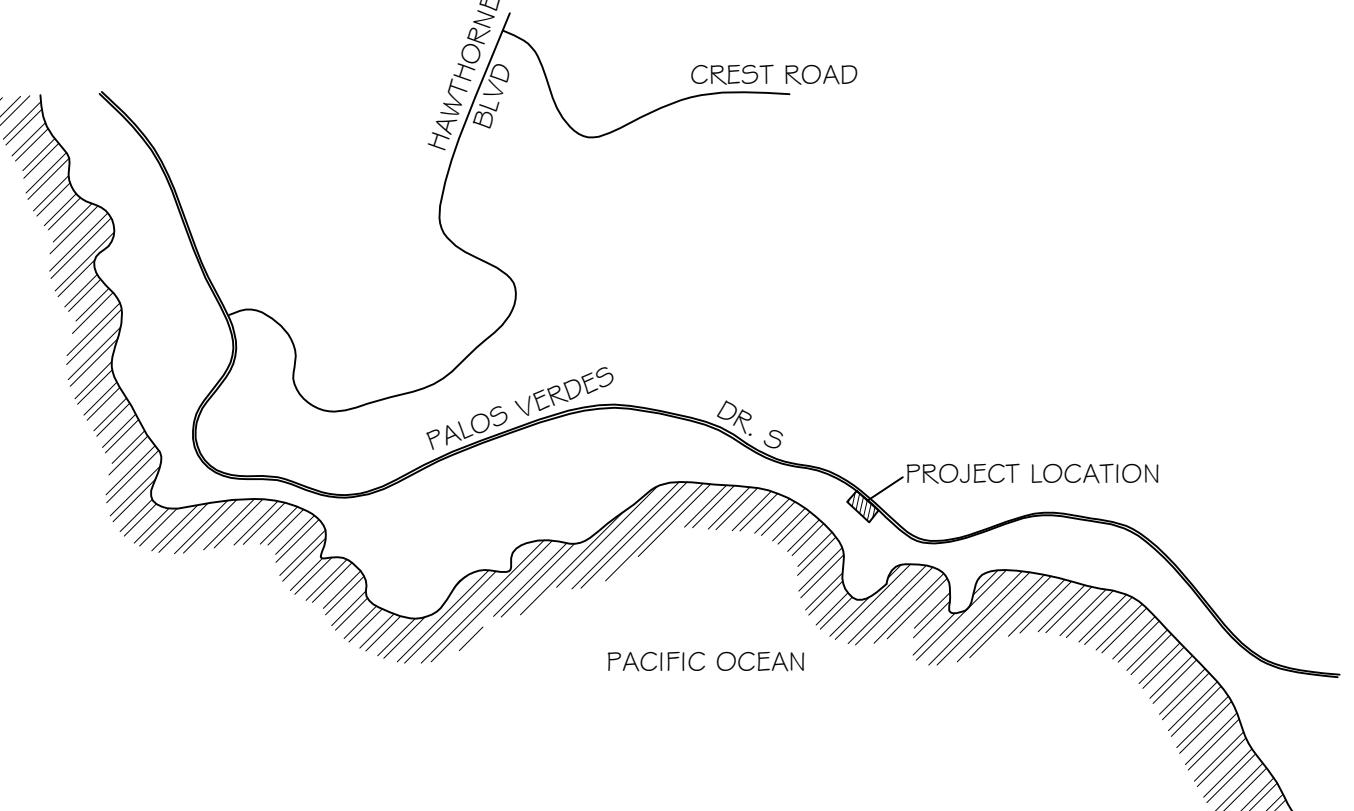


FIGURE 2

Rhus integrifolia near or within new grading plan
at 5500 Palos Verdes Drive South (Area 1)



APPENDIX 1 (page 1 of 3)



VICINITY MAP

SCALE: NTS

APPLICANT:

CHARLOTTE GINSBURG

CIVIL ENGINEER:

BOLTON ENGINEERING CORP.
25834 NARBONNE AVE 3210
LOMITA, CA 90717
PHONE: (310) 325-5580
ATTN: DANIEL J BOLTON, P.E.
RCE 63290 EXP. 6/30/18
BEC JOB NO. 14374

SOILS ENGINEER/GEOLOGIST:

HAMILTON AND ASSOCIATES
1641 BORDER AVENUE
TORRANCE, CA 90501
PHONE: (310) 618-2190
ATTN: DAVID T. HAMILTON, G.E.

BENCHMARK

BM NUMBER: GY1265
ELEVATION (FT): 160.52
ADJUSTMENT YEAR: 2005
DESCRIPTION: DPW BM TAG IN S CB
150MM(0.5FT) W/O BCR @ SW
COR PALOS VERDES DR S &
NARCISSA DR.

PROPERTY ADDRESS:

5500 PALOS VERDES DRIVE SOUTH
RANCHO PALOS VERDES, CALIFORNIA 90275

FLOOD ZONE:

THE SUBJECT PROPERTY IS MAPPED AS ZONE "X".

EARTHWORK QUANTITIES:

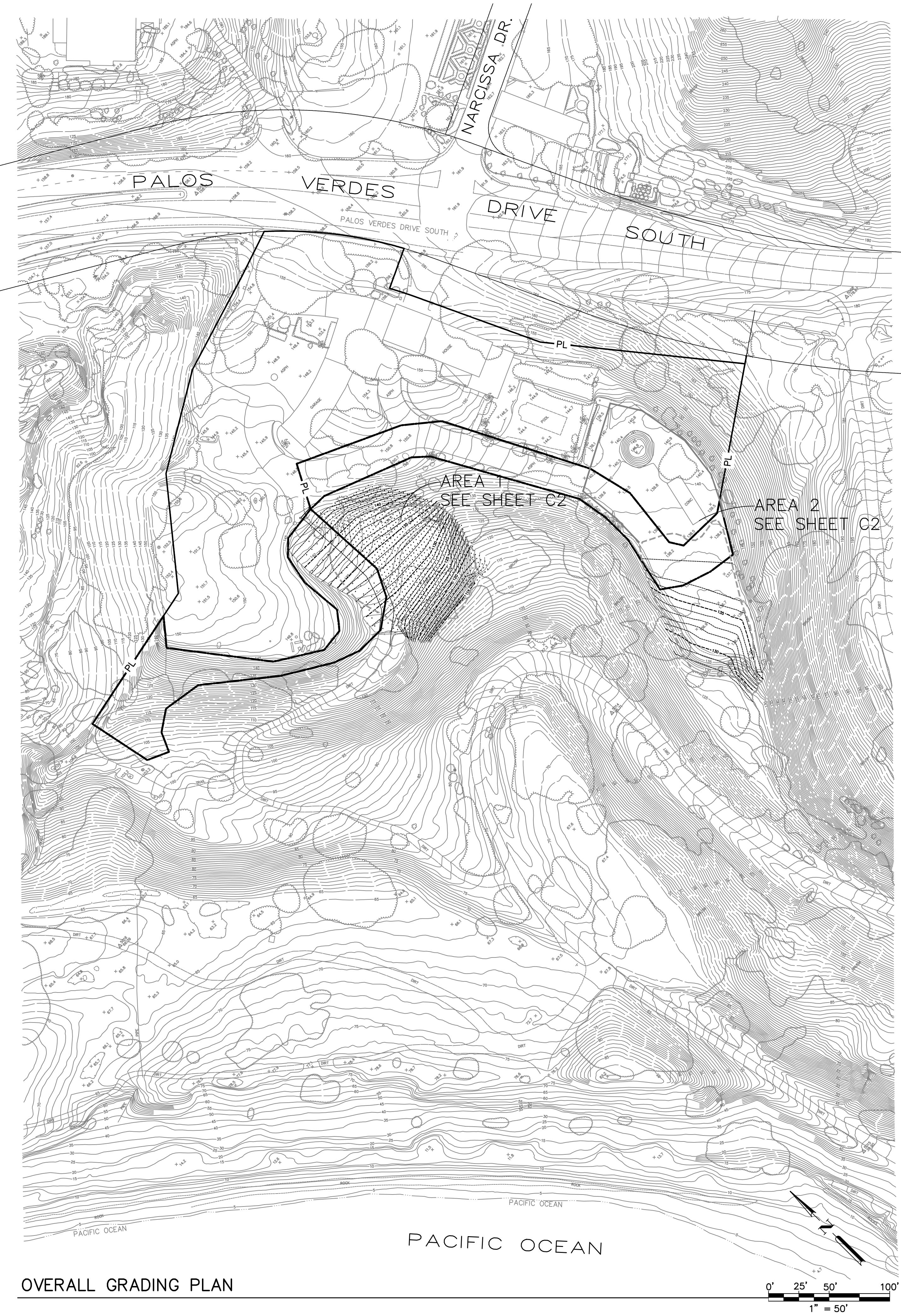
CUT:	1232	CY
OVEREX:	2372	CY
TOTAL EXCAV:	3335	CY
FILL:	438	CY (RAW)
RECOMPACT:	2372	CY
TOTAL EMBANK:	3335	CY
NET:	794	CY (EXPORT)
TOTAL DISTURBED AREA:	32,100 SF	(0.74 ACRE)

RANCHO PALOS VERDES NOTES:

- ALL WORK IS TO COMPLY WITH THE 2013 CALIFORNIA BUILDING CODE, APPENDIX J, AND THE REQUIREMENTS OF THE RPV MUNICIPAL CODE AVAILABLE ONLINE.
- WHERE SLOPES ARE STEEPER THAN FIVE TO ONE AND THE HEIGHT IS GREATER THAN 5 FEET, BENCHING INTO SOUND BEDROCK OR OTHER COMPETENT MATERIAL IS REQUIRED AS DETERMINED BY SOILS ENGINEER. BENCH SHALL BE 10 FEET MINIMUM IN WIDTH.
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 6. ANY CHANGED SUBSURFACE CONDITIONS REQUIRING DESIGN CHANGES.
 7. ANALYSES DEMONSTRATING THAT, BASED ON ANY CHANGED DESIGN, THE SITE WILL BE SAFE FOR THE INTENDED USE AND WILL BE IN CONFORMANCE WITH STATE AND COUNTY CODES.
 8. CERTIFICATION OF WASTE DISPOSAL SHALL BE RECEIVED ON CITY FORM PRIOR TO FINAL.

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2. AERIAL TOPOGRAPHIC SURVEY PREPARED BY WALTERS MAPS & ASSOCIATES JULY 2016.



OVERALL GRADING PLAN

Revisions	By

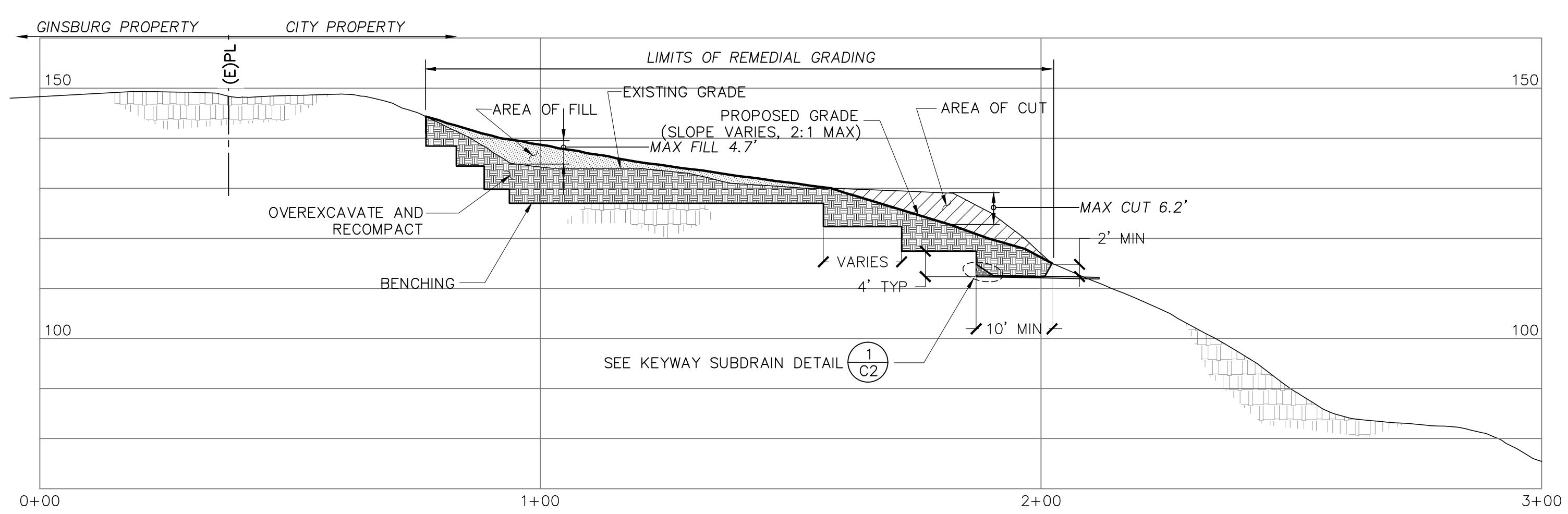
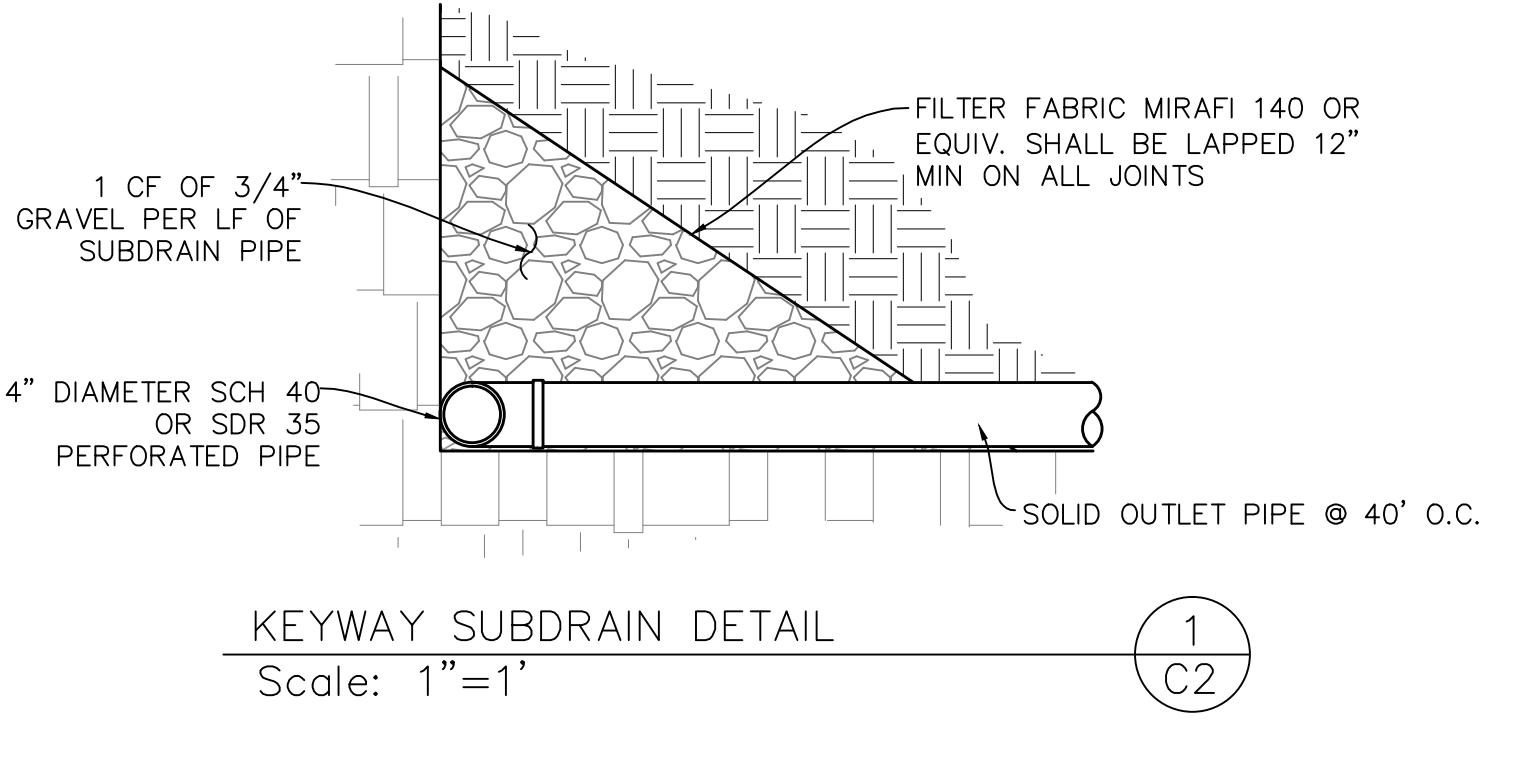
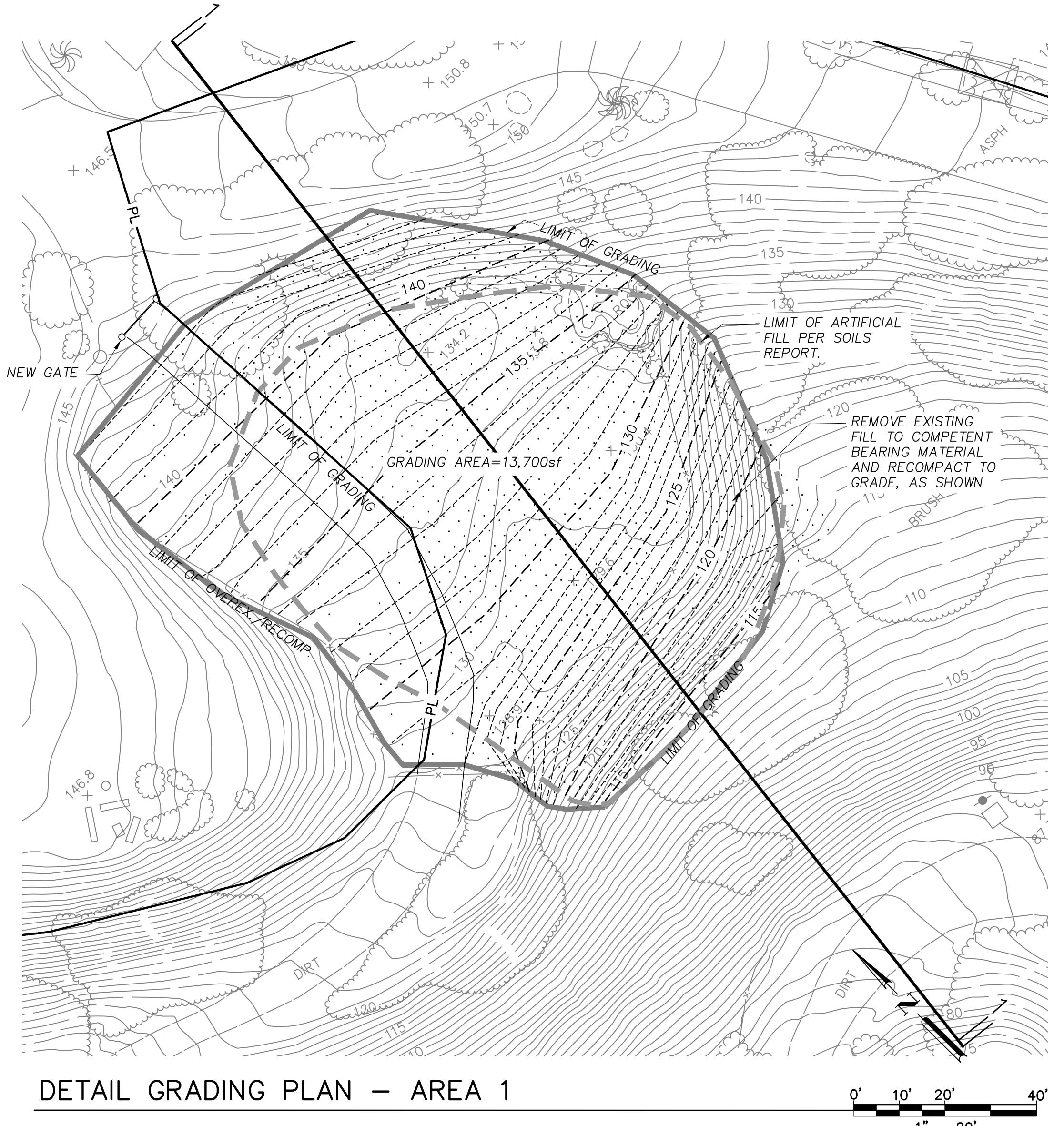
Bolton Engineering Corp.
Civil Engineering and Surveying
25834 NARBONNE AVE Suite 210
Lomita, CA 90717
Ph: 310-325-5580 Fax: 310-325-5581

BEC

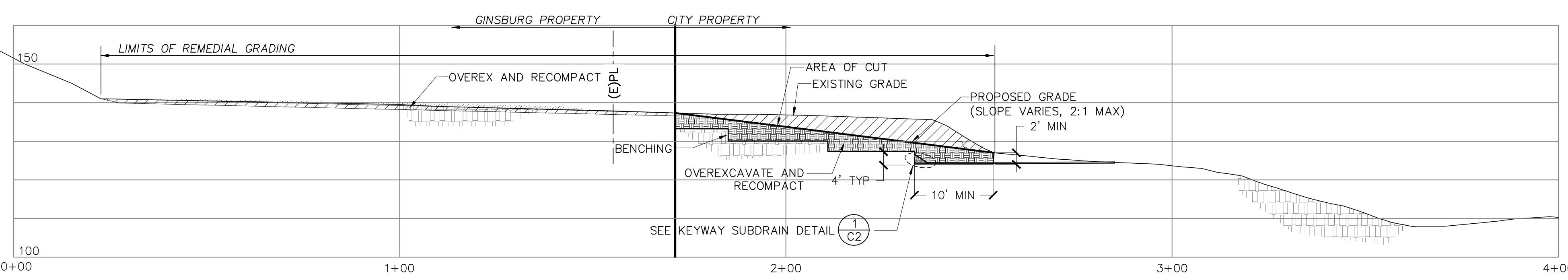
Mr. and Mrs. Ginsburg
5500 PALOS VERDES DRIVE SOUTH
RANCHO PALOS VERDES, CA

CLIENT:	Mr. and Mrs. Ginsburg
TITLE:	OVERALL GRADING PLAN
DATE:	June 2, 2017
Scale:	1" = 50'
Drawn:	BGO
Checked:	DJB
Job No.:	14374
Sheet:	C1
Of	1 Sheets

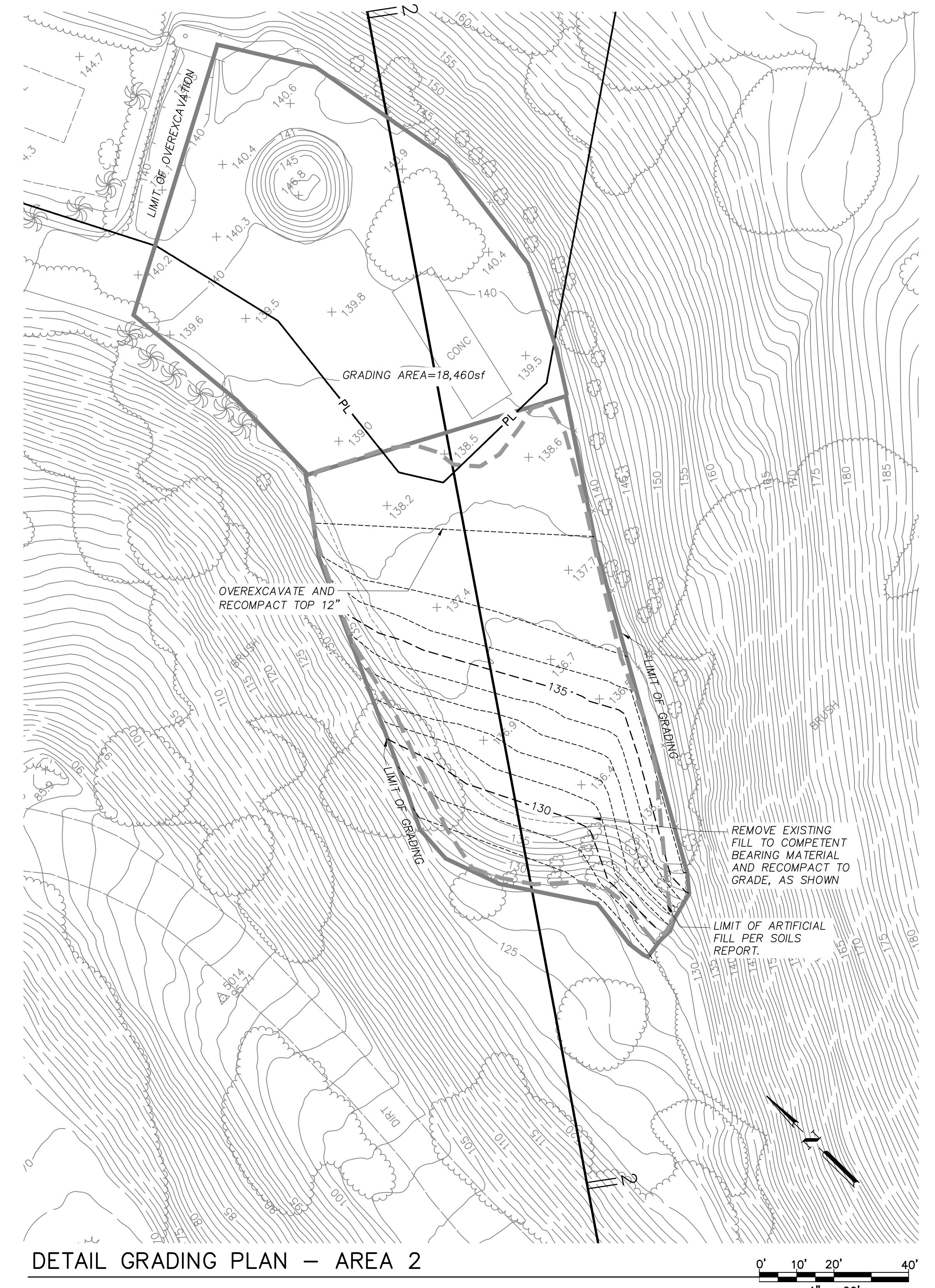
APPENDIX 1 (page 2 of 3)



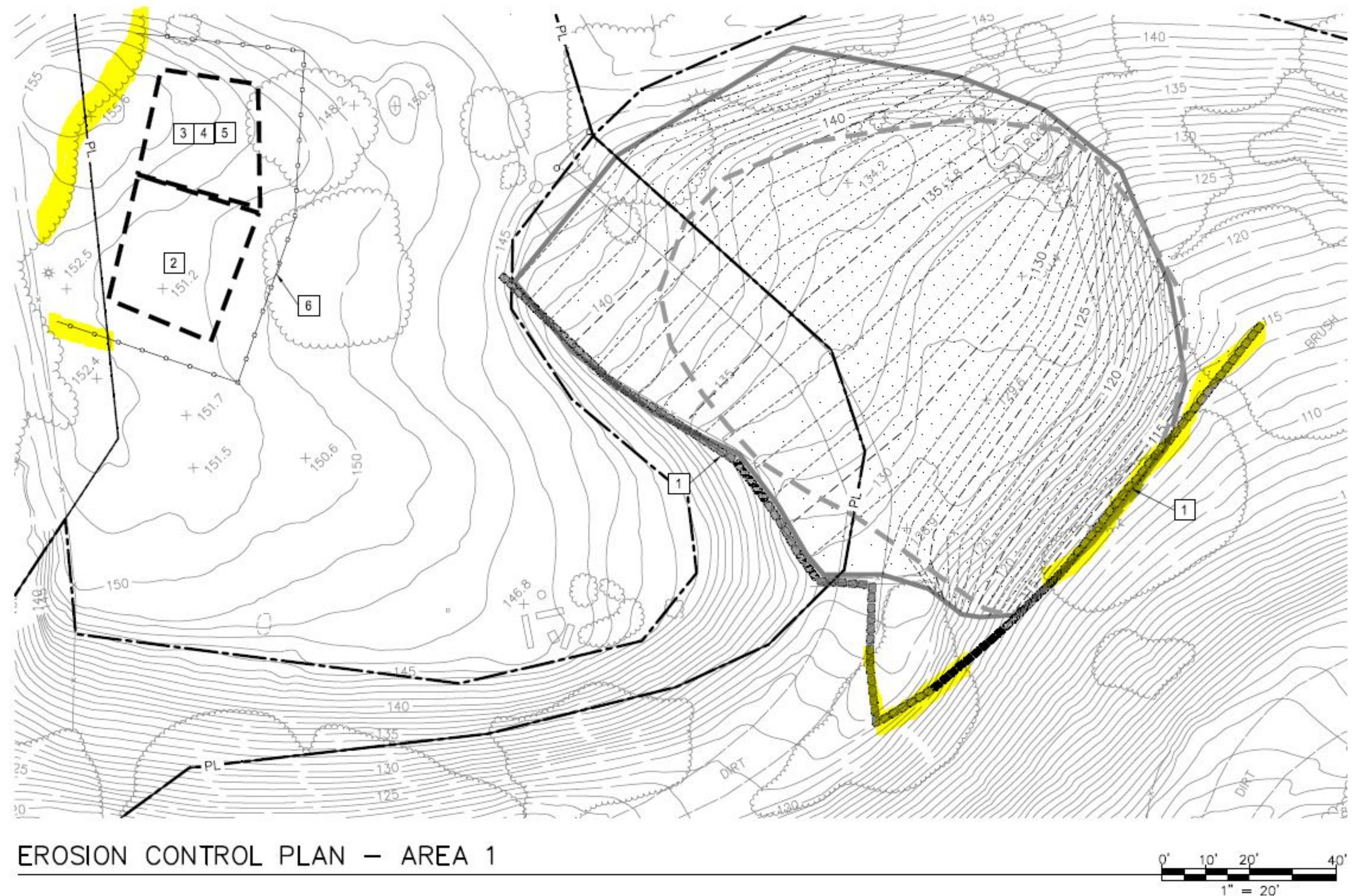
SECTION 1



SECTION 2



APPENDIX 1 (page 3 of 3)



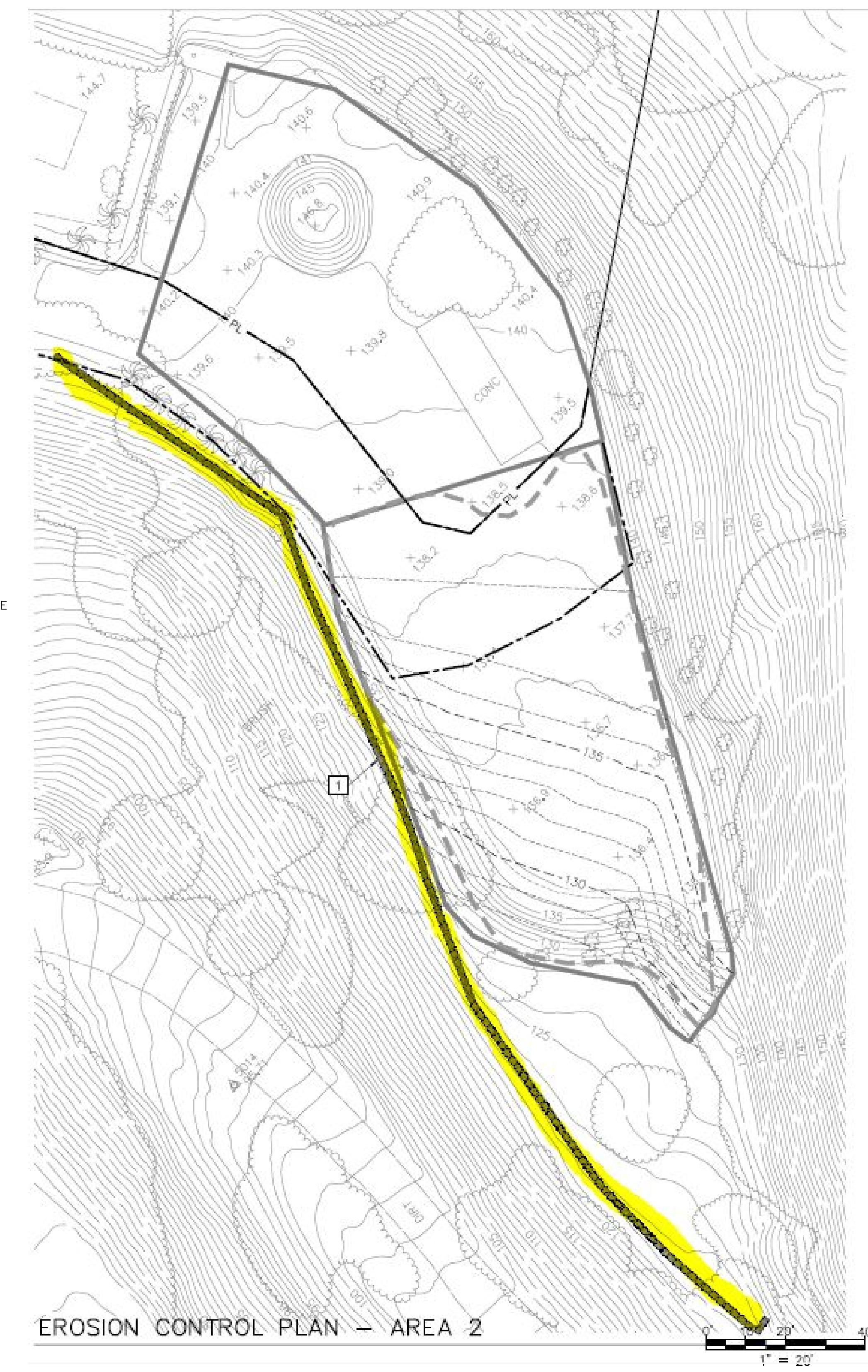
EROSION AND SEDIMENT CONTROL PLAN (ESCP) GENERAL NOTES:

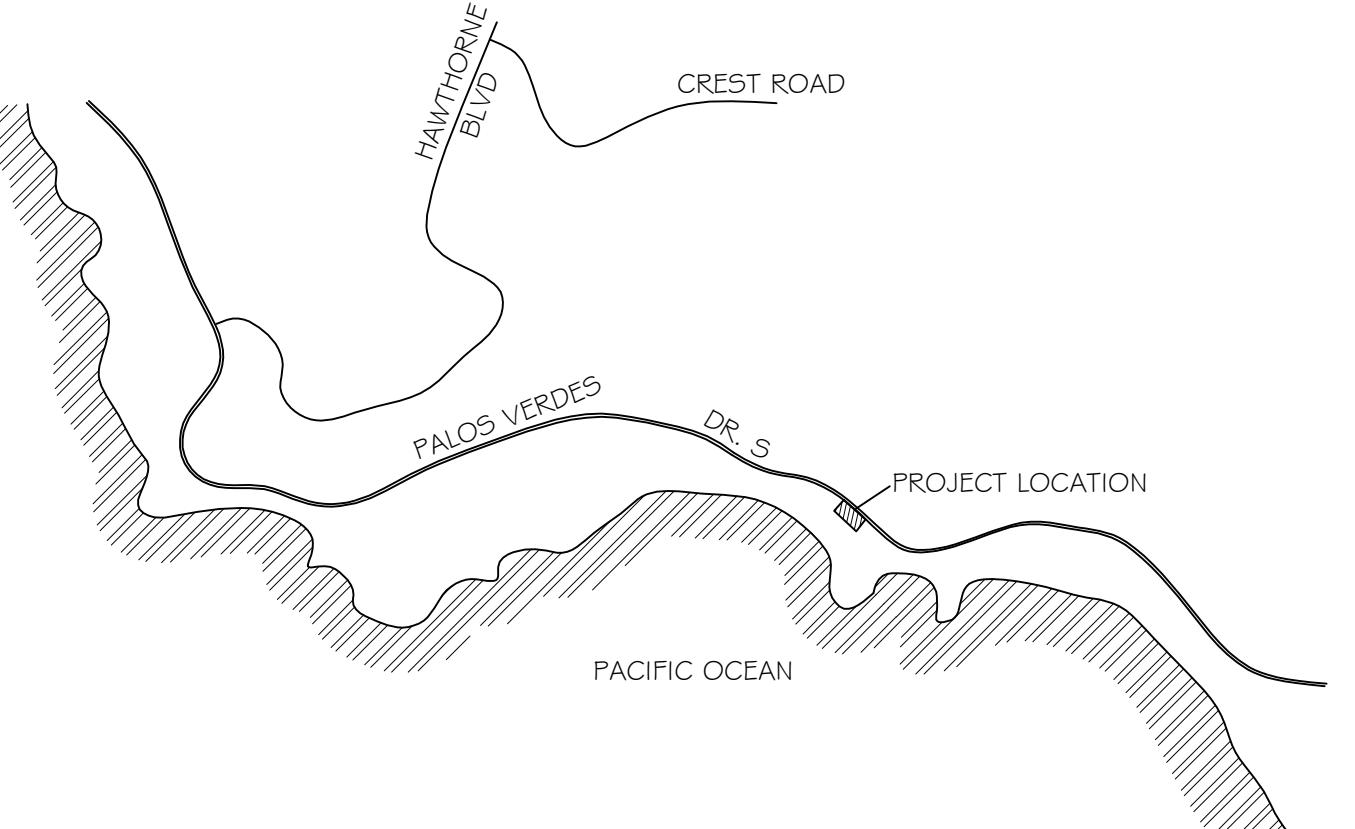
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7. A GUARD SHALL BE POSTED ON THE SITE WHENEVER THE DEPTH OF WATER IN ANY DEVICE EXCEEDS TWO FEET. THE DEVICE SHALL BE DRAINED OR PUMPED DRY WITHIN 24 HOURS AFTER EACH RAINSTORM. PUMPING AND DRAINING OF ALL BASINS AND DRAINAGE DEVICES MUST COMPLY WITH THE APPROPRIATE BMP FOR DE-WATERING OPERATIONS.
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14. FUELS, OILS, SOLVENTS AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING AND ARE NOT TO CONTAMINATE THE SOILS AND SURFACE WATERS. ALL APPROVED STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MUST BE CLEANED UP IMMEDIATELY AND DISPOSED OF IN A PROPER MANNER. SPILLS MAY NOT BE WASHED INTO THE DRAINAGE SYSTEM.
15. EXCESS OR WASTE CONCRETE MAY NOT BE WASHED INTO THE PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RETAIN CONCRETE WASTES ON-SITE UNTIL THEY CAN BE DISPOSED OF AS SOLID WASTE.
16. DEVELOPERS / CONTRACTORS ARE RESPONSIBLE TO INSPECT ALL EROSION CONTROL DEVICES AND BMPs ARE INSTALLED AND FUNCTIONING PROPERLY IF THERE IS A 50% OR GREATER PROBABILITY OF PREDICTED PRECIPITATION, AND AFTER ACTUAL PRECIPITATION. A CONSTRUCTION SITE INSPECTION CHECKLIST AND INSPECTION LOG SHALL BE MAINTAINED AT THE PROJECT SITE AT ALL TIMES AND AVAILABLE FOR REVIEW BY THE BUILDING OFFICIAL (COPIES OF THE SELF-INSPECTION CHECKLIST AND INSPECTION LOGS ARE AVAILABLE UPON REQUEST).
17. TRASH AND CONSTRUCTION-RELATED SOLID WASTES MUST BE DEPOSITED INTO A COVERED RECEPTACLE TO PREVENT CONTAMINATION OF RAINWATER AND DISPERSED BY WIND.
18. SEDIMENTS AND OTHER MATERIALS MAY NOT BE TRACKED FROM THE SITE BY VEHICLE TRAFFIC. THE CONSTRUCTION ENTRANCE ROADWAYS MUST BE STABILIZED SO AS TO INHIBIT SEDIMENTS FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITIONS MUST BE SWEEPED UP IMMEDIATELY AND MAY NOT BE WASHED DOWN BY RAIN OR OTHER MEANS.
19. ANY SLOPES WITH DISTURBED SOILS OR DENUDED OF VEGETATION MUST BE STABILIZED SO AS TO INHIBIT EROSION BY WIND OR WATER.
20. AS THE ENGINEER / QSD OF RECORD, I HAVE SELECTED APPROPRIATE BMPs TO EFFECTIVELY MINIMIZE THE NEGATIVE IMPACTS OF THIS PROJECT'S CONSTRUCTION ACTIVITIES ON STORM WATER QUALITY. THE PROJECT OWNER AND CONTRACT ARE AWARE THAT THE SELECTED BMPs MUST BE INSTALLED, MONITORED, AND MAINTAINED TO ENSURE THEIR EFFECTIVENESS.

WIND EROSION CONTROL
WE1 WIND EROSION CONTROL

EROSION CONTROL NOTES

- 1 PLACE 3 HIGH SANDBAG ALONG PERIMETER PER SC-8.
- 2 STOCKPILE AREA; COVER WITH PLASTIC TARPS OR OTHER MEASURES PER WM-3.
- 3 MATERIALS DELIVERY AND STORAGE AREA PER WM-1, 2, 3, AND 4.
- 4 WASTE COLLECTION AREA PER WM-5, 6, 7, AND 9.
- 5 VEHICLE AND EQUIPMENT MAINTENANCE PER NS- 8, 9, AND 10
- 6 SILT FENCE PER SC-1
- 7 ENTIRE SITE - APPLY WIND EROSION CONTROL MEASURES PER WE-1.





VICINITY MAP

SCALE: NTS

APPLICANT:

CHARLOTTE GINSBURG

CIVIL ENGINEER:

BOLTON ENGINEERING CORP.
25834 NARBONNE AVE 3210
LOMITA, CA 90717
PHONE: (310) 325-5580
ATTN: DANIEL J BOLTON, P.E.
RCE 63290 EXP. 6/30/18
BEC JOB NO. 14374

SOILS ENGINEER/GEOLIST:

HAMILTON AND ASSOCIATES
1641 BORDER AVENUE
TORRANCE, CA 90501
PHONE: (310) 618-2190
ATTN: DAVID T. HAMILTON, G.E.

BENCHMARK

BM NUMBER: GY1265
ELEVATION (FT): 160.52
ADJUSTMENT YEAR: 2005
DESCRIPTION: DPW BM. TAG IN S CB
150MM(0.5FT) W/O BCR @ SW
COR PALOS VERDES DR S &
NARCISSA DR.

PROPERTY ADDRESS:

5500 PALOS VERDES DRIVE SOUTH
RANCHO PALOS VERDES, CALIFORNIA 90275

FLOOD ZONE:

THE SUBJECT PROPERTY IS MAPPED AS ZONE "X".

EARTHWORK QUANTITIES:

CUT:	1232	CY
OVEREX:	2372	CY
TOTAL EXCAV:	3604	CY

FILL:	438	CY (RAW)
RECOMPACTION:	2372	CY
TOTAL EMBANK:	2810	CY

NET:	794	CY (EXPORT)
TOTAL DISTURBED AREA:	32,100 SF	(0.74 ACRE)

AREA 1:

SUBAREA	CUT	FILL
GINSBURG:	13	42
CITY:	449	340
SUBTOTAL AREA 1:	462	382

AREA 2:

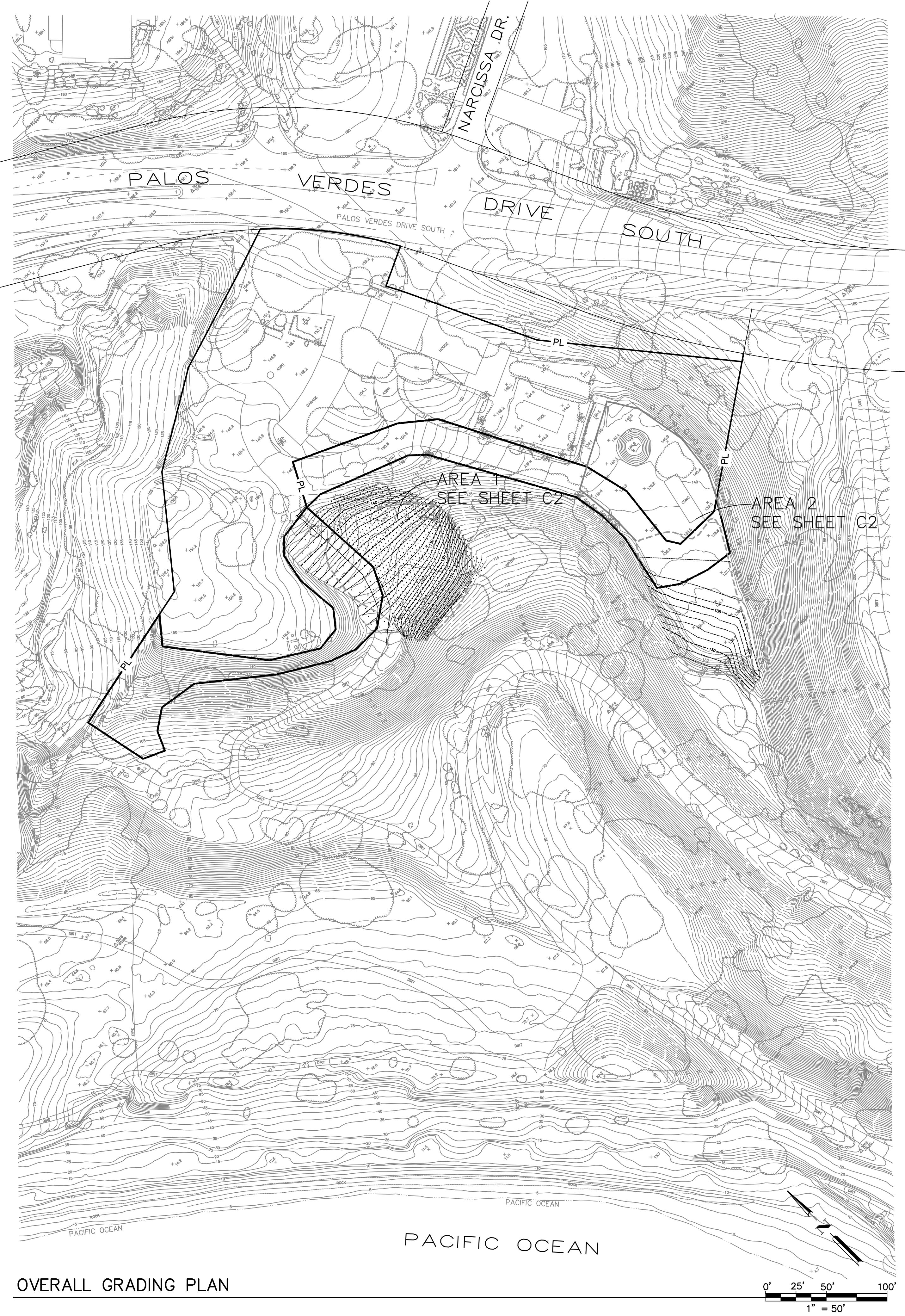
SUBAREA	CUT	FILL
GINSBURG:	5	2
CITY:	765	54
SUBTOTAL AREA 2:	770	56
TOTAL, AREAS 1&2:	1232	438

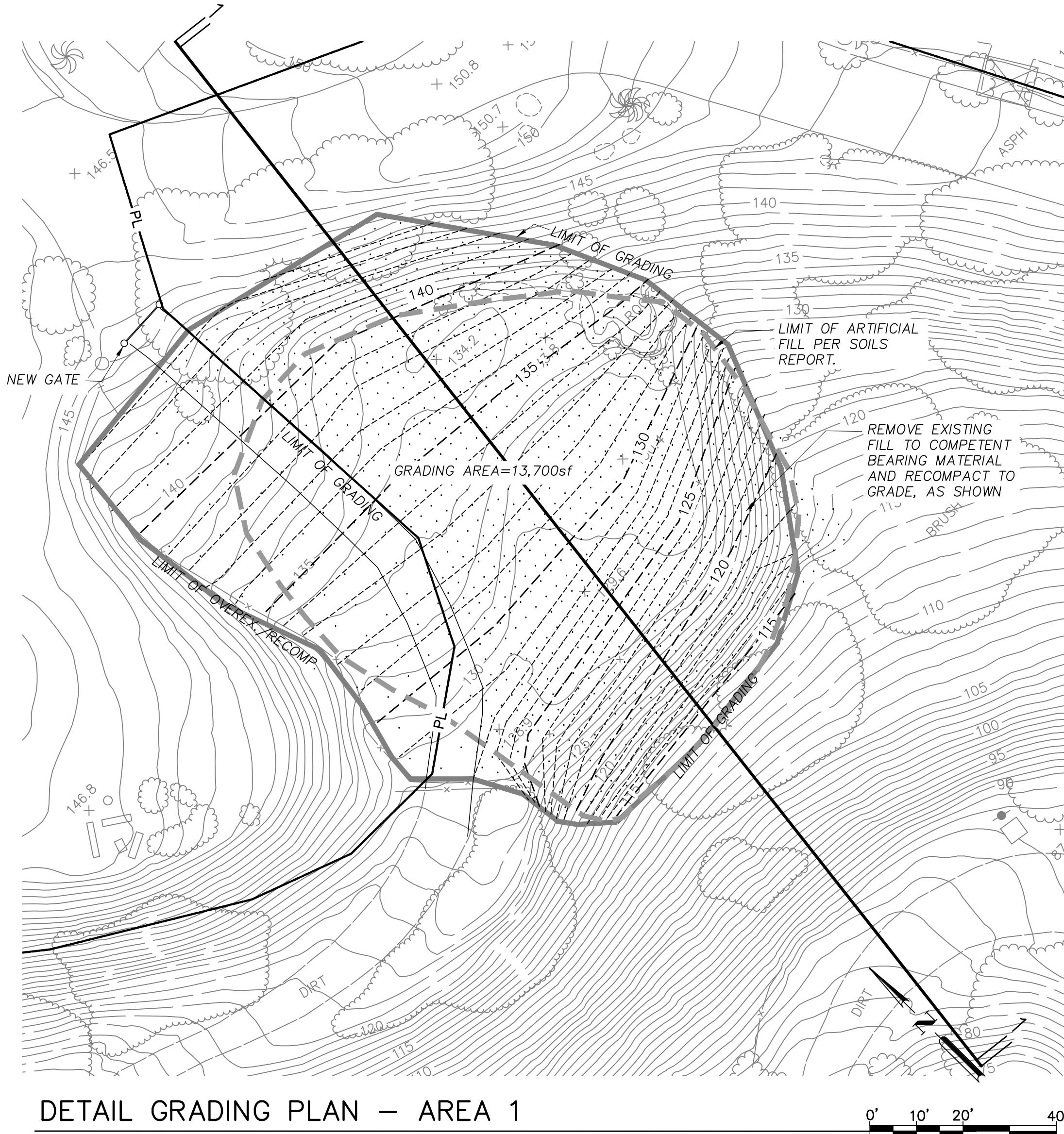
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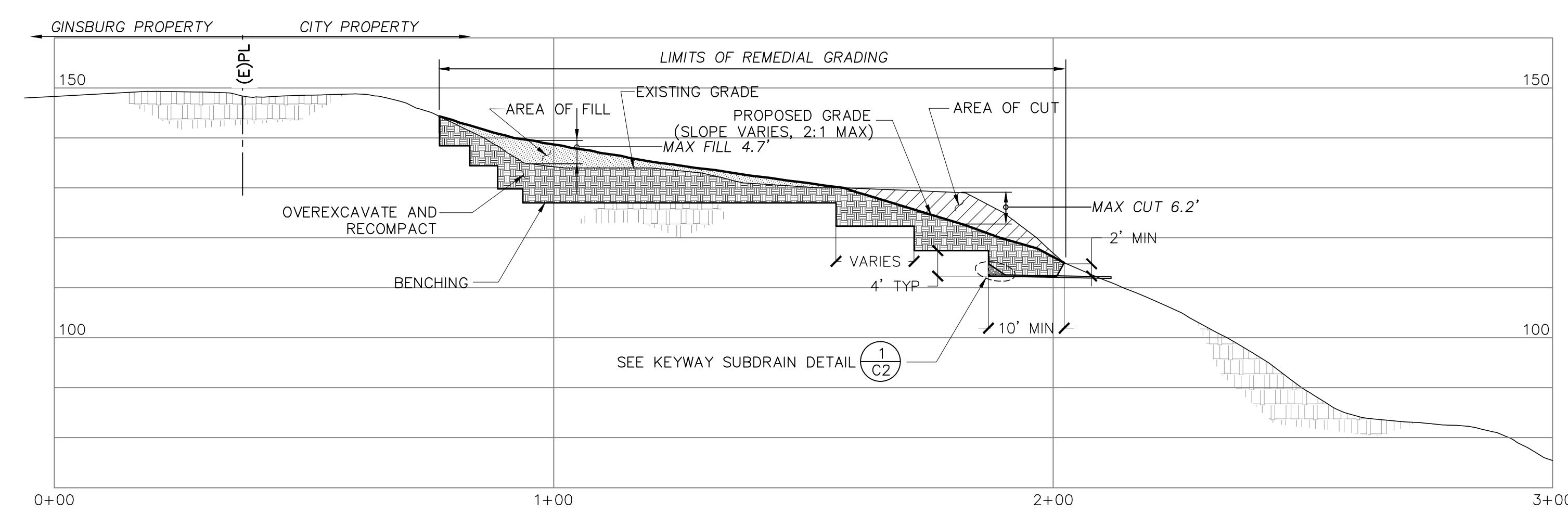
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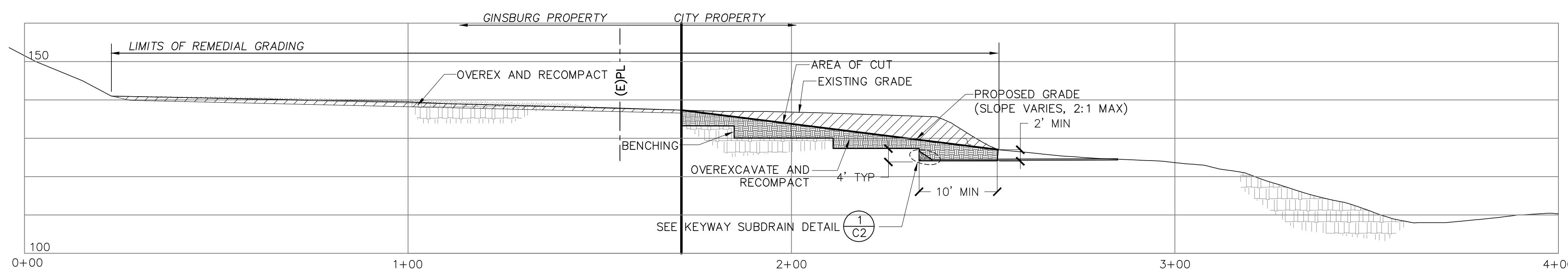




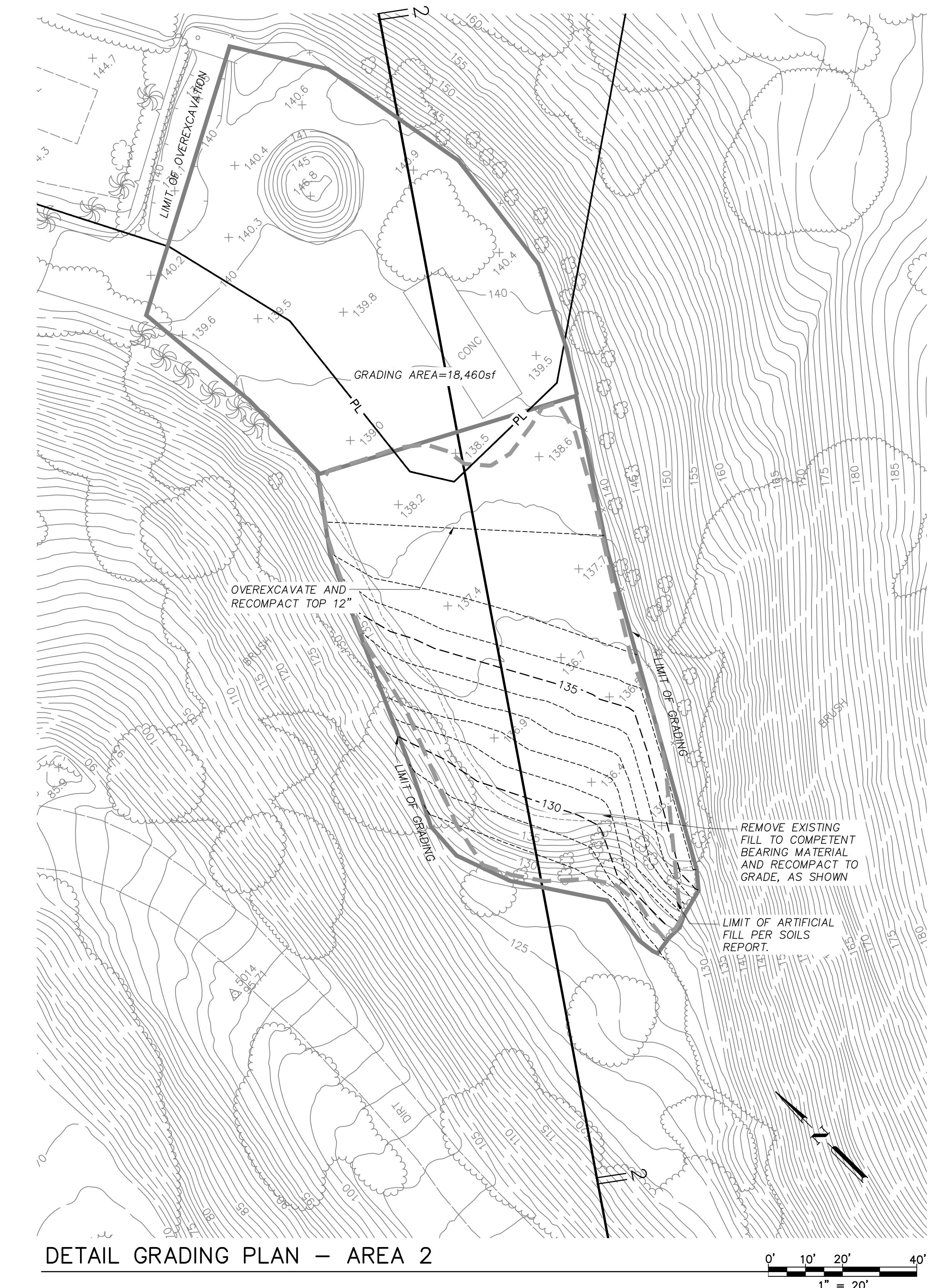
DETAIL GRADING PLAN – AREA 1



SECTION 1

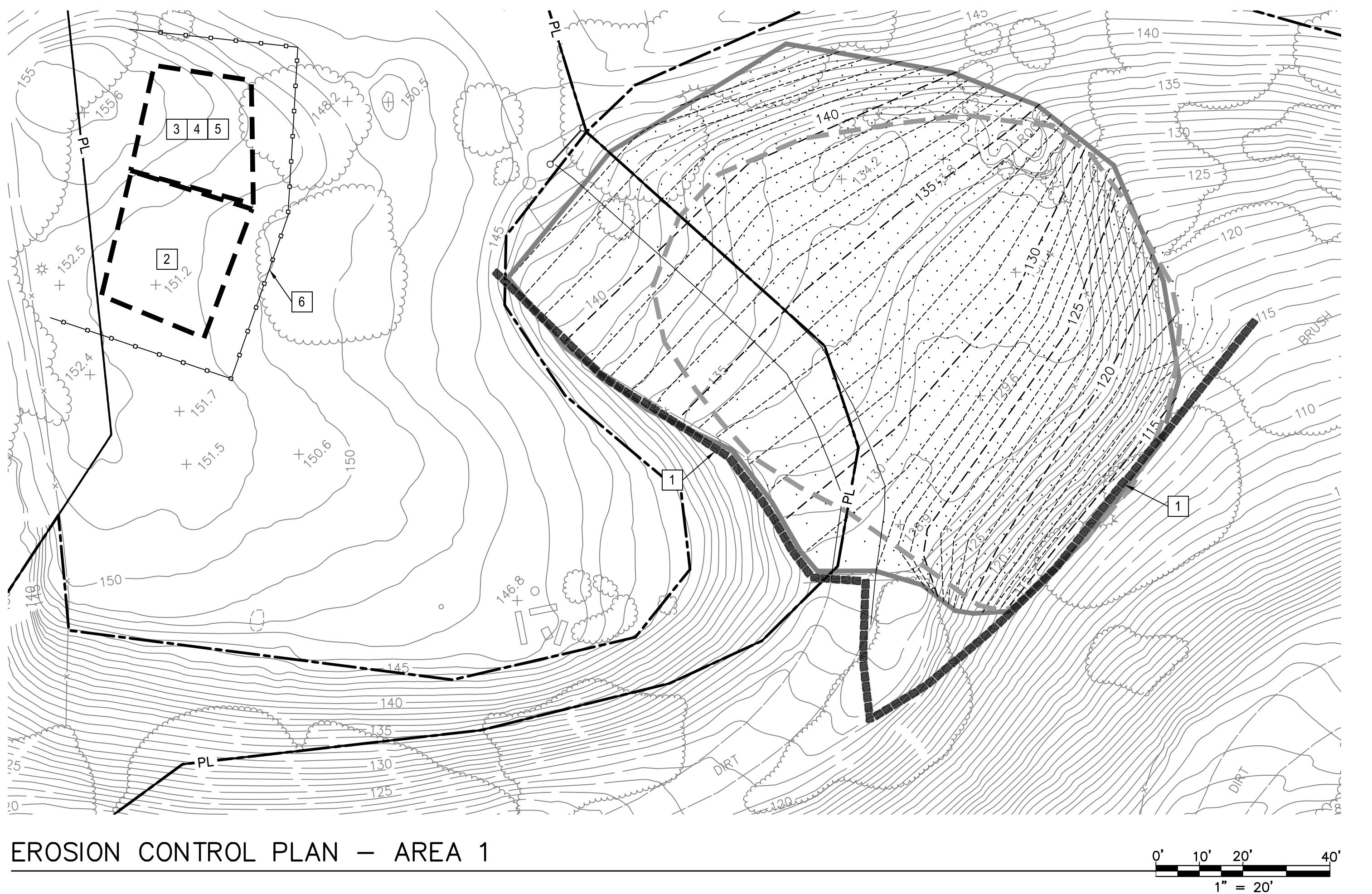


SECTION 2



DETAIL GRADING PLAN – AREA 2

TITLE: DETAIL GRADING PLANS		CLIENT: Mr. and Mrs. Ginsburg 5500 PALOS VERDES DRIVE SOUTH RANCHO PALOS VERDES, CA
Date: November 13, 2017		
Scale: 1"=50'		
Drawn: BGO		
Checked: DJB		
Job No. 14374		
Sheet C2		
		
Bolton Engineering Corp. Civil Engineering and Surveying 25834 Narbonne Avenue Suite 210 Lomita, Ca. 90717 Ph: 310-325-5580 Fax: 310-325-5581		



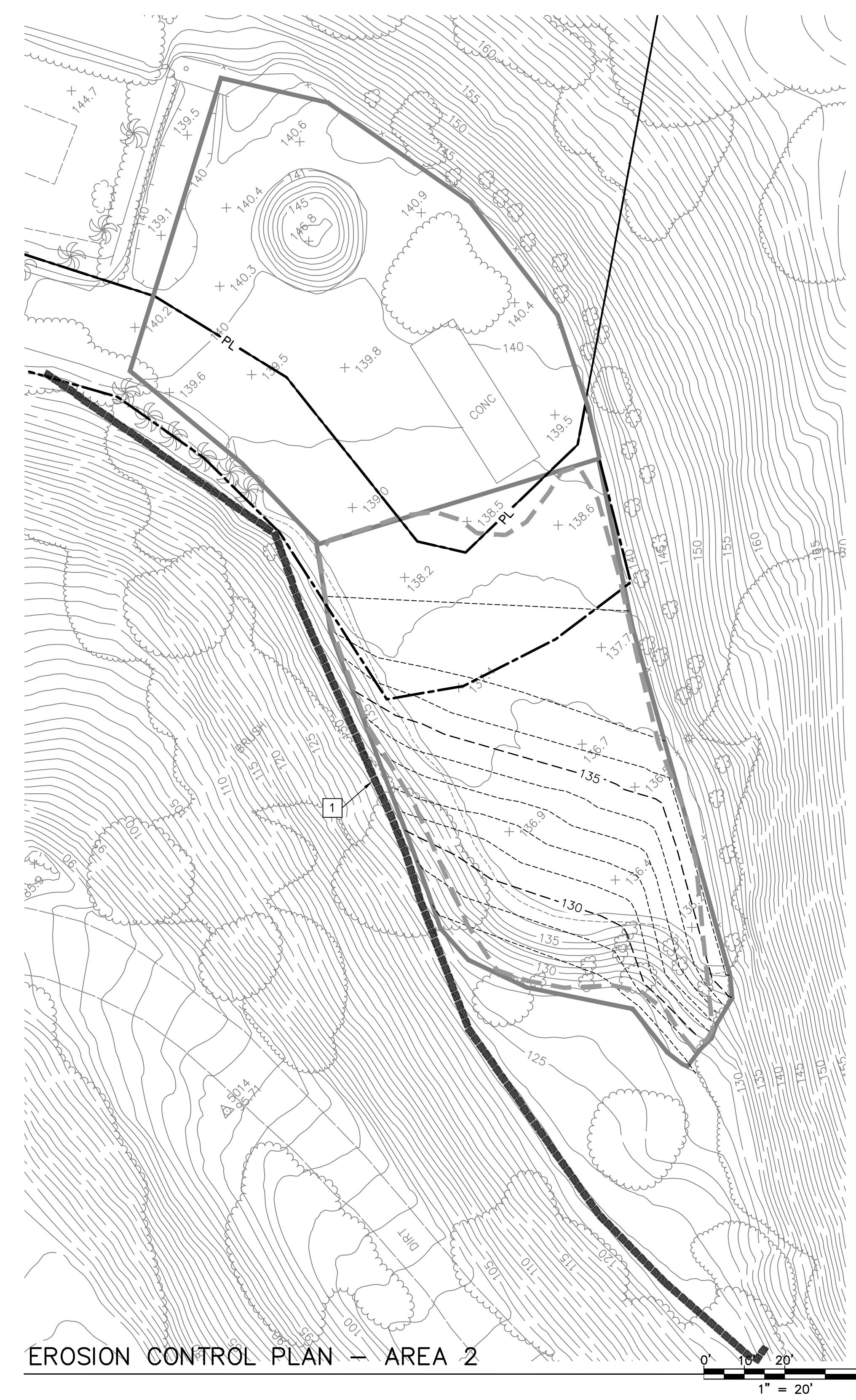
EROSION AND SEDIMENT CONTROL PLAN (ESCP) GENERAL NOTES:

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14. FUELS, OILS, SOLVENTS AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING AND ARE NOT TO CONTAMINATE THE SOILS AND SURFACE WATERS. ALL APPROVED STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MUST BE CLEANED UP IMMEDIATELY AND DISPOSED OF IN A PROPER MANNER. SPILLS MAY NOT BE WASHED INTO THE DRAINAGE SYSTEM.
15. EXCESS OR WASTE CONCRETE MAY NOT BE WASHED INTO THE PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS SHALL BE MADE TO RETAIN CONCRETE WASTES ON-SITE UNTIL THEY CAN BE DISPOSED OF AS SOLID WASTE.
16. DEVELOPERS / CONTRACTORS ARE RESPONSIBLE TO INSPECT ALL EROSION CONTROL DEVICES AND BMPs ARE INSTALLED AND FUNCTIONING PROPERLY IF THERE IS A 50% OR GREATER PROBABILITY OF PREDICTED PRECIPITATION, AND AFTER ACTUAL PRECIPITATION. A CONSTRUCTION SITE INSPECTION CHECKLIST AND INSPECTION LOG SHALL BE MAINTAINED AT THE PROJECT SITE AT ALL TIMES AND AVAILABLE FOR REVIEW BY THE BUILDING OFFICIAL (COPIES OF THE SELF-INSPECTION CHECKLIST AND INSPECTION LOGS ARE AVAILABLE UPON REQUEST).
17. TRASH AND CONSTRUCTION-RELATED SOLID WASTES MUST BE DEPOSITED INTO A COVERED RECEPTACLE TO PREVENT CONTAMINATION OF RAINWATER AND DISPERSED BY WIND.
18. SEDIMENTS AND OTHER MATERIALS MAY NOT BE TRACKED FROM THE SITE BY VEHICLE TRAFFIC. THE CONSTRUCTION ENTRANCE ROADWAYS MUST BE STABILIZED SO AS TO INHIBIT SEDIMENTS FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITIONS MUST BE SWEEPED UP IMMEDIATELY AND MAY NOT BE WASHED DOWN BY RAIN OR OTHER MEANS.
19. ANY SLOPES WITH DISTURBED SOILS OR DENUDED OF VEGETATION MUST BE STABILIZED SO AS TO INHIBIT EROSION BY WIND OR WATER.
20. AS THE ENGINEER / QSD OF RECORD, I HAVE SELECTED APPROPRIATE BMPs TO EFFECTIVELY MINIMIZE THE NEGATIVE IMPACTS OF THIS PROJECT'S CONSTRUCTION ACTIVITIES ON STORM WATER QUALITY. THE PROJECT OWNER AND CONTRACT ARE AWARE THAT THE SELECTED BMPs MUST BE INSTALLED, MONITORED, AND MAINTAINED TO ENSURE THEIR EFFECTIVENESS.

WIND EROSION CONTROL
WE1 WIND EROSION CONTROL

EROSION CONTROL NOTES

- 1 PLACE 3 HIGH SANDBAG ALONG PERIMETER PER SC-8.
- 2 STOCKPILE AREA; COVER WITH PLASTIC TARPS OR OTHER MEASURES PER WM-3.
- 3 MATERIALS DELIVERY AND STORAGE AREA PER WM-1, 2, 3, AND 4.
- 4 WASTE COLLECTION AREA PER WM-5, 6, 7, AND 9.
- 5 VEHICLE AND EQUIPMENT MAINTENANCE PER NS- 8, 9, AND 10
- 6 SILT FENCE PER SC-1
- 7 ENTIRE SITE - APPLY WIND EROSION CONTROL MEASURES PER WE-1.



EROSION CONTROL PLAN - AREA 2