

**AGENDA DESCRIPTION:**

Consideration and possible action to receive and file a report on the updated draft Environmental Impact Report (Draft EIR) for the Zone 2 Landslide Moratorium Ordinance Revisions and to obtain comments from the general public and the City Council

**RECOMMENDED COUNCIL ACTION:**

- (1) Receive and file a report on the updated Draft EIR for the Zone 2 Landslide Moratorium Ordinance Revisions and obtain comments from the general public and the City Council regarding the Draft EIR.

**FISCAL IMPACT:** There is no fiscal impact as a result of conducting a public hearing to obtain comments from the public and City Council on the Updated Draft EIR.

<b>Amount Budgeted:</b>	N/A
<b>Additional Appropriation:</b>	N/A
<b>Account Number(s):</b>	N/A

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**APPROVED BY:** Doug Wilmore, City Manager *D.W.*

**ATTACHED SUPPORTING DOCUMENTS:**

- A. Notice of Preparation dated November 8, 2019 (page A-1)
- B. Notice of Availability dated August 22, 2019 (page B-1)
- C. Executive Summary (page C-1)
- D. Public Comments (page D-1)

The updated Draft EIR is available on the City's website at the following link: <https://www.rpvca.gov/1140/Zone-2-Non-Monks-Lots>. The City Council was provided with a link to the updated Draft EIR on August 23, 2019. A hard copy can be provided to the City Council by contacting Staff. Hard copies are also available to view at:

- City Hall, Community Development Department
  - Palos Verdes Peninsula Library, Miraleste Branch
  - Peninsula Center Library
  - Fred Hesse Jr. Park Community Building
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## **BACKGROUND AND DISCUSSION:**

### Development in Zone 2 of the Landslide Moratorium Area

The City's Landslide Moratorium Area (LMA) is located within the Portuguese Bend area of the City. The LMA was originally established in 1978 in response to potentially unstable soil conditions and active landslide movement in an area encompassing approximately 1,200 acres. Since 1978, development activity has been strictly limited within the LMA. The specific restrictions imposed within the LMA are described in Chapter 15.20 (Landslide Moratorium) of the Rancho Palos Verdes Municipal Code (RPVMC). In general, properties in the LMA that are developed with residential structures are permitted to make limited improvements if the City grants a Landslide Moratorium Exception (Exception). Until 2009, new construction was not permitted on properties in the LMA that were not previously developed with residential structures unless a Moratorium Exclusion (Exclusion) was granted.

In 2002, a group of Portuguese Bend property owners filed an Exclusion application to exclude their undeveloped lots within the area known as Zone 2 from the provisions of the Landslide Moratorium. Shortly after the application was deemed incomplete for processing, the applicants filed suit against the City (*Monks v. Rancho Palos Verdes*). In December 2008, the California Court of Appeal reversed the favorable decision of the trial court and found that the City had "taken" the plaintiffs' property by virtue of the adoption of Resolution No. 2002-43, which required plaintiffs and other owners of undeveloped properties in Zone 2 to prove a zone-wide safety factor of 1.5 before individual development applications in that area could be approved by the City. Following the decision by the Court of Appeal, the City's options were either to pay damages to the plaintiffs or to remove the regulatory impediments that prevented the development of the 16 *Monks* plaintiffs' lots. Due to the potential economic impact to the City that would arise from paying damages to the owners of the Zone 2 properties, the City Council determined that the requirement that a zone-wide safety factor of 1.5 be shown to exist should be removed. Accordingly, the City Council immediately rescinded Resolution No. 2002-43.

As a result of the *Monks* decision, City Staff identified several alternatives in considering a proposed code amendment. The City Council at the time directed Staff to pursue a "two-track" parallel process, whereby a code amendment to allow development of the 16 *Monks* plaintiffs' lots would be pursued immediately, followed by a similar amendment to allow development of the other 31 undeveloped lots in Zone 2. The aerial photograph on the next page identifies the location of 16 *Monks* plaintiffs' lots along with the 31 undeveloped lots within Zone 2.



In September 2009, the City Council adopted Ordinance No. 498, which amended the Landslide Moratorium Ordinance to create a new Landslide Moratorium Exception Category P to allow the owners of the 16 *Monks* plaintiffs' lots to apply for Exceptions for the construction of new residences. In December 2009, the City Council adopted Ordinance No. 501U, further amending the Landslide Moratorium Ordinance to allow site grading for the development of each of the *Monks* plaintiffs lots not to exceed 1,000 cubic yards of combined cut and fill, and with no import in excess of 50 cubic yards. A Mitigated Negative Declaration was certified by the City Council in conjunction with these actions. Owners of previously developed lots in Zone 2 challenged the City Council's determination by filing a lawsuit (*Enstedt, et al. v. City of Rancho Palos Verdes*) alleging an environmental impact report should have been prepared instead of a Mitigated Negative Declaration. The City and the attorneys for the *Monks* plaintiffs defended the City's action, and the Superior Court ruled in the City's favor. The challengers filed an appeal, but the lawsuit was settled, and the appeal was dismissed. As of August 2019, eight *Monks* plaintiffs' lots have been developed with residences and ancillary improvements, with three additional lots currently under construction. In addition, the owner of one lot is pursuing building permit issuance while the owners of the remaining four lots have obtained Exceptions that have subsequently expired.

In October 2009, the City commenced the processing of a further revision to the Landslide Moratorium Ordinance to allow for the future development of the remaining 31 undeveloped lots in Zone 2. At that time, the City and its environmental consultant, Rincon Consultants, began the California Environmental Quality Act (CEQA) review of the Zone 2 Landslide Moratorium Ordinance revision, which proposed to expand Exception Category P to include the development of the 31 undeveloped lots, thereby allowing 47 undeveloped lots in Zone 2 to be developed with single-family residences. As a result of the CEQA review, in January 2011, the City distributed an Initial Study, accompanied by a Notice of Preparation of an Environmental Impact Report (EIR). In September 2012, the Draft EIR was made available to the public for review during the

60-day public comment period, which concluded in November 2012. Over the course of the next year, the City, along with Rincon Consultants, completed a review and analysis of the public comments received on the Draft EIR.

In March 2014, the Final EIR was completed. In April 2014, the Final EIR was presented to the City Council for certification, as was the approval of the proposed Code Amendment to expand Exception Category P. The City Council continued the public hearing to the following month to allow additional time for the public to submit comments on the proposed Zone 2 Landslide Moratorium Ordinance Revisions. In May 2014, the City Council continued the public hearing to June 2014, to allow City Staff and the City's consultants to address additional comments made by the public and issues raised by the City Council. In June 2014, the City Council continued the public hearing to August 2014 to accommodate the time and resources needed to review and address the public comments on the Final EIR. On August 5, 2014, the City Council, after considering evidence introduced in the record, tabled the certification of the Final EIR and the adoption of the proposed Landslide Moratorium Ordinance Revisions.

In November 2015, another lawsuit challenging the City's regulation of new development in Zone 2 (*Parks v. City of Rancho Palos Verdes*) was filed by another group of property owners seeking to build on their vacant lots.<sup>1</sup> Their petition alleged there was no justification for allowing the *Monks* property owners to build on their lots but not the other owners of vacant lots in Zone 2. The *Parks* plaintiffs lost at the trial court level largely on procedural grounds, and the trial court's favorable ruling was affirmed by a published appellate opinion on September 6, 2018.<sup>2</sup>

In November 2018, the City Council awarded a professional services agreement to Rincon Consultants (Rincon) to prepare and recirculate an updated Draft EIR for the proposed Zone 2 Landslide Moratorium Ordinance Revisions. The City re-initiated the process to allow all property owners in Zone 2 to develop their properties based on Exception Category P development criteria because several of the *Monks* lots had been developed or were in the process of being developed, which would allow the City to more accurately assess how the changed conditions in Zone 2 affect the surrounding environment.

### Proposed Landslide Moratorium Ordinance Revisions

A code amendment is being considered that would amend Exception Category P of the City's Landslide Moratorium Ordinance to allow for the future submittal of Exception applications for 31 undeveloped lots within Zone 2 of the LMA. The development criteria for these lots would be consistent with existing Exception Category P requirements, which include the following:

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<sup>1</sup> The case name subsequently changed to *Black, et al. v. City of Rancho Palos Verdes*, as the *Parks* plaintiffs pulled out of the case.

<sup>2</sup> *Black, et al. v. City of Rancho Palos Verdes*, California Court of Appeal Case No. B285935.

- 31 single-story, ranch-style residences with attached or detached three-car garages, with minimum living area of 1,500 square feet and maximum living area of 4,000 square feet or 15% of gross lot area, whichever is less;
- Less than 1,000 cubic yards of grading (cut and fill combined) per lot, with no more than 50 cubic yards of imported fill and up to 1,000 cubic yards of export per lot;
- Maximum 25% (RS-1) or 40% (RS-2) net lot coverage;
- Maximum building height of 16 feet for residences and 12 feet for detached accessory structures;
- Minimum front setbacks of 20 feet, minimum rear setbacks of 15 feet, minimum street-side setbacks of 10 feet, and minimum interior side setbacks of 5 feet, with setbacks along private street rights-of-way measured from the easement line rather than the property line; and
- No subdivision of existing lots within Zone 2.

#### Updated Draft EIR: Preparation & Availability

The City and Rincon re-initiated the environmental review process by circulating a Notice of Preparation (NOP) on November 8, 2019 (Attachment A), which provided for a 30-day public scoping period. The purpose of the NOP was to formally indicate that the City was preparing an updated Draft EIR for recirculation on the proposed Zone 2 Landslide Moratorium Ordinance Revisions, which covered the same environmental impact areas that were previously analyzed in the original Draft EIR circulated in 2012. The NOP also noted that the recirculated Draft EIR would be updated with new applicable data that may have changed since original circulation in 2012. The NOP was published in the Peninsula News and distributed to all responsible state and local agencies; to property owners located in and within a 500-foot radius of Zone 2; to those registered on the City's website listserv for this project; and the NOP was also posted on the City's website. The City received 24 comment letters in response to the NOP, which are included as Appendix A2 of the Draft EIR.

The Initial Study included in the re-circulated Draft EIR that was prepared in 2011 as part of the original environmental review for the Zone 2 Landslide Moratorium Ordinance Revisions. The Initial Study project description reflects the 47 lots that were undeveloped at that time. It also reflects the CEQA Guidelines environmental checklist that was in place at that time. Although the Initial Study was not updated when the new NOP was released in 2018, the updated Draft EIR reflects both the current number of undeveloped and unentitled lots (31) and new relevant issues (such as Tribal Cultural Resources) that are included in the current CEQA Guidelines. The 2011 Initial Study is included as Appendix A1 of the Updated Draft EIR.

After the NOP comment period ended, the Draft EIR was prepared taking into account comments that were submitted during the public scoping period. City Staff also met with members of the Portuguese Bend Community Association (PBCA) on January 10, 2019, to discuss the updated Draft EIR and to further discuss member concerns

expressed as part of the original Draft EIR circulated in 2012. City Staff also provided administrative draft copies of the Geology, Hydrology and Water Quality, Traffic and Circulation, and Utilities and Service Systems sections of the updated Draft EIR to members of the PBCA in order to receive preliminary comments. These sections were shared with PBCA members, as the sections were most relevant to the group's expressed concerns with the previously-prepared Draft EIR and the current document.

On August 22, 2019, the City issued a Notice of Availability (NOA) (Attachment B) informing responsible State and local agencies, interested parties and the public that the Updated Draft EIR was available for review, and providing for a 45-day public comment period, which will end on October 7, 2019. As of the preparation of this report, City Staff received fifteen public comments regarding the Updated Draft EIR, one of which requested that the September 17<sup>th</sup> public hearing be rescheduled to provide the public more time to submit comments (Attachment D). The NOA also informed the public that a public hearing would be held on September 17, 2019, as part of the City Council's regularly scheduled meeting, in order for the City to receive public oral comments regarding the Updated Draft EIR.

### Updated Draft EIR: Analysis & Conclusions

As outlined in the Initial Study prepared in 2011 and reissued in 2018, a number of potential impacts were determined to be less than significant without the need for mitigation measures or further analysis in the Draft EIR. These impact categories include:

- Agricultural Resources
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation

Through the recent NOP scoping process, it was determined that the proposed project will have potentially significant environmental impacts on the factors discussed below, which are analyzed in greater detail in Section 4 (Environmental Impact Analysis) of the Draft EIR. The impacts and mitigation measures related to these environmental impacts are summarized in Table ES-1, in the Executive Summary section of the Draft EIR (Attachment C). The conclusions of the impact analyses for these factors are summarized as follows:

- Aesthetics

The Draft EIR identifies visual impacts that may arise as a result of developing the existing vacant parcels. This includes the visual impacts associated with the change from a vacant undeveloped parcel to a developed appearance. This also includes the visual impacts associated with the potential for removal or alteration

of existing mature trees and vegetation. The Draft EIR also identified light and glare, as observed from public and private viewpoints, as a less-than-significant impact with mitigation. The Draft EIR proposes mitigation measures that would reduce aesthetic impacts to a less-than-significant level, including the completion of Neighborhood Compatibility Assessments, strict adherence to the provisions of RPVMC Section 17.56.030 (Outdoor Lighting for Residential Uses), as well as tree replacement and maintenance consistent with the requirements of RPVMC Section 17.02.040 (View Preservation and Restoration). The analysis on Aesthetics can be found on pages 4.1-1 through 4.1-15 of the Draft EIR or by clicking [here](#).

- Air Quality

The Draft EIR identifies impacts relating to air quality based on short-term construction-related impacts, specifically with respect to fugitive dust. In terms of these short-term impacts, the Draft EIR states that mitigation measures can reduce the impacts to less-than-significant levels. These mitigation measures include construction methods and activities to control fugitive dust during construction. The Air Quality analysis can be found on pages 4.2-1 through 4.2-16 of the Draft EIR or by clicking [here](#).

- Biological Resources

The Draft EIR identifies potential impacts to sensitive plant communities, wetland habitat and jurisdictional drainages; wildlife movement; and consistency with the City's Natural Communities Conservation Plan and the Habitat Conservation Plan (NCCP/HCP). The impact analysis was based on a 2010 field survey of the general study area; a 2018 reconnaissance survey to document changes in the area; literature review and aerial imagery. Impacts are expected to be less than significant through the implementation of the recommended mitigation measures, including but not limited to, the preparation of a biological survey, habitat restoration and implementation construction best management practices (BMPs). The Biological Resources analysis can be found on page 4.3-1 through 4.3-27 or by clicking [here](#).

- Cultural Resources

The Draft EIR identifies potential impacts to as-yet undetected areas of prehistoric archaeological significance as a result of on-site grading and earth movement activities on the undeveloped lots. The analysis is based on findings collected as part of a Cultural Resources Records Search Summary performed in April 2010 and a supplemental paleontological study conducted in January 2011. There is no evidence to suggest that cultural or paleontological conditions have changed in the project area since the preparation of the initial surveys. The Cultural Resources analysis determined that potential impacts can be reduced to a level that is less than significant with the implementation of the recommended



mitigation measure, which requires a City-approved qualified archeologist to monitor a project site during grading and excavation. It should be noted that the Draft EIR includes a separate analysis of Tribal Cultural Resources (Section 4.12), which is discussed below. The Cultural Resources analysis can be found on pages 4.4-1 through 4.4-12 of the Draft EIR or by clicking [here](#).

- Geology

The Draft EIR evaluates potential impacts to geologic and soil conditions in the project area in terms of slope stability, erosion, soil contamination, faulting and seismicity, liquefaction and bedrock subsidence. The Geology analysis is based on literature review and geotechnical investigation of the project area conducted by LGC Valley, Inc. in March 2011 along with supplemental information in the City's Updated General Plan and landslide data collected by the City's Public Works Department from 2007 to 2017. The Geology analysis that was included in the Draft EIR was also reviewed by the City's geo-technical consultant, Cotton, Shires and Associates. The Draft EIR identified potential impacts, including but not limited to, strong seismic ground shaking, landslides and soil erosion. Impacts are expected to be less than significant through the implementation of recommended mitigation measures, which include limiting the amount of grading on each lot, imposing a maximum structure size, requirements regarding construction methods, and recordation of covenants that require an applicant to construct the project strictly in accordance with the approved plans and agreeing to prohibit further development on the subject site without first filing an application with the City. The Geology analysis can be found on pages 4.5-1 through 4.5-24 of the Draft EIR or by clicking [here](#).

- Greenhouse Gas (GHG) Emissions

The Draft EIR identifies less-than-significant impacts to existing GHG conditions in the area. More specifically, the residential development that could be facilitated by the proposed Landslide Moratorium Ordinance Revisions would generate additional GHG emissions beyond existing conditions. However, GHG emissions generated by full development potential of the 31 undeveloped lots would be consistent with regional and local GHG emission policies and would also not exceed relevant significance thresholds. As such, the GHG Emissions analysis determined impacts to be less than significant with no mitigation required. The GHG Emissions analysis can be found on pages 4.6-1 through 4.6-16 of the Draft EIR or by clicking [here](#).

- Fire Protection

The Draft EIR identifies potential impacts to fire protection as a result of Zone 2 being located in a Very High Fire Hazard Severity Zone. However, with the implementation of the recommended mitigation measures requiring a fuel modification plan be approved pursuant to the standards of the Los Angeles



County Fire Department prior to grading and/or building permit issuance, this impact would be reduced to a less-than-significant level. The Fire Protection analysis can be found on pages 4.7-1 through 4.7-5 of the Draft EIR or by clicking [here](#).

- Hydrology and Water Quality

The Draft EIR evaluates potential impacts on hydrology, water quality and water supply as they relate to existing conditions and changes resulting from the project. The Draft EIR also evaluates conditions relating to hydrology and water quality on a short- and long-term basis. Mitigation measures to address short-term impacts include Low Impact Development (LID) and National Pollutant Discharge Elimination System (NPDES) reviews and implementing BMPs to deal with construction-related impacts. The long-term impacts are due to the increase in impermeable surface area for each developed lot, which may increase the amount of storm water flows and localized flooding, and flood hazards. This is a concern that is being raised by the PBCA. As part of the Draft EIR, the City's Public Works Department conducted field observations in Zone 2 to assess the adequacy of Council-adopted mitigation measures currently being implemented as part of *Monks Lots* residential development associated with Exception P of the Landslide Moratorium Ordinance, including the overall performance of on-site storm water runoff detention devices (holding tanks). More specifically, the observations assessed whether water runoff from recently developed Zone 2 properties exceeded pre-development water runoff conditions. The field observations were conducted during rain events on February 2, 2019 and February 9, 2019. Runoff was observed during these storm events from properties with and without water holding tanks. The observed runoff appeared to be less on the properties with holding tanks. Mitigation measures to address long-term impacts include a requirement that each lot provide an on-site storm water holding tank and conveyance system, maintaining existing drainage patterns and minimizing run-off from the developed lots. The proposed mitigation measures are intended to reduce the impacts to a less-than-significant level by requiring post-construction and pre-construction runoff rates to be equalized so that there are no changes in the character of runoff at property lines of the project sites. This would prevent substantial increases in the rate, volume, and duration of runoff leaving lots after they are developed, thereby reducing the potential for flooding or exceeding the capacity of stormwater drainage systems. Impacts related to alteration of drainage patterns, the potential for the proposed project to result in flooding, and the capacity of storm water drainage systems would be less than significant with implementation of the mitigation measures. The Hydrology and Water Quality analysis can be found on pages 4.8-1 through 4.8-19 or by clicking [here](#).

- Noise

The Draft EIR evaluates potential impacts related to noise on a short-term (construction period) and long-term basis. Based on the analysis conducted, the Draft EIR concludes that short-term noise impacts from construction would intermittently generate high noise levels on and adjacent to the site. Noise impacts would be reduced to a less than significant level, through the incorporation of recommended mitigation measures, including but not limited to strict adherence to the City's allowable days and hours of construction. The Noise analysis can be found on pages 4.9-1 through 4.9-13 of the Draft EIR or by clicking [here](#).

- Traffic and Circulation

The Draft EIR evaluates the potential for the proposed project to result in significant impacts on traffic and circulation, including impacts to the local and regional roadway system, intersections, and ingress/egress from the project site. The analysis contained in the Draft EIR is based on the Transportation Impact Study prepared by Linscott, Law and Greenspan, Engineers (LLG) in January 2019. The Traffic Analysis was reviewed by the City's Community Development and Public Works Departments. The Draft EIR concludes that under existing-plus-project conditions, the proposed project would result in significant impacts at four intersections in the City including Via Rivera/Hawthorne Boulevard, Seahill Drive-Tramonto Drive/Palos Verdes Drive South, Narcissa Drive/Palos Verdes Drive South and Forrestal Drive/Palos Verdes Drive South. In addition, the Draft EIR concluded that under cumulative conditions in 2030, the proposed project would also result in significant impacts at the intersection of Palos Verdes Drive East/Palos Verdes Drive South. In order to reduce impacts to less-than-significant levels, the Draft EIR recommends the incorporation of mitigation measures that include specific infrastructure improvements at four of the five identified intersections that are to be completed by the City within five years of the adoption of the proposed Landslide Moratorium Ordinance Revisions. The installation of a traffic signal at the Via Rivera/Hawthorne Boulevard intersection could reduce the project impact at that location to a less-than-significant level, as was studied in the Transportation Impact Study. However, as further analysis would be required to determine when a signal would be needed, how it would be funded, and whether it may have secondary effects, this mitigation measure is not considered feasible at this time. As such, traffic impacts the Via Rivera/Hawthorne Boulevard intersection would remain significant and unavoidable, requiring the adoption of a Statement of Overriding Considerations as a part of any Final EIR.

The Draft EIR also concluded that construction traffic, although temporary, could potentially exceed City significance thresholds during peak construction periods. The Draft EIR recommends the incorporation of mitigation measures so as to reduce the impact level, including but not limited to scheduling construction material deliveries during non-peak travel periods and limiting lane closures. Nevertheless, because impacts could temporarily exceed City thresholds,

construction traffic impacts are conservatively determined to be significant and unavoidable, also triggering a Statement of Overriding Considerations. The Statement of Overriding Considerations for the two significant and unavoidable traffic and circulation impacts would be presented to the City Council prior to certification of the Final EIR and adoption of the Landslide Moratorium Ordinance Revisions. The Traffic and Circulation analysis can be found on pages 4.10-1 through 4.10-31 of the Draft EIR or by clicking [here](#).

- Utilities and Service Systems

The Draft EIR evaluates potential impacts to the City's wastewater conveyance infrastructure system (i.e., sewer system). The Utilities and Service Systems analysis was reviewed by the City's Public Works Department. The analysis indicates that the existing Abalone Cove sewer system within the project area has the capacity to handle the additional 31 new residences that could result as part of the Landslide Moratorium Ordinance Revisions. This determination is based on information previously analyzed in the original Draft EIR circulated in 2012 and the Abalone Cove Sewer Capacity Report prepared in 2019, which is included in the Draft EIR as part of Appendix H. The analysis also determined that conveyance systems from the vacant lots to the existing sewer line would be required as part of the residential development of the lots. Impacts would be reduced to a less-than-significant level through the incorporation of recommended mitigation measures that include project applicant participation in geotechnical hazard abatement and the biannual update of the Abalone Cove Sewer Capacity Report by the City to assess deficiencies in the project area sewer system. The Utilities and Service Systems analysis can be found on pages 4.11-1 through 4.11-5 of the Draft EIR or by clicking [here](#).

- Tribal Cultural Resources

The Draft EIR identifies potential impacts to yet-to-be discovered Tribal Cultural Resources in the project area. The potential impacts would be a result of earthwork such as grading and trenching to accommodate construction activity for the residential units that could be allowed under the proposed Landslide Moratorium Ordinance Revisions. Tribal Cultural Resources were not previously analyzed in the prior Draft EIR circulated in 2012. As of July 1, 2015, California Assembly Bill 52 (AB 52) was enacted to expand CEQA by defining Tribal Cultural Resources as a new resource category. AB 52 establishes a formal consultation process between lead agencies and California tribes regarding Tribal Cultural Resources. As part of the preparation of the Draft EIR, City Staff and representatives from the Gabrieleño Band of Mission Indians-Kizh Nation participated in the AB 52 consultation process. The Tribal Cultural Resources analysis determined that potential impacts can be reduced to a level that is less than significant with the implementation of the recommended mitigation measure, which requires a City-approved qualified archeologist to monitor a project site during grading and excavation. The applicant is also required to notify Native

American tribes that have informed the City that they are traditionally and culturally affiliated with the geographic area of the proposed project and invite the tribes to observe any ground disturbance activities, if the tribes wish to monitor. In the event that a tribal cultural resource is found, the proposed mitigation measure also provides step-by-step requirements to protect and preserve those resources. The Tribal Cultural Resources analysis can be found on pages 4.12-1 through 4.12-3 of the Draft EIR or by clicking [here](#).

### Public Hearing

The purpose of tonight's public hearing is to provide an additional forum for the public to provide oral comments on the Draft EIR. No decision or recommendation on the project will be made at the public hearing. Therefore, comments on the merits of the proposed Landslide Moratorium Ordinance Revisions should be held until the public hearing(s) on the code revisions are conducted. Such hearings will be held after the completion of the Final EIR, most likely in November 2019. All interested parties will be notified of those hearings in the same manner by which this public hearing was advertised.

All written comments and oral testimony received during the meeting and through the comment period (concluding on October 7, 2019) will be provided to the City's environmental consultant, who will provide written responses to each comment in the Final EIR. The Final EIR will contain formal responses to the comments received, including any changes to the EIR text as a result of the comments.